

THE  
S T A T U T E S  
OF  
*THE UNITED KINGDOM*  
OF  
GREAT BRITAIN AND IRELAND.

WITH NOTES AND REFERENCES

By N. SIMONS, OF LINCOLN'S INN, ESQ.  
BARRISTER AT LAW.

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# T A B L E

Containing the TITLES of all

# T H E S T A T U T E S,

Passed in the FIRST Session of the ELEVENTH Parliament

or

The United Kingdom of *Great Britain and Ireland*;

3° & 4° GULIELMI IV.

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- xx. An Act for taking down the Parish Church of *Stretton-upon-Dunsmore* in the County of *Warwick* and Diocese of *Lichfield* and *Coventry*, and building a new Church in lieu thereof. 537
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- xxxi. An Act for better supplying with Water the City and County of the City of *Exeter*, and each Part of the Parish of *St. David* as it is situated in the County of *Devon*. *Ibid.*
- xxxii. An Act for more effectually supplying with Water the City and County of the City of *Exeter*, and each Part of the Parish of *St. David* as it is situated in the County of *Devon*. *Ibid.*
- xxxiii. An Act to alter and amend an Act of the Fifty-third Year of His late Majesty King George the Third, for better assessing and collecting the Poor and other Rates in the Parish of *St. Giles*, *Cardinal*, in the County of *Surrey*, and regulating the Affairs thereof, and for other Purposes relating thereto. Page 538
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- xiii. An Act for more effectually repairing the Road from *Lease* to *Drighlington* in the County of *Surrey*. *Ibid.*
- xiv. An Act for more effectually repairing the Roads from *Hedges* to *Bendish*, *Hill* and *Corfield*, and from *Bendish Hill* to *Leafield*, all in the County of *Surrey*. *Ibid.*
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- xvii. An Act for better regulating the Market, and cleansing the Streets, and preventing Nuisances, in the Town of *Towton* in the County of *Westmoreland*; and for amending Two several Acts of His late Majesty King George the Third relative thereto. *Ibid.*
- xviii. An Act to alter and enlarge the Powers of several Acts passed for the better Relief and Employment of the Poor in the Hundred of *Wongford* in the County of *Stafford*. *Ibid.*
- xix. An Act to alter, amend, and enlarge the Powers of an Act passed in the Fourth Year of the Reign of His Majesty King George the Third, intimated An Act for the better Relief and Employment of the Poor in the Hundred of *Manford* and *Loxington* in the County of *Suffolk*. *Ibid.*
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- li. An Act to alter, amend, and enlarge the Powers of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, for making and maintaining a Railway or Tramroad from *Golly Gille Farm* to the Parish of *Chalfont* in the County of *Gloucestershire* to *Meadley Pool* in the same Parish and County, and for making and maintaining a Wet Dock at the Termination of the said Railway or Tramroad at *Meadley Pool* aforesaid. Page 590
- lii. An Act for repairing and maintaining the Road from *Stone Street* *Holsh* at *Ormsby* in the County of *Surrey* to *Wormersley* in the County of *Sussex*. Ibid.
- liii. An Act for more effectually repairing the Road from *Tusmore* in the County of *Stafford* to *Bazley* in the County of *Gloucester*, and from *Great Chelf* to *Silchole* in the said County of *Stafford*, and for making a new Line and Division of Road to communicate therewith. Ibid.
- liiii. An Act for more effectually repairing the Road leading from the City of *Gloucester* towards the City of *Hereford*, and also towards *Newent* and *Newnham* in the County of *Gloucester*, *Ladbury* in the County of *Hereford*, and *Upton-upon-Severn* in the County of *Worcester*. Ibid.
- lv. An Act for more effectually repairing the Road from the North End of the Road called "The Coal Road," near *West Ashford* in the County of *Dorset*, to the *Elford Road* near *Elsham* in the County of *Northampton*. Ibid.
- lvi. An Act to amend an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, for repairing the Roads from *Manchester* to *Solter's Brook*, and for making several Roads to communicate therewith; and also for making a certain new Extension or Division of the said Roads instead of a certain Extension or Division by the said Act authorized to be made. Ibid.
- lvii. An Act for more effectually repairing the several Roads leading from the Borough of *Leobury* in the County of *Hereford*, and the Road from the Parish of *Bromston* to the Road from *Gloucester* to *Worcester*, and for making several Roads to communicate therewith. Ibid.
- lviii. An Act for more effectually repairing the Road from the Canal Bridge in *Horsfield* in the County of *Cheshire* to the Turnpike Road at *Roadle Cove Lane Head* in *Farnley* in the County of *Derby*, leading to *Chapel-in-the-Field* in the same County. Ibid.
- lix. An Act for more effectually repairing the Road from the Turnpike Road at *Blackley* in the County of *Hereford* to the Turnpike Road at or near *Bourn Bridge* in the County of *Coventry*. Ibid.
- lxi. An Act for repairing and improving the Road between the Town of *Ross* and *Allegreway* by *Bess* *Qu* and *Melby*, and certain Roads connected therewith, leading to *Grosvenor* and other Places, and for making and maintaining certain Branches of Road to communicate therewith, all in the Counties of *Hereford* and *Hereford*. Ibid.
- lxii. An Act for repairing and enlarging the Market Places within the City of *York*, and rendering the Approaches thereto more commodious; and for regulating and maintaining the several Markets and Fairs held within the same City and the Suburbs thereof; and for amending an Act of His late Majesty, for paving, lighting, watching and improving the said City; and other Purposes. Ibid.
- lxiii. An Act for granting certain Powers to a Company called "The Imperial Continental Gas Association" Ibid.
- lxiv. An Act for making and maintaining a Turnpike Road providing Assurances to the Widows and Children of the Members of the Faculty of Procurators of *Glasgow*. Page 592
- lxv. An Act to enable the *Edinburgh Life Assurance Company* to sue and be sued in the Name of their Managers, Secretary, or a limited Number of their ordinary Directors, as hold Property, and for other Purposes relating thereto. Ibid.
- lxvi. An Act to enable The Economic Life Assurance Society to sue and be sued in the Name of any One of the Directors or Trustees of the said Society. Ibid.
- lxvii. An Act to alter and amend the Powers of several Acts passed relating to the Harbour of *Tye* in the County of *Sussex*, and for granting further Powers for improving and completing the said Harbour and the Navigation thereof. Ibid.
- lxviii. An Act for paving, lighting, watching, cleansing, and otherwise improving the Township or Chapelry of *Birkensland* in the County Palatine of *Cister*, and for regulating the Polls thereof, and for establishing a Market within the said Township. Ibid.
- lxix. An Act to enable the Company of Proprietors of the *Leicester and Southampton Railway* to execute additional Works and Branches, and for altering and amending the Powers of the Act relating to the said Railway. Ibid.
- lxx. An Act for enabling the *Stafford and Moreton Railway Company* to make a new Branch of Railway to *Stutton-upon-Severn* in the County of *Worcester*. Ibid.
- lxxi. An Act for making and maintaining a Railway from the Termination of the *Leicester and Southampton Railway* in the Township of *Southernington* in the County of *Leicester* to the *Adley-de-la-Zouch Railway* in the Township of *Worthington* in the said County, and a Branch Railway thereto. Ibid.
- lxxii. An Act for altering and amending several Acts passed for the Drainage and Improvement of the Lands lying in the North Level, Part of the Great Level of the Fens called *Befford Level*, and in *Great Partland* and in the Manor of *Crowland*; and for providing additional Funds for such Drainage and Improvement by the *New Drayful Cut* to Sea. Ibid.
- lxxiii. An Act for repairing the Road from the Town of *Great Farningham* in the County of *Berks* to *Befford* in the County of *Oxford*. Ibid.
- lxxiv. An Act for more effectually repairing and otherwise improving the Road from *Warrington* to *Wigan* in the County Palatine of *LANCASHIRE*. Ibid.
- lxxv. An Act for repairing and improving the Roads through *Hastley* from *Gloucester* towards *Bass* in the County of *Hereford*, and to and from *Melbush*, and through *Wentley-upon-Severn* to *Newnham* and *Ladbury*, in the County of *Gloucester*. Ibid.
- lxxvi. An Act for maintaining and improving the Turnpike Road from the Guide Post below *Hudley*, out of the *Edwinstrey* Turnpike Road, into the *Befford* and *Adley-de-la-Zouch* Turnpike Road, in the County of *Derby*. Ibid.
- lxxvii. An Act for repairing and widening the Road from *Witchamere* in the County of *Southampton* to the Extremity of the Parish of *Aldermanston* in the County of *Berks*. Ibid.
- lxxviii. An Act for better repairing the Roads from *Worcester* and *Free France* to the *Bath Road*, and from *Woolston* to the *Thameside Road*, in the Counties of *Wills* and *Somerset*, and for making certain new Lines of Road branching out of such Roads to and towards *Bath*. Ibid.
- lxxix. An Act to make and maintain a Turnpike Road from the Village of *Wotton* to the Village of *Thingfield* in the County of *Worcester*.

- xxxv. An Act for draining and preserving certain Fee Lands and Low Grounds in the Parish of *Higgerhall* and *Saint Mary Magdalen* in the County of *Norfolk*, and other Purposes. Page 544
- xxxvi. An Act for more effectually repairing and improving the Road from *Battersea Moor End* to the *Tympoke Road* leading from *Battersea to Abchurch*, and other Roads therein mentioned, in the Counties of *Stafford and Derby*, and for making several Divisions or new Lines of Road to communicate therewith. *Ibid.*
- xxxvii. An Act for more effectually repairing the Road from *Bury Saint Edmunds to Newmarket* in the Counties of *Stafford and Cambridge*. *Ibid.*
- xxxviii. An Act for improving the *Strensham District* and the *Wallingford District* of the *Walling Street Road* in the County of *Salop*. *Ibid.*
- c. An Act for continuing certain Powers to the Trustees of the Road from *Knotish Tones to Upper Holloway* in the County of *Middlesex*. *Ibid.*
- c. An Act for amending an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for rebuilding, or for improving, repairing, and maintaining, the Town Quay of Gravesend* in the County of *Kent*, and the *Landing Place* belonging thereto; and for building a Pier or Jetty adjoining thereto. *Ibid.*
- ci. An Act for erecting a Bridge over the *River Daugholton* within the Town and County of *Hampfordham* and the Liberties thereof. *Ibid.*
- cii. An Act for supplying with Water the Town and County of *Hampfordham* and the Liberties thereof. *Ibid.*
- civ. An Act for better supplying with Water the Town and Borough of *Leven*, and the Neighbourhood thereof, in the County of *Suffolk*. *Ibid.*
- cs. An Act for paving, cleaning, lighting, watching, repairing, and improving a certain Partee of the Parish of *Horse* in the County of *Kent*. *Ibid.*
- cvi. An Act to explain and amend an Act passed in the First and Second Year of the Reign of His present Majesty, intitled *An Act to alter and amend an Act passed in the Seventh and Eighth Year of the Reign of His late Majesty, intitled 'An Act for carrying into effect certain Improvements within the City of Edinburgh'* and amended to the same. *Ibid.*
- cvii. An Act for amending several Acts of the Sixteenth, Twentieth, Twenty-ninth, and Fifty-fourth Years of His late Majesty King George the Third, for the better Relief and Employment of the Poor within the Hundred of *Forsyth* in the County of *Northfolk*. *Ibid.*
- cviii. An Act for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of *Leamthorpe* and the Upper Ward of the County of *Leicestershire*; and also for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of *Hemilton* and Middle Ward of the said County. *Ibid.*
- cix. An Act for repairing, amending, and maintaining the *Tympoke Roads* in the County of *Huntingdon*, for rendering *Tympoke* certain *Statute Labour* and *Parish Roads*, and for more effectually collecting and applying the *Statute Labour* in the said County. 548
- cx. An Act for confirming and carrying into effect Agreements between the *Bishop of Ely* and the Society of Judges and Sergeants at Law, for vesting in the said Society the *Fee Simple of Serjeants Hall, Clerkenwell Lane*, and between the *Parish of Saint Dunstons in the West* and the said Society; and for other Purposes. *Ibid.*
- cx. An Act to alter and amend Three several Acts made

- in the Seventh and Forty-second Years of the Reign of King George the Third, and the Sixth Year of the Reign of His late Majesty King George the Fourth, for dissolving Lands within the Level of *Marchew* in the County of *Lincoln*, and making certain Parts of the River *Ancolne* navigable. Page 518
- cxli. An Act for more effectually repairing several Roads in the Counties of *Carlisle*, *Wiltshire*, and *Tipperary*, and also the Road from the Town of *Glennel*, through the County of *Waterford*, to the Cross Roads of *Knocklofty* in the said County of *Tipperary*. *Ibid.*
- cxlii. An Act for better preserving the Harbour of *Maryport*, and for lighting and otherwise improving the Township of *Maryport* in the County of *Cumberland*. *Ibid.*
- cxliii. An Act for making Two Branch Railways from the *Newcastle and Carlisle* Railway; and for altering, amending, and enlarging the Powers of an Act of the Fifth Year of His late Majesty for making the said Railway. 519
- cxliv. An Act to amend an Act passed in the Ninth Year of the Reign of His late Majesty, for regulating and enabling the City of *Dublin* Steam Packet Company to sue and be sued. *Ibid.*
- cxlv. An Act for renewing and extending the Terms of the Acts relating to the *Greenock and Reyfrow* and *Greenock and Kelly Bridge* Roads in the County of *Argyleshire*. Page 520
- cxlvii. An Act for dissolving "The *Sriest George's* Fund Society," otherwise called "The *Troopers* Fund," in the Royal Regiment of Horse Guards, and for distributing the Fund. *Ibid.*
- cxlviii. An Act for raising a Sum of Money for the Repair of *Blackfriars* Bridge. *Ibid.*
- cxlix. An Act for the more easy and speedy Recovery of Small Debts within the Township of *Hypole*, and other Places therein mentioned, in the County Palatine of *Chester*. *Ibid.*
- cl. An Act to rectify a Mistake in an Act of this Session of Parliament, for more effectually repairing the Road from the Canal Bridge in *Hardyfold* in the County of *Chester* to the Turnpike Road at *Reandle Carr Lane Head* in *Ferriby* in the County of *Derby*, leading to *Chapel-in-the-Field* in the same County. *Ibid.*
- cli. An Act to amend the Acts relating to the *Thames Tunnel* Company, and to extend the Powers thereby given for raising Money for the Completion of the said Tunnel. *Ibid.*
- clii. An Act to appoint Trustees for the Creditors of the City of *Edinburgh*. *Ibid.*

## PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. An Act for dividing, allotting, and inclosing Lands in the Tithing of *Hanging Longford*, within the Parish of *Steeple Longford* in the County of *Wilt*. Page 520
2. An Act for inclosing Lands in the Township of *Crofton* in the Parish of *Babell* in the North Riding of the County of *York*. *Ibid.*
3. An Act for enabling the Trustees of the Will of the late *Sir Henry Charles Englefield* Baronet, deceased, to sell the undivided Moiety of the Estate called the *Whorson Percy* Estate, in the County of *York*, thereby devised. *Ibid.*
4. An Act for settling and preserving *Sir John Stowe's* Museum, Library, and Works of Art, in *Lincoln's Inn* Fields in the County of *Middlesex*, for the Benefit of the Public, and for establishing a sufficient Endowment for the due Maintenance of the same. *Ibid.*
5. An Act for effecting an Exchange between the Master or Keeper and Fellows or Scholars of *Corpus Christi* College in the University of *Cambridge*, and the Master or Keeper, Fellows and Scholars of *Pembroke Hall* in the same University. *Ibid.*
6. An Act for vesting and securing the Lands of *Maidstone* in the County of *Kent* in General *John Houslow* of *Delford*, and the Heirs under a Deed of Endow of the said Estate of *Delford* in said County, made by *James Houslow* Esquire, of *Beechell*, under the Conditions and Limitations therein contained; and for discharging, in Fee thereof, certain detached Parts of the said Endowed Estate; and also for vesting other Parts of the said Endowed Estate in a Trustee, to sell the same, and apply the Proceed thereof, or the Securities to be granted thereon, for Payment of Debts contracted by the said General *John Houslow* for Money laid out in the Improvement of the said Estate, as is expressed by the University of
7. An Act to enable the Reverend *Richard Morris* and *Mary Ann* his Wife, during their joint Lives, and the said *Mary Ann Morris* in case she shall survive the said *Richard Morris*, and after her Decease the Guardians of *Maria Sophia Hagg* Spinster, during her Infancy, to grant Leases of Part of the Estates devised by the Will of *James Hagg* deceased, for the Purpose of building upon and otherwise improving the same. Page 520
8. An Act for vesting the undivided Moiety of certain Estates of the Reverend *Felice Edwards* and *Jess* his Wife, and their Issue, and of the Devices of *Richard Edwards* deceased, in Trustees, for Sale, and for laying out the Money to be produced by such Sale in the Purchase of other Estates, to be settled to the same Use. *Ibid.*
9. An Act for inclosing, dividing, and allotting the Commons, Drovers, and Waste Lands in the Parish of *Widford* *Saint Mary's* in the Isle of *Ely* in the County of *Cambridge*. 521
10. An Act for dividing, allotting, and inclosing Lands in the Township of *Middleton* by *Wirksworth* in the County of *Derby*. *Ibid.*
11. An Act for inclosing Lands in the Parish of *Generous* in the County of *Hertford*. *Ibid.*
12. An Act for inclosing Lands in the Parish of *Elstow* in the County of *Gloucester*. *Ibid.*
13. An Act for inclosing certain Moors or Commons called *West Moor*, *East Moor*, and *Middle Moor*, in the County of *Somerset*. *Ibid.*
14. An Act for inclosing Lands in the Township of *Great Gossendale* in the East Riding of the County of *York*. *Ibid.*
15. An Act for inclosing Lands in the Parish of *Oxlington* in the County of *Cambridge*, and for constituting the Trustees of the said Parish, Disposition Unit



14. An Act for inclosing Lands within the Parish of Lakenhead in the County of Suffolk. Page 551
15. An Act for inclosing Lands in the Parish of Yoxley in the County of Worcester, and for commutating the Tithes of the said Parish. *Ibid.*
18. An Act for confirming a Partition of Farms and Land in the County of Kent, devised by the Will of William Merton, late of Yaxsted in the same County, deceased. 532
19. An Act for effecting an Exchange of Estates in the County of Lincoln between Elizabeth Foss Widow and James Fere Esquire and William Robinson. *Ibid.*
20. An Act for inclosing Lands within the Manor of Little Salfield in the Parish of Addington in the County of Cambridgeshire. *Ibid.*
21. An Act for dissolving the Corporation of The Leeds Oil Gas Light Company, and for vesting the Estate and Effects of the Company in Trustees, to be sold for the Benefit of the Parties interested therein; and for finally settling and adjusting the Company's Concerns. *Ibid.*
25. An Act for enabling Charles Robert Carter Petty Esquire and others to grant Building and Repairing Leases of Lands and Premises in the Parishes of Saint Dunstan Stidoulath otherwise Stepney and Saint Marlowe Archway Green in the County of Middlesex. *Ibid.*
28. An Act to enable the Trustees of the Blue Coat Charity School at Stockton in the County of Durham to sell and dispose of certain Lands and Hereditaments belonging to the said Charity, and to purchase and acquire other Lands in lieu thereof, and also the Reversion of the Lands held by them for Lives. *Ibid.*
29. An Act for vesting certain Estates of which Ann Thorescroft Spinster was Meretrix in Fee in the Reverend Robert Clowes Clerk, the surviving Executor of her Will, subject to the subsisting Equities of Redemption. Page 552
25. An Act for dividing, allotting, and inclosing the Commonable and Waste Lands in the Borough of Loughor in the Manor of Loughor in the County of Glamorgan. *Ibid.*
26. An Act to grant further Power to lease certain Parts of the Devised Estates of the Right Honourable Richard late Viscount Fitzwilliam deceased, situate in the City of Dublin and the Neighbourhood thereof. *Ibid.*
27. An Act for enabling and directing the Trustees acting under the Will of Peter Theobald Esquire, deceased, to grant certain Leases of the Estates subject to the Trusts of the said Will; and for other Purposes. *Ibid.*
28. An Act to vest Part of the Estates devised by the Will of the Reverend Robert Mearns, late of Blewford Forum in the County of Dorset, Clerk, deceased, in Trust, for Sale; and for inserting the Manner to arise from such Sale in the Purchase of other Estates, to be settled to the subsisting Uses of the said Will. *Ibid.*
29. An Act to enable the Lord Bishop of Limerick to sell and dispose of Saint George's Chapel in the City of Limerick, and the Land on which the same is built (heretofore Part of the Estate of the Earl of Limerick), and to apply the Proceeds of such Sale in the Erection of a new Chapel. *Ibid.*
30. An Act to invest Part of the Enailed Estate of Longley Park in the County of York, belonging to James Crockett Esquire, in Trust, in Fee Simple, for the Purpose of selling the Lands so vested, and applying the Price thereof, or the Loans to be raised on Securities to be granted thereon and on the said Enailed Estate, towards Extinction of Debts affecting or that may be made to affect the Fee of the said Estate. *Ibid.*

## PRIVATE ACTS,

## NOT PRINTED.

31. AN Act for naturalizing Pompey Anthon.
32. An Act for naturalizing Leo Schuster.
33. An Act for naturalizing William London.
34. An Act for naturalizing John George Behrendt.
35. An Act for naturalizing Edward Peia.
36. An Act for naturalizing Anselmo de Arragon.
37. An Act for naturalizing Cassa Starck.
38. An Act for naturalizing William Matthieson.
39. An Act for inclosing Lands in the Township of Partley in the Parish of Leeds in the West Riding of the County of York.
- [Small Alterments to be made for Tester Ground, § 18; and for enlarging the Burial Ground of Wortley Chapel, § 19. Strengthen the Rights of the Lord of the Manor, § 26. General wrong, § 25.]
40. An Act for inclosing Lands in the Parish of Bampton in the County of Sussex.
- [Alterment to be made for Sand and Gravel Pits for repairing Roads, § 25; and to the Lord of the Manor for his Right of Soil, § 24.]
41. An Act for naturalizing John Leisler.
42. An Act for naturalizing John Louis Lenoir.
43. An Act to dissolve the Marriage of John Walpole Willis Esquire with the Right Honourable Lady Mary Boleyn his now Wife, and to enable him to marry again; and for other Purposes therein contained.



A  
T A B L E  
Containing the TITLES of all  
THE STATUTES,

Passed in the SECOND Session of the ELEVENTH Parliament  
OF  
The United Kingdom of *Great Britain and Ireland*;  
4° & 5° GULIELMI IV.

PUBLIC GENERAL ACTS.

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| <p>1. AN Act to explain and amend an Act of the last Session of Parliament, for regulating the Labour of Children and young Persons in the Mills and Factories of the United Kingdom. <span style="float: right;">Page 527</span></p> <p>2. An Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-four. <span style="float: right;">Ibid.</span></p> <p>3. An Act for raising the Sum of Fourteen Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-four. <span style="float: right;">Ibid.</span></p> <p>4. An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore. <span style="float: right;">528</span></p> <p>5. An Act for continuing to His Majesty until the Fifth Day of July One thousand eight hundred and thirty-five certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-four. <span style="float: right;">529</span></p> <p>6. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. <span style="float: right;">Ibid.</span></p> <p>7. An Act to repeal, at the Period therein mentioned, so much of an Act passed in the Fifth Year of the Reign of His late Majesty King George the Third, intituled <i>An Act to alter certain Rates of Postage, and is amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office</i>, as authorizes the taking of certain Rates of Inland Postage within His Majesty's Dominions in North America. <span style="float: right;">535</span></p> <p>8. An Act to amend an Act passed in the last Session, for consolidating and amending the Laws relative to Jurors and Juries in Ireland. <span style="float: right;">565</span></p> <p>9. An Act to indempnify such Persons in the United Kingdom as have certified to qualify themselves for Offices and Employments, and for extending the Time limited, for those Persons respectively until the Twenty-third Day of March One thousand eight hundred and thirty five, to permit such Persons in Great</p> | <p><i>Britain as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attorneys and Solicitors to make and file the same on or before the First Day of Whitsy Term One thousand eight hundred and thirty-five; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates.</i> <span style="float: right;">Page 565</span></p> <p>10. An Act for continuing until the First Day of June One thousand eight hundred and thirty-six the several Acts for regulating the Turnpike Roads in Great Britain which will expire with the present or the next Session of Parliament. <span style="float: right;">Ibid.</span></p> <p>11. An Act for continuing to His Majesty until the Fifth Day of July One thousand eight hundred and thirty-five certain Duties on Offices and Pensions, for the Service of the Year One thousand eight hundred and thirty-four; and to appropriate any Sums arising from the Redemption of the Land Tax. <span style="float: right;">Ibid.</span></p> <p>12. An Act to apply a Sum of Seven Millions, out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-four. <span style="float: right;">Ibid.</span></p> <p>13. An Act to repeal so much of an Act of the last Session of Parliament, for the Prevention of Swaggling, as authorizes Magistrates to sentence Persons convicted of certain Offences to serve His Majesty in His Naval Service, and to alter and amend the said Act. <span style="float: right;">566</span></p> <p>14. An Act to repeal so much of several Acts as authorizes the issuing any Sums of Money out of the Consolidated Fund for the Encouragement of the raising or dressing Hemp or Flax. <span style="float: right;">568</span></p> <p>15. An Act to regulate the Office of the Receiver of His Majesty's Exchequer at Westminster. <span style="float: right;">569</span></p> <p>16. An Act to establish the Office of Recorder of the Exchequer, and to alter the Office of the Receiver of the Exchequer. <span style="float: right;">575</span></p> |
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17. An Act to solemnly Witnessed who may give Evidence before the Lords Spiritual and Temporal on a Bill for preventing Bribery and Corruption and illegal Practices in the Election of Members to serve in Parliament for the Borough of Hereford. Page 576
18. An Act to solemnly Witnessed who may give Evidence before the Lords Spiritual and Temporal on a Bill to exclude the Freedom of Liverpool from voting at the Election of Members of Parliament for that Borough. *Ibid.*
19. An Act to repeal certain Duties on Inhabited Dwelling Houses. 577
20. An Act to explain and amend an Act passed in the Thirty-third Year of the Reign of His late Majesty King George the Second, to regulate the Conveyance and Sale of Fish at First Hand. *Ibid.*
21. An Act for amending certain Provisions of an Act of the Thirty-sixth of George the Third, for regulating the buying and selling of Hay and Straw. 579
22. An Act to amend an Act of the Eleventh Year of King George the Second, respecting the Appointment of Herds, Amalgams, and other periodical Payments. 579
23. An Act for the Amendment of the Law relative to the Ejectment and Forfeiture of Real and Personal Property holden as Trust. 580
24. An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Commissions, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service. 581
25. An Act to alter and extend the Provisions of an Act passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy. 587
26. An Act to abolish the Practice of hanging the Bodies of Criminals in Chains. 589
27. An Act for the better Administration of Justice in certain Boroughs and Franchises. 590
28. An Act to amend the Laws relative to Marriages celebrated by Heretic Catholic Priests and Ministers not of the Established Church, in Scotland. *Ibid.*
29. An Act for facilitating the Loan of Money upon Landed Securities in Ireland. 594
30. An Act to facilitate the Exchange of Lands lying in Common Fields. 592
31. An Act for transferring certain Annuities of Four Pounds per Centum per Annum into Annuities of Three Pounds and Ten Shillings per Centum per Annum, and for providing for paying off the Persons who may dissent to such Transfer. 597
32. An Act for reducing the Tonnage Rates payable in the Port of London. 599
33. An Act to repeal so much of several Acts as requires Deposits to be made upon Teas sold at the Sales of the East India Company. 606
34. An Act to repeal the Laws relating to the Contribution out of Merchant Seamen's Wages towards the Support of the Royal Naval Hospital at Greenwich, and for supplying other Funds in lieu thereof. 606
35. An Act for the better Regulation of Chimney Sweepers and their Apprentices, and for the safer Construction of Chimneys and Flues. 607
36. An Act for establishing a new Court for the Trial of Offences committed at the Messparks and Parts adjacent. 612
37. An Act (which may be inserted in the Statute Book as an Act passed in the First and Second Years of the Reign of His present Majesty, for the Improvement of Glasgow. Page 611)
38. An Act to continue, under certain Modifications, to the First Day of August One thousand eight hundred and thirty-five, an Act of the Third Year of His present Majesty, for the more effectual Suppression of local Disturbances and dangerous Associations in Ireland. *Ibid.*
39. An Act to give Costs in Actions of Quare Impedit. 618
40. An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies. *Ibid.*
41. An Act to regulate the Appointment of Ministers to Churches in Scotland erected by voluntary contribution. 622
42. An Act to facilitate the taking of Affidavits and Admissions in the Court of the Vice-Wardens of the Stannaries of Cornwall. *Ibid.*
43. An Act to authorize Persons duly appointed to act as Justices of the Peace in the Islands of Scilly, although not qualified according to Law. 623
44. An Act to regulate the Conveyance of printed Newspapers by Post between the United Kingdom, the British Colonies, and Foreign Parts. *Ibid.*
45. An Act to amend an Act of the present Session, for altering and consolidating the Laws for regulating the Pensions and Allowances to Persons in respect of their having held Civil Offices in His Majesty's Service. 627
46. An Act to amend an Act passed in the Fifty-eighth Year of King George the Third, for establishing Fever Hospitals, and to make other Regulations for Relief of the suffering Poor, and for preventing the Increase of infectious Fevers, in Ireland. *Ibid.*
47. An Act for preventing the Interference of the Spring Annals with the April Quarter Sessions. 628
48. An Act to regulate the Expenditure of County Rates and Funds in and thereof. *Ibid.*
49. An Act to amend and render more effectual the Acts of the Fifth and Sixth Years of the Reign of His late Majesty King George the Fourth, relating to Weights and Measures. 629
50. An Act to amend an Act passed in the Forty-ninth Year of the Reign of King George the Third, for amending the Irish Road Acts. 634
51. An Act to amend the Laws relating to the Collection and Management of the Revenue of Excise. 635
52. An Act to amend an Act of the Twentieth Year of His Majesty King George the Second, for the Relief and Support of wick, razed, and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service; and for other Purposes. 641
53. An Act to continue for One Year, and from thence to the End of the then next Session of Parliament, several Acts relating to the Importation and keeping of Arsenic and Gunpowder in Ireland. 651
54. An Act to continue for Five Years, from the Fifth Day of April One thousand eight hundred and thirty-five, and to amend, the Acts for authorizing a Compensation for Assessed Taxes. 652
55. An Act to amend Three Acts, made respectively in the Seventh Year of the Reign of His late Majesty King George the Fourth, and in the First and Second Years of the present Majesty, and the First Year of the Reign of His present Majesty, for the uniform Valuation of Lands

- Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in *Ireland*; and to provide for the more effectual Levy of Grand Jury Fees. Page 661
56. An Act to continue for One Year, and from thence to the End of the then next Session of Parliament, the Acts for the Relief of Insolvent Debtors in *Ireland*. 655
57. An Act to repeal the Stamp Duties on Almonacs and Directories, and to give other Relief with relation to the Stamp Duties in *Great Britain* and *Ireland* respectively. 656
58. An Act for raising the Sum of Fourteen millions three hundred and eighty-four thousand seven hundred Pounds by Exchange Bills, for the Service of the Year One thousand eight hundred and thirty-four. 657
59. An Act to extend the Term of an Act of the First and Second Years of His present Majesty, for ascertaining the Boundaries of the Forest of *Dean*, and for inquiring into the Rights and Privileges claimed by Free Miners of the Hundred of *Sweet Rowell*, in the Twenty-first Day of January One thousand eight hundred and thirty-five, and from thence to the End of the then next Session of Parliament. *Ibid.*
60. An Act to amend the Laws relating to the Land and Assessed Taxes, and to consolidate the Boards of Stamps and Taxes. *Ibid.*
61. An Act for the more effectually providing for the Erection of certain Bridges in *Ireland*. 672
62. An Act for improving the Practice and Proceedings in the Court of Common Pleas of the County Palatine of *Leicester*. 677
63. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Sergeants, Assistant Sergeants, Sergeants Major, and Sergeant Majors of the Militia, and the First Day of July One thousand eight hundred and thirty-five. 685
64. An Act to suspend until the End of the next Session of Parliament the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. *Ibid.*
65. An Act for the more effectual Administration of Justice at *North Ireland*. *Ibid.*
66. An Act for empowering the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to pay the Net Proceeds of the Tolls of the *Memo and Conway Bridges* into the Receipt of His Majesty's Exchequer at *Westminster*, to the Account of the Consolidated Fund. 696
67. An Act for abolishing Capital Punishment in case of retreating from Transporters. 692
68. An Act to authorize an Advance out of the General Fund of Monies belonging to the Sectors of the Courts of Chancery and Exchequer in *Ireland*, towards the purchasing of Ground, and building thereon Offices necessary to the Courts of Justice in *Dublin*. 695
69. An Act for placing the *Middleton Head Lighthouse* in the County of *Gloucester* under the Management of the Corporation of the *Travery House of Durdale Street*. 695
70. An Act to regulate the Salaries of the Officers of the House of Commons, and to abolish the Soutdoor Offices of Principal Committee Clerks and Clerks of Impositions. Printed under the Authority of the University of Cambridge.
71. An Act to repeal certain Provisions of Two Acts of His Majesty King George the Third, affecting the Printers, Publishers, and Proprietors of Newspapers in *Ireland*. Page 697
72. An Act to amend several Acts for authorizing the Issue of Exchange Bills for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize a further Issue of Exchange Bills for the Purposes of the said Acts. 698
73. An Act to grant Relief from the Duties of Annual Taxes in certain Cases. 700
74. An Act to continue until the Fifth Day of March One thousand eight hundred and thirty-five, and from thence to the End of the then next Session of Parliament, an Act of the Fifty-fourth Year of His Majesty King George the Third, for rendering the Payment of Creditors more equal and expeditious in *Scotland*. 702
75. An Act to repeal the Duties on Spirits made in *Ireland*, and to impose other Duties in lieu thereof, and to impose additional Duties on Licences to Retailers of Spirits in the United Kingdom. 703
76. An Act for the Amendment and better Administration of the Laws relating to the Poach in *England* and *Wales*. 705
77. An Act for repealing the Duties on Starch, Some Bottles, Sweets or Made Wines, Mead or Mashingin, and on Scotchboard made from Wood. 709
78. An Act for the Amendment of the Proceedings and Practice of the High Court of Chancery in *Ireland*. 722
79. An Act to amend the Law relating to Insolvent Debtors in *Ireland*. 728
80. An Act to provide for the Repayment to the Governor and Company of the Bank of *England* of One fourth Part of the Debt due from the Public to the said Company, in pursuance of an Act passed in the last Session of Parliament. 740
81. An Act to amend an Act of the Third Year of King George the Fourth, for regulating Turnpike Roads in *England*, so far as the same relates to the Weights to be carried upon Waggon with Springs. 741
82. An Act to amend and extend an Act of the Second Year of His present Majesty, to facilitate the Service of Process issuing from the Courts of Chancery and Exchequer in *England* and *Ireland*. *Ibid.*
83. An Act to amend an Act passed in the Third Year of His present Majesty, intitled *An Act for shortening the Time required in Cases of Notice Dissolution, or Exemption from or Discharge of Tolls*. 742
84. An Act to apply a Sum of Money out of the Consolidated Fund and the Surplus of Grants to the Service of the Year One thousand eight hundred and thirty-four, and to appropriate the Supplies granted in this Session of Parliament. 745
85. An Act to amend an Act passed in the First Year of His present Majesty, to permit the general Sale of Beer and Cider by Retail in *England*. 747
86. An Act to explain certain Provisions in an Act of the Third and Fourth Years of His present Majesty, to provide for the Election of Magistrates and Councilors for the several Burghs and Towns of *Scotland* which now return or contribute to return Members to Parliament, and are not Royal Burghs. 751
87. An Act to explain certain Provisions of an Act of the Third and Fourth Years of the Reign of His present Majesty, to alter and amend the Laws for the Election of Members to Parliament, and are not Royal Burghs in *Scotland*. 752

88. An Act for the more effectual Regulation of Persons entitled to vote in the Election of Members to serve in Parliament in Scotland. Page 720
89. An Act to amend the Laws relating to the Customs. *Ibid*
90. An Act to amend an Act made in the Third and Fourth Year of the Reign of His present Majesty, intitled *An Act to alter and amend the Laws relating to the Temporalities of the Clergy of Ireland*. 758
91. An Act to continue for One Year, and from thence to the End of the then next Session of Parliament, the several Acts for regulating the Turnpike Roads which will expire during the present or before the End of the next Session of Parliament, and to extend the several Acts regulating the Post Roads, in *Ireland*. 771
92. An Act for the Abolition of Fines and Recoveries,

- and for the Substitution of more simple Modes of Assurance, in *Ireland*. Page 770
93. An Act to amend the Laws relating to Appeals against summary Convictions before Justices of the Peace in *Ireland*. 785
94. An Act to enable His Majesty to invest trading and other Companies with the Powers necessary for the due Conduct of their Affairs, and for the Security of the Rights and Interests of their Creditors. *Ibid*
95. An Act to empower His Majesty to erect South Australia into a British Province or Provinces, and to provide for the Colonization and Government thereof. 788
96. An Act to enable the Commissioners of Sewers for the City and Liberty of Westminster and Part of the County of Middlesex to make a new Sewer at Bayswater in the County of Middlesex. 792

## LOCAL AND PERSONAL ACTS,

## DECLARED PUBLIC,

## AND TO BE JUDICIALLY NOTICED.

- AN Act to empower the Liverpool Oil Gas Light Company to produce Gas from Coal and other Materials, and to amend the Act relating to the said Company. Page 794
- i. An Act to alter, amend, and enlarge the Powers of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for making and maintaining a Highway or Turnpike Road near the City of Bristol to Conduit Heath in the Parish of Westleigh in the County of Gloucester*. *Ibid*
- ii. An Act to enlarge and amend the Powers and Provisions of an Act relating to the *Saint Helen's and Blenheim Gap Railway Company*. *Ibid*
- iii. An Act for building a Bridge over *Stoke otherwise Hasler Lode*, which separates *Gosport* from *Hasler*, both in the Parish of *Alverstoke* in the County of Southampton, and for making Approaches thereto. *Ibid*
- iv. An Act for better assessing the Poor and other Rates on small Tenements within the Parish of *Seabrook* in the East Riding of the County of York. *Ibid*
- v. An Act to repeal an Act passed for better assessing and recovering the Poor and other Rates upon small Tenements within the Parish of *Lampool* in the County Palatine of *Lancaster*. *Ibid*
- vi. An Act to alter, amend, enlarge, and extend the Powers and Provisions of an Act for enabling the Company of Proprietors of *Lambeth Waterworks* to supply the Inhabitants of the Parish of *Lambeth* and Parts adjacent in the County of *Surrey* with Water. *Ibid*
- vii. An Act for removing the Markets held in the *High and Fove Street* and other Places within the City of *Exeter*, and for providing other Markets in lieu thereof. 795
- viii. An Act for enabling the *Great Assurance Company* to sue and be sued in the Name of the Chairman for the Time being, or of any One of the Directors of the said Company. *Ibid*
- ix. An Act for more effectually repairing and maintaining the Road *from London to the City of London*, and for the better Regulation of the *City's Cover* at the Parish of *Abchurch*, and from the

- King's Head Inn in Abchurch*, through the Town of *Harrowood*, to the Cross Roads in the Town of *Ditchley*; and also for making and maintaining a Branch of Road from the Town of *Harrowood* to *Pigeon-Cannon*, all in the County of *Sussex*. Page 795
- x. An Act for making a Turnpike Road from *Waverley* in the County of *Salop* to the Turnpike Road leading from *Bishop's Castle* in the said County of *Salop* to *Clareville* in the County of *Montgomery*. *Ibid*
- xi. An Act to enable the Company of Proprietors of the *Cobler and Millers Navigation* to improve their Navigation, and to amend the Acts relating thereto. *Ibid*
- xii. An Act for extending the Approaches to *Lezley Bridge*, and amending the Acts relating thereto. *Ibid*
- xiii. An Act for granting certain Powers to the *New Swansea and New South Land Company*. *Ibid*
- xiv. An Act for granting certain Powers to "The *British American Land Company*." *Ibid*
- xv. An Act for better paving, cleansing, lighting, watching, watering, and otherwise improving the Streets and other public Passages and Places within the Borough of *Dorchester* in the County of *Dorset*, and the Tithing of *Colliton Row* in the Town of *Dorchester* aforesaid. *Ibid*
- xvi. An Act to alter, amend, and enlarge the Powers of an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for supplying the City and Suburbs of Liverpool in the County of the City of Liverpool with Water*. *Ibid*
- xvii. An Act for better supplying with Water the Town and County of the Town of *Newmarket-upon-Avon*, and the Neighbourhood thereof. 796
- xviii. An Act to alter, amend, and enlarge the Powers of an Act passed in the First Year of the Reign of His present Majesty King William the Fourth, intitled *An Act for empowering the Mayor's of Bath to make and maintain a Ship Canal commencing near the Mouth of the River *Tarf* in the County of Gloucestershire, and terminating near the Town of *Curdip*, with other Works to communicate the said River with the River *Avon* in the County of *Gloucestershire*." *Ibid**
- xix. An Act for enabling the Company of Proprietors of the

- the Western Branch of the *Montgomeryshire Canal* to effect an Agreement with *William Pugh* of *Bryn Llywarch* in the County of *Montgomery*, Esquire; and for securing certain Monies advanced and paid by the said *William Pugh* and others to or for the Use of the said Company. Page 796
- xxi. An Act to enable the *Birmingham and Liverpool Junction Canal Navigation Company* to raise a further Sum of Money. *Ibid.*
- xxii. An Act to continue the Term and to alter and amend the Powers of an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George the Third*, for taking down and rebuilding *Folly Bridge* otherwise *Priest Bridge*, across the *Silver Lea*, in or near the City of *Oxford*. *Ibid.*
- xxiii. An Act for uniting into One Parish the Parishes of *Saint John the Baptist* and *Saint Benedict* in the Town of *Gloucester* in the County of *Salisbury*. *Ibid.*
- xxiv. An Act to incorporate a Company for better supplying with Gas the Town of *Cambridge* in the County of *Cambridge*. *Ibid.*
- xxv. An Act for uniting the *Wigan Branch Railway Company* and the *Proton and Wigan Railway Company*; for authorising an Alteration to be made in the Line of the last-mentioned Railway; and for repealing, altering, and amending the Acts relating to the said Railways. *Ibid.*
- xxvi. An Act for making and maintaining a Railway from *Weydon* to *Bolton*, with Six Branches thereof, all within the County Palatine of *Durham*. *Ibid.*
- xxvii. An Act for enabling the *Dulles and Elngton Railway Company* to make an Extension of their present Line of Railway, and for altering and amending the Act for making the said Railway. *Ibid.*
- xxviii. An Act for repairing and improving the Second District of the Road from *Colahill*, through the City of *Liverpool* and the Town of *Stones*, to the End of the County of *Stafford* in the Road leading towards *Cleose*, and making a new Branch therein; and also to annex to and consolidate therewith the Turnpike Road from *Naseby*, through *Arwastep*, to *Alverton* in the County of *Stafford*. *Ibid.*
- xxix. An Act for more effectually ascending, widening, and repairing the Road from *Farnworth Bridge*, through the Hamlet of *Stoughton* otherwise *Little Farnworth*, to *Gorleston* in the County of *Stafford*. 797
- xxx. An Act for the better Maintenance, Improvement, and Repair of the Road from *Liverington*, by *Slatts*, to the City of *Gloucester*, and the making and maintaining certain Roads connected therewith. *Ibid.*
- xxxi. An Act for improving and maintaining certain Roads in the Counties of *Montgomery*, *Merioneth*, *Salop*, and *Denbigh*. *Ibid.*
- xxxii. An Act for repairing and maintaining the Road from *Queker* in the Parish of *Loxley* in the West Riding of the County of *York* to *Honeyfield Lane End* in the same Parish, with a Bridge or Bridges on the Line of such Road; and for making and maintaining certain Branch Roads to communicate therewith. *Ibid.*
- xxxiii. An Act for lighting with Gas the Town or Borough of *Bridgerton* in the County of *Somerset*, and Suburbs of the said Town or Borough. *Ibid.*
- xxxiv. An Act to repeal an Act passed in the Sixth Year of the Reign of His late Majesty King *George the Fourth*, intitled *An Act for enabling the Alliance Marine Assurance Company, or any and several of the Members thereof, to be a Corporation for the Time being, or of any other Member* of the Company, and for granting certain Powers to the said Company instead thereof. Page 797
- xxxv. An Act to enable the Proprietors or Shareholders in a Company or Association styled "The United Kingdom Life Assurance Company" to sue and be sued in the Name of One of their Directors, or Secretary. *Ibid.*
- xxxvi. An Act to enable "The Suffolk and General Country Amicable Insurance Office" to sue and be sued in the Name of One of their Treasurers, or of any One of their Directors, and for other Purposes relating thereto. *Ibid.*
- xxxvii. An Act to amend an Act of the Fifty-fourth Year of King *George the Third*, for enabling "The West of England Fire and Life Insurance Company" to sue and be sued in the Name of their Secretary, and to give further Powers to the said Company. *Ibid.*
- xxxviii. An Act to incorporate the Subscribers to *Saint George's Hospital* at *High Park Green*, and for better enabling them to carry on their charitable Designs. 798
- xxxix. An Act to alter and amend an Act of the Ninth Year of the Reign of His late Majesty, intitled *An Act for more effectually repairing several Roads leading through the County of Salterick, and for better making and repairing the said Roads, and other Roads in the said County and in the County thereof*. *Ibid.*
- xl. An Act to repeal an Act of the Forty-ninth Year of King *George the Third*, for the more easy and speedy Recovery of Small Debts within the Parish of *Aberfeldy* and other Places therein mentioned, in the Counties of *Gloucestershire*, *Bristol*, and *Monmouth*. *Ibid.*
- xli. An Act for extending the Time for completing the *Widnes and Colburn Railway* in the County of *Lancashire*. *Ibid.*
- xlii. An Act for better supplying the Borough of *Dunfermline* in the County of *Westminster*, and the Neighbourhood thereof, with Water. *Ibid.*
- xliii. An Act for improving the Port and Harbour of *Aberdeen* in the County of *Gloucestershire*. *Ibid.*
- xliiii. An Act to provide for lighting the Suburbs of the City of *Gloucester* with Gas. *Ibid.*
- xlv. An Act for erecting, establishing, and maintaining a Market in the Parish of *St. George the Martyr* in the Borough of *Southwark* in the County of *Surrey*. *Ibid.*
- xlv. An Act for building a Bridge over the Water from the Town and County of the Town of *Pool* to the Parish of *Haverorthly* in the County of *Derby*, with an Approach thereto. *Ibid.*
- xlv. An Act for lighting, watching, cleansing, paving, and otherwise improving the Town of *Clyppesbury* in the County of *Wiltshire*. *Ibid.*
- xlv. An Act for preserving and maintaining the Pier and Harbour of *Conwy*. *Ibid.*
- xlv. An Act for removing the Markets held in the Town and Borough of *Monmouth* in the County of *Monmouth*, and for providing other Market Places in lieu thereof. *Ibid.*
- i. An Act to amend Two Acts passed in the Ninth and Tenth Years of His late Majesty King *George the Fourth*, for building a Bridge over the River *Thames* at *Staines* in the County of *Middlesex*, and for making proper Approaches thereto. *Ibid.*
- ii. An Act for deepening, extending, and improving the Navigation of the River *Deer*, from *Tilney Bridge* to *Langham Wood Point* in the County of *Devon*. 799
- ii. An Act for better lighting the City of *Gloucester* and *St. Nicholas Church Lane* and *St. Andrew's Church Lane* in the Capital of the *Gloucester Gas Light Company*. *Ibid.*

- liii. An Act for making a navigable Canal from the Bridge-water and Trenches Canal in the Parish of *Crook Saint Michael* in the County of *Somerset*, and terminating in the Parish of *Clard* in the same County, with a collateral Cut therein described. *Page 799*  
*Reid.*
- lv. An Act to enable the *Gloicester and Berkeley Canal* Company to take Water from the River *Framon*, and to alter and enlarge the Powers of the several Acts for making and maintaining the said Canal. *Reid.*
- lv. An Act to enable the *Grand Junction Railway* Company to alter and extend the Line of such Railway, and to make a Branch thereof to *Widewater* in the County of *Stafford*, and for other Purposes relating thereto. *Reid.*
- lvi. An Act to enable the *Hartlepool Dock and Railway* Company to make a new Branch of Railway to the City of *Durham*; and for amending an Act of the Second Year of His present Majesty, relative to the *Hartlepool Railway*. *Reid.*
- lvii. An Act for making and maintaining a Railway from the *Hartlepool Railway* near to *Mowday* to the *Shunhope and Tyne Railroad* in the Township of *Cusworth*, all in the County of *Durham*. *Reid.*
- lviii. An Act to alter and amend an Act passed in the Seventh Year of the Reign of His late Majesty King *George the Fourth*, for paving, lighting, widening, and otherwise improving *Greenover Place*, and several Streets and other public Places in the Parishes of *Saint George* *Brother Square* and *Saint Luke* *Chelsea* in the County of *Middlesex*. *Reid.*
- lix. An Act for repairing and maintaining the Road from *Stafford* to *Clareton Bridge*, and the Road from *Stafford* to *Finstree*, in the County of *Stafford*, and also the Road from *Stafford* to *Newport* in the County of *Salop*. *Reid.*
- lx. An Act for more effectually repairing certain Roads from *Southlee Gate* in the Parish of *Tolstock* to the *Barnes-spo-Tree* and *Ashby Road*, and for making new Branches of Road, in the Counties of *Derby* and *Leicester*. *Reid.*
- lxi. An Act for more effectually making, amending, widening, repairing, and maintaining certain Roads and Bridges in the Counties of *Devonshire* and *Shropshire*. *Reid.*
- lxii. An Act for supplying with Water the Inhabitants of the Town and Parish of *Brightelmston*, and the Parishes of *Bore* and *Pruton*, in the County of *Surrey*. *Reid.*
- lxiii. An Act for more effectually draining and preserving certain Poor Lands and Low Grounds in the Parishes of *Shole Ferry*, *Northwood*, *Wyma*, *Wrodes*, *West Dereham*, *Becham*, *Fertham*, *Dover*, *Dowden Market*, *Wimbolden*, and *Shore Berdolph* in the County of *Northampton*. *Reid.*
- lxiv. An Act for unbanking, draining, and otherwise improving Lands in the Parishes of *Holbrook* and *Gobrey* in the County of *Leicester*. *Reid.*
- lxv. An Act for establishing a general Cemetery in the Neighbourhood of the City of *Dublin*. *Reid.*
- lxvi. An Act for establishing a Market within the Town of *Fulkington* in the County of *Yorkshire*. *Reid.*
- lxvii. An Act to alter and amend an Act passed in the Eleventh Year of the Reign of His late Majesty and First Year of the Reign of His present Majesty, intituled *An Act for making, improving, and maintaining the Port and Harbour of Perth*, for improving the Navigation of *Perth* in the said County, and for other Purposes therein contained. *Reid.*
- lxviii. An Act for making and maintaining a Railway from *Wagley* in the Parish of *Saint Erth* in the County of *Gloucester* to *Worcester* in the Parish of *Goodrop* in the said County, with several Branches therefrom. *Page 800*  
*Reid.*
- lxix. An Act to encourage the working of *Mines* and *Quarries* in *Wales*, and to regulate a Joint Stock Company for that Purpose, to be called "The West Cork Mining Company." *Reid.*
- lxx. An Act to enable the *Carmarthen-shire Railway* or *Trestrod* Company to raise a further Sum of Money, and to amend the Act relating to the said Company. *Reid.*
- lxxi. An Act to enable the *Edinburgh and Dalkeith* Railway Company to make a Branch from the said Railway to the Town of *Dalkeith*, and to extend the *Leith Branch* of the said Railway, and for other Purposes relating thereto. *Reid.*
- lxxii. An Act for making and for more effectually maintaining and repairing certain Roads in the County of *Leicester*, and for building a Bridge over the River *Clyde* at *Cowbridge* in the said County. *Reid.*
- lxxiii. An Act for more effectually repairing certain Roads from *Kingsbridge* to *Dorchester*, and for making new Branches to and from the same, all in the County of *Devon*. *Reid.*
- lxxiv. An Act for amending, varying the Tolls, and extending the Term of an Act of the Fifty-sixth Year of His late Majesty King *George the Third*, for amending and keeping in repair the *Mail Coach Road* leading from *Bristol* in the County of *Dorset* to *Bristol* in the County of *Avon*. *Reid.*
- lxxv. An Act for making the *Harriet of Gloucestershire* within the Parish of *Fallow* in the County of *Wiltshire* a distinct and separate Parish; and for converting the Perpetual Curacy of the Church of *Saint Paul* *Gloucestershire* into a Vicarage, and for the Endowment thereof. *Reid.*
- lxxvi. An Act for continuing certain Acts for regulating the Police of the City of *Edinburgh* and the adjoining Districts, and for other Purposes relating thereto. *Reid.*
- lxxvii. An Act for more effectually enforcing the due Execution of the Office of Constable in the City of *London* and Liberties thereof. *Reid.*
- lxxviii. An Act to alter, amend, enlarge, and extend the Powers and Privileges of several Acts for enabling the Company of Proprietors of the *South London Waterworks* to supply the Inhabitants of the Parish of *Saint Giles* *Canterbury* and Parts of the Parish of *Saint Mary's* *London*, and several other Parishes and Places in the County of *Surrey*, with Water; and to enable the said Company to supply the Inhabitants of the several Parishes of *Saint Mary Lambeth*, *Saint Mary Newington*, *Saint George the Martyr*, *Saint Saviour*, *Saint John*, *Saint Thomas*, *Saint Olave*, and *Christchurch*, all in the said County, with Water. *Reid.*
- lxxix. An Act for better supplying with Water the Borough of *Southwark*, and Parishes and Places in the County of *Surrey* near thereto. *Reid.*
- lxxx. An Act for erecting and maintaining a new Goal and Court House and other Offices for the Borough of *Elgin* and the County of *Elgin* and *Ferries*; and for erecting and maintaining a new Goal and Court House and other Offices for the Borough of *Perth*, and for other Purposes relative thereto. *Reid.*



- xxxvi. An Act for erecting and maintaining a Gaol for the Royal Bergh of Dundee in the County of Forfar. *Ibid.*
- xxxvii. An Act to amend and enlarge the Powers of an Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act for granting certain Powers to a Company called "The General Steam Navigation Company."* *Ibid.*
- xxxviii. An Act for taking down and removing *Old Stratford Bridge* over the River Ouse in the Counties of Buckingham and Northampton, and for erecting a more commodious Bridge in lieu thereof. *Ibid.*
- xxxix. An Act to amend an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Erection of a Bridge across the River Shannon, and of a Floating Dock to accommodate the Vessels frequenting the Port of Limerick.* *Ibid.*
- xl. An Act for establishing a Floating Bridge over the River Welles near or near a Place called *Cross House*, within the Liberties of the Town of Southampton, to the opposite Shore in the County of Southampton, with proper Approaches thereto, and for making Roads to communicate therewith. *Ibid.*
- xli. An Act for constructing and maintaining a new Harbour at *Sheffield Pier*, near to and in conjunction with the old Harbour of *Lanmouth* in the County of Essex and Favers. *Ibid.*
- xlii. An Act to extend the Powers of the several Acts now in force for improving the Port and Harbour of *Bertha* in the County of London. 803
- xliiii. An Act for making a Railway from *London* to *Southampton.* *Ibid.*
- xliiii. An Act to continue, alter, and amend an Act of

- the Fourth Year of the Reign of His late Majesty King George the Fourth, for more effectually repairing and improving the *Middlesex and Essex Turnpike Roads*, to provide for the rebuilding of *Bow Bridge* in the Counties of *Middlesex* and *Essex*, the improving of the several other Bridges upon the said Roads, and for other Purposes relating thereto. Page 803
- xl. An Act for paving, watching, lighting, regulating, and otherwise improving the Town of *Kingsdown* in the County of *Dorset.* *Ibid.*
- xli. An Act for regulating and converting the Statute Labour in the *Stewartry or Sheriffdom of Orkney*, and for more effectually making, repairing, and maintaining the High Roads and Bridges within the same. *Ibid.*
- xlii. An Act for amending the Proceedings and Practice of the Court of Passage of the Borough of *Liverpool* in the County Palatine of *Lancaster.* *Ibid.*
- xliii. An Act to amend and explain an Act passed in the First Year of His present Majesty, for establishing and maintaining the Harbour of *Port Crosswell* in the Bay of *Culterden* in the County of *Antioch.* *Ibid.*
- xliiv. An Act for making, improving, and keeping in repair the Roads leading from *Berrington* to *Cowpfield* and *Endon Bridge* in the County of *Oxford.* *Ibid.*
- xli. An Act for better paving, cleaning, lighting, and improving the Watercote Division of the Parish of *St. Mary Magdalen, Broomfield*, in the County of *Surry.* *Ibid.*
- xli. An Act for incorporating certain Persons for the Carriage of Goods and Commodities by means of a Railway from the City of *Dorchester* to *Sturminster* near the Sea, with a Branch to join the *Harford* Railway in the Township of *Burnell*, all in the County of *Dorset.* *Ibid.*

## PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for amending an Act of the Eleventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for enclosing Lands in the Tithings of Arle and Arleiton otherwise Allstone in the Parish of Chelcham in the County of Gloucester, and for discharging from Tithes Lands in the said Tithings.* Page 804
2. An Act for enclosing Lands in the Parish of *Yulway* in the County of *Wilt*, and for dividing the said Parish into Three Parishes. *Ibid.*
3. An Act for enclosing Lands in the Parish of *Great Shelford* in the County of *Cambridge*, and for converting the Tithes of the said Parish. *Ibid.*
4. An Act for enclosing Lands in the Parish of *Dunston House* in the County of *Gloucester*, and for exonerating from Tithes the Lands in the said Parish. *Ibid.*
5. An Act to effect a Partition of the Advowson of the Vicarage and Parish Church of *Colebrook* in the County Palatine of *Lancaster*, and to confirm the Sale of the next Turn or Right of Presentation thereto. *Ibid.*
6. An Act for more effectually vesting in the Trustees acting as such the Tithes of the Parish of *St. Andrew* in the County of *York*, held for certain charitable

- Uses applicable within the Parish of *Keghtby* in the said County, and for confirming certain Leases, Concessions, and Contracts of Sale already made as to Parts of such Estates, and authorizing the granting of Building Leases and the Sale of other Parts of such Estates. Page 804
7. An Act for enabling the Dean and Chapter of the Cathedral Church of *St. Paul* in *London*, and their Successors, to grant Licences for building upon and improving the Copyholds within the Manor of *St. Peter's Court* in the Parish of *Chancery* in the County of *Middlesex*, and to grant Licences to demise such Copyholds for those Purposes, and to fix the Fees payable upon Admission to the same during limited Periods. *Ibid.*
8. An Act for vesting Estates belonging to *Eleonora Anne Julia Hunt Grubb Spitzer*, an Infant, in Trustees for Sale, and for laying out the Money arising from such Sale, under the Direction of the High Court of Chancery, in the Purchase of other Estates, and for granting Leases of the Estates to be purchased, and for other Purposes. 805
9. An Act to constitute for a Term Years certain Tithes within the Parish of *Kilby* in the County of *Wiltshire.* *Ibid.*

20. An Act for inclosing Lands in the Parish of *Dalwood* in the County of *Devon*. Page 802
21. An Act for inclosing Lands in the Parish of *Melsham* in *Wiltshire* in the County of *Devon*. *Ibid.*
22. An Act for dividing, allotting, inclosing, and otherwise improving the Open Fields, Common, and Waste Lands in the Liberty of *Kirk Langley* in the County of *Derby*. *Ibid.*
23. An Act for inclosing and exonerating from Tythes Lands in the Parish of *Colshaw* in the County of *Bedford*. *Ibid.*
24. An Act for inclosing, dividing, and allotting the Common, Drove, Banks, and Waste Lands in the Parish of *Elm* in the Isle of *Elly* in the County of *Cambridge*. *Ibid.*
25. An Act for inclosing Lands within the Townships of *Abneyfield*, *Woolley*, *Lower Edgates*, *Frogfield*, *Melbycough*, *Heathfield*, and *Quarford*, all in the Parish of *Abneyfield* in the County of *Stafford*. *Ibid.*
26. An Act for inclosing Lands in the Parish of *Claydon* in the County of *Somerset*. *Ibid.*
27. An Act to amend the Corn Rent Schedule annexed to the Award made in pursuance of an Act of the Fifty-second Year of the Reign of His late Majesty King *George the Third*, for inclosing Lands in the Parish of *Loxley* in the County of *Gloucester*. 806
28. An Act to commute for a Corn Rent the Tythes and Tithes payable to the Rector and Vicar of the Parish of *Kensal* otherwise *Kirkly Kensal* in the County of *Westmoreland*. *Ibid.*
29. An Act for confirming and carrying into effect a Partition and Division of the Real and Personal Estates of *William Molyneux* Esquire, deceased, and for other Purposes therein mentioned. *Ibid.*
30. An Act for facilitating the Proof of the Will of the Right Honorable *Charles Henry Coote* late Earl of *Mansfield* in certain Actions in *Ireland*. *Ibid.*
31. An Act to enable the Trustees of *Hugh Montagu* of *Stoke*, Earl of *Essex*, deceased, to sell a Part of the Trust Estates, in order to extinguish the Debts left by the said Earl which affect or may be made to affect the said Estates. *Ibid.*
32. An Act for settling and securing the Lands of *Pitfield*, and Parts of the Lands, Lordship, and Barony of *Epsham*, in the County of *Shropshire*, to and in favour of *George Earl of Devon* and the Series of Heirs entitled to succeed under a Deed of Enrol made by the Trustees of *John Earl of Devon* deceased, and under the Conditions and Limitations contained therein, and for vesting in lita thereof the Lands of *Cornel*, *Overmoor*, and others, in the County of *Wiltshire*, in the said *George Earl of Devon* and his Heirs and Assigns in Fee Simple. *Ibid.*
33. An Act to enable the Trustees of *George Viscount Kildare* deceased to sell certain Lands vested in them in Trust, and purchase with the Price thereof the Lands of *Burghway* and to empower the Heir or Heirs of the said Lands of *Burghway* to dispose of the same, and for investing the Price thereof in other Lands, to be entailed in the same Series of Heirs. *Ibid.*
34. An Act to grant further Powers of leasing Part of the Estates devised by and purchased pursuant to the Will of *Sir John de Vere* deceased, the Trustees of the said *John de Vere* deceased by the Will of *Henry Peira* Esquire, deceased, in Trust, upon Trust to sell, and to apply the Monies arising therefrom, under the Direction of the High Court of Chancery, in the Purchase of other Estates to be settled to the same Uses, with Power to pay of Incumbrances. Page 806
35. An Act for exonerating Estates in the Counties of *Somerset* and *Devon* comprized in the Marriage Settlement of *Sir John Peiser* Baronet deceased, from the Jointure or Rent-charge thereby limited to *Dorcas Sarah Maria Peiser* his Widow, during her Life, and for charging other Estates in the County of *Somerset* devised, and directed to be purchased by the Will of the said *Sir John Peiser* Baronet with the Payment thereof. *Ibid.*
36. An Act for vesting certain detached Estates devised by the Will of the late *Henry Charles John* Esquire, deceased, in Trust, upon Trust to raise Money for the Purchase of an Estate called the *Dorset Estate* in the County of *Cheshire*, and for other Purposes incidental thereto. *Ibid.*
37. An Act for effecting an Exchange of certain Parts of the Entailed Estates of the Right Honorable *Anthony Ashurst* Knight *Palmer* Earl of *Kintor*, Lord *Palmer*, of *Woodhouse*, situated in the Counties of *Essex* and *Worcester*, for certain Lands belonging to *Robert Taylor* of *Wiltshire*, Esquire, situated in the County of *Wiltshire*. *Ibid.*
38. An Act for inclosing Lands within the Parish and Manor of *Stansfeld* in the County of *Northampton*, and for extinguishing the Tythes therein. 807
39. An Act for vesting certain Estates situate in the Parish of *Harve* in the County of *Kent* devised by the Will of *Edward Reynolds* Esquire, deceased, in Trust for Sale, and for laying out the Monies to be produced by such Sale in the Purchase of other Estates, to be settled to the same Uses. *Ibid.*
40. An Act for vesting Part of the Settled Estates of the Most Honorable *George Augustus Phipps* Baron *Castlemaine* Marquis of *Rothesay* and the Most Honorable *Baroness* *Edwina* Marchioness of *Rothesay*, Baroness *Grey de Rulley*, his Wife, situate in the County of *Worcester*, in Trust for Sale, and for laying out the Money arising from such Sale in the Purchase of other Lands, to be settled to the same Uses. *Ibid.*
41. An Act for vesting the Estates in the Counties of *Surrey* and *Cornwall* devised by the Will of *Matthew Russell* Esquire, deceased, in Trust, upon Trust to sell the same, and to lay out the Monies to arise from such Sale in discharging Incumbrances on other Estates settled to the same Uses, or in the Purchase of other Estates, to be settled to the same Uses. *Ibid.*
42. An Act to authorize the Sale of Lands settled for the perpetual Augmentation of the Curacy of *Oldbury* in the County of *Salop*. *Ibid.*
43. An Act for inclosing Common and Waste Lands within the Parishes of *Moulton*, *Ugges Church*, and *Temple Bay*, in the County of *Wiltshire*. *Ibid.*
44. An Act for establishing a School on the Site of *Henry Lane* in the City of *London*. *Ibid.*
45. An Act for the Relief of *Patrick Richard Blackwood* Esquire and *Richard Blackwood* Esquire, in respect of certain Lands and Premises, their Estates, situate in the County of *Wiltshire*, and in the County of *Wiltshire*. *Ibid.*

PRIVATE ACTS.

NOT PRINTED.

97. AN Act to enable James Thomas of Bialpha in the County of York, Gentleman, and his Issue, to take and use the Surname and Arms of Berry.
98. An Act for inclosing Lands in the Township of Roshell in the Parish of Easingwold in the North Riding of the County of York.
- [*Allotments to be made for Ground, &c. for repairing Highways, Bushings, &c.*, § 21.; and to the Lord of the Manor for Right of Soil, § 28.; and to the Lessees of a Rectory, the Curate of Roshell, and Vicar of Easingwold, in lieu of Tithes, &c., § 29. 21.; who may have their Allotments for Twenty one Years within Twelve Calendar Months from the passing of the Act, with Consent of the Patron and Bishop of the Diocese, § 28. *Allotments to the Lessees, Curate, and Vicar to be found at the general Expenses*, § 40. *Saving the Rights of the Lord of the Manor in Sijmerus, &c.*, § 25.]
99. An Act for the Naturalization of John Peter Siquerus Wensley and Charles Edward Eugene Moutley.
100. An Act for inclosing Lands within the Manors and Liberties of Ebball otherwise Ripsey and Stothoway within the Parish of Epwary in the County of Dorset.
- [*Allotments to be made for Waterway Places, Souse, Chalk, &c.*, § 28.; and to the Lord of the Manor of Stothoway for Right of Soil, § 29. *Restor's Allotment to be found at the general Expenses*, § 31. *Restor, with Consent of the Bishop and Patron, may have his Allotment for Twenty one Years, to commence within Twelve Calendar Months from passing of the Act*, § 42. *Restoration of Lord's Rights in Sijmerus, &c.*, § 27.]
41. An Act to dissolve the Marriage of John Allen with Jane his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
42. An Act to enable Frederick Lumby Esquire to take and use the Surname and Arms of Smith.
43. An Act for naturalizing Charles William Francken.
44. An Act to dissolve the Marriage of Isaac John Horlock Esquire with Phoebe Horlock his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
45. An Act for naturalizing Arthur Auguste de la Roche de Genoves, and William de la Roche, Jeanne Antole de la Roche, and Charles Lucien de la Roche, his Children.
46. An Act to dissolve the Marriage of Henry Russell with Elizabeth his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.



## T A B L E

Containing the TITLES of all

## THE STATUTES,

Passed in the FIRST Session of the TWELFTH Parliament

OF

The United Kingdom of Great Britain and Ireland;

5° &amp; 6° GULIELMI IV.

## PUBLIC GENERAL ACTS.

- AN Act to explain an Act of the First Year of His present Majesty, for the more effectual Administration of Justice in England and Wales, so far as relates to the Execution of Writs in the County of Chester. *Page 511*
- An Act to amend an Act of the Thirty-eighth Year of King George the Third, for preventing the Mischief arising from the printing and publishing Newspapers, and Papers of a like Nature, by Persons not known, and for regulating the Printing and Publication of such Papers in other respects; and to discharge certain Articles contained under the Provisions of the said Act. *512*
- An Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-five. *513*
- An Act for raising the Sum of Fifteen Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-five. *Reel*
- An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. *Reel*
- An Act to indemnify the Governor General and other Persons in respect of certain Acts done in the Administration of the Government of the British Territories in the East Indies subsequent to the Twenty-second Day of April One thousand eight hundred and thirty-five, and to make those Acts valid. *518*
- An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore. *519*
- An Act for the more effectual Execution of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra judicial Oaths and Affirmations. *522*
- An Act to apply a Sum of Eight Millions, out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-five. *Reel*
- An Act to alter, until the Twenty-eighth Day of July One thousand eight hundred and thirty-five, the
- Importation of certain Articles, Duty-free, into the Island of Dominica, and to indemnify the Governor and others for having permitted the Importation of such Articles Duty-free. *Page 522*
11. An Act to indemnify such Persons in the United Kingdom as have applied to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and thirty-six; to permit such Persons in Great Britain as have applied to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make and file the same on or before the First Day of May Term One thousand eight hundred and thirty-six; and to allow Persons who make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates. *Reel*
12. An Act for continuing to His Majesty, until the Fifth Day of July One thousand eight hundred and thirty-six, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-five. *523*
13. An Act to regulate the Importation of Corn into the Isle of Man. *Reel*
14. An Act to continue to the Thirty-first Day of December One thousand eight hundred and thirty-six, and from thence to the End of the then next Session of Parliament, an Act of the Tenth Year of His late Majesty King George the Fourth, for providing for the Government of His Majesty's Settlements in Western Australia on the Western Coast of New Holland. *524*
15. An Act to continue until the Thirty-first Day of May One thousand eight hundred and thirty-eight, and to the End of the then next Session of Parliament, the Allowances of the Duty of Excise on Soap used in

16. An Act for altering and amending the Law regarding Commissioners by Courts of Equity for Commissions, and the taking Bills *pro Confesso*, in *Ireland*. Page 824
17. An Act to extend to *Ireland* certain Provisions of an Act made and passed in the First Year of His present Majesty's Reign, intitled *An Act for consolidating and amending the Laws relating to Property belonging to Infants, Femes Covert, Lunatics, and Persons of unsound Mind*. 830
18. An Act to exempt Carrages carrying Manure from Toll. 831
19. An Act to amend and consolidate the Laws relating to the Merchant Seamen of the United Kingdom, and for forming and maintaining a Register of all the Men engaged in that Service. *Id.*
20. An Act to consolidate certain Offices in the Collection of the Revenues of Stamps and Taxes, and to amend the Laws relating thereto. 834
21. An Act to amend and alter an Act of the Fifty-sixth Year of His late Majesty King George the Third, for vesting in Commissioners the Line of Road from *Skewsbury* in the County of *Shrop* to *Blunbury Ferry* in the County of *Gloucester*; and for discharging the Trustees under several Acts of the Severesteenth, Twenty-eight, Thirty-sixth, Forty-fifth, Forty-second, Forty-seventh, and Fifty-fifth Years of His then present Majesty, from the future Repair and Maintenance thereof, and for repealing so much of the said Acts as affects the said Line of Road. 850
22. An Act to continue for Three Years, and from thence to the End of the time next Session of Parliament, Two Acts of the Second and Third Year and the Third and Fourth Year of His present Majesty, relating to the Care and Treatment of Insane Persons in England. 857
23. An Act for the Establishment of Loan Societies in England and Wales; and to extend the Provisions of the Friendly Societies Acts to the Islands of *Guernsey*, *Jersey*, and *Nova*. *Id.*
24. An Act for the Encouragement of the voluntary Enlistment of Seamen, and to make Regulations for more effectually manning His Majesty's Navy. 859
25. An Act to extend the Accommodation by the Post to and from Foreign Parts, and for other Purposes relating to the Post Office. 861
26. An Act for the Appointment of convenient Places for the holding of Assizes in *Ireland*. 869
27. An Act to continue and amend certain Regulations for the Lices and Hempen Manufactures in *Ireland*. 870
28. An Act for removing Duties as to the Declaration to be made and Oaths to be taken by Persons appointed to the Office of Sheriff of any City or Town, being a County of itself. 875
29. An Act for investing in Government Securities a Portion of the Cash lying unemployed in the Bank of England belonging to Bankrupt Estates, and applying the Interest thereon in discharge of the Expenses of the Court of Bankruptcy, and for the Relief of the Debtors in the said Court; and for removing Debts on to the Extent of the Powers of the Court of Review and of the Subdivision Courts. 877
30. An Act for protecting the Revenues of vacant Ecclesiastical Dignities, Prebends, Canonries, and Benefices without Cure of Souls, and for preventing the Lapse thereof, during the pending Vacancies respecting the State of the Established Church in England and Wales. 880
31. An Act to give Effect and Validity to certain Contracts and Provisions for repairing and keeping in repair certain Public Works in *Ireland* and the Statutes entered into for the Execution thereof. Page 884
32. An Act to impose certain Duties on Tea. *Id.*
33. An Act for preventing the various Removal of Indictments into the Court of King's Bench; and for extending the Provisions of an Act of the Fifth Year of King William and Queen Mary, for preventing Delays at the Quarter Sessions of the Peace, to other Indictments; and for extending the Provisions of an Act of the Seventh Year of King George the Fourth, as to taking Bail in Cases of Felony. 885
34. An Act to amend Two clerical Errors contained in an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for consolidating and amending the Laws in Ireland relative to Lawry and other Offences committed thereto*. *Id.*
35. An Act for consolidating the Offices of Paymaster General, Paymaster and Treasurer of Cheshire Hospital, Treasurer of the Navy, and Treasurer of the Ordnance. 886
36. An Act to limit the Time of taking the Poll in Boroughs at contested Elections of Members to serve in Parliament to One Day. 887
37. An Act for the further Reduction of the Militia Staff, and to suspend the Ballot for the Militia. 888
38. An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales; and for appointing Inspectors of Prisons in Great Britain. 889
39. An Act to exempt certain Retailers of Spirits to a small Amount from the additional Duties on Licences; and to discontinue the Excise Survey on Wine, and the Use of Permits for the Home-Trade thereof. 892
40. An Act to provide for the better Collection of the Duties on Wood the Produce of Places in Europe. 895
41. An Act to amend the Law relating to Securities given for Consideration arising out of gaming, usurious, and certain other Illegal Transactions. *Id.*
42. An Act to authorize the grouping of Superintendants Allowances to the Commissioners and Officers of the Courts for the Relief of Insolvent Debtors. 893
43. An Act for enlarging the Powers of Magistrates in the Appointment of Special Constables. 895
44. An Act for raising the Sum of Thirteen millions Five hundred twenty one thousand five hundred and fifty Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-two. *Id.*
45. An Act to carry into further Execution the Provisions of an Act passed in the Third and Fourth Years of His present Majesty, for compensating Owners of Slaves upon the Abolition of Slavery. *Id.*
46. An Act to amend, until the End of the next Session of Parliament, an Act of the Second Year of His present Majesty, for making Provision for the Dispatch of the Business now done by the Court of Exchequer in Scotland. 899
47. An Act to repeal so much of an Act passed in the Third and Fourth Years of His present Majesty as relates to the Amount of the Salary granted to the Clerk of the Crown in Chancery; and to make other Provisions in relation to the said Office. 901
48. An Act for the better Prevention and more speedy Punishment of Offences endangering the Public Peace of *Scotland*. 902

- 5. An Act for continuing, until the First Day of *June* One thousand eight hundred and thirty-seven, the several Acts for regulating the Turnpike Roads in Great Britain which will expire on the First Day of *June* One thousand eight hundred and thirty-six; or with the next Session of Parliament. Page 904
- 6. An Act to consolidate and amend the Laws relating to Highways in that Part of Great Britain called England. 905
- 7. An Act for granting Relief to the Island of *Devon*; and to amend an Act of the Second and Third Years of His present Majesty, for enabling His Majesty to direct the Lane of Exchequer Bills to a limited Amount for the Purposes therein mentioned. 906
- 8. An Act to authorize the Court of Directors of the *East India* Company to suspend the Execution of the Provisions of the Act of the Third and Fourth *William* the Fourth, Chapter Eighty-five, so far as they relate to the Creation of the Government of *Assam*. 908
- 9. An Act to repeal an Act of the Ninth Year of His late Majesty, for regulating the Carriage of Passengers in Merchant Vessels from the United Kingdom to the British Possessions on the Continent and Islands of *North America*; and to make further Provision for regulating the Carriage of Passengers from the United Kingdom. *Ibid*
- 10. An Act to render certain Marriages valid, and to alter the Law with respect to certain old-bald Marriages. 912
- 11. An Act for facilitating the Appointment of Sheriffs in *England*, and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fees, Fines, Forfeitures, Recognisances, Penalties, and Decretals; and to abolish certain Offices in the Court of Exchequer in *England*; and to amend the Laws relating to Grievances in customs and Recovery of Debts in *England*; and to amend an Act of the Second and Third Years of His present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in *England* to the Commissioners for auditing the Public Accounts of *Great Britain*. *Ibid*
- 12. An Act to regulate the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom. 920
- 13. An Act to extend to *Scotland* certain Provisions of an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks; and to consolidate and amend the Laws relating to Savings Banks in *Scotland*. 921
- 14. An Act to amend the Acts relating to the Hereditary Land Revenues of the Crown in *Scotland*. 922
- 15. An Act to consolidate and amend the several Laws relating to the cruel and improper Treatment of Animals, and the Mischiefs arising from the driving of Cattle, and to make other Provisions in regard thereto. 923
- 16. An Act for carrying into effect a Treaty with the King of the *France* and the King of *Sardinia* for suppressing the Slave Trade. 927
- 17. An Act for carrying into effect the Treaty with the King of the *France* and the King of *Denmark* for suppressing the Slave Trade. 928
- 18. An Act to repeal an Act of the present Session of Parliament, intitled *An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof*; and for the more effectual Suppression of

- swearing and extra-judicial Oaths and Affirmations; and to make other Provisions for the Abolition of unnecessary Oaths. Page 974
- 19. An Act to repeal an Act of the Fourth and Fifth Year of His present Majesty relating to Weights and Measures, and to make other Provisions in stead thereof. 977
- 20. An Act to alter certain Duties of Stamps and Assessed Taxes, and to regulate the Collection thereof. 986
- 21. An Act for preventing the Publication of Lectures without Consent. 993
- 22. An Act to amend the Law relating to the Customs. *Ibid*
- 23. An Act for the Improvement of the Navigation of the River *Stammers*. 994
- 24. An Act to defray the Charge of the Pay, Clothing, and outgoings and other Expenses of the Discharged Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quarter Masters, Sergeants, Assistant Sergeants, Sergeant Majors, and Sergeant Majors of the Militia, until the First Day of *July* One thousand eight hundred and thirty-six. 995
- 25. An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in *England* and *Wales*. 997
- 26. An Act for abolishing, in *Scotland*, Imprisonment for Civil Debts of small Amount. 1001
- 27. An Act for appointing Commissioners to continue the Inquiries concerning Clerical in *England* and *Wales* until the First Day of *March* One thousand eight hundred and thirty-seven. 1002
- 28. An Act for abolishing the Excise Incorporation in *Scotland*, and for transferring the Fund of the said Incorporation to the Consolidated Fund, and providing for the Payment of the Annuities to the Widows and Orphans of late and present Members of the Incorporation Fund. 1006
- 29. An Act to provide that Persons accused of Forgery in *Scotland* shall not be tried to *Bad* unless in certain Cases. 1011
- 30. An Act for the more easy Recovery of Tithes. 1012
- 31. An Act for the Amendment of the Law as to the Giving of Testes in certain Cases. 1015
- 32. An Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*. *Ibid*
- 33. An Act to repeal the Duty and Drawback on First Glass, to impose other Duties and another Drawback in lieu thereof, and to reduce the Drawback on *Green* Sheet Glass exported in *Passes*; and to repeal the Drawback on augmented and unpolished Plate Glass; and to amend the Laws relating to the Duties on Glass. 1025
- 34. An Act to explain and amend an Act passed in the Second and Third Year of the Reign of King *William* the Fourth, for assessing the Representation of the People in *Scotland*; and to diminish the Expenses there. 1030
- 35. An Act to suspend, until after the Sixth Day of *April* One thousand eight hundred and thirty-six, Proceedings for recovering Payment of certain Installments of the Money advanced under the Acts for establishing Tithe Compositions in *Ireland*. 1071
- 36. An Act to apply a Sum of Money out of the Consolidated Fund and the Surplus of Ways and Means to

- and thirty days, and to appropriate the Supplies granted in this Session of Parliament. Page 1071
83. An Act for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege. 1075
82. An Act to abolish certain Offices connected with Pines and Roccosaria and the Curators in the Court of Chancery, and to make Provision for the Abolition of certain Offices in the Superior Courts of Common Law in England. Page 1077
85. An Act to amend the Law touching Letters Patent for Inventions. 1079
84. An Act to empower Grand Jurors in Ireland to raise Money by Presentation for the Construction, Enlargement, or Repair of Weirs and Quays. 1081

## LOCAL AND PERSONAL ACTS,

## DECLARED PUBLIC,

## AND TO BE JUDICIALLY NOTICED.

1. An Act for the Improvement of the High Street in the Borough of *Leeds* in the County of *West-riding*. Page 1083
2. An Act for making, maintaining, and repairing a Turnpike Road from the Town of *Leighton* in the Town of *Grimsby* in the County of *Lincoln*. *Ibid.*
3. An Act for more effectually repairing the Road from *Conoverton* to *Newcastle-upon-Tyne*, and several other Roads, and for making and maintaining new Lines of Road, all in the County of *Cornwall*. *Ibid.*
4. An Act to enable the *Essex* Life Assurance Society and their Successors to purchase Annuities upon or for Lives, and also to lend Money or Stock upon Mortgage for the Purpose of Investment. *Ibid.*
5. An Act for better assessing and collecting the Poor and other Rates in the Parish of *Barking* in the County of *Essex*. 1084
6. An Act for better supplying with Water the Parish of *Bevington*, and the Neighbourhood thereof, in the County of *Kent*. *Ibid.*
7. An Act to authorize the Sale to and Purchase by *John Lord Rolle* of the Rights of Persons claiming to have Rivers Rights on such Parts of *Great Torrington* and *Castle Hill Common* in the County of *Devon* as now form Part of the Cut or Canal called the *Rolle Canal*. *Ibid.*
8. An Act for incorporating the *Warrington and Northwich Railway* with the *Grand Junction Railway*, and for extending to the said Iron-mined Railway the Provisions of the several Acts of Parliament relating to the said last mentioned Railway; and for other Purposes relating thereto. *Ibid.*
9. An Act to enable the *Grand Junction Railway Company* to alter the Line of such Railway, and to make Two Branches thereof in the County of *Stafford*, and for other Purposes relating thereto. *Ibid.*
10. An Act for making a Railway from *Croydon* to join the *London and Greenwich Railway* near *Leavelle*. *Ibid.*
11. An Act to enlarge the Powers of the *New Quay Harbour Act*, to change the Name of the Harbour to that of *Berry Port*, and to enable the *Berry Port Company* to raise a further Sum of Money. *Ibid.*
12. An Act for constructing and maintaining a Harbour at *New Quay* in the County of *Cornwall*. *Ibid.*
13. An Act for making and maintaining a Pier and other Works at *Dapford* in the County of *Kent*. *Ibid.*
14. An Act to enable the Commissioners appointed under Two Acts for draining certain Lands situated on or near the *River Lemes* in the Counties of *Kent* and *Essex* to raise a further Sum of Money for the Purpose of the said Acts. *Ibid.*
15. An Act to enlarge the Powers of the *New Quay Harbour Act*, to change the Name of the Harbour to that of *Berry Port*, and to enable the *Berry Port Company* to raise a further Sum of Money. *Ibid.*
16. An Act for making and maintaining a Harbour at *New Quay* in the County of *Cornwall*. *Ibid.*
17. An Act for making and maintaining a Pier and other Works at *Dapford* in the County of *Kent*. *Ibid.*
18. An Act to enable the Commissioners appointed under Two Acts for draining certain Lands situated on or near the *River Lemes* in the Counties of *Kent* and *Essex* to raise a further Sum of Money for the Purpose of the said Acts. *Ibid.*
19. An Act to enlarge and regulate the Market now held in the Town of *Devonport* in the County of *Devon*, and to establish a Market within the said Town for Corn, Grass, and other Articles, and to regulate the Amount of Tolls to be paid within the said Markets. Page 1085
20. An Act for lighting with Gas the Town and Neighbourhood of *Leighton* in the County of *Gloucestershire*. *Ibid.*
21. An Act for building a new Parish Church in the Town of *Heston* in the County of *Devon*. *Ibid.*
22. An Act for paving, cleansing, lighting, and regulating the several Parishes of *St. Margaret*, *St. John the Evangelist*, and *St. James*, within the Liberty of *Wotton-under-Edge* in the County of *Gloucestershire*, and the Precinct of the *Staple*, and also Part of the Liberty of *St. Andrew Hill*, *St. Martin*, and *St. Mary*, within the same County; and for other Purposes therein mentioned. *Ibid.*
23. An Act for repairing the Road from *Little Bowden* in the County of *Northampton* to *Bevington* in the same County. *Ibid.*
24. An Act for repairing the Road from *Ferndorrough* to *Wierhill* in the Parish of *Newton* in the County of *Essex*, and for making several Divisions in the said Road. *Ibid.*
25. An Act for making and maintaining a Road from *New Quay* in the County of *Cornwall* to *Aberdeen* in the same County. *Ibid.*
26. An Act for improving certain Roads within the County of *Worcestershire* communicating with the City of *Birmingham*. *Ibid.*
27. An Act to incorporate the *Ardenne Road* in the Parish of *St. Mary* with the *Marybone* and *Finchley Turnpike Roads* in the County of *Middlesex*. *Ibid.*
28. An Act for making and maintaining a Turnpike Road from the Town of *Harpenden* to the *Brighton* and *Cockfield Turnpike Road* at or near *Asby Cross* in the Parish of *Cockfield*, all in the County of *St. Michael*. *Ibid.*
29. An Act for more effectually repairing the *Darlington* and *West Auckland* and the *Cocheton Bridge* and *Shindrop Roads* in the County of *Derbyshire*, and for consolidating the Trusts thereof. 1086
30. An Act for more effectually repairing the Road from the *Leicester Turnpike Road* to *Biddenden*, and certain Roads leading from *Biddenden*, *Pevensey*, and other Roads, and other Roads, communicating therewith, and for repairing *Totter Bridge*, and erecting Bridges over the *Stow Canal*, the *Erwin Topp*, and *Leven*, and the *MV Lent*; all in the County of *Devon*. *Ibid.*





- liiii. An Act for making a Railway from Preston to Wjren, and for improving the Harbour of Wjren, in the County Palatine of Lancaster. *Reid.* Page 1059
- liiv. An Act for consolidating the Shares in the Wjls and Berds Canal Navigation, and for extending the Powers of the Act of Incorporation of the Company of Proprietors of the said Canal. *Reid.*
- li. An Act for providing in or near the Borough of Cjper more extensive Accommodation for holding the Courts and Meetings of the Sheriff, Justices of the Peace, and Commissioners of Supply of the County of Wjls, and for the Custody of the Records of the said County. *Reid.*
- lii. An Act for better supplying with Water the Town of Ashles-under-Ljre, and the Neighbourhood thereof, within the Parish of Ashles-under-Ljre, in the County Palatine of Lancaster. *Reid.*
- liii. An Act for more effectually making, repairing, and maintaining the Turnpike Roads in the County of Edinburgh. *Reid.*
- liiii. An Act for improving and more effectually repairing the several Roads leading into and from the City of Worcester. 1090
- liiv. An Act for repairing the Roads from Sevenside Common to Woodgate, Twinklidge Walls, and Kipping's Cross, and from Twinklidge Walls to Woodgate, in the County of Kent. *Reid.*
- li. An Act for more effectually repairing the Leicestershire Turnpike Roads, and making certain additional Roads. *Reid.*
- lii. An Act for more effectually repairing and improving the Road from the Junction of the Ouseold Road with the Downton Road near Barnston Hill, through Bivandford and Dorchester, to Ashernell Hill, in the Counties of Wjls and Dorset. *Reid.*
- liiii. An Act for more effectually repairing and improving the Road from Newry to Charlemont, through the County of Down. *Reid.*
- liiiii. An Act for further regulating the Statute Labour and repairing the Highways and Bridges in the County of Edinburgh. *Reid.*
- li. An Act for continuing the Term and amending and enlarging the Powers of Three Acts of His Majesty King George the Third, for amending certain Licenses leading to Oxford, and making Improvements in the University and City of Oxford, the Suburbs thereof, and adjoining Parishes of Saint Clement, and for other Purposes in the said Acts mentioned. 1091
- li. An Act for making and maintaining a Bridge over the River called "The Forthold Ferry," in the County of Dorset, with proper Approaches thereto. *Reid.*
- lii. An Act for amending an Act passed in the last Session of Parliament for establishing a Floating Bridge over the River Julew near the Town of Seestonpton, with proper Approaches thereto, and making Roads to communicate therewith. *Reid.*
- liiii. An Act for lighting, watching, cleansing, regulating, and otherwise improving the Town of Twinklidge Walls in the Counties of Kent and Sussex, and for regulating the Supply of Water and establishing a Market within the said Town. *Reid.*
- liiiii. An Act for paving, lighting, and otherwise improving the Town of Borefordwest, and the adjoining Townships of Prendergast and Carlost, in the Parishes of Prendergast and Pimanton, in the County of Pembroke. *Reid.*
- li. An Act to amend several Acts relating to the Bridge and to the Custom-House of London, in the County of
- li. An Act for making and maintaining a Dock and other Works in the Port of Newport in the County of Monmouth, with a Railway and Stage Road therefrom. *Reid.* Page 1091
- lii. An Act to enable the Proprietors or Shareholders in the Anglo Life Assurance Company to sue and be sued in the Name of any One of the Directors or of the Chairman or Secretary for the Time being of the said Company. *Reid.*
- liiii. An Act for providing a Market Place and regulating the Markets in the Town and Borough of Mrydow Tided in the County of Glamorgan. *Reid.*
- liiiii. An Act for erecting and maintaining a Pier or Harbour at Gwroch in the County of Breifne. *Reid.*
- li. An Act for the further Improvement of the Harbour of Ayr. 1092
- lii. An Act for supplying the Town of Poialy in the County of Breifne with Water. *Reid.*
- liiii. An Act for the better supplying the Parish of Bifston in the County of Surrey with Water. *Reid.*
- liiiii. An Act for enlarging and amending the Powers and Provisions of the Acts passed for making and maintaining a Railway or Tramroad from the Sea Shore at or near Wfalefield in the County of Kent to or near to the City of Canterbury, and the Works connected therewith; and to authorize the Company of Proprietors to raise a further Sum of Money. *Reid.*
- li. An Act for enabling John Broadbent and Robert William Broadbent Esquires to purchase and take Leases of Lands and Hereditaments for the Formation of a Railway from Gwobokel to South Slieffs and Monk-Wjrmouth, all in the County Palatine of Durham, with Branches therefrom. *Reid.*
- lii. An Act for making and maintaining a Railway from Neoptole to Caspar Ayns in the County of Forfar. *Reid.*
- liiii. An Act for making and maintaining a Railway between the Town of Purley and the South Side of the River Chjsh at Burefne Ferry, and for constructing Wharfs, Quays, or Landing Places there; all in the County of Rjyfose. *Reid.*
- liiiii. An Act for better lighting with Gas the Town and Neighbourhood of Leeds in the Borough of Leeds in the West Riding of the County of York. *Reid.*
- li. An Act for altering the Line of Road from the Minford of Garacade to the City of Glasgow, and improving the Roads leading therefrom into the said City. *Reid.*
- lii. An Act for improving and keeping in repair certain Roads in the Counties of Flint and Chester, and for better maintaining the Ferry over the River Dee called the Lesser King's Ferry, in the said County of Flint. *Reid.*
- liiii. An Act for more effectually repairing and improving the Road from the Side Gate on the Baskley and Lintworth Turnpike Road in the Parish of Durbjre in the County of Leicestershire to the Leicestershire Turnpike Road in or near to the Village of Northborough in the said County. *Reid.*
- liiiii. An Act to explain and amend the Powers of an Act of His late Majesty King George the Fourth, for making a Pier at Southold in the County of Essex. 1093
- li. An Act for better lighting with Gas the Borough of Sheffield in the West Riding of the County of York. *Reid.*
- lii. An Act for making and maintaining a Railway from Neoptole to the Moor of Emsay, and from thence to the Moor of Gwobokel, in the County of Forfar. *Reid.*

1848. An Act to amend an Act relating to the *Padstow* and *Wadebridge* Railway. Page 1003
1849. An Act for amending and consolidating the Acts of Parliament for the Recovery of Small Debts in the City of London and the Liberties thereof, and for enabling the Goods of the Debtors to be taken in Execution. *Ibid.*
1850. An Act to amend and extend the Powers vested in the Grand Junction Waterworks Company, and for other Purposes relating thereto. *Ibid.*
1851. An Act to authorize the *Liverly* Railway and Dock Company to make certain additional Railways or Tram-roads, and for other Purposes connected therewith. *Ibid.*
1852. An Act for effecting an Extension of the *Bullock* Railway, in the County of *Leicestershire*; and for altering, amending, and enlarging the Powers of an Act of the Seventh Year of His late Majesty, for making the said Railway. *Ibid.*
1853. An Act to amend an Act of the Third Year of His present Majesty, for more effectually supplying with Water the City and County of the City of *Exeter* and Places adjacent thereto. *Ibid.*
1854. An Act to enable the *Bosbury* Waterworks Company to extend their Works; and for explaining and enlarging the Powers of the Act relating to such Company. *Ibid.*
1855. An Act for the better paving, lighting, watching, cleansing, and otherwise improving the Borough of *Trow* in the County of *Gloucestershire*; and for forming a new Street within the same Borough. *Ibid.*
1856. An Act for paving, lighting, watching, and otherwise improving the Town of *Bogton* in the County of *Somerset*; and for amending and enlarging Two Acts of Parliament passed in the Third and Sixth Years of the Reign of His late Majesty King George the Fourth, relating to the said Town. *Ibid.*
1857. An Act for building a Bridge over the River *Trent* at *Whitington* in the County of *Derby*. Page 1004
1858. An Act for repairing and otherwise improving the Roads from *Oxford*, over *Botley* Cassey, to *Pitfield* in the County of *Berks* and *Witney* in the County of *Oxford*. *Ibid.*
1859. An Act to rectify a Mistake in an Act passed in the present Session of Parliament, for more effectually re-paving the Road from the *Exeter* Turnpike Road to *Blackford*, and certain Roads leading from *Bridgton* to *Pennington* and *Torres*, and other Roads communicating therewith, and for repairing *Tates Bridge* and erecting Bridges over the *Stour* Canal, the Rivers *Tegre* and *Levens*, and the *Mt. Lee*, all in the County of *Devon*. Page 1005
1860. An Act for more effectually repairing certain High-roads in and near *Bristol*, and other Roads thereto mentioned, in the County of *Gloucestershire* and for making and maintaining certain new Roads communicating therewith. *Ibid.*
1861. An Act for the Improvement of the Registrar's Office and other Offices of the Court of Chancery. *Ibid.*
1862. An Act for making a Railway from *Bratton* to join the *London and Birmingham* Railway near *London*, to be called "The Great Western Railway," with Branches thereto in the Towns of *Bratton* and *Troutbridge* in the County of *Wiltshire*. *Ibid.*
1863. An Act to rectify a Mistake in an Act passed in the present Session of Parliament, for lighting, watching, and improving the Parish of *Tornahauke*, in the County of *Devon*. *Ibid.*
1864. An Act to improve and maintain the *Foot* *Dunelm* Road, and to make and maintain another Road, in the County of *Leicestershire*. *Ibid.*
1865. An Act for incorporating and granting certain Powers to the *North American* Colonial Association of *Ireland*. *Ibid.*
1866. An Act for establishing a Market for the Sale of Cattle in the Parish of *Saint Mary* *Islington* in the County of *Middlesex*. *Ibid.*
1867. An Act to alter, amend and enlarge the Powers of an Act of the Second and Third Years of His present Majesty, for making and maintaining a Railway from the *Cave Hill* to the Harbour of *Belfast* in the County of *Antrim*. *Ibid.*

## PRIVATE ACTS.

PRINTED BY THE KING'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. An Act for vesting in *George Kneller Esquire* and his Heirs certain Freehold and Copyhold Estates situate at *Skewen* in the Parish of *Bygon* in the County of *York*, discharged from the Uses mentioned or referred to by the Marriage Settlement of the said *George Kneller*, and for reconveying and availing certain Freehold and Copyhold Estates situate at *Handbourne Road* and *Thornston* in the Parish of *Hamthorpe* in the said County of *York* in lieu thereof, and to the like Uses. Page 1055
2. An Act for vesting certain Freehold and Leasehold Hereditaments situate in the Town and County of the Town of *Southampton*, devised and bequeathed by the Will of *Ann Howells* Widow, deceased, in Trust for her Sale; and for laying out the Monies to be produced by such Sale in the Purchase of other Estates, to be settled in the same Manner. *Ibid.*
3. An Act for vesting certain Shares of Estates now belonging to *Sir Cecil Augustus Boscawen*, *Horrie Arabella Boscawen*, *George Cornew Boscawen*, *Edward Cecil Boscawen*, and *Catherine Mary Boscawen*, Infants, and also to the said *Sir Cecil Augustus Boscawen* alone, in Trusts, as he shall see fit, and for availing the Purchase Monies arising from such Shares in other Estates. Page 1056
4. An Act for applying the Balance now lying in Bank of the Price of the Lands of *Gloucestershire* and others, contained in a Deed of Trust executed by the deceased *Sir Dawson Cheswell of Lockwell*, which were sold in virtue of the Powers contained in an Act of Parliament passed in the Forty-sixth Year of the Reign of His late Majesty King George the Third, towards Payment of certain Fees laid out by General *Dawson Cheswell of Lockwell* in the Improvement of the said estates Estate. *Ibid.*

3. An Act for enabling the granting of Leases, and for other Purposes relating to the Estates of *William Murray Esquire*, deceased. Page 1005
4. An Act for confirming a Partition, made under a Decree of His Majesty's High Court of Chancery, of an Estate in the County of *Cheshire* among *William Stuart, Elizabeth Neave Spenser*, and others. *Ibid.*
5. An Act for the Sale of Estates in *Ireland* devised by the Will of the Right Honourable *Charles* late Earl of *Wessmore*, and for the Purchase of other Estates in *Ireland*, to be settled to the Uses of the said Will. *Ibid.*
6. An Act for authorizing the Sale of the entailed Lands of *North Ferryhill* or *Corkequoy* in the County of *Fife*, and the entailed Lands and Estate of *Kirkton* and *White-Jaw* in the County of *Linlithgow*, belonging to *William Scott Mowbray Esquire*, and the Purchase of other Lands, to be settled. *Ibid.*
7. An Act for exchanging the *Braconterpe* and *Cault Bony* Estates in the County of *Northfolk*, devised by the Will of *George James* late Marquis of *Chesham* deceased to Lord *William Henry Bury Chesham* for Life, with Remainder over, for Lands in *Northam* and *Barby* in the County Palatine of *Chester*, devised by the same Will to the said Lord *William Henry Bury* High Chesham in Fee Simple. 1006
8. An Act for settling Lands in the Parishes of *Tonstok, Milton-Abbot, Bruster, and Lamberie*, in the County of *Devon*, called *Headfield*. *Ibid.*
9. An Act for inclosing Lands in the Manor and Township of *Chesley* in the Parish of *Kedy Whang* in the County of *Fork*. *Ibid.*
10. An Act for dividing, allotting, and inclosing the Common or Waste Lands called *Blaxone* otherwise *Brettonson*, in the several Parishes of *Acton* and *Boddy*, or One of them, in the County of *Cheser*. *Ibid.*
11. An Act for inclosing and allotting Lands in the Parish of *Stretton* in the Isle of *Elly* and County of *Chesham*, and for the Constitution of Tithes. *Ibid.*
12. An Act for authorizing Sales, Leases, Grants, and Impropriations of an Estate at *Lillygate* in the County at *Warwick*, devised by the Will of *Matthew Wre Esquire*; and for other Purposes. *Ibid.*
13. An Act to empower the Judges of the Court of Session in *Scotland* to sell the Lands or *Brandsbuds* in the County of *Argyll*, and, after discharging the Debts owing the same, to invest the Surplus in the Purchase of other Lands, to be settled. *Ibid.*
14. An Act to enable the Preliminary of the Prebend of *Highlygh* (situated in the Cathedral Church of the Holy Trinity of *Chesham*), to accept Surrenders of the existing Leases of any Part of the said Prebend, and to grant new Leases thereof. *Ibid.*
15. An Act for confirming certain Leases granted by Sir *James Graham Baronet*, deceased, and by Sir *Saxiford Graham Baronet*, his Son, of Land at *Kirkstall* and in the Township of *Boothby-cum-Barby*, in the Parish of *Lands* in the West Riding of the County of *York*. *Ibid.*
16. An Act for enabling the Committee of the Estate of *Le Grand Fleuve Shook Esquire*, a Lunatic, to grant Leases of his settled Estates. Page 1006
17. An Act to vest Part of the settled Estate of *Cromarty*, lying within the County of *High*, and by Annexation within the County of *Cromarty*, in Trustees in Fee Simple, for the Purpose of selling the same, and of paying Debts which affect or may be made to affect the said settled Estate; and for other Purposes connected therewith. *Ibid.*
18. An Act for vesting in *Archibald Lord Douglas* of *Dunbar*, or the Heir of Entail in Possession for the Time, certain detached Parts of the settled Estates of *Douglas* in Fee Simple, upon settling certain other Lands equivalent in Value to the same and to a Debt due by him to the said settled Estates. *Ibid.*
19. An Act for uniting the Rectory and Parish Church of *Stinner* in the County of *Somerset* with the adjoining Vicarage and Parish Church of *Falton*, and for exchanging the Parsonage House and Glebe Land of *Stinner* and the Vicarage House of *Falton*, for certain Pieces of Land at *Falton*, being Part of the settled Estates of the Right Honourable *Henry Thomas Earl of Chesham*, on which a new Parsonage House has been built at the Expence of the said Earl. *Ibid.*
20. An Act to enable the Mayor, Aldermen, and Citizens of the City of *Worcester* to grant renewable Leases of the *Worcester County Infirmary* and of the Land held thereto to the Governors of the said Infirmary, or their Trustees. 1007
21. An Act for vesting the settled and unsettled Manors and Estates of *Charles Fox Esquire*, an Infant, in the Counties of *Gloucester* and *Derbyshire*, in Trustees, in order to effect the Sale thereof, for the Payment of Incumbrances, and for other Purposes. *Ibid.*
22. An Act for empowering Trustees to sell certain Freehold, Copyhold, and Leasehold Estates in the County of *Northfolk*, settled under the Will of *Henric Earl of Oxford* deceased, and for laying out the Money arising therefrom in the Purchase of Lands to be settled to the same Uses; and for the other Purposes therein mentioned. *Ibid.*
23. An Act to authorize the making of Grants or Leases of Mines within and under Parts of the Lands belonging to the Perpetual Curacy of the Parish of *Waterbusham* in the County of *Stafford*. *Ibid.*
24. An Act for vesting the Freehold and Leasehold Estates late belonging to *Richard Sparrow* of *Oxford* in the County of *Essex*, Esquire, deceased, in Trustees, to be sold for Payment of his Debts, and applying the Surplus for the Benefit of the Debtors in the Will of the said Deceased named. *Ibid.*
25. An Act for raising, as the Security of certain Estates in the County of *Wilt*, whereof the Right Honourable *Thomas Earl Nelson* is Tenant in Tail, a Sum of Money for the Purpose of discharging the Sum of Ten thousand Pounds equitably charged thereon by *William Earl Nelson* deceased, in favour of his Daughter *Charlotte Mary Lady Brodport*; and for other Purposes. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

28. An Act for naturalizing *Seba Schiele*.  
29. An Act to dissolve the Marriage of *Charles Caspary Junier*, Esquire, with *Margaret Caspary* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.  
30. An Act for naturalizing *Christian Altmann*.  
31. An Act for naturalizing *John Corbuz*.  
32. An Act for naturalizing *Paul Ferdinand Walther*.  
33. An Act for naturalizing *Leone Boyson*.  
34. An Act for naturalizing *Frederic Louis Wendle*.  
35. An Act for naturalizing *Maschl Albrecht*.  
36. An Act for naturalizing *Daniel Meyer Loese*.  
37. An Act to dissolve the Marriage of *Major Rudolf Wilhelm Meier* with *Ann his now Wife*, and to enable him to marry again; and for other Purposes therein mentioned.  
38. An Act to dissolve the Marriage of the Reverend *William Thomas Bledsoe*, a Chaplain in the Service of the *East India Company* on their *Madras Establishment*, with *Christiana his now Wife*, and to enable him to marry again; and for other Purposes therein mentioned.  
39. An Act for naturalizing *John General Murro*.  
40. An Act for naturalizing *Ludwig Stroedel*.  
41. An Act for naturalizing *Emmanuel Halle*.  
42. An Act for naturalizing *Gaspard Peter Elias Borelli* Arabet.  
43. An Act for naturalizing *Jacques Louis Auguste Joseph Des Champs de la Tour*, commonly called *Auguste Des Champs de la Tour*, and his natural Son.  
44. An Act for naturalizing *Agnes Hamilton de Termon*.  
45. An Act to dissolve the Marriage of *William Charles Lambert Esquire* with *Georgiana Charlott* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.  
46. An Act for naturalizing *Henry Christopher Bergman*.  
47. An Act for naturalizing *John Frederick Zoller*.  
48. An Act to dissolve the Marriage of *Charles Helges Esquire* with *Isabelle Rousseau* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.



THE

# STATUTES at Large, &c.

Anno Regni GULIELMI IV. Britanniarum Regis,  
Tertio.

AT the Parliament begun and holden at Westminster, the Twenty-sixth Day of January, Anno Domini 1835, in the Third Year of the Reign of our Sovereign Lord WILLIAM the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith; being the First Session of the Eleventh Parliament of the United Kingdom of Great Britain and Ireland.

C A P. I.

An Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-three. [25th March 1833.]

There shall be applied, for the Service of the Year 1833, 3,000,000*l.* now in the Exchequer; also any Sums paid into the Exchequer in respect of Exchequer Bills issued for Public Works; also any Balance paid in by the Bank of England on or before the 5th of April One thousand eight hundred and thirty-four, pursuant to 56 G. 3. c. 27.; provided that if at any Time the Balance shall be reduced to less than 100,000*l.*, then so much of the Monies advanced by the Bank as shall be equal to the Sum by which the said Balance shall be less than 100,000*l.* shall be repaid; and 50,000*l.* to be paid by the East India Company.

C A P. II.

An Act for raising the Sum of Twelve Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-three. [25th March 1833.]

C A P. III.

An Act for continuing to His Majesty until the Fifth Day of April One thousand eight hundred and thirty-four certain Duties on Sugar imported into the United Kingdom, and for One Year certain Duties on Personal Estates, Offices, and Pensions in England, for the Service of the Year One thousand eight hundred and thirty-three. [29th March 1833.]

Duties on Sugar and Melasses imposed by 1 W. 4. c. 50. continued until 25th April 1834.—§ 1. Powers of recited Act extended to this Act. § 2. The Duties charged upon Personal Estates, Offices, and Pensions by 58 G. 3. c. 60 and 58 G. 3. c. 5 further continued for One Year from the 25th March 1833. § 3. [See *see post* Chap. 12. by which the Duties on Personal Estates are repealed.] The several Classes of 8 G. 4. c. 2. for ascertaining and regulating the Duties, extended to this Act. § 4. No Assessment shall be made in respect of the Duties on Pensions, &c. payable out of the Public Revenue, but such Duties shall be charged as heretofore, and Monies applicable to the Payment of the Pensions shall be paid less by the Amount of such Duties. Proviso for Salaries payable in part only out of the Public Revenue. § 5. A Register to be kept of all Money paid into the Exchequer for the Duties hereby granted. § 6. Monies paid into the Exchequer under this Act shall be entered separate from other Payments. § 7. The Treasury may direct Exchequer Bills to be made out not exceeding 5,000,000*l.*—§ 8. Powers of 48 G. 3. c. 1. extended to this Act. § 9. Exchequer Bills to bear an Interest not exceeding 4 per Cent. per Annum. § 10. Bank of England may advance Money on the Credit of this Act, notwithstanding 5 & 6 W. 4. c. 20.—§ 11. Bills to be placed as Cash in the Exchequer; § 12. and to be issuable thereout in common with other Monies. § 13. Exchequer Bills to be applied to the Discharge of the Debts granted by this Act, and to the Payment of Exchequer Bills.

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subordination as to require the Application of the Provisions of this Act; and such County, County of a City, or County of a Town, or any Person thereof respectively, shall, from the Publication of such Proclamation as herein after mentioned, be deemed and taken to be a proclaimed District within the Meaning of this Act: Provided always, that it shall not be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to apply the Provisions of this Act to any County or District merely because Tithes shall not have been paid in such County or District.

V. And be it enacted, That every such Proclamation shall warn the Inhabitants of every such County, County of a City, County of a Town, or Part thereof, as shall be so proclaimed, to abstain from all seditious and other unlawful Assemblies, Processions, Conferences, Meetings, and Associations, and to be and remain within their respective Habitations at all Hours between Sunset and Sunrise from and after such Day as shall be named therein for that Purpose.

VI. And be it enacted, That every County, County of a City, County of a Town, or Part thereof respectively, so proclaimed, shall be considered to all Intents and Purposes as a proclaimed District within this Act from the Day after that on which such Proclamation shall be published within such proclaimed District, by affixing a Copy thereof on some conspicuous Place in each Barony within the District, if the same be a County at large or Part of such County, or on some conspicuous Place within a County of a City or County of a Town within such District, if the same be a County of a City or County of a Town, or any Part thereof, as the Case may be.

VII. And be it enacted, That when any such Proclamation shall have been issued, all Justices, Constables, Peace Officers, and others to whom the Execution of the Process of Law may properly belong, and also all Commissioned Officers commanding His Majesty's Regular Forces in Ireland or any Part thereof, shall and each of them is hereby required and enjoined to take the most effectual Measures according to Law for suppressing insurrectionary and other Disturbances and Outrages in any Part of Ireland which may be specified in such Proclamations respectively, and to search for, arrest, and detain for Trial under this Act every Person who shall be charged upon Oath with any Offence which by the Provisions of this Act may be cognizable by or before any Court herein after empowered and authorized to try such Offence.

VIII. And be it enacted, That the Production of the *Dublin Gazette*, containing the Publication of any Proclamation or Order under this Act, shall in all Proceedings, Civil and Criminal, be received and deemed conclusive Evidence of the issuing and of the Contents of the Proclamation or Order so published.

IX. And be it further enacted, That the Tenants and Possessors of all Houses and other Buildings within any such proclaimed District shall, within a reasonable Time after Application to them respectively made, and so often as such Application shall be so made, by any Chief Constable, or any Constable by such Chief Constable for that Purpose authorized by Writing under his Hand and Seal, sign and deliver to such Chief or other Constable Two true and correct Lists of all the Male Inhabitants or Inmates of each such House or Building, with their Names and Surnames in full, distinguishing those who are of the Age of Fourteen Years or upwards from those who are under that Age, such Lists to be dated and signed, and to be filed up according to the Form in the Schedule to this Act annexed prescribed, or as near thereto as may be; and one of such Lists, counter-signed by such Chief or other Constable, shall be delivered to the Person signing the same, to be by him posted on his Door, or inside his House, or to be kept by him; and another of said Lists shall be truly copied into a Book to be for that Purpose kept by such Chief or other Constable, and shall, together with such Book, remain in the Care and Custody of such Chief Constable, and shall be kept at the nearest Police Station, or elsewhere, as to such Chief Constable shall seem fit; and every such Tenant refusing or neglecting to make and sign such Lists within a reasonable Time after being so required to make and sign the same as aforesaid, shall, upon the Complaint of such Chief or other Constable, be fined in any Sum not exceeding One Shilling a Day for each Day that he shall, after such Request so made as aforesaid, refuse or neglect to make and sign such Lists, or shall be imprisoned until he shall have made and signed such Lists; and such Fine or Imprisonment shall, after due Notice and Opportunity of Defence, according to the course of the Court, be awarded by and at the Discretion of the Justices of Petty Sessions of the District in which such Tenants and Possessors shall respectively be resident: Provided always, that any false Statement or Suppression of the Truth in any such List shall be deemed to be a Misdemeanor, and the Person or Persons guilty of wilfully making the same shall be punishable accordingly.

X. And in order to facilitate the making such Lists, be it further enacted, That the Chief Constables of Police within such District shall provide and keep at their several Police Stations, for the Use of such Tenants and Possessors of Houses as aforesaid, printed Forms of Lists according to the Form in the Schedule to this Act annexed, and shall furnish the same to such Tenants and Possessors free of Expence; and that such Chief or other Constables shall also assist the said Persons in the filling and making and signing of such Lists, if by them so required; and that to defray the Expences of such printed Forms and of such Books, the Grand Jury of the County, County of a City, or County of a Town, within which such District or any Part thereof is situate, shall and may and is hereby required at the Assizes next after the making of such Proclamation, and of making such Lists as aforesaid, to present such Sums or Sums as shall be sufficient to defray the Expence of that Partion of the District locally situate within the Jurisdiction of such Grand Jury, and which Sums shall be levied of such Counties respectively, and paid over to such Chief Constable as aforesaid.

distributed as to require the Application of this Law; and such County shall be deemed a proclaimed District.

Proclamations to warn Inhabitants to abstain from seditious Assemblies.

County so proclaimed to be a District within the Act from the publishing of the Proclamation therein.

All Justices, Constables, &c., and all Commissioned Officers required to suppress Disturbances, and to bring to Trial Offenders.

Dublin Gazette to be Evidence of issuing and of Contents of Proclamations.

Forms of Lists to be provided by Constables to deliver to Chief Constable, &c., several Lists of all Males, distinguishing those of the Age of 14 from those under.

One of such Lists, counter-signed by the Constable, to be posted on his Door or kept by Tenant; the other to be kept by Constable.

Police Stations deemed a Misdemeanor.

Forms for facilitating such Lists to be provided.

Expenses thereof to be defrayed by Parliaments.



and be deemed to be a Judge Advocate at and for the Purpose of each Court Martial, and shall have all the Powers and Authorities, and perform all the Duties and Functions, which any Judge Advocate may or ought, in case of any Courts Martial, to possess, execute, and discharge.

XVII. And be it enacted, That the Persons so constituted and appointed Members of such Courts Martial shall, in case of any Oath or Oaths now usually taken by Members of Courts Martial, take the Oath following; (that is to say,)

I, A.B. do swear, That I will well and truly try and determine the Matter before me according to the Evidence; that I will faithfully, impartially, and justly exercise all Powers and Authorities conferred upon me by an Act passed in the Third Year of the Reign of King William the Fourth, intituled [love at first the Title of this Act]; that I will not divulge the Secrets of the Court and it shall be approved by the Lord Lieutenant or other Chief Governor or Governors of Ireland, or by some Person duly authorized by him or them; and that I will not upon any account at any Time whatsoever disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court Martial in a due Course of Law.

And so soon as the said Oath shall have been administered to the respective Members of the said Court by the Person by this Act authorized to act as Judge Advocate, and which Oath the said Person so authorized is hereby empowered to administer, then the President of the said Court is hereby authorized and required to administer to the Person so appointed to act as Judge Advocate an Oath as the following Words: (that is to say,)

I do swear, That I will faithfully, impartially, and justly exercise all Powers and Authorities conferred upon me by an Act passed in the Third Year of the Reign of King William the Fourth, intituled [love at first the Title of this Act]; and that I will not upon any account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court Martial in a due Course of Law.

XVIII. And be it further enacted, That the Lord Lieutenant or other Chief Governor or Governors of Ireland, or any Officer duly authorized by him or them as aforesaid, is and are hereby empowered to order that every Person charged with any of the Offences by this Act made cognizable by such Court Martial may be, and such Persons shall be, summarily tried by and before such Court Martial; and the Sentence of such Court Martial, when duly confirmed by the Lord Lieutenant or other Chief Governor or Governors of Ireland, or by any Officer by him or them authorized to convoke such Court Martial and to enforce the Sentences of such Court Martial, shall be carried into execution, and shall have the like Effect as if the Trial of such Offences had been had before and the Sentence had been passed by any Court of Oyer and Tenor or General Goal Delivery, or Sessions of the Peace: Provided always, that no Forfeiture of Goods or Chattels shall cause upon any Conviction had before any such Court Martial as aforesaid under this Act, nor shall any Sentence of Transportation by such Court Martial be carried into effect, unless confirmed by the Lord Lieutenant or other Chief Governor or Governors of Ireland under his or their Hand or Hands.

XIX. And be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, or such Person as shall be duly authorized by him or them for that Purpose, from Time to Time to issue such Orders as to him or them shall seem fit for bringing before such Court any Person charged with any Offence by this Act made cognizable by such Court, or for executing and carrying into effect any Sentence, so confirmed as aforesaid, of any such Court respectively; which Orders all Sheriffs, Justices of the Peace, Coroners, Constables, Officers, and Ministers of Justice, and other Persons to whom the same shall be directed, and to whom the Execution thereof shall rightfully and properly appertain, shall and are hereby required to execute, enforce, and obey.

XX. And be it enacted, That it shall be lawful for any such Court Martial, or any Member thereof, and they or he be hereby required, to summon, as well on the Part of the Defence as the Prosecution, any Person, whose Evidence may be required, to appear before such Court to give Evidence upon any Trial touching any Offence, Matter, or Thing cognizable by such Court; and if the Person so summoned shall refuse or neglect to attend in obedience to such Summons, it shall be lawful for such Court, after Proof upon Oath of the due Service of such Summons, to issue a Warrant to apprehend and bring before such Court the Party so refusing or neglecting; and in case of the Refusal of any Party to be examined or to give Evidence touching any Matter to which he or she shall be interrogated by such Court (there being no lawful Objection thereto), then it shall be lawful for such Court to commit the Person so refusing to Custody for any Period not exceeding Three Months, or until such Person shall sooner submit to be examined and answer touching the Matters before the said Court.

XXI. And be it enacted, That any Person liable to be prosecuted for any Offence constituted within any District proclaimed as aforesaid, contrary to the Provisions of an Act passed in the Parliament of Ireland in the Twenty-seventh Year of the Reign of King George the Third, intituled An Act to prevent tumultuous Meetings and Assemblies, and for the more effectual Punishment of Persons guilty of Outrage, Riot, and illegal Combination, and of administering and taking unlawful Oaths, or contrary to the Provisions of an Act passed in the Fifth Year of the same Reign, intituled An Act for the more effectually preventing the administering and taking of unlawful Oaths in Ireland, and for the Protection of Magistrates and Witnesses in Criminal Cases, or contrary to the Provisions of a certain other Act passed in the

to act as Judge Advocate at such Courts.

Oaths to be taken by Members of the Court.

So help us GOD!

So help us GOD!

Oath of Person acting as Judge Advocate.

So help us GOD!

Lord Lieutenant, or any Officer duly authorized by him or them as aforesaid, is and are hereby empowered to order that every Person charged with any of the Offences by this Act made cognizable by such Court Martial may be, and such Persons shall be, summarily tried by and before such Court Martial; and the Sentence of such Court Martial, when duly confirmed by the Lord Lieutenant or other Chief Governor or Governors of Ireland, or by any Officer by him or them authorized to convoke such Court Martial and to enforce the Sentences of such Court Martial, shall be carried into execution, and shall have the like Effect as if the Trial of such Offences had been had before and the Sentence had been passed by any Court of Oyer and Tenor or General Goal Delivery, or Sessions of the Peace: Provided always, that no Forfeiture of Goods or Chattels shall cause upon any Conviction had before any such Court Martial as aforesaid under this Act, nor shall any Sentence of Transportation by such Court Martial be carried into effect, unless confirmed by the Lord Lieutenant or other Chief Governor or Governors of Ireland under his or their Hand or Hands.

In certain Cases Sentences shall be confirmed by Lord Lieutenant.

Lord Lieutenant, or any Officer duly authorized by him or them for that Purpose, from Time to Time to issue such Orders as to him or them shall seem fit for bringing before such Court any Person charged with any Offence by this Act made cognizable by such Court, or for executing and carrying into effect any Sentence, so confirmed as aforesaid, of any such Court respectively; which Orders all Sheriffs, Justices of the Peace, Coroners, Constables, Officers, and Ministers of Justice, and other Persons to whom the same shall be directed, and to whom the Execution thereof shall rightfully and properly appertain, shall and are hereby required to execute, enforce, and obey.

Court Martial may compel the Attendance of Witnesses;

and commit in case of Refusal to give Evidence.

Any Person liable to be prosecuted within any District for any Offence against 22 G. 3. c. 12 (1) 50 G. 2. s. 302. 18 G. 4. c. 14. s. 2 & 3. s. 2. s. 118. or with

any Offence against the Act, may be tried by such Courts Martial.

Exception.

Courts Martial may try Capital Offences, and sentence to Transportation; but not impose Whipping.

Not to try Offences committed before the passing of this Act; or Offences against 27 G. 5 c. 15. unless the last-mentioned be accompanied with Force.

Persons found out of their Houses under suspicious Circumstances in a proclaimed District after Sunset may be committed, and if convicted deemed guilty of a Misdemeanor.

Justices, &c. may, after Sunset, require the Male Inhabitants of any House in a proclaimed District to show themselves.

Persons deemed guilty of a Misdemeanor, unless they give some lawful Excuse.

Justices may accept Excuse for an Absence, if satisfied of the Truth thereof.

If Arms are found in the Possession of any Person not authorized to keep the same,

passed in the Parliament of Ireland in the Fifteenth and Sixteenth Years of the Reign of His Majesty King George the Third, intitled 'An Act to prevent and punish tumultuous Routings of Persons within this Kingdom, and for other Purposes therein mentioned,' or contrary to the Provisions of the said Act of the Fifteenth and Sixteenth Years of King George the Third therein referred to, or contrary to the Provisions of a certain other Act passed in the Second and Third Years of the Reign of His present Majesty, intitled 'An Act to extend for Five Years, in certain Cases, Party Promotions in Ireland; or contrary to the Provisions of any Act or Acts to continue the said Acts or any of them, and also every Person charged with any Offence contrary to the Provisions of this Act, except any Offence created by this Act, and directed to be tried and prosecuted according to the Course of the Common Law, shall and may be tried by and before a Court Martial to be appointed as aforesaid, and whether the Offence so charged shall or shall not have been committed before the passing of any Proclamation under this Act: Provided always, that in case the Lord Lieutenant should direct that any Person charged with any Offence contrary to any of the Acts aforesaid, which by Law now is or may be punishable with Death, shall be tried before any Court Martial appointed under this Act, such Court, in case of Conviction, shall, instead of the Punishment of Death, sentence such Convict to Transportation for Life or for any Period not less than Seven Years; and provided also, that such Courts shall in no Case impose the Penalty of whipping on any Person convicted by or before such Courts: Provided always, that it shall not be lawful for any such Court Martial to convict or try any Person for any Offence whatsoever committed at any Time before the passing of this Act: Provided also, that nothing in this Act shall be deemed or taken to give to such Court Martial any Power or Jurisdiction to try any Person or Persons charged or to be charged with the printing, publishing, or circulating of any Libel, or with any Combination or Conspiracy contrary to the Provisions of the said recited Statute of the Twenty-sixth Year of the Reign of King George the Third, or with any Prevention or Obstruction of any Person, or any Act to defraud any Person in the Assertion or Enforcement of any Civil Right or Claim contrary to the Provisions of the said last-mentioned Statute, unless such Combination or Prevention, Obstruction or Act, shall be accompanied by Force or by Threats; but that all such Offences, unaccompanied by Force or Threats as aforesaid, shall remain triable according to the Course of the Common Law.

XXII. And be it enacted, That any Magistrate, Peace Officer, or other Person for that Purpose authorized by the Lord Lieutenant or other Chief Governor or Governors of Ireland, shall and may cause to be apprehended and committed any Person who, within any such proclaimed District as aforesaid, and under suspicious Circumstances, shall be in the Fields, Roads, Highways, or elsewhere out of his or her Dwelling or Place of Abode, at any Time from One Hour after Sunset until Sunrise; and such Person shall and may be detained until Trial, unless previously discharged or held in Bail by some Person thereto authorized; and the Court before whom such Person shall be tried shall inquire into the said Charge, and unless the Person accused shall make it appear, to the Satisfaction of such Court, that he or she was out of his or her House upon his or her lawful Occasions, such Person shall be deemed guilty of a Misdemeanor.

XXIII. And be it further enacted, That it shall and may be lawful for any Justice of the Peace within any County, County of a City, County of a Town, or other District proclaimed under this Act, and for any Person thereto authorized by the Warrant of any such Justice of the Peace, if the Person so authorized be accompanied by a Commissioned Officer of His Majesty's Army or a Chief Constable of Police, at any Time from One Hour after Sunset until Sunrise, to demand and require that the Male Inhabitants or inmates, by Name, of any House or other Building within any such proclaimed District, shall come forth and show themselves to such Justice or authorized Person; and if any of such Male Inhabitants or inmates (being above the Age of Fourteen Years, and being so demanded and required,) shall not, within a reasonable Time after such Demand, come forth and show himself or themselves as aforesaid, such Person or Persons shall be deemed and taken to have been absent from their Houses at the Time of such Demand, save as herein-after provided; and any Magistrate or Peace Officer may cause to be apprehended and committed any Person or Persons who shall have been absent from their Houses at the Time of such Demand; and such Person or Persons shall be deemed guilty of a Misdemeanor, and shall be convicted and punished accordingly, unless such Person or Persons can make it appear, to the Satisfaction of the Court before which he or they shall be tried for the said Offence, that he or they was or were absent on his or their lawful and proper Occasions: Provided always, that if any Excuse be made or offered for the Nonappearance of any Person so demanded or required as aforesaid, such Justice or authorized Person, being satisfied with the Truth thereof, may accept such Excuse; but if such Justice or authorized Person shall have Reason to suspect such Excuse to be untrue, he may thereupon demand Admission for himself and One other Person in his Aid, for the sole Purpose of seeing the Person for whose such Excuse was so offered; and in case Admission for such Purpose shall be refused, or shall not be obtained within a reasonable Time after such Demand, then such Person so demanded and required shall be deemed and taken to have been absent from his House at the Time of such Demand.

XXIV. And be it enacted, That if any Justice of the Peace, or other Person authorized by the Warrant of such Justice, shall in any such proclaimed District find any Arms or Ammunition, or any Pike, Pike Head, Spear, Dirk, or any other offensive Weapon, in the Dwelling House or Possession of any Person or Persons not duly authorized to keep the same, every such Person shall be deemed guilty of a Misdemeanor, and may be convicted and punished accordingly by a Court Martial under this Act, unless

unless such Person shall make it appear to the Satisfaction of the Court before which he, she, or they shall be tried, that such Arms, Ammunition, or offensive Weapons as aforesaid were in his, her, or their House or Possession without his, her, or their Knowledge, Privity, or Consent.

XXV. And he it enacted, That every Person who shall wilfully or maliciously injure either the Person or the Property, Real or Personal, of any Person who has appeared or shall appear as a Juror, Witness, Prosecutor, or otherwise, for the Purpose of any Prosecution, or any Civil Action or Proceeding, for or by reason of any thing done thereupon by such Person, or who shall, by Menaces or otherwise lawless, deter or intimidate, or endeavor to deter or intimidate, any Person from appearing or acting in any such Prosecutions or Civil Action or Proceeding, as a Juror, Witness, Prosecutor, or otherwise, for the Purposes of such Prosecutions, Action, or Proceeding, or from discharging his or her Duty in that Behalf, shall upon Conviction be deemed guilty of a Misdemeanor, and may be sentenced to be transported for any Term not less than Seven nor more than Fourteen Years; and every such Offence, if committed within any such proclaimed District as aforesaid, shall be cognizable by a Court Martial appointed under the Authority of this Act.

XXVI. Provided always, That in all Cases in which by any Law now in force any such Offence would amount to Felony, and the Party convicted thereof would be subject to be punished with Death, any such Offence shall still be deemed a Felony, and the Person convicted thereof by any competent Court other than a Court Martial under the Provisions of this Act shall be subject to be punished with Death, any thing herein to the contrary notwithstanding.

XXVII. And he it further enacted, That from and after the passing of this Act no Person shall make, aid or assist in making, or be present for the Purpose of aiding or assisting in the making of any Beacons, Bonfires, Light, Fire, Flash, Blaze, or any Signal by Smoke, or by any Rocket, Firework, Flag, firing of any Gun or other Fire-arms, or by blowing of Horns, or by ringing of any Church, Chapel, or other Bell, or by any other Contrivance or Device, for the Purpose of giving any Notice or Intimation to any Person or Persons engaged in any illegal Combination, or in any Association or Assembly against the Provisions of this Act; and that no Person shall make or give, or assist in the making or giving, or be present for the Purpose of assisting in the making or giving of any such Signal, or of any other Signal, Notice, or Call, or to upon any Person or Persons whatsoever to assemble together, or to act in concert together, for any Purpose not warranted by Law, or which is prohibited by this Act, or to assemble in Arms, or in unusual Numbers, and at unusual Times and Places, to the endangering of the Public Peace; and if any Person, contrary to the true Intent and Meaning of this Act, shall make or cause to be made, or aid or assist in the making, or be present for the Purpose of assisting at the making of any such Signal, Notice, or Call to or upon any such Person or Persons as aforesaid, or for any such Purpose as aforesaid, such Person so offending shall be guilty of a Misdemeanor; and every such Offence committed within any District proclaimed in pursuance of the Provisions of this Act shall be cognizable by any Court Martial appointed under this Act, and, if committed within any other District, shall be tried and punished according to the Course of the Common Law, and not otherwise.

XXVIII. And he it enacted, That no Act, Matter, or Thing done in any such proclaimed District as aforesaid, in pursuance or execution of any Power or Authority hereby conferred, shall be questioned in any Court of the United Kingdom having Jurisdiction, Civil or Criminal, except as herein-after mentioned; that is to say, that all Officers, Non-commissioned Officers, and Soldiers who shall act under any such Power or Authority shall, for and in respect of any thing done under such Power or Authority, in any such proclaimed District as aforesaid, be responsible to Courts Martial to be holden under any Statute in Force for holding Courts Martial, by which Courts Martial respectively they shall be liable to be tried and punished for any Offence against the Articles of War under any Law then in force for such Purpose; and such Courts Martial respectively shall have full and exclusive Cognizance of all such Matters and Things which shall be objected against such Officers, Non-commissioned Officers, and Soldiers respectively, and Proceedings shall be had thereon in the same Manner as for Offences against the Articles of War, and not otherwise; and no other Court in any Part of the United Kingdom, whether Civil or Criminal, shall have Cognizance or Jurisdiction with respect to any Act, Matter, or Thing which shall be done by any such Officer, Non-commissioned Officer, or Soldier, in pursuance of this Act, in any such proclaimed District as aforesaid; and any Proceeding instituted, had, or commenced in any such Court as last mentioned, against any Officer, Non-commissioned Officer, or Soldier, for or by reason of any such Act, Matter, or Thing, whether by Indictment, Action, or otherwise, shall be stayed by summary Application to the Court in which the same shall have been instituted, had, or commenced; and that all Justices of the Peace, Constables, Policemen, and all other Persons besides Officers, Non-commissioned Officers, and Soldiers, who shall act under any such Power or Authority, for and in respect of any thing done under such Power or Authority in any such proclaimed District as aforesaid, shall be liable to be prosecuted in any Court of Criminal Jurisdiction under the Warrant of His Majesty's Attorney General for England, and not otherwise, and being so prosecuted shall be proceeded against and punished for such Offence according to the Course of the Common Law.

XXIX. And he it enacted, That in Cases where any Person or Persons shall during the Continuance of this Act be arrested, committed, or detained in Custody by force of any Warrant issued under the Authority of this Act, or by any Person hereby empowered in that Behalf, it shall and may be lawful for any Person or Persons so authorized or empowered to detain such Person or Persons so arrested or committed in his or their Custody in any Place whatever within England: Provided always, that no

he shall be deemed guilty of a Misdemeanor.

Persons wilfully injuring any one who has appeared as Juror, Witness, &c. or deterring any one from appearing, shall be liable to Transportation.

Offences punishable with Death under any Law now in force.

Making any Signal, or giving Intimation to Persons engaged in any Assembly against the Provisions hereof, or Notice to assemble in the endangering of the Public Peace, a Misdemeanor.

Offences within a proclaimed District cognizable by a Court Martial; in any other, by Common Law.

Nothing done in pursuance of this Act in any proclaimed District to be questioned in any Court.

Officers, acting in pursuance of such Power or Authority shall be responsible only to Courts Martial.

Detention of Persons arrested

Persons swearing falsely liable to the Penalties of Perjury.

What shall be a sufficient Return in a Habeas Corpus and what by a Person detained under this Act.

Offences under this Act not indictable.

Persons committed to be brought in Trial within Three Months.

Hard Labour may be added to Imprisonment for certain Offences.

As to the Execution of the Act.

As to the Power given to Magistrates.

Limitation of Actions.

In case of Verdicts by the Judges, the Judge may certify that the Act was proclaimed of and done by virtue of this Act, and the Defendant in that Case allowed his Treble Costs.

As to Costs Attorneys for Imprisonment, &c.

Persons so arrested shall be detained in any Place of Custody other than some public Goal or Prison more than Twenty-four Hours from the Time of his Arrest, without his own Consent.

XXX. And be it enacted, That every Person who shall knowingly and corruptly swear falsely in any Evidence given by such Person before any Court constituted or arising under the Authority of this Act shall be deemed and adjudged to be guilty of the Crime of wilful and corrupt Perjury, and shall upon Conviction thereof be liable to all the Penalties and Punishments now by Law incident to the Crime of wilful and corrupt Perjury.

XXXI. And be it enacted, That if any Person who shall be detained in Custody under the Powers created by this Act, charged with any Offence committed in any proclaimed District as aforesaid, shall sue forth a Writ of Habeas Corpus within Three Calendar Months from the Time of his first Arrest, it shall be a good and sufficient Return to such Writ that the Party suing forth the same is detained by virtue of the Powers in that Behalf hereby conferred, and when such Return shall be made it shall not be necessary to bring up the Body of the Person so detained.

XXXII. And be it enacted, That no Justice or Justices of the Peace, save as herein-before provided, shall have any Power or Authority to admit to Bail any Person charged with any Offence hereby made cognizable by any Court Martial appointed under the Provisions of this Act: Provided always, that no Person shall be detained in Custody by virtue of the Powers contained in this Act for a longer Time than Three Calendar Months from the Time of his first Arrest, without being brought to Trial for the Offence or Offences for which he is so detained in Custody.

XXXIII. And be it enacted, That in all Cases where any Offence committed within such District proclaimed as aforesaid shall be punished with Imprisonment under this Act, or by any Court authorized under the Provisions thereof, other than and except any Offence created by this Act for being present at any unlawful Assembly, it shall and may be lawful for such Court to order and award, if they shall so think fit, that, in addition to the Imprisonment thereby directed, the Person convicted shall be kept to hard Labour during the Whole or any Part of the Period to which such Imprisonment shall extend.

XXXIV. And be it enacted, That it shall and may be lawful to and for the Magistrates of the next adjacent Counties, at large respectively to execute this Act within the several Counties of Cities or Counties of Towns in England, except the County of the City of Dublin.

XXXV. And be it enacted, That all the Powers and Authorities given to and all Duties required from Magistrates of Counties at large, under and by virtue of this Act, shall be and are hereby given to and required from all Magistrates of Counties of Towns or Counties of Cities in England, within their respective Counties of Towns or Counties of Cities.

XXXVI. And be it enacted, That if any Action, Suit, Plein, or Information shall be commenced or prosecuted against any Person or Persons for what he or they shall do in pursuance and execution of this Act, in any Part of England, not being in any such proclaimed District as aforesaid, the same shall be commenced within Six Months after the Act complained of was committed, and shall be brought or laid within the County where the Act was committed, and such Person so sued may plead the General Issue of Not Guilty, or any other General Issue which the Nature of the Case may admit, and upon Issue joined may give this Act and the special Matter in Evidence; and if the Plaintiff or Prosecutor shall become Non-suit, or suffer Discontinuance, or suffer Judgment, or if a Verdict or Judgment on Demurrer shall pass against him, the Defendant shall recover Treble Costs.

XXXVII. And whereas Doubts may arise whether any such Action, Suit, Plein, or Information was so commenced or prosecuted against the Defendant or Defendants therein for what he or they did in pursuance or execution of this Act; be it enacted, That in all Cases where there shall be a Verdict for the Defendant, if it shall appear to the Judge or Court before whom the Cause shall have been tried that the same was prosecuted or instituted for or by means of any Act done in pursuance or execution of this Act, such Judge or Court shall certify the same on the Record, and thereupon such Treble Costs shall be adjudged as aforesaid; and if the Plaintiff or Prosecutor shall become Non-suit, or suffer Discontinuance, or suffer a Discontinuance, or if Judgment shall pass against him on Demurrer, it shall and may be lawful for the Defendant or Defendants, or any of them, to suggest on the Record that such Action, Suit, Plein, or Information was brought against such Defendant or Defendants for what he or they did in pursuance or execution of this Act, which Suggestion may be traversed by the Plaintiff if he shall think proper so to do, and Issue being joined thereupon, the same shall be tried by the Jury according to the usual Course of such Court on Issues joined therein; and if such Suggestion shall not be traversed, or being traversed the Issue thereon shall be found for such Defendant or Defendants, he or they shall thereupon be entitled to his or their Treble Costs as aforesaid, together with the Treble Costs of the said Suggestion, and of the Proceedings thereon (if any), and if such Issue shall be found for the said Plaintiff, he shall be entitled to the Costs of the said Suggestion and the Proceedings thereon, and the same shall be set off against the Costs to be adjudged to the Defendant or Defendants making such Suggestion, and the Judgment shall be for the Balance of the said Costs, if any.

XXXVIII. Provided always, and be it enacted, That when a Verdict shall be given for the Plaintiff in any such Action to be brought against any Justice of the Peace, Police Officer, or other Person for taking or imprisoning or detaining any Person, or entering Houses, under colour of any Authority given by this Act, and it shall appear to the Judge or Judges before whom the same shall

be tried that there was a probable Cause for doing the Act complained of in such Action, and the Judge or Court shall certify the same on Record, then and in that Case the Plaintiff shall not be entitled to more than Simple Damages, nor to any Costs of Suit: Provided also, that where a Verdict shall be given for the Plaintiff in any such Action as aforesaid, and the Judge or Court before whom the Cause shall be tried shall certify on the Record that the Injury for which such Action was brought was wilfully and maliciously committed, the Plaintiff shall be entitled to Treble the Costs of Suit.

XXXIX. And be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, by a new Proclamation to be made by and with the Advice of the Privy Council of Ireland, to revoke any Proclamation issued in pursuance of this Act as to the Whole or any Part of the District thereby proclaimed, which new Proclamation shall be forthwith transmitted by the Clerk of the Privy Council to the Lord Lieutenant of the County, County of a City, or County of a Town, who shall forthwith notify the same to each Court Martial, if actually sitting, and if not, then at the next Sitting of such Court, and such Court shall thereupon cause the same to be read in open Court; and on such new Proclamation being read, the original Proclamation mentioned therein shall forthwith stand and be revoked so far as the said new Proclamation shall purport to revoke the same; and if no Part of such County, County of a City, or County of a Town shall then remain proclaimed, the Authorities and Powers of each Court shall forthwith cease and determine.

XL. Provided always, and be it declared and enacted, That nothing in this Act contained shall be construed to take away, abridge, or diminish the acknowledged Prerogative of His Majesty, in respect of appointing and commissioning Courts Martial according to the Provisions of the Act for punishing Mutiny and Desertion, or the undoubted Prerogative of His Majesty, for the Public Safety, to resort to the Exercise of Martial Law against open Enemies or Traitors, or any Powers by Law vested in the said Lord Lieutenant of Ireland, or other Chief Governor or Governors of Ireland, with or without the Advice of His Majesty's Privy Council, or in any other Person or Persons whatsoever, to suppress Insurrection and Disturbances or Tumults and Rebellion, and to do any Act warranted by Law for that Purpose, in the same Manner as if this Act had never been made, or in any Manner to call in question any Acts heretofore done for the like Purposes.

XLI. And be it enacted, That this Act shall continue and be in force until the First Day of August One thousand eight hundred and thirty-four, and no longer; and that it shall and may be lawful to repeal, amend, or alter this Act during the present Session of Parliament.

XLII. Provided always, That neither the Revocation of any Proclamation by the Lord Lieutenant or other Chief Governor or Governors of Ireland, nor the Expiration of this Act, shall annul or suspend any Sentence passed against any Person or Persons for Offences of which such Persons shall have been or shall be convicted by any Court Martial under this Act.

## SCHEDULE.

House of \_\_\_\_\_, at \_\_\_\_\_ in the Parish of \_\_\_\_\_ in the County of \_\_\_\_\_

Name and Trade in Fullness.	Age, 14 or upwards.	Age, under 14.
A. B. Farmer or Labourer, as may be.	25.	

Signed this \_\_\_\_\_ Day of \_\_\_\_\_ 1833. A.B.

## C A P. V.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. [20th April 1833.]

[Number of Pages, 30419. This Act is the same, except as to Date and the Sections here inserted, as 2 & 3 W. 4. c. 28.]

IV. And be it enacted, That it shall be lawful for His Majesty to make Articles of War for the better Government of His Majesty's Forces, which Articles shall be judicially taken notice of by all Judges, and in all Courts whatsoever; and Copies of the same, printed by the King's Printer, shall, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War, signed with his own Hand and Name, to the Judge of His Majesty's Superior Courts at Westminster, Dublin, and Edinburgh respectively, and also to the Governors of His Majesty's Possessions Abroad; provided that no Person within the United Kingdom of Great Britain and Ireland, or the British Isles, shall by such Articles of War be subject to be transported as a Felon, or to suffer any Punishment extending to Life or Limb, except for Crimes which are

The Lord Lieutenant may by Proclamation revoke any former Proclamation.

Nothing herein to take away the Prerogative of the Crown to appoint Courts Martial, or to resort to the Exercise of Martial Law, &c.

This Act to continue in force till 1st Aug. 1834.

Revocation of Proclamation, or Expiration of Act, not to annul any Sentence.

The King may make Articles of War in conformity with this Act.

by this Act expressly made liable to such Transportation or to such Punishment as aforesaid, nor shall be punished in any Manner or under any Regulations which shall not accord with the Provisions of this Act.

Power of  
General Courts  
martial.

VII. And be it enacted, That a General Court-martial may sentence any Soldier to Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison, or other Place which the Court, or the Authority confirming the Sentence, may appoint, or to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, and Neglect of Duty; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pardon on Discharge; and whosoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offender deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall thereupon direct, or may, if such Offender shall have retained for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which His Majesty shall please to direct; and the Court may, in addition to any other Punishment, sentence such Offender to forfeit all Advantage as to Increase of Pay, or as to Pardon on Discharge, which might otherwise have accrued to such Offender; provided that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial, it shall be lawful for His Majesty, or, if in the *East Indies*, for the Officer commanding in Chief the Forces at the Presidency to which the Offender shall belong, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as shall seem meet to His Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid; and if any Person transported as a Felon, whether in pursuance of the original Sentence of the Court-martial, or in pursuance of such Order from His Majesty, or from such Officer commanding in the *East Indies* as aforesaid, shall afterwards return or be sent at large, without Leave from His Majesty or other lawful Authority, within any Part of His Majesty's Dominions Abroad or at Home, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence or Order, and shall be duly convicted thereof, shall suffer Death as a Felon.

Power of Dis-  
trict or Garrison  
Courts-martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than seven Commissioned Officers, except in *Bahama's*, the *Bahamas*, *Africa*, and *New South Wales*, where it may consist of not less than five Commissioned Officers, and may sentence any Soldier to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court, or the Authority confirming the Sentence, may appoint, or to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pardon on Discharge, for the following Offences,

In wilfully maiming or injuring himself, or any other Soldier, at the Instance of such Soldier, with Intent to render himself or such Soldier unfit for the Service;

In tampering with his Eyes;

In maiming, forging Disease, absconding himself from Hospital whilst under Medical Care, or other great Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Care;

In purchasing or selling Government Stores;

In striking any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess;

In producing false or fraudulent Accounts or Receipts;

In embezzling or fraudulently misapplying Public Money entrusted to him, or in committing any petty Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military;

Or for any other disgraceful Conduct, being of a cruel, indecent, or unmanly Kind;

And such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, and the Arrest be made good of any Loss or Damage arising out of his Misconduct; and if any Soldier shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Allowance in lieu of Beer or Liqueur, or of such Proportions thereof, or of such Portion of his additional or regular Pay, for such Period, not exceeding Two Years, as may accord with His Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentences of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony; and the President of every Court-martial, other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer commanding such Court-martial; provided that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.



XL. And be it enacted, That every Soldier convicted of Desertion by a General, or District, or Garrison Court-martial, or of Felony in any Court of Civil Judicature, shall thereupon forfeit all Advantage as to additional Pay, and to Pardon on Discharge, in addition to any Punishment which such Court may award; and it shall be lawful for any Court-martial empowered to try the Crime of Desertion, in addition to any other Punishments, to direct that the Offender be marked on the Left Side, Two Inches below the Arm-yug, with the Letter (D.), such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gaspewder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Marking a  
Deserter.

XXI. And be it enacted, That every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and if such Person shall be classed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Desertion previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence against him; and in like Manner, upon the Trial of any Soldier for any Offence whatever, any previous Convictions may be given in Evidence against him, provided that no such Evidence shall in any Case be received until after the Prisoner shall have been found guilty of the Offence for which he shall be under Trial, and then only for the Purpose of affecting Punishment; and provided also, that after he shall so have been found guilty, and before such Evidence shall be received, it shall be proved to the Satisfaction of the Court that he had previously to his Trial received Notice of the Intention to produce such Evidence on the same; and provided further, that the Court shall in no Case award to him any greater or other Pardonment or Pardonments than may by this Act and by the Articles of War be awarded for the Offence for which he shall be under Trial.

Subsequent  
Enlistment as  
Protection from  
Punishment for  
Desertion.

XXII. And be it enacted, That it shall be lawful for the Commandeers of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can conveniently met with, then for any Officer or Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Soldier, and ought to be with the Corps to which he belongs, such Justice shall forthwith cause him to be conveyed to some public Prison in such Place, or if there be no public Prison in such Place, then, at the Discretion of such Justice of the Peace, to the nearest or most convenient public Prison in the same or any next adjoining County, or in the Provost Marshal, in case such Deserter shall be apprehended within the City or Liberties of Dublin or Places adjacent, or if such Deserter shall be apprehended by any Party of Soldiers of his own Regiment, or shall be apprehended in the Vicinity of the Head Quarters or of any Depot of the Regiment to which he shall belong, then such Justice may deliver such Deserter to the Party of his Regiment, or may order such Deserter to be taken to the Head Quarters or Depot of the Regiment to which he shall belong, instead of committing him to Prison; and such Justice shall transmit on Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, or, if the Deserter be apprehended in Ireland, to the Chief Secretary, specifying at the Foot thereof the Commitment to Prison, or Delivery of such Deserter to the Party of his Regiment in order for his being taken to the Head Quarters or Depot of his Regiment, as the Case may be, to the end that such Person may be removed by an Order from the Officer of the said Secretary at War, or Chief Secretary in Ireland, and proceeded against according to Law; and such Justice shall also send to the Secretary at War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured, and the Secretary at War shall transmit to such Justice an Order for the Payment to such Persons of such Sums, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act: Provided also, that the Fee or Reward taken by any Justice, or his Clerk, in respect of any Information, Commitment, or Report as aforesaid, shall in no Case exceed the Sum of Two Shillings.

Apprehension  
of Deserters.

XXIII. And be it enacted, That any Recruit who shall desert prior to joining the Regiment for which he has enlisted, and who shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, shall be liable to be transferred to any Regiment or Depot nearest to the Place where such Recruit shall have been apprehended, or to any other Regiment to which His Majesty may deem it more desirable that he should be transferred: Provided always, that all Cavalry Recruits so convicted of Desertion shall be transferred to Cavalry Regiments, and Infantry Recruits to Infantry Regiments; and that such Deserters thus transferred shall not be liable to other Punishment for the Offence, nor to any other Penalty, except the Forfeiture of their personal Bounty, reserving only for them that Part of the Bounty which is applicable to and required for the Provision of Necessaries.

Recruits desert-  
ing liable to be  
transferred to  
the nearest  
Regiment or  
Depot.

XXIV. And be it enacted, That every Person who shall receive Bribing Money from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or an attached Soldier, shall be deemed to be enlisted as a Soldier in His Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be enlisted, and every Person who shall receive any

Bribing and  
enroling of  
Recruits.

Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall cause to be taken down, in Writing, the Name and Place of Abode of such Recruit; and when any Person shall be enlisted as a Soldier in His Majesty's Land Service, he shall within Four Days, but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, or, in Scotland, before any Justice of a Royal Burgh, residing in the Vicinity of the Place, and acting for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record or cause to be recorded, in Writing, his Answers therunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the First and Second Articles of the Second Section of the Articles of War against Mutiny and Desertion, to be read over in his own Presence to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed for limited or unlimited Service, or for Service in the Forces of the East India Company, as may be applicable to the Case of the Recruit, and as other Oaths, any thing in any Acts to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Forfeiture of Pay.

XLV. And be it enacted, That any Soldier who shall absent himself without Leave, or who shall desert, shall, on Conviction by a General or other Court-martial, in addition to any Punishment awarded by such Court, forfeit his Pay for the Days on which he has so absented himself without Leave, or on which he has been absent by such Desertion, and that no Soldier shall be entitled to Pay or to reckon Service towards Pay or Penance while in Confinement under any Sentence of any Court, or during any Absence from Duty by Conviction under the Civil Power on a Charge of any Offence cognizable by a Civil or Criminal Court, or by reason of any Arrest for Debt, or as a Prisoner of War; provided that any Soldier, acquitted of the Offence for which he was committed, shall upon Return to his Duty in his Corps, be entitled to receive all Arrears of Pay growing due, and to reckon Service during his Absence or Confinement; and upon rejecting His Majesty's Service from being a Prisoner of War, due Inquiry shall be made by a Court-martial, and if it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner without wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner aided the Enemy, and that he hath returned as soon as possible to His Majesty's Service, he may thereupon be recommended by such Court to receive either the Whole of such Arrears of Pay, or a Proportion thereof, or to reckon Service during his Absence; provided that it shall be lawful for His Majesty's Secretary at War in order or withhold the Payment of the Whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

Marching Money on Discharge.

XLVII. And be it enacted, That every Soldier entitled to his Discharge shall, if then serving Abroad, be sent, if he shall so require it, to Great Britain or Ireland free of Expence, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at Home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place to which he shall have been originally enlisted, or to which he shall at the Time of his Discharge decide to take up his Residence, such Place not being at a greater Distance from the Place of Discharge than the Place of his original Enlistment.

Tolls.

XLIX. And be it enacted, That all His Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Uniform, and their Horses, (but not when passing in any livery or private Vehicle,) and all Carriages and Horses belonging to His Majesty, or employed in His Service, when conveying Persons or Baggage, under the Provisions of this Act, or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing through Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; and any Toll Collector who shall demand and receive Toll from any of His Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Uniform, or for their Horses, every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, for which Forfeiture and Penalty he shall be prosecuted before a Justice of the Peace, and in no other Way; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Sticks along any Canal, from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto.

Penalty on purchasing Soldiers' necessaries, Shoes, &c.

LXX. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter, or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, or shall be employed by any Soldier knowing him to be such, to sell any Arms, Ammunition, Clothes, or Military Furniture, or any Provisions, or any Stocks or other Articles used in Barracks, provided under Barrack Regulations, or Regimental Necessaries, or any Article of Passage provided for any Horses belonging to His Majesty's Service, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds nor less than Five Pounds, together with Treble Value of all or any of the several Articles of which such Offender shall so become possessed; and if

any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suggest that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods.

LXXXVII. And be it enacted, That one Mutey of every Penalty, not including any Treble Value of any Articles, adjudged or recovered under the Provisions of this Act, shall go to the Person who shall inform or sue for the same, and the Remainder of the Penalty, together with the Treble Value of any Articles, or, where the Offence shall be proved by the Person who shall inform, the Whole of the Penalty, shall be paid to the General Agent for the Recruiting Service in London or Dublin in the Case may be, to be at the Disposal of the Secretary at War; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the Secretary at War.

Appropriation of Penalties.

#### C A P. VI.

An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.

[20th April 1833.]

[This Act is the same, except as to Dates and the Sections here inserted, as 2 & 3 W. 4. c. 25.]

WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered, or be on Shore, or sent to do Duty or be on board Transport Ships, or Merchant Ships or Vessels, or Ships or Vessels of His Majesty, or other Ships or Vessels, or they may be under other Circumstances in which they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea: And whereas no Man can be adjudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within the Realm, by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed, and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, or be guilty of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Form of the Law will allow: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fifth Day of April One thousand eight hundred and thirty-three, if any Person who is or shall be commissioned, or is Pay as an Officer of Royal Marines, or who is or shall be listed or is Pay as a Non-commissioned Officer, Drummer, or Private Man in His Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on Shore in any Place within the said Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of His Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any other Place, or while being in any Circumstances in which he shall not be subject to the Laws relating to the Government of His Majesty's Forces by Sea, begin, execute, attempt, or join in any Mutiny or Sedition in His Majesty's Marine or other Forces, or shall act in any manner whatsoever to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Private, or Enemy of His Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Private, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or shall desert His Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death, or such other Punishment as by a Court-martial shall be awarded.

Offence punishable by Death.

IV. And be it enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make, ordain, and establish Rules and Articles of War under the Hand of the said Lord High Admiral, or under the Hand of any Two or more of the said Commissioners, for the better Government of His Majesty's Royal Marine Forces,

Lord High Admiral, or any make Articles for the Punishment of

Marsh's Death.  
1833, 1834

and for the Parishment of Mutiny, Desertion, Irregularity, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of His Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of His Majesty's Ships, Vessels, and Forces by Sea, or to the Discipline of the Royal Navy, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Year being (certified under his Hand) to the Judges of His Majesty's Superior Courts at Westminster, Dublin, and Edinburgh respectively, and also to the Governors of His Majesty's Dominions Abroad: Provided always, that no Person shall be subject by such Rules and Articles to any Punishment extending to Life or Limb for any Crime which is not expressed to be so punishable by this Act, nor in any Manner nor under any Regulations which shall not accord with the Provisions of this Act.

Made of record  
by a Master's  
Witness.

L.V. And be it enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Marine shall be quartered, may summon such Marine before him, which Summons, such Marine is hereby required to obey, and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in England, and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

#### C A P. VII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty fifth Day of March One thousand eight hundred and thirty-four; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indentures of Clerk to Attornies and Solicitors to make and file the same on or before the First Day of Hilary Term One thousand eight hundred and thirty-four, and to allow Persons to make and file such Affidavits, although the Persons whose they accord shall have neglected to take out their Annual Certificates. [6th May 1833.]

[This Act is the same, except as to Date, as 2 & 3 W. 4. c. 24.]

#### C A P. VIII.

An Act to amend an Act for the Conveyance of certain Premises situate between London Bridge and the Tower of London. [6th May 1833.]

1833, 1834.

WHEREAS by an Act passed in the Second and Third Years of the Reign of His present Majesty, entitled An Act to provide for the Conveyance of Premises, the Property of the Crown, situate between the Tower of London and London Bridge, it is enacted, that from and after the passing of that Act, if any Person or Persons should contract and agree, or if any Person or Persons should have contracted and agreed, for the Purchase, Sale, or Disposal of any of the Quayes, Warehouses, Buildings, and other Hereditaments mentioned in the said Act, or any Part thereof, it should and might be lawful to and for the Lord High Treasurer or Lords Commissioners of His Majesty's Treasury for the Time being, who, for the Purposes of the said Act, were thereby deemed to be a Corporate Body, or any Three or more of them, by Indenture or Indentures under their Hands and Seals, to convey and assure any or all of the said Quayes, Warehouses, Buildings, and other Hereditaments, or any Part thereof, situate as aforesaid, to any Person or Persons who might agree or should have agreed to and for the Purchase, Sale, and Disposal thereof, and that such Conveyance and Assurance should be a sufficient Title to the same Premises, and by force of the said Act, should effectually vest in the Purchaser or Purchasers thereof, his, her, or their Heirs and Assigns, or the Person or Persons to whom he, she, or they should direct the same to be conveyed and assured, the Fee Simple and Inheritance of and in such Quayes, Warehouses, Buildings, and other Hereditaments, or any Part thereof, as in such Indenture or Indentures should or might be mentioned and expressed, free and clear of and from all Estates, Rights, Charges, and Incumbrances whatsoever, save and except such Rights, Charges, Estates, and Incumbrances as the said Lord High Treasurer or Lords Commissioners of His Majesty's Treasury, or such as the Purchaser or Purchasers, his, her, or their Heirs and Assigns, should have Notice of before such Conveyance and Assurance should be completed: And whereas since the passing of the said Act it has been discovered that certain outstanding Terms and other Incumbrances affecting the said Quayes, Warehouses, Buildings, and other Hereditaments, or some Part or

• Parts thereof, have not been surrendered or extinguished, and that certain Parts or Shares of the said Quays, Warehouses, Buildings, and other Hereditaments, or some or one of them, have not been legally conveyed to His Majesty, or the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, and it is possible that there may be other Rights, Charges, Estates, and Incumbrances of which the said Lord High Treasurer or Commissioners of His Majesty's Treasury may legally be deemed to have Notice: And whereas the Values of all such Quays, Warehouses, Buildings, and other Hereditaments, and Parts and Shares thereof, were assessed by several Juries impanelled for that Purpose, and the Lords Commissioners of His Majesty's Treasury have since been in the Possession or in the Receipt of the Rents and Profits thereof: And whereas certain Quays and Hereditaments commonly called or known by the Names of Brewer's and Clinch's Quays, Godly Quay, Carlton Wharf and Hood Quay, Bishop Wharf, and Car and Hammers's Quays, being some of the said Quays, Warehouses, Buildings, and other Hereditaments situate as aforesaid, have been put up to Sale by public Auction, and in consequence of the Discovery of such Terms and Incumbrances, and of the Want of such Conveyances as aforesaid, it is doubtful whether all of such Quays and other Hereditaments as have been sold or agreed to be sold, or may hereafter be sold or agreed to be sold, can, under or by virtue of the said last-mentioned Act, be duly conveyed to the respective Purchaser or Purchasers thereof without the further Aid and Authority of Parliament: For Remedy whereof it is enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of same, That it shall and may be lawful for the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the Time being, who for the Purpose of this Act shall be deemed to be a Body Corporate, or any Three or more of them, by Indenture or Indentures under their Hands and Seals, to convey and assure all or any of such Quays, Warehouses, Buildings, and other Hereditaments, or such of them or such Part or Share or Parts or Shares thereof as may have been or hereafter may be agreed to be sold, to any Person or Persons who have contracted or hereafter may contract for the Purchase or Disposal thereof, either by public Auction or private Contract, or in such Manner as such Purchaser or Purchasers respectively shall direct; and that every such Conveyance and Assurance under the said recited Act or this Act shall be a sufficient Title to the Premises thereby respectively conveyed and assured, and by force of this Act shall effectually vest in the respective Purchaser or Purchasers thereof, or in the Person or Persons to whom he, she, or they respectively shall direct the same respectively to be conveyed and assured, the Fee Simple and Inheritance of and in the Quays, Warehouses, Buildings, and Hereditaments, or Part or Parts, Share or Shares thereof thereby respectively conveyed and assured, as in such Indenture or Indentures shall or may be mentioned or expressed, free and clear of and from all and all Manner of prior and other Titles, Charges, Estates, Rights, and Incumbrances whatsoever, except only such Leases or Agreements for the Occupancy of the said Quays, Warehouses, Buildings, and Hereditaments, or any of them, or any Part or Parts, Share or Shares thereof, as may have been granted by or entered into with any of the Commissioners of His Majesty's Customs or their Secretary for the Time being, and that such Leases and Agreements shall continue and subsist in the same Manner as if this Act had not been passed.

II. And be it further enacted, That if there be any Charge or Incumbrance, or Sum of Money payable for the Purchase of or by way of Compensation for any of the said Quays or Hereditaments, or any Part or Parts, Share or Shares thereof, or for any Damages sustained in respect of the same respectively, which at the Time of the passing of this Act was charged upon or payable in respect of the same Quays and Hereditaments, or Part or Parts, Share or Shares thereof, then and in every such Case such Charge, Incumbrance, or Sum of Money respectively shall, from and after the passing of this Act, be charged upon and payable out of the Consolidated Duties of Customs, and shall be paid accordingly by, or by the Order of the Commissioners of that Revenue for the Time being.

## C A P. IX.

As an Act for incorporating the Members of a Society commonly called "The Seaman's Hospital Society," and their Successors, as therein is mentioned and provided; and for the better enabling and empowering them to carry on the charitable and useful Designs of the same Society. [6th May 1833.]

• WHEREAS in the Month of March One thousand eight hundred and twenty-one a Society was instituted for the charitable Relief of sick and distressed Seamen of all Nations in the Port of London (who at that Time were very numerous in the Metropolis), and for the providing them with Medical and Surgical Aid, Lodging, Support, and Clothing, and Conveyance, and until Employment could be again found for them in their meritorious Calling; which Society has been from Time to Time supported by Donations and annual Subscriptions and Legacies of considerable Amount, and by the Loan of an Hospital Ship by His Majesty's Government; and the said Society have been the Means of relieving upwards of Twenty-three thousand sick and distressed Persons, and of either obtaining them Employment or of restoring them to their Friends, many of whom might otherwise have perished, and the said Society are desirous of still further prosecuting their said charitable Designs, which are highly beneficial to the Nation, and are desirous of building an Hospital on Stone; and it

Conveyance of Quays, &c. by Lord High Treasurer under recited Act or this Act to vest the Property in the Purchaser for term years. Titles, &c.

Incumbrances, &c. to be payable out of the Consolidated Duties of Customs.

Society incorporated.

It is apprehended that the incorporating of the said Society, and the giving them the Powers and Authorities herein after conferred, may greatly facilitate the Prosecution of the aforesaid charitable Designs, and may induce many charitable and well-disposed Persons assiduously to increase the Funds of the said Society: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That His Royal Highness Augustus Frederick Duke of Sussex, the Right Honourable Robert Lord Viscount Melville, the Right Reverend George Henry Lee Doctor in Divinity, Lord Bishop of Exeter and Will, his Grace John Duke of Bedford, the Most Noble George Marquis of Chesham, the Right Honourable George John Earl Spencer Knight of the Garter, the Right Honourable Henry Earl Bathurst Knight of the Garter, the Right Honourable George Earl of Abingdon, the Right Honourable Philip Earl of Harwich Knight of the Garter, the Right Honourable Richard Earl Howe, the Right Honourable Edward Lord Ellenborough, the Right Honourable George Lord Colborne, the Right Honourable James Lord Gosford, the Right Honourable James Lord De Saussure, Alexander Baring Esquire, John William Esquire, Sir John William Lubbock Baronet, William Manning, William Tindal Esquire, Thomas Wilson, William Wilby, William Wilby, and John Woodman, Esquires, William Bore Esquire, a Captain in the Royal Navy, Richard Almyer, David Galt Esq., John Smith Esquire, William Boscawell, John Evans, William Stanley Clarke, John Cross, Thomas Edger, and Charles Francis, Esquires, the Honourable William Fraser, Alexander Sutherland Gordon, Robert Grant, and Robert Alexander Gray, Esquires, Sir Francis Molyneux Comptroller, Abel Peyton Phelps, Alexander Raphael, Philip Ripley, James Slater, Thomas Sandys, James Sayer, Henry Starbuck, and John Will, Esquires, William Young Esquire, a Captain in the Royal Navy, John Lubbock, Simon Coet, and John Deacon, Esquires, shall and they are hereby declared to be Governors, and that they and all and every Person and Persons who at the Time of passing this Act shall be repeated Governors for Life of the Society commonly called or known by the Name of "The Seamen's Hospital Society," and such others as at the Time of passing this Act shall be repeated Annual Governors of the said Seamen's Hospital Society, for so long and during such Time as they shall continue to pay an annual Sum of One Pound and One Shilling, or upwards, towards the charitable Purposes thereof, and likewise all such others as shall at any Time or Times hereafter pay any such annual Sum towards the Purposes aforesaid for so long and during such Time as they shall continue to pay the same, and also all such others as shall pay for the Purposes aforesaid the Sum of Ten Pounds and Ten Shillings, or upwards, in one entire Payment or in different Payments, to be made within the Space of any Twelve Calendar Months, and also all such others as shall be elected in manner herein-after mentioned, shall be and they are hereby declared and adjudged to be One Body Corporate and Politic, in Deed, Name, and in Law, by the Name of "The Seamen's Hospital Society," and that by the same Name they shall have perpetual Succession, and shall and may have and use a Common Seal for the Business and Affairs of the said Society, with Power to change, alter, break, and make new the same when and as often as they shall judge the same to be expedient; and that they and their Successors by the same Name may sue and be sued, plead and be pleaded, answer and be answered unto, defend and be defended, in all or any Court or Courts of Record and Places of Judicature, and before any Judges, Justices, or Officers, within this Kingdom, in all and singular Actions, Pleas, Suits, Pleas, Matters, and Demands, of what Kind or Quality soever they shall be, and may act and do in all Matters and Things relating to themselves and their Corporate Property, Real and Personal, in an ample Manner and Form and as fully and effectually as any Subjects of the Realm lawfully may or can; and that they and their Successors, by the Name aforesaid, shall be able and capable in Law to have, hold, receive, enjoy, possess, and retain, for the Ends and Purposes of this Act, all such Ships, Goods, Chattels, and Effects, Sum and Sums of Money, as have been given, devised, or bequeathed, or have been by them purchased or accumulated, or which shall at any Time or Times hereafter be paid, given, devised, or bequeathed by any charitable or well-disposed Person or Persons, or which shall be purchased or accumulated by the said Society, of what Nature or Value soever, to and for the charitable Ends and Purposes of the said Society; and that they and their Successors, by the Name aforesaid, shall and may for ever hereafter be Persons able and capable in the Law, and may have Power, notwithstanding the Statutes of Mortmain, to purchase, have, take, hold, receive, and enjoy, to them and their Successors, Manors, Messuages, Lands, Rents, Tenements, Annuities, and Hereditaments, of what Nature or Kind soever, in Fee and in Perpetuity, or for Terms of Lives or Years, not exceeding the yearly Value of Twelve thousand Pounds in all Manors beyond Reprises, for the better carrying on the charitable Ends and Designs of the said Society, and to enable them to build an Hospital or House, with proper Offices, and for the Investment of the Capital and Funds for the Use being of the said Society, and also to sell, grant, demise, exchange, and dispose of any of the same Manors, Messuages, Lands, Rents, Tenements, and Hereditaments whereof or whereas they shall have any Estate or Interest as aforesaid.

II. And be it further enacted, That it shall and may be lawful to and for any Person or Persons, Bodies Politic or Corporate, their Heirs and Successors, respectively to give, grant, sell, alien, assign, devise, bequeath, or dispose of, in Mortmain, in Perpetuity, or otherwise, in or to the Use and Benefit of or in Trust for the said Society and their Successors, any Manors, Messuages, Lands, Tenements, Rents, Annuities, and Hereditaments whatsoever, not exceeding the yearly Value of Twelve thousand Pounds above all Charges and Reprises, and any Sum or Sums of Money to any Ancestors, and any Ships, Goods, or Chattels of whatever Value, for the charitable Purposes of the said Society; all which Gifts,

Grants, Conveyances, Assignments, Bequests, and Dispositions the said Society are hereby authorized and enabled to receive, accept, and hold.

III. And he is further enacted, That for the better Execution of the charitable Designs of the said Society, the Preservation and Disposal of their Property, and the more regular Government of the said Corporation, the said Corporation and their Successors shall for ever have One President, Two or more Vice-Presidents, and One Treasurer; but no Gift, Conveyance, or Bequest to the said Society shall be rendered void or invalid by reason of the Vacancy of any of the said Offices at the Time of giving, making, or perfecting the same.

IV. And he is further enacted, That the said Lord Viscount Melville shall be and he is hereby appointed President of the said Corporation; and that the said Doctor George Henry Lee Lord Bishop of Exeter and Wells, the said Duke of Bedford, the said Marquis of Cholmondeley, the said Earl Spencer, *Baronet, Aberdeen, Bedford, and Beau,* the said Lords Ellesborough, Cholmondeley, Gumbel, and De Saussure, and the said Alexander Barrington, John Wilkes Buxton, Sir John Wilkes Lubbock, William Manners, William Taylor Massey, Thomas Wilson, William Williams, William Willoughby, and John Woodroffe, shall be and they are hereby appointed Vice-Presidents; and that the said John Lubbock shall be and he is hereby appointed Treasurer of the said Corporation; and that the said William Buxton, Richard Alington, David Gale Arnold, John Strickell Brittonwood, William Bouverie, John Brown, William Stansby Clarke, John Cotton, Thomas Edgou, Charles Francis, the Honourable William Fraser, Alexander Sinclair Gordon, Robert Grant, Robert Alexander Gray, Sir Francis Molyneux Gunningham, Abel Peyton Phelps, Alexander Raphael, Philip Ripley, James Slater, Thomas Stoddart, James Soper, Henry Sturrood, John Wild, William Young, Simon Cook, and John Dawson shall be and they are hereby appointed a Committee for transacting and managing the Affairs of the said Corporation; and James Whaley Downe Dundas, a Captain in the Royal Navy, Charles Luttrell Prouse, John Locke, and George Francis Prouse, Esquires, shall be and they are hereby appointed Auditors of the Accounts of the said Corporation; and that the said President, Vice-Presidents, Treasurer, Committee, and Auditors shall continue to perform the Duties of their respective Offices until other fit Persons be duly chosen in their respective Rooms or success hereon-after mentioned; and that the President for the Time being, or in his Absence One or more of the Vice-Presidents, or the Treasurer for the Time being, with any Fourteen or more of the other Members of the said Corporation, or in the Absence of the President and of all the Vice-Presidents and Treasurer, any Fifteen or more of the other Members of the said Corporation, shall compose a General Court; and the first General Court shall be held on the Second Friday in July next ensuing, either at the Office of the said Society, Number Nineteen, Bishopsgate Street in the City of London, or at such other Place in the City of London as any Three or more of the Committee present at any Weekly Meeting of the Committee shall, by Fourteen Days Notice at least, to be given in any Two or more Daily London Newspapers, appoint; and such General Court shall then and from Time to Time be adjourned to such Times and Places as the Court shall think necessary for the due Execution of this Act, of which Time and Place (in case the Adjournment shall be otherwise than *see* Day) Notice shall be given at least Fourteen Days in Two or more of the London Daily Papers; and a General Court of the Members of the said Corporation shall be held Four Times at the least in every Year, (that is to say,) on the Second Friday in January, on the Second Friday in April, on the Second Friday in July, and on the Second Friday in October, of which Notice shall be in like Manner given; and an Annual General Court shall be held on the First Wednesday in February which will come and be in the Year One thousand eight hundred and thirty-four, and on every succeeding First Wednesday in every February in every Year for ever, unless such annual Day shall be changed by any His Majesty's Letters under the Great Seal of Great Britain, and a like Notice of Fourteen Days at aforesaid, both of the Time and Place of holding every such Quarterly and Annual Court, shall be given; and at every such Annual General Court the President, Vice-Presidents, a Treasurer, Four Auditors, and a Committee (such Committee to consist of such Number of the Members of the said Corporation as such General Court shall think necessary) shall be elected for the ensuing Year; and the Members of the said Corporation assembled at any such General Court as aforesaid, or at any Special General Court to be held as after mentioned, or the major Part of them so assembled (but the Members so assembled not to consist of less than Fifteen), shall have full Power and Authority, in the Name of the said Corporation and in their Account, to apply and dispose of the Monies, Goods, and Effects already given and accumulated, and which shall then Time to Time be contributed or given by any Person or Persons in the Account of the said Charity, and of all other Monies and Effects belonging or to belong to the said hereby-erected Corporation, to and for the Purposes aforesaid, and to, for, or in any other Purpose, Way, Matter, or Thing relating to the said Charity and for the Benefit thereof, at their Discretion, and at such like Discretion to purchase or agree to purchase, or take upon Lease, or to sell or agree to sell, or let, Lend, Tenement, or Hereditaments, and to direct the Investment of Money, or the Sale of Securities, or the Change and varying of Securities, and the general Disposition and Management of the Property of the said Corporation, and wish and under their Committee Seal to enter into any Conveyance and Contracts for the Purposes aforesaid, or for any other Purpose or Purpose for the better effecting and carrying on of the charitable Uses and Designs aforesaid, and to do, manage, and transact and determine all such other Matters and Things as shall to them appear necessary and convenient for the effecting or carrying on the Purposes aforesaid and shall and may delegate such

Power and Authority to such other fit Persons for the Time being, and also of their Deputies, and

to do, manage, and transact and determine all such other Matters and Things as shall to them appear necessary and convenient for the effecting or carrying on the Purposes aforesaid and shall and may delegate such

Power and Authority to such other fit Persons for the Time being, and also of their Deputies, and

Society to have One President, Two or more Vice-Presidents, and One Treasurer.

President.  
Vice-Presidents.

Treasurer.  
Committee.

Auditors.

The said President, Vice-Presidents, &c. to perform their Duties till others chosen.

Fifteen or more Members to compose a General Court.

A General Court to be held quarterly.

Annual General Courts for Choice of President, Vice-Presidents, &c.

Power given to Courts.

and Sums of Money as they shall think necessary for the more easy, speedy, and effectual Execution of this Act and the charitable Designs of the said Society.

Power to order and dispose of the Use of the Common Seal to make Bye Laws; and to revoke and change them.

V. And be it further enacted, That it shall and may be lawful to and for the Members of the said Corporation, in General Quarterly, Adjourned General, or Special General Court assembled only, or the major Part of them as assembled, but the Members so assembled not to consist of less than Twelve, to order and dispose of the Custody of their Common Seal, and the Use and Application thereof, and to make, ordain, and constitute such and so many Bye Laws, Constitutions, and Ordinances for the Government of the Affairs, Offices, and Servants of the said Corporation, and of the Patients for the Time being under their Care, and for the Transmutation of the Business of the said Society, as to the Members present at any such General Court (not less than Fifteen in Number), or to the greatest Part of them, shall seem necessary and convenient, and the same Bye Laws, Constitutions, and Ordinances as made to put in use and enforce accordingly, and at their Will and Pleasure to revoke, change, and alter the same or any of them; which said Bye Laws, Constitutions, and Ordinances so as aforesaid made shall be duly kept and observed, provided the same be reasonable, and not contrary or repugnant to the Statutes, Customs, or Laws of this Kingdom, or any of the express Regulations of this Act; Provided nevertheless, that no such Bye Law, Rule, Order, or Ordinance shall be binding or have any Force or Effect until the same shall have been agreed to and confirmed by another General Court, whether Annual, Quarterly, Adjourned, or Special General; and that the same Method shall be observed in altering or repealing any such Bye Law, Rule, Order, or Ordinance.

No Bye Laws to be binding unless confirmed by a succeeding General Court.

VI. And be it further enacted, That it shall and may be lawful for any Ten Members or more of the Committee of the said Corporation from Time to Time, by Notice to be given Fourteen Days or more previously as any Two or more Daily London Papers, to convene a Special General Court of the said Corporation for the Purpose of buying any Property, Real or Personal, or the selling or disposing of any Property, Real or Personal, or belonging to the said Corporation, or of making or altering any Bye Laws of the said Society, or of confirming or altering the Proceedings of the then last preceding General Court, or for the Transmutation of any of the Affairs and Business of the said Corporation, as Occasion may require; and all such Special General Courts shall be in like Manner holden and have the same full Powers and Authorities in every respect as an Annual General Court.

Provision for calling Special General Courts.

Who shall preside at General and other Courts.

VII. And be it further enacted, That in every General, Adjourned, Quarterly, or Special General Court of the said Members, the President for the Time being, or in case of his Absence the Vice-President first named in the List of Vice-Presidents for the Time being then present, or, in case of the Absence of such President and of all the Vice-Presidents, the Treasurer for the Time being, or if he shall also happen to be absent, then such one of the Members or Governors as the major Part of them then present shall choose or appoint for that Purpose, shall take the Chair and preside.

Certain Members may vote by Proxy at Elections.

VIII. And be it further enacted, That in all Elections of Presidents, Vice-Presidents, Treasurers, Auditors, and Committee-men of the said Corporation, all Lords and Members of Parliament of the United Kingdom of Great Britain and Ireland, or either of them, and all Wages of what Rank or Degree bearer, being Governors or Members of the said Corporation, shall be permitted to vote or ballot by their respective Proxies (being also Governors or Members of the said Corporation) whose they shall from Time to Time think fit to nominate and appoint for those respective Purposes by Writing under their respective Hands; and that every such Vote or Ballot by Proxy shall in every such Election, but in no other Case whatsoever, be deemed and allowed to have the same Force and Effect as the Vote or Ballot of any Governor or Member present at such Election.

As to Committee holding Office.

IX. And be it further enacted, That the Rotation in which the Committee shall go out of Office, and their Re-eligibility to Office, may be regulated by a Bye Law of the said Society.

Committee to meet as often as may be necessary unless otherwise ordered.

X. And be it further enacted, That the said Committee, or any Three or more of them, shall continue to meet weekly, at such Days, Times, and Places as they have heretofore been accustomed to meet, and to make Order for the usual and ordinary Disbursements, Management, and Engagements of the said Charity as they have heretofore been accustomed to do, until otherwise regulated by some Rule, Order, or Bye Law to be made in pursuance of this Act; and the Treasurer of the said Society (until otherwise regulated by any Rule, Order, or Bye Law to be made as aforesaid,) shall continue to receive and pay Money for the Purposes of the said Charity, and to meet the ordinary Disbursements thereof, under the Direction of the Committee or Majority of Committee present at any Meeting of Committee.

General Committee may appoint Sub-Committees.

XI. And be it further enacted, That the General Committee, or any Seven or more of them, shall have Power and they are hereby authorized and enabled from Time to Time to appoint Sub-Committees, each Sub-Committee to consist of Three or more Members of the General Committee, and to invest such Sub-Committees with such delegated Powers and limited by such Instructions as to the General Committee shall seem meet, for the Transmutation of and Inquiry into any of the Affairs and Business of the said Corporation which it shall from Time to Time be the Duty of the General Committee to transact or superintend.

Members of Committee in office.

XII. And be it further enacted, That the President, Vice-Presidents, and Treasurer for the Time being shall be Members of Committee by virtue of their Offices.

Committee to appoint Officers.

XIII. And be it further enacted, That the General Committee, or any Meeting of Committee at which not less than Ten Committee-men shall be present, shall from Time to Time and at all Times as Occasion shall require have Power and they are hereby authorized from Time to Time to appoint all such Clerks,



Physicians, Surgeons, Apothecaries, Solicitors, Secretaries, and Collectors, or other superior Officers, as shall be necessary for the Transaction of any of the Affairs and Business of the said Corporation, for so long, and upon such Conditions, and with such Salary, Emoluments, and Perquisites, to be paid and allowed out of the Funds and Effects of the said Society, as to the Committee for the Time being shall seem meet, provided that at least Seven of the Committee-men then present concur in every such Appointment; and all which Salaries and Emoluments the Treasurer of the said Society is hereby required from Time to Time to pay and allow out of the Funds and Effects of the said Society; but all or any of which Officers may be from Time to Time removed, either by the same Means by which they or he shall respectively have been appointed, or by any Annual Court, or by any Quarterly, Adjourned, or Special General Court; and the Appointment and Removal at Pleasure of all or so many other Servants and inferior Officers of the Corporation as the Committee for the Time being may think necessary to employ, with such Salary and Wages as shall be thought right, may be made by the General Committee at any Weekly Meeting of Committee at which Three or more Members shall be present and vote therein; all which Salary and Wages the Treasurer for the Time being shall pay and make good out of the Funds and Effects of the said Society.

XIV. And be it further enacted, That no Chaplain, Physician, Surgeon, Apothecary, Solicitor, Secretary (except an Honorary Secretary), or Collector, or other Officer or Servant of the Corporation, whether superior or inferior, shall be entitled to vote either in Committee, or at any Annual, Quarterly, Adjourned, or Special General Court, so long as he shall continue in Office.

XV. And be it further enacted, That (until otherwise directed by some Rule, Order, or Bye Law to be made as aforesaid) it shall and may be lawful to and for the Treasurer for the Time being of the said hereby-erected Corporation, and he is hereby authorized and required, from Time to Time, by and with the Consent and Approbation of the Committee thereof for the Time being, or the major Part of such Committee present at any usual Meeting of Committee, (but the Number of Committee-men by whom such Consent and Approbation shall be given not to consist of less than Ten,) such Consent and Approbation to be testified in Writing under their Hands, to lay out and invest all or any such Sum or Sums of Money as hath or have been given, devised, or bequeathed, or shall at any Time or Times hereafter be paid, given, devised, or bequeathed, by any charitable or well-disposed Person or Persons to and for the charitable Ends, Intents, and Purposes of the said Society, or any Monies accumulated or hereafter to be received or accumulated by the said Society, or any Part of such Monies, (other than and except such and so much thereof as the Emancipates of the said Corporation shall call for the immediate Application or Expenditure of) in any of the Parliamentary Stocks or Public Funds of Great Britain, or at Interest on Government or Real Securities in England or Wales, in his own Name, or in the Name of any Three or more Committee-men, as shall be by the Committee directed, and from Time to Time, with such Consent and Approbation as aforesaid, to make sale of, and to alter, transfer, vary, and transmute such Stocks, Funds, and Securities for or into other Stocks, Funds, and Securities of a like Nature, or otherwise, as Need or Occasion shall be or require.

XVI. And be it further enacted, That the Monies arising from or by any Sale or Sales, or so much thereof as shall not be again laid out and invested, with such Consent and Approbation as aforesaid, in some other of the Stocks, Funds, and Securities before mentioned, and also all the Dividends, Interest, and annual Proceeds which shall from Time to Time arise from such Funds, shall from Time to Time be applied to and for the said charitable Uses, Ends, Intents, and Purposes.

XVII. And to the Intent that there never may be wanting a competent Number of Members of the said hereby-erected Corporation, and for perpetuating the Succession thereof, be it further enacted, That it shall and may be lawful to and for the Members of the said Corporation at any General Court (either Annual, Quarterly, Adjourned, or Special General, or the major Part of them that shall be then present, but the Number then present not to consist of less than Fifteen,) to elect and choose some other fit and able Person or Persons to be a Member or Members of the said hereby-erected Corporation, either as Honorary Members, or in the Room or Place of such Members as may have died off or have ceased to be Subscribers to or Members of the said Corporation.

XVIII. And be it further enacted, That all Questions upon the Proceedings of the said Corporation at any General Court or Committee shall be decided by Vote, and in case of an Equality of Votes the President or Chairman of the Meeting shall have the casting Vote, but otherwise he is not to vote; and upon Demand of any Five Members of the said Corporation present at such General Court or Committee respectively, the same shall be determined by Ballot, to be immediately proceeded upon and completed.

XIX. And be it further enacted, That the Members of the said Corporation, at a General Court, or the major Part of them present at such General Court (but such Members present not to consist of less than Fifteen,) shall have Power from Time to Time and at all Times to fill up any Vacancy or Vacancies in the Committee, and, in case the Committee shall have neglected or omitted so to do, to appoint such superior Officers and Persons as the Members constituting a General Court shall think necessary to employ for the Purposes and in the Execution of this Act, and from Time to Time to suspend or remove any Officer or Servant of or employed by the said Corporation, and to refer it back to the Committee to appoint another instead; and in case of any Appointment of a superior Officer taking place at a General Court, such General Court may, out of the Monies to be received for the Purposes of this Act, make reasonable Allowances to every such Officer as appointed as last aforesaid for his Services, but it shall and may be lawful to and for the General Committee (provided

Removal of Officers.

No Officer of the Corporation to vote which he continues in Office.

Treasurer, with the Consent of the Committee, is to invest in the Public Funds or other Securities any Money given for the Purpose in this Act mentioned, except so much as the Emancipates of the Corporation shall require.

Monies arising thereby, and the Dividends, &c. to be applied for the Purpose of this Act.

Electing the Election of Members.

Questions to be decided by Vote, Provided in case of an Equality of Votes, Ballot.

General Court empowered to fill Vacancies in Committee, and to appoint such Officers, &c. as the Committee shall think necessary to employ, and to suspend or remove any Officer.

that any Seven or more of them concur therein) at any Weekly or other Meeting, for good and sufficient Cause, to suspend or remove any Officer or Person who shall have been appointed by a General Court.

XX. And be it further enacted, That all and every Officer or Servant of the said Corporation shall from Time to Time, when thereto required by any Seven or more of the General Committee, make and render to the General Committee a true, exact, and perfect Account in Writing under his or her Hand or their respective Hands, upon Oath, to be taken before Two or more of the said Committee (which Oath any Two or more of the said Committee are hereby empowered to administer), of all Moneys, Stores, and Effects which he, she, or they and every of them respectively shall to that Time have received, paid, disbursed, or been entrusted with by virtue of this Act, or by reason of their respective Offices; and in case any Money or Effects, the Property of the said Society, shall remain in their or any of their Hands, the same shall be paid or handed over to the General Committee or to any Seven or more of them, or to such Person or Persons as any Seven or more of the General Committee shall appoint to receive the same; and in case any such Officer or other Person shall not make and render, or shall refuse to verify upon Oath, any such Account, or to make such Payment or Delivery as aforesaid, then any One or more Justice or Justices of the Peace for either of the Counties of *Middlesex, Kent, Surrey, or Essex*, or for the City of *London*, shall and may, upon Complaint to him or them, make Inquiry and concerning such Delinquency in a summary Way, as well by Examination of the Parties themselves as by the Testimony of One or more credible Witnesses or Witnesses upon Oath (which Oath the said Justice or Justices is and are hereby empowered and required to administer); and if any such Officer or Person shall be convicted of any such Offence, such Justice or Justices shall upon such Conviction commit the Party offending to some one of the Prisons of the City of *London*, there to remain without Bail or Mainprize until he or she shall have made a true and perfect Account and Payment as aforesaid, or until he or she shall have compounded and agreed with the General Committee (but the Number of Committee-men consenting to such Composition not to be less than Seven in Number), and have paid such Composition Money, which Composition the said General Committee, or any Seven or more of them, are hereby empowered to make.

Treasurer or  
Auditors.

XXI. Provided always, and it is hereby further enacted and declared, That the Treasurer for the Time being of the said Corporation shall not be obliged to account with the General Committee or any of them as Committee-men, but shall as all events once a Year, and at such other Time or Times as he shall be thereto required by the Auditors here-before named, or to be appointed as here-before and hereon after mentioned, or the major Part of such Auditors, give in his Accounts for the Purpose of the same being examined and allowed or disallowed, and shall pay over all the Moneys remaining in his Hands, and transfer all the Funds and Securities standing in his Name as Treasurer aforesaid, to the Treasurer to be from Time to Time appointed to succeed him, on Demand.

Duties of  
Auditors.

XXII. And be it further enacted, That it shall be the Duty of the Auditors for the Time being to audit, examine into, and settle the Accounts of the Treasurer and Committee-men at least once in every Year, and to do as in Time to Time as hereon for the same being printed and had before the Annual General Court.

Accounts when  
audited and  
settled, not  
to be ques-  
tioned.

XXIII. And it is hereby enacted and declared, That all Accounts which shall be audited and allowed by the Auditors for the Time being, or the major Part of them, and which shall be confirmed at the ensuing Annual General Court, shall be considered as finally settled, and the same shall never again be opened or questioned.

Auditors of the  
Year preceding  
may be re-  
elected;  
their Number  
to be always  
kept up to five.  
Officers liable  
to the City of  
London.

XXIV. And be it further enacted, That it shall be competent to the General Court either to re-elect the Auditors of the Year preceding, or such of them as to the General Court shall seem meet, or to elect others; and whosoever by Death, Death, Desire to be discharged, Refusal, declining, or becoming incapable to act as Auditor, the Number shall become reduced to fewer than Four, the Number shall be filled up as speedily as may be, and a General or Special General Court be called, if needful, for the Purpose.

XXV. And whereas considerable Inconvenience has at Times been occasioned to the said Charity by the Medical and other Officers of the said Charity being obliged, in case of Felony or Misdemeanour committed on board their Hospital Ship, to go to Meditions for the Prosecution of the Offenders; by Remedy whereof be it enacted, That all Felonies and Misdemeanours which shall be at any Time or Times committed on board any Hospital Ship in the Occupation of or belonging to or being in the said Corporation, and which shall at any Time be committed in any Part of the River Thames above *Greenwich*, or in respect of any Property attached to the same, shall (whether the Ship shall be, at the Time of the Offence committed, above or ground) be triable in the City of *London*, and not elsewhere, and may, in the Indictment, Information, Warrant, and all other Proceedings respecting the same, be alleged to have been committed in the City of *London*, except in case of summary Conviction, which may take place either on board the Ship or on either Shore, and the Offender for the Time being shall be committed to one of the Prisons in the City of *London*, but which Commitment may in any Case take place by any of His Majesty's Justices of the Peace either of the City of *London*, or of either of the Counties of *Middlesex, Kent, Surrey, or Essex*, or in case of Riot, Assault, Battery, or Breach of the Peace on board any such Hospital Ship, then by a Constable-man or Committee-men of the said Corporation; in all which Cases any of such Justices of the Peace are hereby empowered to act out of their respective Counties or Jurisdictions as in full and ample Manner as according to the Laws and Statutes of this Realm they are empowered in other Cases to act within



After the June 1833 the Duty on Cotton Wool imported shall be the 11d in lieu of the 10d.

Duty to be levied, paid, &c. as if imposed by 6 G. 4. c. 111.

Act may be altered.

posed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of June One thousand eight hundred and thirty three there shall be raised, levied, collected, and paid for and upon every Hundred Weight of Cotton Wool or Waste of Cotton Wool, the Produce of any Foreign Country, or imported from any Foreign Country, a Duty of Two Shillings and Eleven-pence in lieu of the Duty of Five Shillings and Ten-pence imposed by the said Act.

II. And be it further enacted, That the said Duty shall be raised, levied, collected, paid, and appropriated in like Manner as if the same had been imposed by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for granting Duties of Customs*.

III. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

## C A P. XI.

An Act for repealing the Duties and Drawbacks of Excise on Tiles [17th May 1833.]

**W**HEREAS it is expedient that the several Duties and Drawbacks of Excise payable on Tiles made in Great Britain, or brought from Ireland into Great Britain, should cease and determine: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the several Duties of Excise payable by Law for or upon Tiles made in Great Britain, and for and upon Tiles brought from Ireland into Great Britain, and all Drawbacks of Excise for or in respect of the Exportation of any Tiles to Foreign Parts, or the Removal of any Tiles from Great Britain into Ireland, shall be repealed, cease, and determine, and be no longer paid or payable: Provided always, that any of the said Duties which shall have been charged, or any Arrear thereof, or any Penalty or Forfeiture in respect of the said Duties, which shall have been incurred before the Commencement of this Act, or the Payment of any Drawback which shall be payable in respect of any Tiles shipped for Exportation to Foreign Parts or Removal to Ireland before the Day of the Commencement of this Act, shall and may be sued for, levied, recovered, and paid in the same Manner as if this Act had not been passed.

II. And be it further enacted, That this Act shall commence and take effect on the Twentieth Day of May One thousand eight hundred and thirty-three.

III. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A P. XII.

An Act to repeal the Duties on Personal Estates continued by an Act of the present Session of Parliament. [17th May 1833.]

**W**HEREAS by an Act passed in this present Session of Parliament, intitled *An Act for continuing to His Majesty until the Fifth Day of April One thousand eight hundred and thirty-four certain Duties on Sugar imported into the United Kingdom, and for One Year certain Duties on Personal Estates, Offices and Professions in England, for the Service of the Year One thousand eight hundred and thirty-three*, it is amongst other things enacted, that the several and respective Sums of Money and Duties which shall have been or shall be charged upon Estates in ready Money, Debts, Goods, Wares, Merchandises, Chattels, or other Personal Estate, by virtue of an Act passed in the Thirty eighth Year of the Reign of His late Majesty King George the Third, for granting an Aid to His Majesty by a Land Tax, and which have been continued and are in force until the Twenty fifth Day of March One thousand eight hundred and thirty-three, shall be continued, and raised, levied, collected, and paid unto His present Majesty within the Space of One Year from the said Twenty fifth Day of March One thousand eight hundred and thirty-three: And whereas it is expedient that the said Duties should not be continued after the said Twenty fifth Day of March One thousand eight hundred and thirty-three: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act passed in this present Session of Parliament as continues unto His present Majesty the said recited Duties on Estates in ready Money, Debts, Goods, Wares, Merchandises, Chattels, or other Personal Estate, within the Space of One Year from the Twenty fifth Day of March One thousand eight hundred and thirty three, shall be and is hereby repealed; and it is hereby declared that the said Duties ceased and determined on the Twenty fifth Day of March One thousand eight hundred and thirty-three: Provided nevertheless, that this Act shall not extend to any Assessments of the like Duties continued by any Act or Acts for any former Year or Years, or to the Recovery of any Arrears thereof.

Duties and Drawbacks of Excise on Tiles repealed.

Proviso as to Arrears of Duties, to Penalties, and to Payments of Drawbacks on Shipments before the Commencement of the Act.

Commencement of Act. Act may be altered.

§ W. 4. c. 3.

So much of recited Act as continues the Duties on Personal Estates for One Year from the 25th March 1833 repealed. Not to extend to any Act of former Times.

## CAP. XIII.

An Act to provide for the Execution of the Duties performed by the Barons of Exchequer in Scotland in relation to the Public Revenue, and to place the Management of the Assessed Taxes and Land Tax in Scotland under the Commissioners for the Affairs of Taxes.

[17th May 1833.]

- WHEREAS by an Act passed in the Sixth Year of the Reign of Her Majesty Queen Anne, intituled *An Act for amending and establishing a Court of Exchequer in the North Part of Great Britain called Scotland*, it was enacted, that from and after the Fifth Day of May One thousand seven hundred and eight a Court of Exchequer should be and was thereby constituted and established in Scotland, and such Court was thereby erected to be a Court of Record, Revenue, and Judicature for and within Scotland, and it was by the said Act among other things enacted, that all Officers and Persons employed in or about the collecting, receiving, managing, paying, answering, or accounting for any of the Crown Revenues, Debts, or Duties in Scotland should be under and subject to the Orders, Authority, and Jurisdiction of the said Court of Exchequer in all things touching the said Revenues, Debts, or Duties, and the Securities to be given and Oaths to be taken relative thereto, not contrary to or inconsistent with the Commands, Orders, or Directions in force of or from the Queen's Majesty, Her Heirs and Successors, or of or from the Lord High Treasurer of Great Britain, or the Lords Commissioners of the Treasury in Great Britain for the Time being; And whereas an Act was passed in the Forty-third Year of the Reign of His Majesty King George the Third, intituled *An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the said Act, so far as the same relate to that Part of Great Britain called Scotland*; and another Act was passed in the said Forty-third Year of the Reign of His said Majesty, intituled *An Act for repealing the several Duties under the Management of the Commissioners for the Affairs of Taxes, and granting new Duties in lieu thereof; for granting new Duties in certain Cases therein mentioned; for repealing the Duties of Excise on Licences, and on Carriages constructed by Coachmakers, and granting new Duties therein, under the Management of the said Commissioners for the Affairs of Taxes; and also new Duties on Persons selling Carriages by Auction or on Commission*; and another Act was passed in the Forty-fifth Year of the Reign of His said Majesty, intituled *An Act to amend in such of an Act of the Forty-third Year of His present Majesty, for consolidating certain of the Provisions of the Acts relating to the Duties in Scotland under the Management of the Commissioners for the Affairs of Taxes, as relate to the Appointment of Assessors and Sub-Collectors, and the Notices required to be delivered to Persons assessed to the said Duties*; and another Act was passed in the Fifty-second Year of the Reign of His said Majesty, intituled *An Act to amend and regulate the Assessment and Collection of the Assessed Taxes, out of the Rents and Duties or Profits arising from Property, Possessions, Trades, and Offices, in that Part of Great Britain called Scotland*; and another Act was passed in the Fifty-fifth Year of the Reign of His said Majesty, intituled *An Act to amend and render more effectual an Act of the Fifty-second Year of His present Majesty, to amend and regulate the Assessment and Collection of the Assessed Taxes, and of the Rents and Duties or Profits arising on Property, Possessions, Trades, and Offices, in that Part of Great Britain called Scotland*; and another Act was passed in the First and Second Years of the Reign of His Majesty King George the Fourth, intituled *An Act to continue several Acts for the Relief of Persons compounders for Assessed Taxes from an annual Assessment, for a further Term, and to amend the Acts relating to Assessments and Compositions of Assessed Taxes, by which and other Acts relating to the Assessed Taxes, and Compositions for the same, various Powers and Duties are conferred and imposed upon the said Barons in relation to the Assessment and Recovery of the Assessed Taxes in Scotland*; And whereas an Act was passed in the Thirty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twentieth Day of March One thousand seven hundred and ninety-eight*; And whereas another Act was passed in the Forty-second Year of the Reign of His said Majesty, intituled *An Act for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax, into One Act, and for making further Provision for the Redemption and Sale thereof; and for removing Doubts respecting the Rights of Persons claiming to vote at Elections for Knights of the Shire and other Members to serve in Parliament, in respect of Messuages, Leases, or Tenements, the Land Tax upon which shall have been redeemed or purchased*; and other Acts were passed, relating to the Redemption of the Land Tax; And whereas by various Acts in force in relation to the Courts of Law and Equity, and the Records of that Part of the United Kingdom called Scotland, the said Barons are authorized and required to appoint and fix the Compositions of certain Officers and others connected with the said Courts or Establishments, and to authorize the Issue of Money for the Payment of such Compositions or Parts thereof, and other Powers and Duties are by such Acts conferred upon the said Barons: And whereas the said Barons are also empowered, by various Acts in relation to sundry Public Works, Buildings, Undertakings, or Establishments in Scotland, to authorize the Issue of Money toward the Payment or part Payment of the Expence of Erection, Repair, or Maintenance of such Public Works, Buildings, Undertakings, or Establishments, and to attend to the Security and Interest of the Public in pro-

' calling or enforcing the Repayment of Money advanced towards such Purposes or some of them, and  
 ' is procuring or enforcing the Payment of the Interest accruing upon Monies due in respect of such  
 ' Works or some of them: And whereas an Act was passed in the Fifth Year of the Reign of His  
 ' Majesty King George the Third, intitled *An Act for augmenting Parochial Stipends in certain Cases*  
 ' in Scotland; and another Act was passed in the Fifth Year of the Reign of His Majesty King George  
 ' the Fourth, intitled *An Act for amending and rendering more effectual an Act for augmenting Parochial*  
 ' *Stipends in certain Cases in Scotland*; by which Two last-recited Acts the said Barons were author-  
 ' ized and directed to issue their Precepts or Warrants to His Majesty's Receiver General in Scotland  
 ' for the Payment annually of certain Sums to certain of the Parochial Ministers of the Church of  
 ' Scotland, and for Payment of Ann to the Representatives of such Ministers who may be entitled  
 ' thereto, and of vacant Stipends, for the Purposes and in the Manner therein set forth: And whereas  
 ' an Act was passed in the Fifth Year of the Reign of His Majesty King George the Fourth, intitled  
 ' *An Act to amend an Act for building additional Places of Worship in the Highlands and Islands of*  
 ' *Scotland*; by which Act the Commissioners for building additional Places of Worship in the Highlands  
 ' and Islands of Scotland are directed to account to the said Barons of Exchequer for the Expediture  
 ' of the Sums to be issued under the said last-recited Act for the Purposes aforesaid, and the said  
 ' Barons are thereby directed to issue Precepts to the Ministers officiating at such Places of Worship  
 ' for the Payment of the Stipends thereby directed to be paid, and the Ann when due to be issued to  
 ' be paid in the Manner prescribed by the said recited Act for augmenting Parochial Stipends: And  
 ' whereas the said Barons of the Court of Exchequer in Scotland have been hitherto in use, under or  
 ' by virtue of Writs of Privy Seal, Royal Warrants, Customs, Usage, or otherwise, to issue Precepts for  
 ' the Sums applicable to the Payment of the Charges of the Courts of Law in Scotland, and also to  
 ' direct and order Payment of other Charges not relating to the Courts of Law; and Powers and Duties  
 ' are also exercised and performed by the said Barons in relation to the Payment of Fees and Salaries  
 ' payable out of the Civil Establishment of Scotland; and the said Barons are also by such Authority  
 ' in use to order and take cognizance respecting the Payment of the Salaries of Sheriffs and their  
 ' Substitutes; to issue Payments to the Sheriff of Edinburgh for Expenses incurred in the Public  
 ' Service, and to see to the accounting for the same; to issue, on the Application of the Lord Advocate,  
 ' the Monies necessary for defraying the Expence of Criminal Prosecutions, and otherwise in relation  
 ' to the receiving, ordering, issuing, and Administration of Public Monies; to grant Tacks of Tithes;  
 ' and to appoint to Baronies falling under the Gift of the Crown: And whereas an Act was passed in  
 ' the Fourth Year of the Reign of His Majesty King George the Fourth, intitled *An Act to consolidate*  
 ' *the several Boards of Customs, and also the several Boards of Excise, of Great Britain and Ireland*: And  
 ' whereas another Act was passed in the Seventh and Eighth Year of the Reign of His said Majesty  
 ' King George the Fourth, intitled *An Act to consolidate and amend the Laws relating to the Collection*  
 ' *and Management of the Revenue of Excise throughout Great Britain and Ireland*: And whereas another  
 ' Act was passed in the Second Year of the Reign of His present Majesty King William the Fourth,  
 ' intitled *An Act for making Provision for the Dispatch of Business now done by the Court of Exchequer*  
 ' *in Scotland*: And whereas another Act was passed in the Second and Third Year of the Reign of His  
 ' said Majesty King William the Fourth, intitled *An Act to provide for the Examination and Audit of*  
 ' *the Customs and Excise Revenue in Scotland*; and another Act was passed in the said Second and  
 ' Third Year of the Reign of His said Majesty King William the Fourth, intitled *An Act to amend*  
 ' *the Hereditary Land Revenue of the Crown in Scotland being placed under the Management of the Com-*  
 ' *missioners of the Land Revenue*: And whereas it is expedient that all the Powers, Authorities, and  
 ' Duties hitherto exercised or performed by the said Barons of the Court of Exchequer in Scotland,  
 ' in relation to and concerning the managing, ordering, paying, issuing, or administering any of the  
 ' Monies of or belonging or subjected to the Crown in Scotland, other than the Duties or Revenues of  
 ' Customs and Excise, in so far as the same or any Part thereof are by the said recited Acts in that  
 ' behalf put under the Management and Disposal of the Board of Customs and Excise of the United  
 ' Kingdom, and the said Crown Revenue of Scotland, so far as the same are by the said recited Act in  
 ' that behalf put under the Commissioners of His Majesty's Woods, Forests, Land Revenue, Works,  
 ' and Buildings, should be vested in the Lords Commissioners of His Majesty's Treasury in the Manner  
 ' and to the Effect therein after mentioned: and that all the Powers and Duties of the said Barons (see  
 ' being Judicial Powers and Duties) in relation to the Assessment, Collection, Management, or Appre-  
 ' priation of the Land Tax or any of the Assessed Taxes, and the Regulation or Payment of any of  
 ' the Officers or other Persons therewith connected, and the taking the Security to be given by such  
 ' Officers and Persons, should be transferred to and conferred upon the Commissioners for the Affairs  
 ' of Taxes for the Time being: Be it therefore enacted by the King's most Excellent Majesty, by and  
 ' with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Par-  
 ' liament assembled, and by the Authority of the same, That from and after the passing of this Act  
 ' all the Powers and Authorities at present exercised or exercisable by the said Barons of the Court  
 ' of Exchequer in Scotland, and all the Duties performed by the said Barons, either in issuing Precepts  
 ' or Directions to the Collectors of the Customs or Customs of Excise, or any other Officer or Officers in  
 ' the Collection or Receipt of any of the Duties or Revenues of Customs or Excise, or Crown Revenue,  
 ' or of the Land Tax or Assessed Taxes, or other Public Monies, to pay such Revenues, Duties, or  
 ' Monies either to the Receiver General for Scotland, or other Officer or Person whatsoever, for the  
 ' Public Service, or any other Person whatsoever, or in relation to the receiving, ordering, issuing,  
 ' allowing,

The Powers  
 and Duties of  
 the Barons of  
 the Exchequer  
 in Scotland, as  
 at present exer-  
 cised, to come,  
 and be vested  
 in the Lords  
 Commissioners of the  
 Treasury

allowing, or paying any Sum or Sums of Money applicable and paid towards the Charges of the Courts of Law, or other Charges not relating to the said Courts, or to any Fees and Salaries payable out of the Civil Establishment of Scotland; to the ascertaining, ordering, issuing, allowing, or paying any Sum or Sums of Money payable by way of Compensation or Superannuation Allowance or retiring Salary to any Judge, Officer, or other Person whatsoever connected with any of the Courts of Law or Equity in Scotland, or of or connected with the General Register House or other Establishment in Scotland; or in relation to the ascertaining, ordering, issuing, allowing, or paying any Sum or Sums of Money towards the Payment of the Expenses of the Erection, Repair, or Maintenance of any Public Work, Building, Undertaking, or Establishment, or to the Securities to be taken for any Sums or Sums of Money so paid or allowed, or to the Repayment of such Sums or Sums, or the Payment of the Interest due or to become due thereon; or in relation to the issuing or paying any Stipend or Stipends, or Ann or various Stipends, to any of the Parochial Ministers of the Church of Scotland, or others entitled thereto, or to the Ministers of the Churches erected under the said recited Act of the Fifth Year of the Reign of His Majesty King George the Fourth, in that Behalf, or others entitled thereto; or in relation to the Payment of any Sheriff or Sheriff Substitute in Scotland, or any Money to be paid to or under the Direction or Superintendance of any Sheriff, for the Public Service, or to or for the Crown Agent or any other Officer or Person, for the defraying the Expenses of Criminal Prosecutions in Scotland, or otherwise towards the receiving, ordering, issuing, or paying any such Duties, Revenues, or Public Money, and all the ministerial Powers and Duties connected with such Payment and Administration, or in relation to the granting Tacks of Tacks, or to the appointing to Bursars in the Gift of the Crown; and also all the Powers and Duties of the Barons of the said Court of Exchequer, in regard to passing the Sheriff's Accounts or other Accounts, and taking Securities, and receiving Bonds, (excepting Recognizances and other Securities, and the Oaths taken in the Discharge of the Judicial Duties of the said Bursars,) shall from and after the passing of this Act cease and determine; and all such Powers, Authorities, and Duties shall be transferred to, conferred upon, and vested in the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, or the Commissioners of His Majesty's Treasury of the United Kingdom, for the Time being; any Act or Acts of Parliament, or any Writ of Privy Seal, or Royal Warrant, or Law, Usage, Custom, or Authority, to the contrary in anywise notwithstanding.

II. And be it enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury, or any Three of them, and they are hereby authorized and empowered, by Warrant to be made and signed by them from Time to Time, to regulate all or any of the Duties of the Offices of King's Remembrancer in Scotland, Lord Treasurer's Remembrancer in Scotland, Auditor of Exchequer in Scotland, and Receiver General of Scotland, and to consolidate, transfer, or regulate the Duties of the said Offices, and also to direct the Exercise and Performance of all or any of the Powers and Duties heretofore committed as heretofore exercised and performed by the said Bursars of Exchequer in Scotland, in such Manner and under such Regulations and Conditions as the said Commissioners of His Majesty's Treasury shall think fit; any Act or Acts of Parliament, or any Law, Usage, Custom, or Authority, to the contrary notwithstanding.

III. And be it enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury for the Time being, or any Three of them, to call upon and direct the said Barons of His Majesty's Court of Exchequer in Scotland, by any Writ to be issued by the said Commissioners of His Majesty's Treasury, to grant, execute, and deliver any Depositions, Assignations, Conveyances, or other Deeds whatever which may be necessary for divesting the said Barons of Exchequer of all Property, Heritable and Moveable, vested in them by or under any Act or Acts heretofore recited or referred to, or otherwise, not already transferred or authorized to be transferred or affected by the said last-recited Act of the Second and Third Year of the Reign of His present Majesty, and which they hold either in Property or in Security, for or in Name and Behalf of His Majesty, or of the Commissioners of His Majesty's Treasury, or otherwise for or in behalf of the Public, and in favour of any Person or Persons to be nominated and appointed by the said Commissioners of His Majesty's Treasury for that Effect; and it shall be lawful to the said Barons of Exchequer, and they are hereby authorized and required, upon such Requisition by the said Commissioners of His Majesty's Treasury, to grant, execute, and deliver all such Depositions, Assignations, Conveyances, or other Deeds whatsoever as shall be necessary to divest them of any such Heritable or Personal Property held by them as aforesaid, and in favour of any Person or Persons to be nominated and appointed by the said Commissioners of His Majesty's Treasury as aforesaid; for the doing whereof this Act, and such Writs by the said Commissioners of His Majesty's Treasury, shall be full Warrant and Execution to the said Barons of Exchequer.

IV. And be it enacted, That from and after the passing of this Act the Execution of the said recited Acts, in relation to the Management and Collection of the Assessed Taxes and Land Tax of Scotland, shall be under the Management and Direction of the said Commissioners for the Affairs of Taxes for the Time being; and it shall be lawful for the said Commissioners to order and direct, in relation to the Division, or Union, or Arrangement of the several Counties, Stewartries, Cities, Burghs, and Districts in Scotland, for the Purpose of the Collection of the said Assessed Taxes and Land Tax respectively, and the surveying, assessing, levying, and collecting the same, to settling the Accounts of Collectors, and to all fines, Penalties, and Forfeitures, and to Compositions and Allowances to Informers, due or payable or owing in relation thereto, and in all other Matters concerning the same, in such Manner and to the same Effect as the said Barons of the Court of Exchequer in Scotland were authorized

Commissioners of the Treasury authorized to regulate the Powers and Duties of the Offices of King's Remembrancer, &c.

Commissioners of the Treasury may call upon the Barons in relation to Property vested in them by any of the recited Acts.

Writs authorized to grant such Conveyances.

Collection and Management of Assessed Taxes and Land Tax transferred to the Commissioners for the Affairs of Taxes.

or allowed; and the several Collectors and other Persons now employed or hereafter to be employed under and in the Execution of the said recited Acts, in relation to the said Taxes, shall be subject to the Order, Control, and Directions of the said Commissioners for the Affairs of Taxes, in all things relating thereto, in the same Manner as by the said recited Acts or any of them they were heretofore under the said Barons of Exchequer.

Commissioners for Affairs of Taxes may issue Process to issue for Arrears of Taxes.

V. And be it enacted, That it shall be lawful for the said Commissioners for the Affairs of Taxes, or for the Comptroller of Taxes in Scotland, or any other Person to be authorized and appointed by the said Commissioners for the Affairs of Taxes, to order such Process to issue against any Person who shall be in arrear in the Payment of the Taxes due by law or heretofore, or against any Collector or other Officer who shall be in arrear in the accounting for or paying any Sums or Sums collected by them respectively, or be otherwise in default, or against the Surety or Sureties of such Collector or other Officer, in such and the like Manner and to the same Effect as by the said recited Acts in relation to the said Assessed Taxes and Land Tax is authorized and directed to issue for the Recovery of any Sums, Arrears, or Default due or committed under the said recited Acts or any of them.

Commissioners for Affairs of Taxes to be subject to the Control of the Commissioners of His Majesty's Treasury.

VI. Provided always, and be it enacted, That the said Commissioners for the Affairs of Taxes shall in all things relating to the Execution of the Duty of the said Commissioners under this Act be subject to the Authority, Direction, and Control of the said Lord High Treasurer and Commissioners of His Majesty's Treasury, and shall obey all such Orders and Instructions as shall have been or shall after the passing of this Act from Time to Time be issued to the said Commissioners in that behalf by the said Lord High Treasurer or any Three or more of the Commissioners of His Majesty's Treasury.

Existing Appointments to be good till recalled.

VII. And be it enacted, That all Commissions, Deputations, and Appointments granted to any Officers acting under the said recited Acts relating to the Assessed Taxes or the Land Tax in Scotland, at any Time before the passing of this Act, and in force at the passing of this Act, shall remain in full Force and Effect until the same shall be revoked or recalled; and the Persons holding the same shall continue to hold such respective Commissions, Deputations, and Appointments, and have full Power and Authority to execute the Duties of their respective Offices and Appointments, and to enforce all Laws, Regulations, Penalties, and Forfeitures relating to the Matters and Duties to which they shall have been appointed; and all Bonds which shall have been given by any such Officers respectively, and their Sureties respectively, and all Contracts, Deeds, and Engagements made or entered into by any such Officers respectively, relating to the said Taxes or other Matter or Thing under the Charge or Management of such Officers respectively, in virtue of the said recited Acts or any of them, shall remain in full Force and Effect according to the true Intent and Meaning thereof.

All the recited Acts to remain in force, excepting in so far as they are hereby altered or repealed.

VIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter any Act or Acts, or any Part of any Act or Acts, in force relating or having reference to the said Assessed Taxes and Land Tax in Scotland at the passing of this Act, or any other Act or Acts by this Act referred to or affected, excepting in so far as such Act or Acts is or are altered or repealed by this Act: nor shall any thing herein contained impair or affect, or be construed in any Manner to impair or affect, the legal Jurisdiction of His Majesty's Court of Exchequer in Scotland; and that all Debts, Duties, and Revenues, and all Fees, Penalties, and Forfeitures, which might have at the passing of this Act legally been sued for, prosecuted, and recovered in the said Court of Exchequer, according to the Practice of the said Court, shall continue to be sued for, prosecuted, and recovered in the said Court as heretofore: any thing in this Act to the contrary notwithstanding.

Fields of Barons of Exchequer specially saved.

IX. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed during the present Session of Parliament.

Act may be altered.

#### C A P. XIV.

An Act to enable Depositors in Savings Banks, and others, to purchase Government Annuities through the Medium of Savings Banks; and to amend an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks. [10th June 1833.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to consolidate and amend the Laws relating to Savings Banks*, and it is expedient to alter and amend the same, and also to enable Depositors in Savings Banks, and others, to lay out their Funds in the Purchase of immediate or deferred Life Annuities, as well as immediate or deferred Annuities for a certain Term of Years, and that Provisions should be made for carrying the said Measures into effect as hereinafter expressed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twentieth Day of May in the Year of our Lord One thousand eight hundred and thirty-three, or as soon after as the Commissioners for the Reduction of the National Debt shall think fit, of which due Notice shall be given in the London Gazette, it shall and may be lawful for any Two Trustees or Managers of a Savings Bank legally established to receive from any Depositor in the said Savings Bank, or other Person whose the said Trustees or Managers shall think entitled to become a Depositor in a Savings Bank, any Sums or Sums of Money for the Purchase of immediate or deferred Life

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to be contracted for by any Two of the said Trustees or Managers on behalf of the Commissioners for the Reduction of the National Debt, and to be charged and chargeable, and the said Annuities are hereby made chargeable, upon the Consolidated Fund of the United Kingdom, under the Limitations, Restrictions, and Regulations hereinafter expressed; and all Sums of Money from Time to Time paid to the said Trustees or Managers on account of the Purchase of every such Annuity shall be kept separate, distinct, and apart from the other Funds of the Institution, and be from Time to Time, when received, paid into the Bank of England to the Account of the Commissioners for the Reduction of the National Debt; and the Cashiers of the Bank of England are hereby required to receive all such Moneys, and to place the same to the Account of the said Commissioners, to be entitled "The Fund for purchasing Life Annuities, or Annuities for Terms of Years, (as the Case may be) on the Account of Savings Banks and Parochial Societies;" and the said Commissioners shall in like Manner keep distinct and separate Accounts of all Moneys so placed to the said Accounts, pursuant to the Provisions of this Act.

II. Provided always, and he it enacted, That no such Annuity or Annuities shall be contracted for by the said Trustees or Managers on behalf of the said Commissioners upon the Life of any Person, under the Provisions of this Act, who on the Day when the Contract for such Annuity or Annuities shall be made shall be under the Age of Fifteen Years, neither shall any such Annuity or Annuities sold or granted to or purchased by any One Individual exceed in the whole the Sum of Twenty Pounds nor less than Four Pounds per Annum: Provided also, that it shall be lawful for the said Trustees or Managers, or Commissioners, or the Comptroller General or Assistant Comptroller acting under the said Commissioners, to decline or refuse to contract for, sell, or grant any Annuity, under the Provisions of this Act, in any Case where there shall be, in the Opinion of the said Trustees or Managers, or of the said Commissioners or of the said Comptroller General or Assistant Comptroller, sufficient Grounds for refusing or declining so to do: Provided also, that if any One Individual shall have or hold, or be possessed at any One Time of any Annuity or Annuities granted under the Provisions of this Act exceeding in the whole the Sum of Twenty Pounds per Annum, the said Annuity or Annuities shall immediately cease and be forfeited.

III. And be it further enacted, That it shall not be lawful for the said Trustees or Managers to take, demand, or receive from any Person applying to enter into any Contract for the Purchase of such Annuity as aforesaid, for Admission Fee or otherwise, a greater Sum of Money than Two Shillings and Sixpence, nor from any Person who may have entered into any such Contract a greater Sum actually than the Sum of One Shilling, which said several Sums the said Trustees are hereby authorized and empowered to charge and demand of and from such Persons as aforesaid; and that the Money arising from such Fees and Payments shall be applied towards defraying the necessary Expenses incurred by the said Trustees or Managers in carrying into execution the Provisions of this Act with respect to the contracting for, granting, and paying such Annuities.

IV. And be it further enacted, That it shall and may be lawful for any Person having contracted for the Purchase of any such Annuity as aforesaid, with the Consent of the Commissioners for the Reduction of the National Debt, or the Comptroller General or Assistant Comptroller acting under them, to make the annual or other Payments, or to receive the said Annuity as contracted for as aforesaid, through the Hands of the Trustees or Managers of any other Savings Bank or Society (herein after mentioned) than that at which such Person originally entered into such Contract as aforesaid.

V. And be it further enacted, That for the better carrying this Act into execution it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time as they shall think fit, to direct the Commissioners for the Reduction of the National Debt to use and adopt such Tables as shall from Time to Time be authorized and approved of by the said Commissioners of the Treasury, or any Three or more of them, for ascertaining the Values of Annuities, whether immediate or deferred, depending on the Continuance of single Lives, and also such Tables of the Values of Annuities for a certain limited Term of Years, immediate or deferred, as may be granted according to the Provisions of this Act, and such respective Tables shall be valid and effectual for the Purposes of this Act; and all Annuities for Lives or Years, of whatsoever Kind, to be purchased under the Provisions of this Act, shall be purchased according to the Values stated in such Tables respectively so long as the same shall remain in force; and it shall be lawful for the said Commissioners of the Treasury to alter, revoke, and recall all or any of the said Tables from Time to Time, and to direct the Use and Adoption of such other Tables in lieu thereof as shall be approved of by the said Commissioners of the Treasury, and also to discontinue, by any Warrant under their Hands, addressed to the said Commissioners for the Reduction of the National Debt, of which the said Instrumental Commissioners shall give Notice in the London Gazette, the granting of any Annuities for Lives or Years under the Provisions of this Act, if they shall think it fit and expedient so to do: Provided always, that the said Commissioners for the Reduction of the National Debt shall, previous to the Adoption and using of any such Tables respectively, give Notice from Time to Time in the London Gazette, in such Form and Manner as to the said Commissioners for the Reduction of the National Debt shall seem fit and proper, that such Tables have been authorized and approved by the said Commissioners of the Treasury.

VI. And be it further enacted, That in every Case where any Sum of Money shall be paid to the Purchasers of

How Annuities to be contracted for.

Money paid to Trustees on account of Purchase of Annuities to be kept distinct, and paid to Account of Commissioners.

Annuities not to be granted on the Life of any Person under Fifteen Years of Age, nor to exceed 20 per Annum, Commissions, &c. may decline to contract for any Annuity.

Fee to be taken on Application for Annuity not to exceed 2s. 6d., and to be applied in defraying the necessary Expenses of Trustees.

Making Payments and receiving Annuities as contracted for on Savings Bank.

Treasury shall direct Use of Tables of the Value of Annuities as approved by them.

Purchasers of Annuities for Lives or for

They shall be entitled to such Amount of Annuity as shall be specified in the Tables.

Provision of this Act, the Person or Persons purchasing any such Annuity for Lives or Years, upon the Payment of such Sum of Money to the said Trustees or Managers, and by the said Trustees paid into the Bank of England to the Account of the said Commissioners, entitled "The Fund for purchasing Life Annuities or Annuities for Terms of Years on account of Savings Banks and Provident Societies," shall for every Sum of Money paid be entitled to receive, during the Continuance of the single Life of the Nominee, whether such Life Annuity shall be immediate or deferred, or during the Term of Years, immediate or deferred, for which any Annuity shall be granted under this Act, an Annuity for a Life or for Terms of Years, as the Case may be, of such annual Amount as shall be specified in any such Table or Tables respectively as the Commissioners of His Majesty's Treasury, or any Three or more of them, shall from Time to Time authorize and approve, in manner herein-before directed, to be calculated and ascertained according to the Age of the Nominee, or the Continuance of the Term of Years respectively, as the Case may be.

Proceeding  
Provision.

VII. And be it further enacted, That in every Case where the Calculation of the Amount of any Annuity according to the Provisions of this Act shall produce a Fraction less than Sixpence, the fractional Part of the said Annuity less than Sixpence shall be taken from the Amount thereof, and shall not be payable by the Officer of the said Commissioners for the Reduction of the National Debt.

Certain Annuities to be carried to a separate Account.

VIII. And be it further enacted, That all Life Annuities, of whatsoever Kind, which shall be purchased and granted under the Provisions of this Act (whether such Life Annuities shall commence immediately or not), shall, in their due Course as the same shall fall due and become payable, be carried to a new and separate Account in the Books of the said Commissioners for the Reduction of the National Debt; and all Annuities for Terms of Years which shall be purchased and granted under this Act shall in like Manner be carried to a new and separate Account in the Books of the said Commissioners.

Life-Annuities may make their Purchases as Lives of original Mortgages without their Continuance.

IX. And be it further enacted, That whenever Proof of the Age of any Nominee shall have been produced under the Provisions of this Act, as herein-after directed, any Person or Persons who shall be desirous of purchasing any Annuity or Annuities, whether such Annuity shall depend upon the Life of such Person or not (the total Amount of such Annuities not exceeding the Sum herein-before mentioned), or the Life of such Nominee (whether such Life Annuities shall have been originally contracted for to commence immediately or not), shall be at Liberty so to do, and the original Proof of the Age of such Nominee, produced at the Time of the Purchase of the first Annuity upon the Life of such Nominee, shall be deemed sufficient for that Purpose, without the Production of any further Proof of Age.

Amount of Annuities from Time to Time payable shall be certified to the Treasury, who shall issue their Warrants to the Bank for Payment thereof out of the Consolidated Fund.

X. And be it further enacted, That for the Purpose of ascertaining from Time to Time the Amount of Annuities for Lives or for Terms of Years payable under the Authority of this Act, the said Comptroller General or Assistant Comptroller acting under the said Commissioners shall, within Fourteen Days preceding the Fifth Day of July, the Tenth Day of October, the Fifth Day of January, and the Fifth Day of April in each and every Year (commencing on the Tenth Day of October One thousand eight hundred and thirty-three), certify to the Commissioners of His Majesty's Treasury the Amount of Annuities for Lives and of Annuities for Terms of Years payable under this Act, the half-yearly Payments of which shall from Time to Time be chargeable upon the said Consolidated Fund on each of such Days respectively; and the said Commissioners of the Treasury, or any Three or more of them, shall thereupon order and direct, by Warrants under their Hands, the Sum specified from Time to Time in every such Certificate to be issued and paid out of the said Consolidated Fund from Time to Time to the Governor and Company of the Bank of England, to be by them placed to the Account of the said Commissioners for the Reduction of the National Debt, for the Purpose of paying all such Annuities respectively.

Time of Payment of Annuities granted under this Act.

XI. And be it further enacted, That all Annuities for Lives or Years, of whatsoever Kind, which shall be purchased under the Provisions of this Act, shall be payable by Two equal half-yearly Payments, to be respectively made on the Fifth Day of January and on the Fifth Day of July, or on the Fifth Day of April and the Tenth Day of October, in each and every Year, according to the respective Periods, as herein-after mentioned, within which any Money shall be paid for the Purchase of any such Annuity for Life or Years, of whatsoever Kind respectively; and the first half-yearly Payment of every such Annuity so purchased shall be made at the Times following; (that is to say,) on the Fifth Day of January, in respect of all such Purchases completed by the actual Payment of Money into the Bank of England to the Account of the said Commissioners herein-after mentioned at any Time during the Quarter ending on the Tenth Day of October preceding such Fifth Day of January; on the Fifth Day of April, in respect of all such Purchases as completed at any Time during the Quarter ending on the Fifth Day of January preceding the Fifth Day of April; on the Fifth Day of July, in respect of all such Purchases as completed at any Time during the Quarter ending on the Fifth Day of July preceding such Tenth Day of October; and all future half-yearly Payments of every such Annuity shall be made with reference to the Time of each half-yearly Payment: Provided always, that upon the Death of any Nominee in respect of any Life Annuity, a Sum equal to One Fourth Part of the Annuity depending upon the Life of such Nominee (over and above all half-yearly Arrears thereof respectively) shall be payable to the Person or Persons entitled to such Annuity, or his, her, or their Executors or Administrators, (as the Case may be,) on the half-yearly Day of Payment next succeeding the Production of Proof in the said Tables, and by them to the said Commissioners, certifying the Death of such Nominee; provided that such Proof shall be produced to the said Commissioners within Thirty

Quarterly Payments on Death of Members of Life Annuities.

Days next preceding the Fifth Day of January, Fifth Day of April, Fifth Day of July, and Tenth Day of October respectively in every Year, and that such last-mentioned Payment shall be claimed within Two Years after the Death of such Nominee, but not otherwise: Provided also, that the Fourth Part of any expired Life Annuity payable under the Provisions of this Act shall not be payable or be paid upon or in respect of any deferred Life Annuity, unless One half-yearly Payment of such deferred Life Annuity shall have been actually paid or become due at the Time of the Decease of such Nominee.

XII. And be it further enacted, That for the Space of Fourteen Days next after any of the said Quarterly Days for Payment of the said Annuities respectively, no Bargain or Contract shall be made by the said Trustees or Managers on behalf of the said Commissioners for the Reduction of the National Debt, for the Grant or Purchase of any Annuity under this Act: any thing herein-before contained to the contrary in anywise notwithstanding.

XIII. And be it further enacted, That all Contracts for Life Annuities or Annuities for a limited Term of Years, whether immediate or deferred, which shall be entered into by the Trustees or Managers of any Savings Bank, or by the Trustees or Managers of any Society in any Parish or Place authorized by this Act to contract for the same, shall in each and every Case be deemed and taken to be Contracts made by the said Trustees or Managers on behalf of the Commissioners for the Reduction of the National Debt: Provided always, that no Life Annuity shall be procured to be contracted for, nor shall any Payments of any Life Annuity be made, under the Provisions of this Act, until Proof of the Age of the Person proposed to be annuitant, and until Proof of the Existence and Identity of the respective Nominees upon whose Life the Payments of any Annuity shall be demanded, shall have been previously submitted to and approved of by the said Commissioners, or by the Comptroller General or Assistant Comptroller acting under the said Commissioners; and the said Annuities for Lives and for Terms of Years shall be placed under the same Regulations as are contained in the Acts now in force for enabling the said Commissioners to grant Life Annuities and Annuities for Terms of Years, so far as the same can be made applicable thereto, save and except that no Charge by way of Commission shall be made by the said Commissioners at any Time on any Sum of Money which shall be paid by any Person for the Purchase of any Annuity under the Provisions of this Act, and also according to such Instructions and Regulations as the said Commissioners, or the said Comptroller General or Assistant Comptroller, shall from Time to Time issue and direct for carrying into effect the Provisions of this Act; and all the Provisions, Penalties, and Forfeitures in the said last-mentioned Acts contained shall apply and be in force with regard to any and all Annuities granted under the Act in the same Manner as though the same were expressly enacted herein, except so far as the same shall be altered or varied by this Act.

XIV. And be it further enacted, That upon the Production to the proper Officer of the said Commissioners for the Reduction of the National Debt of Proof of the Existence and Identity of the respective Nominees, as herein-before enacted, and upon the same being approved by such Officer, it shall be lawful for any Two Trustees of the Savings Bank whereon such respective Nominees shall be registered, and also for any Two Trustees of any Society duly established in any Parish under this Act, to draw upon the said Commissioners for the half-yearly Payment of the several Annuities then due upon the Lives of such Nominees respectively; and such Officer shall and he is hereby required to pay to the said Trustees as aforesaid, or their respective Agents, now appointed or hereafter to be appointed, within Five Days after the Production of such Draft, the several half-yearly Payments then due.

XV. And be it further enacted, That in all Cases of Annuities for Terms of Years it shall be lawful for the said Trustees, as herein-before mentioned, to draw upon the said Commissioners for the half-yearly Payment of the several last-mentioned Annuities then due; and the said Officer shall and he is hereby required to pay to the said Trustees or their respective Agents, now appointed or hereafter duly appointed, within Five Days after the Draft is presented, the several half-yearly Payments then due.

XVI. And be it further enacted, That the Right, Title, Interest, and Benefit in and to any Annuity, of whatsoever Kind, whether such Annuity shall be immediate or deferred, which may be purchased under the Provisions of this Act, shall not be transferable or assignable by the Purchaser thereof as to enable the Assignee to recover the same, during the Lifetime of the said Purchaser, except in case of his or her Insolvency or Bankruptcy, when the same shall become the Property of his or her Assignee or Assignees for the Benefit of his or her Creditors, and the same shall, in such Case, after due Notice of such Insolvency or Bankruptcy, be paid to such Assignee or Assignees as aforesaid; and in case of any such Bankruptcy or Insolvency, the said Commissioners for the Reduction of the National Debt shall purchase the said Annuity according to the Value thereof, the same being computed upon the same Tables upon which the said Annuity was originally purchased; and the Receipt of the Assignee or Assignees shall be a sufficient Discharge to the said Commissioners.

XVII. And be it further enacted, That Life Annuities and Annuities for Terms of Years, purchased under the Provisions of this Act, shall not be subject or liable to any Taxes, Charges, or Impostments whatsoever; and that all such Annuities shall be deemed Personal Estate, and in all Cases where the same shall not depend upon the Life of the Person created thereby shall go to the Executors or Administrators of such Person as Personal Estate, and shall not be disposable as the Heirs.

XVIII. Provided always, and be it enacted, That whenever it shall happen that any Person, having made any Claim of such said Annuity or Payment, to which within the Consideration of this Act

Provision as to deferred Annuities.

Regulations for Annuities not to be made for 14 Days after the Quarterly Day of Payment.

Contracts for Annuities to be controlled by Commissioners for Reduction of National Debt before they can be carried into.

On Production of Proof of Existence &c; Certificate shall be granted for Payment of Annuity for Life.

Annuities for Terms of Years to be paid without Proof.

Annuities granted under this Act not transferable, except in case of Bankruptcy or Insolvency.

As to the Liability of Annuities to Taxes. Annuities shall be Personal Estate.

Annual Payments not to be kept up, or to

Payee of Life Annuity or Annuity for Term of Years shall be liable to be returned.

deferred Life Annuity or Annuity for Term of Years shall be by annual Payments for or in the Purchase of any deferred Annuity under this Act, or their respective Executors or Administrators, shall make default in paying or continuing to make the Residue of such annual Payments until the whole Commission for any such Life Annuity or Annuity for Term of Years shall be fully paid according to the Agreement for the same, or in case the Person so contracting for such Life Annuity or Annuity for Term of Years should be previous to the said Annuity becoming payable, then and in every such Case the Amount of all annual Payments which shall have been actually made previous to such Default shall be returned, exclusive of Interest, to the said Person so making default as aforesaid; or in case of the Death of the Party having entered into such Contract as herein-before mentioned, the annual or other Payment or Payments which shall have been actually made previous to his Death shall be paid, exclusive of Interest, to his Executors or Administrators; and that the Money so returned shall be charged, paid, and defrayed out of the Monies standing in the Names of the Commissioners for the Reduction of the National Debt at the Bank of England, under the Provisions of this Act.

Payee, Receiver, or Assignee from Stamp Duty.

XIX. And be it further enacted, That no Stamp Duty whatsoever shall be paid or payable upon or in respect of any Copy of any Register of the Birth or Baptism or Marriage or Burial of any Necessaries or other Persons, or upon or in respect of any Certificate or Declaration to be made or taken in pursuance of this Act, or any Certificate or other Instrument whatsoever respecting the Payment of Money for the Purchase of any Annuity under this Act, or any Power of Attorney authorizing the Receipt, or any Receipt for the Payment of any such Annuity or any Part thereof, but that the same shall be respectively free from all Stamp Duties whatsoever, any thing in any Act or Acts to the contrary notwithstanding.

Appointments of Clerks and Officers.

XX. And be it further enacted, That it shall be lawful for the Commissioners for the Reduction of the National Debt, and they are hereby authorized and empowered, from Time to Time to appoint such Clerks, Clerks, and other Persons as may be necessary for carrying this Act into execution, and as may be approved of by the Commissioners of the Majesty's Treasury.

For defraying Expenses attending the Execution of this Act.

XXI. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them for the Time being, to order and direct to be raised and paid, out of the Fund upon which the Establishment of the Commissioners for the Reduction of the National Debt is chargeable, any Sum or Sums of Money for the Payment of Salaries to Officers and Clerks acting in the Execution of this Act, or such Minister as the said Lord High Treasurer, or Commissioners of the Treasury, or any Three or more of them, shall from Time to Time think fit and reasonable: Provided always, that any incidental Expenses incurred by the said Commissioners for the Reduction of the National Debt in carrying into execution this Act, or the said Act made and passed in the Ninth Year of the Reign of King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to Savings Banks* or the Act made and passed in the Tenth Year of the Reign of King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to Friendly Societies*, shall and may be defrayed by the Commissioners for the Reduction of the National Debt out of any Monies, Stocks, or Funds standing in the Names of the said Commissioners at the Bank of England.

10 G. 4. c. 22.

10 G. 4. c. 16.

Queen of Commissioners.

XXII. And be it further enacted, That it shall be lawful for any Three or more of the Commissioners for the Reduction of the National Debt for the Time being to execute and do all Matters and Things which the said Commissioners are required or empowered to do for the Execution of this Act.

Account to be annually laid before Parliament of Accounts of Annuities granted, and of Money paid for same.

XXIII. And be it further enacted, That there shall be prepared and annually laid before both Houses of Parliament, on or before the Twenty-fifth Day of March in every Year of Parliament shall be then sitting, and if Parliament shall not be then sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament, an Account, made up by the Commissioners for the Reduction of the National Debt to the Fifth Day of January preceding, of the gross Amount of all Sums of Money paid to the said Commissioners, and the gross Amount of Annuities for Lives and for Term of Years which shall have been granted for the same, under the Provisions of this Act, within the Year ending on the Fifth Day of January as aforesaid.

How Monies paid to Commissioners on account of this Act to be created.

XXIV. And be it further enacted, That the said Commissioners for the Reduction of the National Debt shall cause all Monies placed to their said Accounts in pursuance of the Provisions of this Act to be invested from Time to Time, under such Regulations as the said Commissioners shall direct, in the Purchase of any Bank Annuities, or Annuities for Term of Years, or Exchequer Bills, or in either of them, and to be carried to the Accounts herein-before provided; which said Bank Annuities and Exchequer Bills (as the Case may be) shall be forthwith cancelled, and all Interest or Dividends on such Bank Annuities shall cease to be charged upon or to be issued out of the Consolidated Fund from and after the Day upon which any such Bank Annuities shall have been purchased by the said Commissioners: Provided nevertheless, that it shall and may be lawful for the said Commissioners for the Reduction of the National Debt to retain and reserve from Time to Time as much of such Monies as they shall deem expedient for the Purpose of enabling the said Commissioners to repay and pay back any Sum or Sums of Money, as herein-before directed, to such Person or Persons who shall have contracted for the Purchase of any Annuity under the Provisions of this Act, by annual or other Payments, but who, from Death or otherwise, may not be enabled to make good and keep up the same, or to his

Commissioners may receive a Part of such Sums to repay Money advanced in case of Death, &c. of Party purchasing Annuity.

shall be their Executors or Administrators as well as by their Executors or Administrators of such Person

or Persons who may die before the Annuity which he, she, or they may have contracted for becomes payable.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners for the Reduction of the National Debt from Time to Time, and as they shall think fit, to sell and dispose of the Bank Annuities and Exchequer Bills, or any Part thereof, which may be now standing or may hereafter accrue in their Names in the Books of the Bank of England, in pursuance of the said Act made and passed in the Ninth Year of the Reign of King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to Savings Banks*, and of the said Act made and passed in the Tenth Year of the Reign of His said late Majesty George the Fourth, intituled *An Act to consolidate and amend the Laws relating to Friendly Societies*, and with the Proceeds thereof to purchase in his Majesty's name thereof any other Description of Bank Annuities, or Annuities for Terms of Years, or Exchequer Bills.

XXVI. And be it further enacted, That it shall and may be lawful for the Trustees and Managers of any Savings Bank, desirous of carrying the Provisions of this Act into execution, to frame Rules and Regulations for that Purpose; and that all the Provisions of the said Act, made and passed in the Ninth Year of the Reign of His said late Majesty King George the Fourth, as relate to the Framing, amending, and altering Rules of Savings Banks, as well as to Disputes between the said Trustees or Managers and Depositors therein, shall be applicable to the Rules and Regulations to be made under the Provisions of this Act, and to the Parties purchasing such Annuities, as herein mentioned; and that for the Purposes of this Act every Person purchasing an Annuity through the Medium of a Savings Bank shall be considered as a Depositor in a Savings Bank.

XXVII. And be it further enacted, That in any Parish or Place in the United Kingdom where no Savings Bank is legally established under the Provisions of the said Act hereto-before mentioned, it shall and may be lawful to and for any Persons in such Parish or Place to establish a Society for carrying the Provisions of this Act into execution; provided that the Rector or Vicar or Minister of the Parish, or Elder for the Time being, or a resident Justice of the Peace, shall be One of the Trustees of such Society, and provided also, that all the Provisions of the said last-mentioned Act and of this Act, in so far as the same can or may be applicable, shall apply to the Trustees and Managers of any such Society to be formed for the Purposes of this Act, and to the Parties purchasing such Annuities as herein mentioned, and to the Rules and Regulations to be made for carrying the same into effect.

XXVIII. And be it further enacted, That if any Person already appointed under the Provisions of the said Act made and passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, or who may hereafter be appointed to any Office in a Savings Bank, or to a Society established under this Act, and being concerned with the keeping of the Accounts, or being in his Hands or Possession, by virtue of his said Office or Employment, any Monies or Effects belonging to such Savings Bank or Society, or any Deeds or Securities relating to the same, shall die, or become a Bankrupt or Insolvent, or have any Execution or Attachment or other Process issued against his Lands, Goods, Chattels, or Effects, or make any Assignment thereof for the Benefit of his Creditors, his Executors, Administrators, or Assignees, or other Persons having legal Right, or the Sheriff or other Officer executing such Process, shall, within Forty Days after Divisor made by Two of the Trustees of the said Savings Bank or Society as aforesaid, deliver and pay over all Monies and other Things belonging to such Savings Bank or Society to such Person as the said Trustees shall appoint, and shall pay out of the Estates, Assets, or Effects of such Person all Sums of Money remaining due which such Person received by virtue of his said Office or Employment, before any other of his Debts are paid or satisfied, or before the Money deposited to be lent by such Person as aforesaid is paid over to the Party issuing such Process; and all such Assets, Lands, Goods, Chattels, Estates, and Effects shall be bound to the Payment and Discharge thereof accordingly.

XXIX. And be it further enacted, That from and after the Twentieth Day of November in the Year of our Lord One thousand eight hundred and thirty-three so much of the said Act, made and passed in the Ninth Year of the Reign of King George the Fourth, as relates to Depositors withdrawing their Deposits, and re-depositing the same, provided the Sums invested does not in any One Year exceed Thirty Pounds additional Principal Money, shall be and the same is hereby repealed; and that no Money, whether such Money shall have been previously withdrawn from such Savings Banks or not, shall at any Time be recovered by the Trustees or Managers from any Depositor which shall in any One Year, ending on the Twentieth Day of November, exceed the Sum of Thirty Pounds.

XXX. And be it further enacted, That if the several Statements directed by the said Act passed in the Ninth Year of His late Majesty King George the Fourth to be prepared and transmitted by the Trustees of a Savings Bank shall not be prepared and transmitted to the Commissioners for the Reduction of the National Debt within the Time limited by the said Act, it shall and may be lawful for the said Commissioners, or for the Comptroller General or Assistant Comptroller acting under the said Commissioners, and they and he or she are hereby severally required, forthwith to publish in the London Gazette, and also in any Newspapers published in the County in which the Savings Bank is established, the Name of every such Savings Bank, on neglecting or making default in transmitting such several Statements as aforesaid, in such Form and Words, for the Information of the Depositors, and under such Regulations, as the said Commissioners or the said Comptroller General or Assistant Comptroller shall from Time to Time think fit.

XXXI. And be it further enacted, That it shall and may be lawful for the Commissioners, for the Reduction of the National Debt, or the Comptroller General or Assistant Comptroller acting under the

Commissioners may sell and dispose of Bank Annuities, or any now standing in their Names, &c.

Trustees may make Rules for carrying the Provisions of this Act into execution.

Where no Savings Bank is legally established, other Trustees may establish a Society for the Purpose of granting Annuities.

Executors, &c. of Officers of Savings Banks to pay Money due to Savings Banks before any other Debts.

Certain Part of 5 G. 4. c. 98 repealed.

No Money exceeding 30l. to be deposited in any One Year.

If annual Returns are not made pursuant to 5 G. 4. c. 97 a list Name of Savings Bank to be published in Gazette.

Statements of Depositors may be required.

As Trustee or Manager.

Certificate of Treasurer as to Money in his Hand.

Requisitions of Rules not necessary.

§ 9. 4. a. 27. as amended by this Act, extended to Guernsey, the Islands of the Azores.

and Commissioners, if they or he shall think fit, to require from Time to Time of and from the Trustee or Managers of any Savings Bank a detailed Statement of all the Expenses whatever incurred by the said Trustee or Managers in the Management or otherwise of the said Savings Bank.

XXXII. And he it further enacted, That whenever a small apportionment of any annual Statement of any State of Money of or belonging to a Savings Bank is in the Hands of any Treasurer or other Person, the said annual Statement shall be accompanied with a Certificate, signed by such Treasurer or other Person, that the State of Money therein mentioned is in his Possession.

XXXIII. Provided always, and it is hereby enacted, That nothing contained in this Act respecting Savings Banks shall render it necessary to have the Statute and Regulations of Savings Banks again enacted, if the same have been before repealed according to Law.

XXXIV. And he it further enacted, That the Provisions of the said Act made and passed in the Ninth Year of His late Majesty King George the Fourth, and of this Act, shall extend to all Savings Banks established or hereafter to be established in the Islands of Guernsey and Jersey and Isle of Man.

XXXV. And he it further enacted, That this Act shall extend to Great Britain and Ireland and Berwick-upon-Tweed, and the Islands of Guernsey and Jersey and Isle of Man.

#### C A P. XV.

An Act to amend the Laws relating to Dramatic Literary Property. [10th June 1833.]

24 G. 4. c. 138.

The Author of any Dramatic Piece shall have as his Property the sole Liberty of representing it or causing it to be represented at any Place of Dramatic Entertainment.

Proviso as to Cases where, previous to the passing of this Act, a Dramatic Piece has been given.

Proviso as to Persons performing Pieces contrary to this Act.

WHEREAS by an Act passed in the Fifty-fourth Year of the Reign of His late Majesty King George the Third, intitled *An Act to amend the several Acts for the Encouragement of Learning* by securing the Copies and Copyright of printed Books to the Authors of such Books, or their Assigns, it was amongst other things provided and enacted, that from and after the passing of the said Act the Author of any Book or Books composed, and not printed or published, or which should thereafter be composed and printed and published, and his Assigns or Assigns, should have the sole Liberty of printing and re-printing such Book or Books for the full Term of Twenty-eight Years, to commence from the Day of first publishing the same, and also, if the Author should be living at the End of that Period, for the Remainder of his natural Life: And whereas it is expedient to extend the Provisions of the said Act: he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Author of any Tragedy, Comedy, Play, Opera, Farce, or any other Dramatic Piece or Entertainment, composed, and not printed and published by the Author thereof or his Assigns, or which hereafter shall be composed, and not printed or published by the Author thereof or his Assigns, or the Assigns of such Author, shall have as his own Property the sole Liberty of representing, or causing to be represented, at any Place or Places of Dramatic Entertainment whatsoever, in any Part of the United Kingdom of Great Britain and Ireland, in the Isles of Man, Jersey, and Guernsey, or in any Part of the British Dominions, any such Production as aforesaid, not printed and published by the Author thereof or his Assigns, and shall be deemed and taken to be the Proprietor thereof; and that the Author of any such Production, printed and published within Ten Years before the passing of this Act by the Author thereof or his Assigns, or which shall hereafter be so printed and published, or the Assigns of such Author, shall, from the Time of passing this Act, or from the Time of such Publication respectively, until the End of Twenty-eight Years from the Day of such first Publication of the same, and also, if the Author or Authors, or the Survivor of the Authors, shall be living at the End of that Period, during the Remainder of his natural Life, have as his own Property the sole Liberty of representing, or causing to be represented, the same at any such Place of Dramatic Entertainment as aforesaid, and shall be deemed and taken to be the Proprietor thereof: Provided nevertheless, that nothing in this Act contained shall prejudice, alter, or affect the Right or Authority of any Person to represent or cause to be represented, at any Place or Places of Dramatic Entertainment whatsoever, any such Production as aforesaid, in all Cases in which the Author thereof or his Assigns shall, previous to the passing of this Act, have given his Consent to or authorized such Representation, but that such sole Liberty of the Author or his Assigns shall be subject to such Right or Authority.

II. And he it further enacted, That if any Person shall, during the Continuance of such sole Liberty as aforesaid, contrary to the Intent of this Act, or Right of the Author or his Assigns, represent or cause to be represented, without the Consent in Writing of the Author or other Proprietor first had and obtained, at any Place of Dramatic Entertainment within the Limits aforesaid, any such Production as aforesaid, or any Part thereof, every such Offender shall be liable for each and every such Representation to the Payment of an Amount not less than Forty Shillings, or to the full Amount of the Benefit or Advantage arising from such Representation, or the Injury or Loss sustained by the Plaintiff therein, whichever shall be the greater Damages, to the Author or other Proprietor of such Production as represented contrary to the true Intent and Meaning of this Act, to be recovered, together with Double Costs of Suit, by such Author or other Proprietor, in any Court having Jurisdiction in such Case in that Part of the said United Kingdom or of the British Dominions in which the Offence shall be committed; and in every such Proceeding where the sole Liberty of such Author or his Assigns as aforesaid shall be subject to such Right or Authority as aforesaid, it shall be sufficient for the Plaintiff to state that he has such sole Liberty, without making any averment in Writing of Right or Authority, or otherwise mentioning the same.

III. Provided nevertheless, and be it further enacted, That all Actions or Proceedings for any Offence or Injury that shall be committed against this Act shall be brought, sued, and commenced within Twelve Calendar Months next after such Offence committed, or else the same shall be void and of no effect.

IV. And be it further enacted, That whenever Authors, Persons, Offenders, or others are spoken of in this Act in the Singular Number or in the Masculine Gender, the same shall extend to any Number of Persons and to either Sex.

Enfranchisement of Ireland.

Explanation of Words.

#### CAP. XVI.

An Act to repeal the Duties, Allowances, and Drawbacks of Excise on Soap, and to grant other Duties, Allowances, and Drawbacks in lieu thereof. [10th June 1833.]

WHEREAS it is expedient that the Duties, Allowances, and Drawbacks now payable in respect of all Soap made in Great Britain, and of Soap brought from Ireland into Great Britain, should be repealed, and that other Duties should be imposed and other Drawbacks granted in lieu thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty-first Day of May One thousand eight hundred and thirty-three all and singular the Duties and Allowances of Excise now payable on Soap made in Great Britain, and on Soap brought from Ireland into Great Britain, except as such Duties are hereinafter continued on Soap brought from Ireland, and all Drawbacks of Excise on Soap exported to Foreign Parts, or removed from Great Britain into Ireland, shall cease and determine and be no longer paid or payable: Provided always, that any of the said Duties which may have been charged on or before the said Thirty-first Day of May One thousand eight hundred and thirty-three, and any Arrear thereof, and all Allowances on any Soap which shall have been used, employed, or consumed on or before the said Thirty-first Day of May One thousand eight hundred and thirty-three, in Great Britain, in the making of any Cloths, Serpes, Kerseys, Sams, Stockings, or other Manufactures of Sheep's or Lambs Wool only, or Manufactures whereof the greatest Part of the Value of the Materials shall be Wool, or in the Finishing of the said Manufactures, or preparing the Wool for the same, or in the whitening of new Linnen in the Piece for Sale, or in preparing and finishing any Manufactures from Flax or Cotton for Sale, or in the Process of throwing, pressing, or drying of Silks, and the Payment of any Drawback which shall be payable in respect of the Exportation or Homeward of any Soap on or before the said Thirty-first Day of May One thousand eight hundred and thirty-three, shall and may be used for, levied, recovered, and paid as if the said Duties, Allowances, and Drawbacks had not been repealed.

It And be it further enacted, That from and after the said Thirty-first Day of May One thousand eight hundred and thirty-three, in lieu and instead of the Duties by this Act repealed, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, the several Rates and Duties of Excise hereinafter enumerated: (that is to say,) for every Pound Weight Anhydrous of all Hard Soap which shall be made in Great Britain, to be paid by the Maker thereof a Duty of One Penny Halfpenny; for every Pound Weight Anhydrous of all Hard Soap which shall be brought from Ireland into Great Britain, to be paid by the Importer thereof, a Duty of One Penny Halfpenny; for every Pound Weight of all Soft Soap which shall be made in Great Britain, or which shall be brought from Ireland into Great Britain, to be paid by the Maker or Importer thereof respectively, a Duty of One Penny, and that from and after the said Thirty-first Day of May One thousand eight hundred and thirty-three there shall be granted and paid, for every Pound Weight of all Hard Soap for which the Duty in respect thereof shall have been paid, and which shall be exported as Merchandise from Great Britain to Foreign Parts, or which shall be shipped as Stores of any Vessel entitled to ship Goods as Stores Duty-free, or which shall be removed from Great Britain into Ireland, a Drawback of One Penny Halfpenny: for every Pound Weight of all Soft Soap which shall be so exported, shipped, or removed, a Drawback of One Penny: and that from and after the said Thirty-first Day of May One thousand eight hundred and thirty-three, and until the End of the Session of Parliament next after the Thirty-first Day of May One thousand eight hundred and thirty-three, there shall be granted and allowed, on all Soap used, employed, or consumed in Great Britain in the making of any Cloths, Serpes, Kerseys, Sams, Stockings, or other Manufactures of Sheep or Lambs Wool only, or Manufactures whereof the greatest Part of the Value of the Materials shall be Wool, or in the Finishing of the said Manufactures, or preparing the Wool for the same, or in the whitening of new Linnen in the Piece for Sale, or in preparing and finishing any Manufactures from Flax or Cotton for Sale, or in the Process of throwing, pressing, or drying of Silks, One Half of the respective Allowances payable on Soap used for such Purposes before the First Day of June One thousand eight hundred and thirty-three.

III. And be it further enacted, That the said Duties by this Act imposed shall be under the Management of the Commissioners of Excise: and that the said Duties, Allowances, and Drawbacks shall be respectively raised, levied, collected, recovered, allowed, and paid in such and the like Manner, and in or by any or either of the general or special Ways, Means, or Methods, by which the former Duties, Allowances, and Drawbacks of Excise respectively heretofore repealed were or might be raised, levied, collected, recovered, allowed, and paid; and the said Persons, Goods, Merchandise, and Commodities so produced, transported, imported, or exported, shall be subject to the same and equal Burden imposed,

Duties and Allowances of Excise on Soap made in Great Britain or brought from Ireland in case, except as hereinafter mentioned, Provision for Recovery of Duties, not charged before the 1st May.

Duties to be levied, and Drawbacks to be allowed, after the 1st of May.

Allowance to be granted on Soap used in Manufactures.

Duties to be under the Management of the Commissioners of Excise, and to be levied in like Manner as former Duties.





Keenays, Bases, Stockings, or other Manufactures of Sheep's or Lambs Wool only, or Manufactures whereof the greatest Part of the Value of the Materials shall be Wool, or in the Finishing of the said Manufactures, or preparing the Wool for the same, or in the spinning of new Linen in the Piece for Sale, or in preparing and finishing any Manufactures from Flax or Cotton for Sale, or in the Process of throwing, printing, or-dyeing of Silk, shall in addition to the other Particulars by Law required in clearing such Allowances, make Oath or solemn Affirmation that all the Soap in respect of which the highest Rate of Allowance hereby repealed shall be claimed was truly and truly used and consumed on or before the said Thirty-first Day of May One thousand eight hundred and thirty-three, and that to the best of his Knowledge and Belief the full Duties of Excise payable on and before the said Thirty-first Day of May had been charged and paid on the said Soap; and no such Allowance shall be admitted or paid which shall not be claimed within the Period aforesaid, or in respect of which such Oath or Affirmation shall not be made; and every Person swearing or affirming falsely shall be subject and liable to the Penes and Fines of Perjury.

XI. And be it further enacted, That from and after the passing of this Act no such Allowance on Soap used in Manufactures as aforesaid shall be claimed by or be paid or payable to any Servant or Workman, or Person, other than the Owner or One of the Part Owners or the Possessor of the Manufactory or Business in which the Soap in respect of which such Allowance shall be claimed shall have been used or consumed.

X. And be it further enacted, That it shall not be lawful for any Maker of Soap to increase the Weight of any Soap by adding Water, Lye, Lye, or any Liquor or Matter thereto, after the same shall have been taken an Account of and charged with Duty in the Frames by the Officer of Excise, and before the same shall be sent out from the Frames, where manufactured, or on Package of all the Soap as increased in Weight, and One hundred Pounds.

XI. And be it further enacted, That every Dealer in Soap shall preserve all Certificates delivered with any Quantities of Soap received by him, and shall at all Times deliver up all such Certificates in his Custody or Possession to any Officer of Excise who shall demand the same; and every Dealer in Soap who shall, on Demand by any Officer of Excise, neglect or refuse to deliver up to such Officer all the Certificates received by him, and that in his Possession, or who shall give any false or untrue Account of the Certificates received by him, shall forfeit One hundred Pounds.

XII. And whereas it is expedient that Provision should be made for allowing the Makers of Soap to make and store Soap not to be sold or consumed until after the Thirty-first Day of May, when the Duties now payable are to cease and determine, and the new Duties hereby imposed are to commence and take effect; be it therefore enacted, That every Maker of Soap who shall intend to make and store any Soap not to be sold or consumed before the First Day of June One thousand eight hundred and thirty-three shall give Notice of such his Intention in Writing to the proper Officer of Excise before starting any Soap, and on such Notice shall specify some separate and secure Room, Cellar, or Store, to be approved of by the Commissioners of Excise or their Officers, for the keeping therein of all such Soap as is intended to be stored; and such Maker of Soap may from Time to Time, when giving Notice to cleanse or take out of the Copper any Soap, also give Notice in Writing to the proper Officer of Excise that all the Soap of that particular Class is Soap not to be sold or sent into Consumption until after the Thirty-first Day of May One thousand eight hundred and thirty-three, and that he is desirous of storing the same; and all such Soap shall be made under the Regulations and shall be charged with the Duties now in force, save and except that in charging such Soap with Duty no Allowance of One Pound in every Ten Pounds of Hard Soap, or any other Allowance, shall be made or allowed; and the Duties so charged shall be payable and paid in the usual Course of Payment according to the Laws now in force relating to the Revenue of Excise; and as soon as such Soap shall be cut up, and an Account here taken of the same, all such Soap shall be forthwith deposited and stored in the separate Room, Cellar, or Store approved of by the Commissioners of Excise or their Officers, under the Locks and Keys of the Officers of Excise, and otherwise secured in such Manner as the Commissioners of Excise shall direct; and as often as any other Soap shall be made to be stored and secured, the Officer of Excise shall take an Account thereof, and of all Soap which shall have been previously stored; and all such Soap shall be kept as stored and secured, and shall not be sold or sent into Consumption, or any Part thereof be delivered to the Maker thereof, until on or after the First Day of June One thousand eight hundred and thirty-three, on which Day the proper Officers of Excise shall take an Account of all the said Soap which shall have been so charged under such Notice, or stored and secured; and if upon such Account the whole Quantity of Soap shall be found in the Stock of the Maker who shall have made the same, stored and secured as aforesaid, and the Officers of Excise shall be satisfied that it is the same Soap which was so made, and that no Part thereof has been sent into Consumption, or any Addition made thereto, or any Alteration therein, the Commissioners of Excise are hereby authorized and empowered to allow to the respective Makers of such Soap, from the Charges of Duty thereon, the Sum of One Penny Halfpenny on every Pound of Hard Soap, and Three Farthings on every Pound of Soft Soap, the Amount of which Allowance shall be placed to the Credit of each respective Maker of such Soap, and shall be allowed to him on the Payment of the next and any subsequent Return or Charge of Duties which shall become payable after the said First Day of June until such Credit shall be exhausted.

XIII. And be it further enacted, That if any Soap which shall be made under the Regulations aforesaid, as not to be sold until after the said Thirty-first Day of May, shall be stored

Soap used in certain Manufactures to make Oath that the Soap was used before that Day.

Allowance on Soap to be paid only to Owner or Possessor of the Manufactory.

Penalty for unlawfully increasing the Weight of Soap, 100l.

Certificates of Receipts of Soap not to be preserved by Dealers, and delivered to the Officers upon Demand.

Regulations for storing Soap not to be sold until after the 31st May.

If the prescribed Regulations for storing

Soap are limited upon, the Duty shall less all Claims to any Allowance, and be subject to the Provisions extending under the Excise Laws.

hundred and thirty-three, shall not at any Time previous thereto be so stored and secured in such granary and secure Rooms, Cellar, or Store approved of by the Commissioners of Excise or their Officers; or if any such Maker of Soap shall open or procure to be opened any such Room, Cellar, or Store, or expose any of the Logs, Keys, or Fastenings thereof, or procure, or cause or procure to be removed, any Soap from or out of the same, or shall send out or deliver any such Soap so made to be stored, or if on the First Day of June, or at any Time previous thereto, the Officers of Excise shall not find all such Soap so stored and secured and unaltered, or if any such Maker of Soap shall use or practice any Art or Device to deceive any Officer of Excise in taking an Account of such Soap, or of any Part of his Stock, or to remove any Part of such Soap, or to evade any Part of the Duty on Soap with which previous to the said First Day of June he might or would be chargeable, or to obtain any greater Allowance under the Regulations aforesaid than he shall be entitled to, then and in any such Case the Soap Maker so offending shall forfeit all Claims to any such Allowance as aforesaid, together with any Penalty or Forfeiture, or Forfeitures which he may thereby incur under any of the Laws of Excise.

Act may be altered this Session.

XIV. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this present Session of Parliament.

#### C A P. XVII.

An Act for repealing Part of an Act of the Twenty-sixth Year of King George the Third, for better securing the Duties on Starch, and for preventing Frauds on the said Duties; and for making other Provisions in lieu thereof. [10th June 1833.]

20 G 3. c. 31.

WHEREAS by an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King George the Third, intitled *an Act for better securing the Duties on Starch, and for preventing Frauds on the said Duties*, it was amongst other things enacted, that no Maker or Makers of Stone Blue for Sale shall begin to make or manufacture, or cause or procure to be made or manufactured, any Stone Blue from any Flour, Meal, or other Ingredients or Materials whatsoever, (other than the Materials or Ingredients for colouring the same,) except Starch for which all the Duties due and in respect thereof have been first charged, on pain of forfeiting for every such Offence all such Stone Blue, Flour, Meal, and other Ingredients, and Materials whatsoever, (other than the Materials or Ingredients for colouring such Stone Blue,) together with the Boxes, Tubs, and Vessels whatsoever containing the same, and also the Sum of One hundred Pounds: And whereas the said Enactment hath been found inconvenient, and it is necessary to repeal the same, and to provide other Provisions in lieu thereof: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Enactment shall be and the same is hereby repealed.

Prohibition of manufacturing Stone Blue from Flour, &c. repealed.

Penalty on Maker of Stone Blue using or having in his Possession any Substances other than Starch on which the Duties shall have been charged.

It. And be it further enacted, That every Maker of Stone Blue who shall in the making or manufacturing of Stone Blue make use of, or cause or procure or permit or suffer to be made use of, any Starch the full Duties whereon shall not have been duly charged, or any Flour, Meal, or other ferrous Substance other than Starch the full Duties whereon shall have been duly charged, or who shall receive, or have in his Possession on his Premises reserved for making Stone Blue, any Flour, Meal, or other ferrous Substance to be used in lieu of or as a Substitute for Starch in the making or manufacturing of Stone Blue, or who shall receive, or have in his Possession in his Dwelling House, or on any Premises occupied by him, any Starch previously made, or the full Duties whereon shall not have been paid, or any Flour, Meal, or other ferrous Substance fermenting or fermented to be used, or capable of being used, in lieu of or as a Substitute for Starch in manufacturing Stone Blue, or capable of being converted into Starch, shall for every such Offence forfeit the Sum of One hundred Pounds; and all such Stone Blue, Starch, Flour, Meal, and other ferrous Substance, together with the Boxes, Tubs, Casks, or other Vessels containing the same, shall be forfeited and may be seized by any Officer or Officers of Excise.

Penalty on Stone Blue Makers using or having in his Possession certain Substances.

III. And for the Purpose of preventing the excessive Use of earthy Matters and Substances in substitution for Starch in the manufacturing of Stone Blue, be it further enacted, That every Maker of Stone Blue who shall receive or shall have in his Possession, or who shall in the making or manufacturing of Stone Blue make use of, or cause or procure or permit to be made use of, any Fuller Earth, Derby Earth, Plaster of Paris, Chalk, or other earthy Matter or Substance (except as herein-after provided), shall forfeit One hundred Pounds, together with all such Fuller Earth, Derby Earth, Plaster of Paris, Chalk, or other earthy Matter or Substance, and all Stone Blue which shall have been made or manufactured therewith: Provided always, that it shall be lawful for any Maker of Stone Blue to have in his Possession and to make use of any Pipe Clay in manufacturing Stone Blue, in the Proportion of Two Pounds only of Pipe Clay to every One Hundred Weight of Starch, for the Purpose of binding or coloring the Stone Blue firm and adhesive.

Act may be altered this Session.

IV. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this Session of Parliament.

## C A P. XVIII.

An Act to apply the Sum of Six Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-three. [18th June 1833.]

## C A P. XIX.

An Act for the more effectual Administration of Justice in the Office of a Justice of the Peace in the several Police Offices established in the Metropolis, and for the more effectual Prevention of Depredations on the River Thames and its Vicinity, for Three Years. [18th June 1833.]

WHEREAS it is expedient to consolidate and amend the several Acts now in force for the more effectual Administration of Justice in the Office of a Justice of the Peace in the several Police Offices established in the Metropolis, and for the more effectual Prevention of Depredations on the River Thames and its Vicinity; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Police Offices now established in the Parishes of *Saint Margaret Westminster, Saint James Westminster, Saint Mary-le-Bone, Saint Andrew Holborn, Saint Leonard Shoreditch, Saint Mary Whitechapel, and Saint John of Wapping*, in the County of Middlesex, and *Saint Saviour* in the County of Surrey, shall be continued; and that the several Persons appointed to execute the Office of a Justice of the Peace at the Police Offices now established shall continue to execute the same at the said Police Offices, together with any other Justice of the Peace for the Counties of Middlesex and Surrey respectively who may think proper to attend thereto; and that it shall be lawful for His Majesty, His Heirs and Successors, in case of a Vacancy by Death or otherwise, to appoint another fit Person, being a Justice of the Peace of the said Counties of Middlesex and Surrey respectively, to execute the Duties of a Justice of the Peace at the said several Police Offices.

II. And be it further enacted, That One or more of the said Justices as appointed shall diligently attend at each of the said Police Offices every Day from Ten of the Clock in the Morning until Eight of the Clock in the Evening, and at such other Times and Places as shall be found necessary and directed by One of His Majesty's Principal Secretaries of State, and that Two of the said Justices shall in the Morning attend together at each of the said Offices from Twelve of the Clock at Noon until Three in the Afternoon: Provided always, that no such Attendance shall be given on *Sunday, Christmas Day, Good Friday, or any Day appointed for a Public Fast or Thanksgiving*, unless in Cases of urgent Necessity, or when it shall be directed by such Principal Secretary of State.

III. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, and with the Advice of His or Their Privy Council, to alter the Situation of any of the said Police Offices, or to discontinue any of the said Police Offices, or to establish any additional Police Offices, or to make such Regulations in the Attendance of the Justices, and in conducting such Police Offices, as may be deemed expedient.

IV. And be it further enacted, That the present Receiver for the said Police Offices shall continue such Receiver, and that it shall be lawful for His Majesty, His Heirs and Successors, upon any Vacancy in the said Office of Receiver by Death or otherwise, to appoint any other proper Person, not being one of the Justices appointed to act at any of the said Police Offices, to be the Receiver of the said Police Offices; and that the said Receiver for the Time being shall receive all Fees, Penalties, and Forfeitures, and other Sums of Money applicable to the Purpose of the Act, and shall keep an exact and particular Account of all such Moneys as shall be received by him, and shall apply the same quarterly in discharge of the Salaries, Expenses, and Charges attending the said Police Offices, and in carrying this Act into execution; and shall make all such Contracts and Disbursements as shall be necessary for purchasing, leasing, fitting up, and furnishing proper and sufficient Houses and Buildings wherein the said Police Offices shall be held, in such Manner as shall be directed by One of His Majesty's Principal Secretaries of State, of which Houses and Buildings as to be hired or purchased, and of all Houses and Buildings already hired or purchased for the like Purpose, and of the Furniture and Furniture thereof, and of all other Necessaries to be held or purchased for the Purpose of this Act, the Property acquired therein shall be vested in the Receiver for the Time being, who shall and may sell, assign, and dispose of the same, or any Part thereof, under the like Directions and Appointments, as Occasion shall require; and such Receiver shall prepare proper Plans and Estimates of all such Contracts and Disbursements as shall be necessary for the Purpose aforesaid, and shall deliver the same to One of His Majesty's Principal Secretaries of State; and such Receiver shall further do and execute all such other lawful Matters and Things towards the carrying this Act into execution as from Time to Time shall be directed by One of His Majesty's Principal Secretaries of State; and for His Care and Pains in the Execution of such Office shall and may retain to his own Use, out of the Moneys so received by him as aforesaid, a Sum not exceeding Four hundred Pounds per Annum.

V. And be it further enacted, That a sufficient Number of fit and able Men shall from Time to Time, by the Direction of One of His Majesty's Principal Secretaries of State, be appointed, retained, and employed as Constables at the said Police Offices, and shall be sworn in by any of the said Justices in their respective Offices of the said Counties for preserving the Peace, and providing Redress for

The Police Offices now established shall be continued. Justices to act.

Time of Attendance

As to Vacancy of the Office, and Hours of Attendance.

Receiver to be continued in Office; and, in case of Death, His Majesty may appoint another.

His Duty.

His Salary.

Constables shall be employed, by the Direction of the Secretary of State, within

the Constable of Middlesex, Surrey, Essex, and Kent, and all other Liberties there.

other Persons, as a superintending Officers, against the Peace; which Constables so sworn shall, within the Counties of Middlesex, Surrey, Essex, and Kent, and the Liberty of His Majesty's Town of London, and all other Liberties in the said Counties, have all such Powers, Authorities, Privileges, and Advantages as any Constable duly appointed now has or hereafter may have by virtue of any Law or Statute now made or hereafter to be made, and shall obey all such lawful Commands as they shall from Time to Time receive from any of the said Justices respectively for the apprehending Offenders, or otherwise conducting themselves in the Execution of their Offices; and such Justices may at any Time suspend or dismiss from his Employment any such Constable attached to their respective Offices whom they shall think unfit or negligent in the Execution of his Duty, or otherwise unfit for the same; and when any such Constable shall be so dismissed, or cease to belong to any of the said Offices, all Powers and Authorities vested in him as a Constable under and by virtue of this Act shall immediately cease and determine to all Intents and Purposes whatsoever.

Thomas Police Surveysor to be appointed with the Approbation of the Secretary of State.

VI. And be it further enacted, That the Justices appointed to the said Police Office in the Parish of Saint John of Watlington, commonly called the Thomas Police Office, or any of them, shall (subject to the Approbation of One of His Majesty's Principal Secretaries of State) appoint, retain, and employ any Number of fit and discreet Men, who, under the Name of Thomas Police Surveysors, shall (being first duly sworn in manner above mentioned) have, within the Counties and Liberties aforesaid, the Powers, Authority, Privileges, and Advantages of a Constable as aforesaid, and shall direct and inspect the Conduct of the Constables attached to the Thomas Police Office, and of all Persons to be employed in and about Ships and Vessels in the said River Thames, or in or on the several Canals, Docks, Wharfs, Quays, and Landing Places therein adjacent, and subject to the Orders of any of the said last mentioned Justices, shall have Power by virtue of their Offices to enter at all Times, as well by Night as by Day, into and upon every Ship, Hoy, Barge, Lighter, Boat, or other Vessel (not being then actually employed in His Majesty's Service) lying or being in the said River or Creeks, or in any Dock or Docks therein adjacent, and into every Part of every such Vessel, for the Purpose of inspecting and upon Occasion directing the Conduct of any Constable who may be stationed on board of any such Vessel, and of inspecting and observing the Conduct of all other Persons who shall be employed on board of any such Vessel in or about the lading or unlading thereof, as the Case may be, and for the Purpose of taking all such Measures as may be necessary for preventing against Fire and other Accidents, and preserving Peace and good Order on board of any such Vessel, and for the effectual Prevention or Detection of any Felonies or Misdemeanors; and the Justices appointed to the said Thomas Police Office may at any Time suspend or dismiss any such Thomas Police Surveysor whom they shall find unfit or negligent in the Execution of his Duty, or otherwise unfit for the same; and when any such Surveysor shall be so dismissed, or cease to belong to the said Office, all Powers and Authorities vested in him as such Surveysor under and by virtue of this Act shall immediately cease and determine to all Intents and Purposes whatsoever.

Officers and Patrols of Bow Street Office to act in Courts.

VII. And be it further enacted, That it shall be lawful for the Chief Magistrate of the Public Office in Bow Street to administer to the Officers of that Office, and to the Horse Patrol acting under his Authority, an Oath duly to execute the Office of Constable within the said several Counties and Liberties, and within the Royal Palaces of His Majesty, His House and Successors, and Ten Miles thereof; and each of the said Officers and Patrol of the said Public Office, being sworn, shall, within the several Liberties and Counties aforesaid, and also within the said Royal Palaces and Ten Miles thereof, have Power to act as a Constable, and shall have therein all such Powers and Authorities, Privileges and Advantages, as any Constable duly appointed now has or hereafter may have within his Constableness: Provided always, that when any such Constable or Patrol shall be detached from his Employment, or cease to belong to the said Public Office in Bow Street, all Powers and Authorities, Allowances, Emoluments, Privileges, and Advantages, vested in the Person so dismissed or ceasing to belong to the said Office, shall immediately cease and determine.

In case of Removal of Bow Street Office, Powers to continue.

VIII. And be it further enacted, That all Powers and Authority, Privileges, Advantages, Exemptions, Duties, Obligations, and Liabilities, by this Act conferred, and imposed upon the Magistrates of the said Public Office in Bow Street, and upon the Clerks, Constables, and others therein employed, and on the Horse Patrol acting under the Authority of the Chief Magistrate of that Office, shall, in case of the Removal of that Office from the said Street to any other Street or Place, be used and exercised, enjoyed and performed, by the Magistrates, Clerks, Officers, Patrol, and others respectively, at the Office to be substituted for the said Public Office in Bow Street, in as full and ample Manner, to all Intents and Purposes, as if such substituted Office had been expressly named in this Act.

Constables may be appointed for special Purposes.

IX. And be it further enacted, That it shall be lawful for the Justices of the said Public Office in Bow Street, or for the Justices appointed to attend at the said Police Office, or for any of them, if they should think fit, on the Application of any Person or Persons showing the Necessity thereof, to appoint any Number of fit and competent Men recommended by the Person or Persons so applying, and approved by such Justice or Justices, to be Constables, to keep the Peace in any Place within the Limits of the Weekly Bills of Mortality, or within the Parishes of Saint Mary-le-bone, Paddington, Saint Pancras, Kensington, or Saint Luke Oldham, in the County of Middlesex, for each Period of Time as such Justice or Justices shall deem fit and necessary, and to administer an Oath to every such Constable duly to execute that Office within such Place, and for the Period of Time for which he shall be appointed; and every Constable so sworn shall, at such Place, and during the Time he shall so serve, have all such Powers and Authorities, Privileges, and Duties, as any Constable duly appointed

paideth hath or shall have within his Constableness, and shall be paid by the Person or Persons as aforesaid: Provided always, that if any Person shall be appointed such Wages as shall be deemed reasonable and adequate by the Justice or Justices by whom he shall be so appointed: Provided always, that in case of any Neglect of Duty or Misconduct of any Constable so appointed, or upon the Request in Writing of the Person or Persons on whose Application such Appointment shall have been made, it shall be lawful for any of the aforesaid Justices to determine such Appointment, and all Powers, Authorities, Privileges, Advantages, and Liabilities of such Constable shall thereupon cease.

X. And be it further enacted, That if any of the Officers or Patrols acting under the Authority of the Chief Magistrate of the said Public Office, Bow Street, or any of the Constables returned and employed at any of the said Police Offices, or any of the Constables appointed and sworn in under the Authority of the Justices of the Metropolitan Police, or any Constable appointed and sworn in as hereinbefore last mentioned, shall be guilty of any Disobedience of Orders, Neglect of Duty, or of any Misconduct as such Constable, and shall be convicted thereof before Two Justices of the Peace, he shall suffer any Term not exceeding Ten Months, and in default of immediate Payment shall suffer Imprisonment, with or without hard Labour, for any Time not exceeding Three Months: Provided always, that nothing herein contained shall prevent any such Person from being proceeded against by way of Indictment for any Offence committed by him as Constable, as if that no Person shall be proceeded against both by Indictment and also under this Act for the same Offence.

XI. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, so direct that such Sums shall be issued quarterly, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to the said Receiver, as will be sufficient to pay the yearly Salary of Eight hundred Pounds, clear of all Fees or Deductions, to each of the Justices appointed to attend at the said Police Offices for their Time and Trouble, and to pay such further Sums as may be necessary for the Expenses of the Officers, and for the Payment of Clerks, Constables, Surveyors, and others therein employed, and for the Payment of the Expenses of the said Public Office in Bow Street, and of the Magistrates, Clerks, and Constables, and others therein employed, and of the Horse Patrol acting under the Authority of the Chief Magistrate of that Office, and of each Horse and Foot Patrol as have been represented under the Provisions of the Act passed in the Third Year of the Reign of His late Majesty King George the Fourth, for the more effectual Administration of the Office of Justice of the Peace so near the Metropolis, provided that the whole of the said Charges shall not exceed the annual Sum of Fifty-eight thousand Pounds, over and above the necessary Disbursements for purchasing, hiring, repairing, fitting up, and furnishing the Houses and Buildings wherein the said Offices shall be held; and that the said Receiver, out of the Money so issued to him, shall and may pay to the Constables and Surveyors as appointed as aforesaid, for their Trouble and Attendance, such Sums as may from Time to Time appear reasonable to One of His Majesty's Principal Secretaries of State, and any extraordinary Expenses necessarily incurred in apprehending Offenders, and in executing the Orders of the Justices acting under and by virtue of this Act, such extraordinary Expenses being first examined and approved of by the Justices attending the Police Office in which such Constables or Surveyors shall be respectively attached, and shall and may pay, under the Direction of such Principal Secretary of State, such further Sums for rewarding the extraordinary Diligence or Execution of any of the said Constables or Surveyors, or for compensating them for Wounds or severe Injuries received in the Performance of their Duties, or for an Allowance to such of them as shall be completely disabled by bodily Injury, or worn out by Length of Service.

XII. And be it further enacted, That no Justice of the Peace for the County of Middlesex, County of Surrey, City and Liberty of Westminster, or Liberty of the Tower of London, or his Clerk, or any Person in their Behalf, elsewhere than at the said Public Office in Bow Street and at the said Police Offices shall directly or indirectly, upon any Pretence whatsoever, take or receive any Fee, Reward, Gratuity, or Accommodation for any Act by him or them done or to be done in the Execution of his or their Office or Employ as Justice of the Peace or Clerk as aforesaid, within the Limits of the Wealthy Bills of Mortality, or within the Parishes of *St. Mary-Above, Paddington, St. Pancras, Kensington, or St. Luke Church*, in the County of Middlesex, upon pain of forfeiting the Sum of One hundred Pounds for every such Offence, one Mitty thereof to the said Receiver, to be applied to the Purpose of this Act, and the other Ninety thereof, with full Costs of Suit, to the Person who shall sue for the same in any of His Majesty's Courts of Record at Westminster; and that every Summons which shall, after the passing of this Act, be issued by any Justice of the Peace of the Counties of Middlesex and Surrey respectively, requiring any Person residing within the said Limits and Parishes to appear at any Place without those Limits and Parishes, to answer any Information or Complaint touching any Matter arising within the said Limits and Parishes, shall be utterly void and of none Effect; any Law, Custom, or Usage to the contrary notwithstanding: Provided always, that nothing in this Act contained shall be construed to extend to any Fees taken at any General or Quarter Sessions of the Peace, or at any Meeting of Justices for the Purpose of hearing Allowances, or to any Fees taken by the Vestry Clerk, or by the Clerk to the Churchwardens and Overseers of any Parish, for the Purpose of enforcing the Payment of any Taxes or Assessments arising within the same Parish, or for the Purpose of hearing and determining any Offence cognizable before Justices of the Peace, by virtue of any Statute made and provided for the special Regulation or Government of such Parish.

XIII. And be it further enacted, That in some conspicuous Part of each of the said Police Offices, and also of the said Public Office in Bow Street, there shall be put up in plain English, this Statute, which may be lawfully

Persons to provide Constables for Neglect of Duty or other Misconduct.

Justices to be allowed a Salary of 8000 per Annum.

Further Sums to be issued for Payment of Clerks, Constables, &c. and for Bow Street Office and Horse Patrol.

No Justice shall take Fees but at the Public Office, Bow Street, and at the Police Offices.

Penalty 1000.

Summons for Persons to appear at any Place within the Limits specified in this Act, void.

Nothing herein to extend to Fees at Quarter Sessions, or Meetings of Justices for hearing Allowances, &c.

Tables of Fees to be hung up.

legally be taken at each Office respectively under an Act passed in the Twenty-sixth Year of the Reign of King George the Second, intituled *An Act for the settling and ascertaining the Fees to be taken by Clerks in Justice in the Peace*, and under another Act passed in the Twenty-seventh Year of the Reign of King George the Second, intituled *An Act for making perpetual several Laws for Punishment of Persons destroying Treasures, Leaks, or other Works created by Authority of Parliament; and that all Acts made for creating Courts of Commissions shall be deemed Public Acts; and to empower a certain Number of the Trustees of the British Museum to do certain Acts; and for enlarging the Tables of Fees to be taken by the Clerks in the Justice of the Peace for the County of Middlesex; and for giving further Time for the Payment of Duties intituled to be paid for the Indulgences or Contracts of Clerks and Apprentices; and for filing Affidavits in the Examinations of Contracts of Clerks in Attorneys and Solicitors; and for preventing Persons driving certain Carriages from riding upon such Carriages; and that it shall be lawful for any Justice at each Office respectively to return to its any Act for which any Fee shall be demandable unless such Fee shall be first paid; and that if any such Act shall be done, and the Fee due thereon shall not be paid, it shall be lawful for any Justice of the Peace to summon the Person from whom such Fee shall be due, and to make Order for Payment of the same, with the Costs of the Proceedings, and in default of Payment to levy the same, with the Costs of the Distress, by Warrant under his Hand and Seal.*

Amount of Fees and Indulgences received at the said Office shall be delivered quarterly to the Receiver, and the Amount thereof paid to him.

Justices and Clerks who are received before any of the Justices to be paid to the Receiver.

XIV. And be it further enacted, That the Justices of the said Public Office in *Bow Street* and the Justices appointed to attend at the said Public Offices, and their Clerks respectively, shall, in Books to be provided for that Purpose, keep a full, true, and particular Account of all Fees taken and received at each of the said Offices, together with all Penalties and Forfeitures which shall have been recovered, levied, or received in pursuance of any Adjudication, Conviction, or Order had or made at any of the said Offices, or any Process or Warrant issuing from the same; to which Books of Account the said Receiver shall at all Times have free Access; and the said Justices shall, once in every Quarter of a Year, deliver unto such Receiver such Account, verified upon Oath by each Justice or Justice, Clerk or Clerks, or such other Person or Persons as shall be employed in keeping such Accounts respectively, or any Part thereof, before some Justice of the Peace for the said County of Middlesex or County of Surrey, and shall pay the Amount of all such Fees unto such Receiver, to be applied in manner herebefore mentioned.

XV. And be it further enacted, That where by any Act or Acts, other than an Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for improving the Police in and near the Metropolis*, any Penalties or Forfeitures, or Shares of Penalties or Forfeitures, are or shall hereafter be made recoverable in a summary Manner before any Justice or Justices of the Peace, and by such Act or Acts respectively the same are or shall be limited and made payable to His Majesty, or to any Body Corporate, or to any Person or Persons whatsoever, save and except the Informer who shall sue for the same, or any Party aggrieved, in every such Case the same, if recovered or adjudged before any Justice or Justices of the said Public Office in *Bow Street*, or at any of the said Public Offices, shall, notwithstanding any thing in such Act or Acts respectively contained, be recovered for and adjudged to be paid to the said Receiver for the Time being, to be by him applied for the Purpose of this Act; and the same shall not in any Case be recovered by or adjudged to be paid to any other Person than the said Receiver, unless such Person be the Informer or the Party aggrieved; Provided always, that nothing herein contained shall extend or be construed to extend to any Penalties or Forfeitures recovered under any Act relating to the Customs or to Trade or Navigation, and save for by the Direction of the Commissioners of His Majesty's Customs, which shall be paid to such Person as the said Commissioners shall direct to receive the same.

In every such Indulgences and Forfeitures are accounted for, Receipts may be for the same in any Court of Record.

XVI. And be it further enacted, That if the Justice appointed as aforesaid, or any other Person, having received any such Fees at the said Public Office in *Bow Street*, or at any of the said Public Offices, shall neglect to account for and pay the same in manner aforesaid, or if any Justice, Justice's Clerk, Constable, Officer, or other Person who shall levy or receive such Penalties or Forfeitures, or Shares of Penalties or Forfeitures, shall neglect to pay the same into the Hands of such Receiver, or if any Person having sued any such Office of Record, or having been removed from the same, shall neglect, within Twenty-one Days after Notice for that Purpose, to account for and pay into the Hands of the succeeding Receiver all such Sums of Money as shall remain in his Hands applicable to the Purpose of this Act, it shall be lawful for such Receiver for the Time being, in his own proper Name only, or by his Name and Description of Office, to sue for and recover the same, with Costs of Suit as between Attorney and Client, in any of His Majesty's Courts of Record at Westminster, by Action of Debt, in which Action it shall be sufficient for such Receiver to declare as for Money had and received to the Use of such Receiver for the Purpose of this Act; and the Defendant or Defendants in such Action may, at the Discretion of any Judge of such Court, be held to special Bail in such competent Sum as such Judge shall order and direct; and in any such Action the Court in which such Action shall be brought may, if such Court shall think proper, at the Instance of either of the Parties, refer the Account in dispute in a summary Manner to be audited by any Officer of the Court or other fit Person, at his Discretion, who may examine both Plaintiff and Defendant upon Oath (which Oath the said Referee shall have Power to administer); and upon the Report of such Referee, unless either of the Parties shall show good Cause to the contrary, such Court may make a Rule, either for the Payment of such Sum as upon such Report shall appear to be due, or for staying the Proceedings in the said Action (and upon such Terms and Conditions as to the said Court shall appear reasonable and



House, or within the House prohibited, or for the Master, and no Person residing in such, &c.

Fairs held without Authority within Ten Miles of Temple Bar may be imposed &c.

If declared unlawful, Booths, &c. to be removed.

Penalty not exceeding 10*l*.

On entering into Recognizance, Justices as to the Right of Title to Fair may be sued in the King's Bench.

Regulations as to Coffee Shops.

Shop, House, Booth, Standing, Tent, Caravan, Waggons, or other Place shall, during the Continuance of any such Fair as aforesaid, be open within the Hours herein-before prohibited, for any Purpose of Business or Amusement in the Place where such Fair shall be held, or within Three hundred Yards thereof, then it shall be lawful for any Constable or other Peace Officer, within his Jurisdiction, to take into Custody the Master or Mistress, or other Person having the Care, Government, or Management of any such House, Shop, Room, Booth, Standing, Tent, Caravan, Waggons, or other Place, and also every Person being therein, and who shall not quit the same forthwith upon being called by any such Constable or other Peace Officer so to do, and to convey every such Person so taken, as soon as conveniently may be, before a Justice of the Peace, who shall proceed to hear the Complaint in a summary Way; and every Person convicted before any such Justice, as the Master, Mistress, or Person having the Care, Government, or Management of any such House, Shop, Room, Booth, Standing, Tent, Caravan, Waggons, or other Place, shall forfeit and pay any Sum not exceeding Five Pounds; and every Person so convicted as having been therein, and not having quitted the same forthwith upon being called by a Constable or other Peace Officer so to do, shall forfeit and pay any Sum not exceeding Forty Shillings, and if any Party so convicted shall not immediately pay the Penalty, the Justice shall commit him or her to hard Labour in the House of Correction for any Space of Time not exceeding Three Months, unless the Penalty shall be sooner paid; and if there shall appear to any Two Justices, within their respective Jurisdictions, Reason to believe that any Fair usually held within the Distance of Ten Miles of Temple Bar has been held without Charter, Prescription, or other lawful Authority, or that any Fair lawfully held within the said Distance has been usually held for a longer Period than is warranted by Charter, Prescription, or other lawful Authority, it shall be competent to them to summon the Owner or Occupier of the Ground upon which such Fair is usually held to appear before such Justices as may be present at some Petty Sessions, to be held at the Time and Place to be specified in the Summons, not less than Eight Days after the Service of the Summons, to shew his Right and Title to hold such Fair, or to hold such Fair beyond a given Period (as the Case may be); and if such Owner or Occupier shall not attend in pursuance of such Summons, or shall not shew to the Justice present at such Petty Sessions sufficient Cause to believe that such Fair has been held by lawful Right and Title for the whole Period during which the same has been usually held, such Justice shall declare, in Writing, such Fair to be unlawful, either altogether or beyond a stated Period (as the Case may be), and shall give Notice of such their Declaration, by affixing Copies thereof to the Parish Church, and on the most public Places in and near the Ground where such Fair has been usually held; and if after such Notices shall have been affixed for the Space of Six Days any Attempts shall be made to hold such Fair, or it shall be declared altogether unlawful, or to hold it beyond the prescribed Period, if it shall be declared unlawful beyond a certain Period, any Justice of the Peace within his Jurisdiction may, by his Warrant, direct any Constable or other Peace Officer to remove every Booth, Standing, and Tent, and every Carriage, of whatsoever Kind, conveyed to or being upon such Ground for the Purpose of holding or continuing such Fair, and to take into Custody every Person entering, pitching, or fixing, or assisting to erect, pitch, or fix, any such Booth, Standing, or Tent, and every Person driving, accompanying, or conveyed in every such Carriage, and every Person resorting to such Ground with any Exhibitions, Shows, Swings, Roundabouts, Whirligigs, or other Instruments of Gaming or Amusement, and to carry every Person so taken before the Justice granting such Warrant, or before some other Justice, who shall proceed to hear the Complaint in a summary Way; and every Person convicted before any such Justice of any of the Offences last aforesaid shall forfeit and pay any Sum not exceeding Ten Pounds; and if the Party so convicted shall not immediately pay the Penalty, the Justice shall commit him or her to hard Labour in the House of Correction for any Space of Time not exceeding Three Months unless the Penalty shall be sooner paid; Provided nevertheless, that if the Owner or Occupier of the Ground where any such Fair has been usually held shall, when summoned before the Justices at their Petty Sessions as aforesaid, enter into a Recognizance to the good Use of Two hundred Pounds, (which Recognizance such Justice may hereby authorize to take,) with Condition to appear in the Court of King's Bench on the First Day of the then next Term, and to answer to any Information in the Nature of a Quo warranto which His Majesty's Attorney or Solicitor General may exhibit against such Owner or Occupier, touching the Right and Title to such Fair, and to abide the Judgment of the Court thereon, and to pay such Costs as may be awarded by the Court, which Costs the said Court is hereby authorized to award, then, notwithstanding the Justice shall declare such Fair to be unlawful, they shall forbear from giving Notice of such their Declaration, and from taking any further Proceedings thereon, and Judgment shall be given by the said Court against the Right and Title to such Fair, and the Justices taking such Recognizance shall forthwith transmit the same to One of His Majesty's Principal Secretaries of State, to the end that the same may be filed in the said Court, and such further Directions may be given thereon as to such Secretary of State may seem fit and necessary.

XXIII. And whereas there are many Shops, Rooms, and Places of public Resort, where Thieves, Profligates, and other disorderly Persons assemble at Night; be it further enacted, That no Shop, Room, or Place of public Resort where ready-made Coffee, Tea, or other Liquors are sold or consumed within the City of London or the Liberties thereof, or within the Limits of the Weekly Bills of Mortality, or within any of the Parishes herein-before mentioned, shall be kept open after the Hour of Eleven at Night during any Part of the Year, nor open before the Hour of Four in the Morning (Provided that the said Shop and Room shall be closed "TWO" in the Morning "TWO" in the Morning and Early Day;



Days; and that no Shop, Room, or Place of public Resort where any Refreshments or any Liquors are not subject to any Duties of Customs or Excise are contained within the City of London and the Liberties thereof, or within the said Limits and Parishes, shall be kept open after the Hour of One in the Morning or before the Hour of Five in the Morning; and if any such Shop, Room, or Place shall be open within the Hours herein-before respectively prohibited, or being shut up, if any Person shall during those Hours respectively be found therein, except the Person actually dwelling there, or having lawful Excuse for being there, or if Gaming shall be at any Time permitted or suffered therein, then the Master, Mistress, Waiter, or other Person having the Care, Government, or Management of such Shop, Room, or Place, whether he or she be the real Owner or Keeper thereof or no, shall forfeit and pay any Sum not exceeding Ten Pounds upon Conviction of any such Offence before any Justice of the Peace by Confession or upon the Oath of One or more credible Witnesses or Witnesses; and if the Party so convicted shall not immediately pay the said Penalty, the Justice shall commit him or her to hard Labour in the House of Correction for any Space of Time not exceeding Three Months unless the said Penalty shall be sooner paid; and the said Penalty, when paid, shall be distributed, one Moiety to the Informer, and the other Moiety to the Chamberlains of the City of London, if the Offence be committed to the said City, and if out of the said City, then to the said Receiver for the Purpose of this Act: Provided always, that nothing herein contained shall apply to or affect any House duly licensed for the Sale of Wine and Spirituous Liquors; and that no such Conviction shall exempt the Owner, Keeper, or Manager of any such Shop, Room, or Place from any Penalty or penal Consequence whosoever he or she may be liable for keeping a disorderly House.

XXIV. And be it further enacted, That if any Person shall, within the City of London and Liberties thereof, or within the Limits and Parishes aforesaid, blow any Horn or use any other noisy Instrument, for the Purpose of hawking, selling, or distributing any Article whatsoever, it shall be lawful for any Constable, Headborough, Patrol, Watchman, or other Person to apprehend every Person so offending, and convey him before any Justice of the Peace, who shall proceed to examine upon Oath any Witnesses appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and to every such Case he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and in case the Offender shall not upon Conviction forthwith pay the Penalty, such Justice is hereby required to commit such Offender to the House of Correction, there to be kept to hard Labour for any Time not exceeding Ten Days, unless the Penalty shall be sooner paid.

XXV. And whereas Accidents often happen and Damage is frequently done in Streets and Highways by the Negligence or wilful Misbehaviour of Persons driving Carriages or Vehicles therein, and the Laws now in force have been found insufficient for the due Protection of His Majesty's Subjects; be it therefore enacted, That if the Driver of any Carriage or Vehicle of any kind whatsoever shall ride upon any such Carriage or Vehicle, or on any of the Horses drawing the same, not having some Person on Foot or on Horseback to guide the same (such Carriages or Vehicles as are commonly driven or conducted by some Person holding the Reins of the Horse or Horses excepted), or if the Driver of any Carriage or Vehicle whatsoever, or any Person riding, shall, by Negligence, wilful Misbehaviour, or any other Misdemeanour, cause any Hurt or Damage to any Person or Property being upon any Street or Highway, or if the Driver of any Carriage or Vehicle whatsoever shall wilfully be at such Damage from such Carriage or Vehicle then he cannot bear the Direction and Government of any Horse or Horses or Cattle drawing the same, not having employed some proper Person to take care of the same, or shall by Negligence, wilful Misbehaviour, or any other Misdemeanour, interrupt the Passage of any other Carriage or Vehicle, or of His Majesty's Subjects, or shall obstruct any Street or Highway, and being required by any Constable or Peace Officer to pass on or across, shall continue to obstruct the same, every Person so offending in any of the Cases aforesaid within Five Miles of Temple Bar, and being convicted by any Justice of the Peace of any such Offence, either upon Confession, or by the Oath of a credible Witness, shall for every such Offence forfeit any Sum not exceeding Forty Shillings, and in every Case where any such Hurt or Damage shall have been caused or suffered shall further pay such a Sum, not exceeding Five Pounds, as shall appear to the said Justice to be a reasonable Compensation to the Person so aggrieved or injured, and the Evidence of such Person shall be admitted in proof of the Offence: Provided always, that if the Person so aggrieved or injured shall have taken the only Witness examined in proof of the Offence, such Sum so ordered or assessed shall be paid and applied in the same Manner as a Penalty; and in default of Payment of such Penalty and of such Compensation, if ordered, together with the Costs attending such Conviction, immediately or within such Time as such Justice shall appoint, such Justice shall and may commit such Offender to the Common Gaol or House of Correction, to be there imprisoned for any Term not exceeding Two Months, unless such Penalty, together with the Costs and Compensation, if ordered, be sooner paid; and every such Offender shall and may, by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable or other Peace Officer, in order to be conveyed before some Justice of the Peace.

XXVI. And whereas great Inconvenience has arisen from the driving of Stage Carriages, and from the driving of Cattle, Sheep, Pigs, and other Animals, in the Streets and Highways of the Metropolis during the Hours of Drive Service, and it is expedient that Regulations should be made for preventing such Inconveniences, and for the better and more speedy Manner the Application of the Statute in

Penalty not exceeding 10*l*.

Application of Penalty.

Fines.

Prohibiting the blowing of Horns.

Penalty not exceeding 40*l*.

Negligence or wilful Misbehaviour of Drivers of Carriages, &amp;c. in the Streets or Highways.

Penalty not exceeding 40*l*.Compensation for Hurt or Damage not exceeding 5*l*.

Empowering the Court of Aldermen or Two Justices to regulate the

Master and  
Conduct of Pas-  
sages driving  
Stage Carriages,  
Cattle, &c.  
during the  
Hours of  
Divine Service.

or Churchwardens of any Church, Chapel, or other Place of public Worship to the Court of Aldermen of the City of London, if the same shall be situated within the City of London or the Liberties thereof, or to any Two of the Justices of the said Public Office in *Beau Street*, or to any Two of the Justices appointed to attend at any of the said Police Offices which shall be in the Vicinity of such Church or Chapel or Place of public Worship, if the same shall be situated within the Limits and Parishes aforesaid, it shall be lawful for the Court of Aldermen, or for such Two Justices, as the Case may be, to make Rules or Orders for regulating the Route and Conduct of Persons who shall drive any Stage Carriage, or who shall drive any Cattle, Sheep, Pigs, or other Animals within such Parish or Place, during the Hours of Divine Service on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, and to annex reasonable Penalties for the Breach of such Rules or Orders, not exceeding Forty Shillings with Costs, if awarded, for any such Offence, provided the same be not repugnant to the Laws of the Realm, and three Times in Three to alter and amend the same if necessary; and every Breach of any such Rule or Order shall be deemed a separate Offence, and any Person who shall offend against any such Rule or Order shall, on Conviction thereof before any Justice of the Peace, forfeit and pay such Penalty as shall be adjudged, and, in default of Payment within such Time as such Justice at the Time of Conviction shall appoint, shall be liable to be imprisoned for any Term not exceeding One Month; and any Person committing any Offence against any such Rule or Order may be immediately apprehended, without any Warrant, by any Constable who shall see such Offence committed, and be conveyed before a Justice of the Peace, to be dealt with as herein-before is mentioned; and any Justice of the Peace, on a complaint made to him that any such Offence hath been committed within his Jurisdiction, may issue his Warrant for the Apprehension of any such Offender: Provided always, that when any such Rules or Orders shall have been made by the Court of Aldermen of the City of London, or by any Two Justices as herein-before is mentioned, the same shall be printed, and affixed on the Church, Chapel, or Place of public Worship to which the same shall refer, and in the most conspicuous Places leading to and contiguous thereto, and elsewhere, as the said Court of Aldermen or the said Justices shall direct.

XXVII. And be it further enacted, That no Proprietor of any Stage Carriage duly licensed to carry Passengers for Hire shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in such License, which the Driver of such Stage Carriage shall be compelled to make during the Hours of Divine Service by virtue of any Order or Rules made by the Court of Aldermen, or by Two Justices of the Peace, as herein-before is mentioned.

XXVIII. And whereas an Act passed in the Twenty-first Year of the Reign of King George the Third, entitled *An Act to prevent the Mischief that arises from driving Cattle within the Cities of London and Westminster, and Liberties thereof, and Parts of Middlesex*, has been found ineffectual for the Prevention of such Mischief, and it is expedient to extend the Powers and enlarge the Limits of the said Act; be it therefore enacted, That all the Powers and Provisions of the said Act shall extend and be in force within the Distance of Five Miles from *Temple Bar*, as fully and effectually as if such Limits had been originally inserted in the said Act; and that if any Person not being employed to drive Cattle shall within the said Limits sell with Scales, Brickbats, or by any other Means blast or drive away, or shall not any Dog or any Ox, Heifer, Cow, Steer, or other Cattle, contrary to the Provisions of the said Act, such Person shall, upon being convicted thereof according to the said Act, forfeit and pay, on the first Conviction, any Sum not exceeding Forty Shillings nor less than Twenty Shillings, and on the Second and every further Conviction any Sum not exceeding Five Pounds nor less than Fifty Shillings, to the Person or Persons who shall prosecute such Offender to Conviction, and in default of Payment shall be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding Two Months on the first Conviction, nor Five Months on the Second and every future Conviction, in the Manner prescribed by the said Act, unless the Penalty be sooner paid.

XXIX. And whereas diverse Places in and about the Metropolis are kept and used for the Purpose of fighting or baiting of Horses or other Animals, at which Places idle and disorderly Persons commonly assemble, to the Interruption of good Order and the Danger of the public Peace; be it therefore enacted, That any Person who shall, within Five Miles of *Temple Bar*, keep or use, or shall act in the Management or conducting of any Promises or Place whatsoever for the Purpose of fighting or baiting of Horses, Cock-fighting, baiting or fighting of Badgers or other Animals, shall, on Conviction thereof before any One Justice of the Peace, forfeit any Sum not exceeding Five Pounds, and in default of immediate Payment shall be liable to be imprisoned and kept to hard Labour for any Time not exceeding Two Months, unless the said Penalty shall be sooner paid.

XXX. And be it further enacted, That every Conviction for any Offence mentioned in this Act, except in such Cases where the Form of such Conviction is herein-after provided, may be in the following Form of Words, or some other Form of Words to the like Effect:

Com. &c. } **B**E it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ at \_\_\_\_\_ A. B. is brought before me, [or having been duly summoned, has neglected to appear before me,] C. D. Esquire, one of His Majesty's Justices of the Peace for the County of \_\_\_\_\_ [or City or Liberty or Place, as the Case may be,] and is charged before me the said Justice with having [here describe the Offence]; and it appearing to me the said Justice, upon the Testimony of him the said A. B. [or upon the Oath of a credible

Witness, or the Oath of me the said Justice, that the said A. B. is guilty of the said Offence, do I therefore adjudge

Proprietors of  
Stage Carriages  
and liable to  
Penalties for  
deviating from  
Route.

Penalty for  
Breach of  
Licence  
imposed by  
Act 5. c. 27.  
imposed.

Penalty for  
Breach of  
Act  
imposed.

Form of Con-  
viction under  
this Act.

• the said A.B. [insert the Adjudication of the Justice.] Given under my Hand and Seal the Day and Year first above written.

• XXXI. And whereas suspected Persons and reputed Thieves frequent the Parks, Fields, Boreas, Highways, and Places adjacent, and divers Places of public Resort, and the Avenues leading thereto, within the City of London and the Liberties thereof, the Lanes of the Weekly Bills of Mortality, and the Parishes aforesaid, and also the said River Thames, and the Docks and Creeks, Quays and Warehouses, adjacent thereto, and the Streets, Highways, and Avenues leading to the said River, Docks, Creeks, Quays, and Warehouses, with Intent to commit Felony or other Offences; and such Persons also frequently assemble together in Alehouses and Beer Shops, and in Shops, Rooms, and Places of public Resort, where ready-made Coffins or Tea, or other Liquors, or any Refreshments or any Liquors not subject to any Duties of Customs or Excise, are consumed, for the Purpose of drinking or placing such Felonies or other Offences; and although their evil Purposes are sufficiently manifest, the Power of His Majesty's Justices of the Peace to demand of them Sureties for their good Behaviour hath not been of sufficient Effect to prevent them from carrying their evil Purposes into execution; he it further enacted, That it shall be lawful for any Constable, Headborough, Parol, Watchman, or other Person, to apprehend every such suspected Person or reputed Thief, and convey him or her before any Justice of the Peace, and if it shall appear before the said Justice, upon the Oath of One or more credible Witnesses or Witnesses, that such Person is a suspected Person or reputed Thief, and such Person shall not be able to give a satisfactory Account of himself or herself, and of his or her Way of Living, and it shall also appear to the said Justice that there is just Ground to believe that such Person was in or on any such Place as aforesaid with such Intent or for such Purpose as aforesaid, every such Person shall be deemed a Rogue and Vagabond within the Intent and Meaning of the Statute made in the Fifth Year of His late Majesty King George the Fourth, intituled *An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of Great Britain called England*, and upon Conviction shall be liable to the Punishment inflicted by the said Act on any Person convicted as a Rogue and Vagabond; and in case any Person so convicted shall afterwards be guilty of the like Offence he shall be deemed to be an incorrigible Rogue within the Intent and Meaning of the said Statute, and shall be liable to be proceeded against in such a manner directed by the said Statute.

• XXXII. And he it further enacted, That every such Conviction shall be in the Form or to the Effect following, or as near thereto as Circumstances will permit: (that is to say.)

• County, &c. } B.E. is remembered, That on the Day of in the Year of our  
• or, or, } Lord as in the County of A.B. is convicted  
• before me C.D. one of His Majesty's Justices of the Peace for the County of [or City,  
• &c. or the Case may be.] of being a Rogue and Vagabond within the Intent and Meaning of the  
• Statute made in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled  
• *An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of*  
• *Great Britain called England*. (that is to say.) for that the said A.B. on the Day of  
• at in the said County [see under the Offence proved before the Magistrate], and for which said  
• Offence the said A.B. is ordered to be committed to the Prison, there to be kept to hard  
• Labour for the Space of Green under my Hand and Seal the Day and Year  
• first above written.

And the Justice or Justices of the Peace before whom any such Conviction shall take place shall and he and they it and are hereby required to transmit the said Conviction to the next General or Quarter Sessions of the Peace to be holden in and for the County, Riding, Division, or Place wherein such Conviction shall have taken place, there to be filed and kept on Record; and a Copy of the Conviction so filed, duly certified by the Clerk of the Peace, shall and may be read as Evidence in any Court of Record, or before any Justice or Justices of the Peace acting under the Powers or Provisions of this Act.

• XXXIII. And he it further enacted, That no Conviction under this Act for any of the Offences aforesaid shall be quashed or set aside, or adjudged void or insufficient, for Want of Form, nor shall the same be removed by Carriers into His Majesty's Court of King's Bench; but that in all Cases where the Penalty shall exceed the Sum of Five Pounds or One Month's Imprisonment, if any Person shall think himself aggrieved by such Conviction, such Person may appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be held for the County or City wherein the Cause of Complaint shall have arisen, such Person at the Time of his Conviction entering into a Recognizance, with Two sufficient Sureties, conditioned personally to appear at the said Sessions to try such Appeal, and to abide the further Judgment of the Justices at such Sessions assembled; and it shall be lawful for the Justice before whom such Conviction has taken place to bind over the Witnesses who shall have been examined in proof of such Offence in sufficient Recognizances to attend and be examined at the hearing of such Appeal, and that every such Witness, on producing a Certificate of his being so bound over under the Hand of such Justice, shall be allowed Compensation for his Time and Trouble and Expenses in attending such Appeal, which Compensation shall be paid by the Treasurer of the County in like Manner as in Cases of Misdoemance according to and under the Provisions of an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for improving the Administration of Criminal Justice in England*: Provided always, that in case such Appeal shall be dismissed, and such Conviction affirmed, such Person shall be responsible to such Witnesses according

Constable, he may apprehend any suspected Person or reputed Thief in any public Place, or in any Watchman, &c. and convey him before a Justice, who, if it can just Ground, may deem him a Rogue and Vagabond under the Act 2 G. 4. c. 62.

Form of Conviction of a suspected Person and Vagabond.

Conviction not to be quashed for Want of Form, or removable by Carriers.

Appeal to Quarter Sessions, &c.

as aforesaid, to be ascertained by the Court, shall be paid by the Appellant, or Appellants, and the Recognizance or Recognizances so entered into as aforesaid shall be returned, unless such Expenses are so paid by such Appellant or Appellants.

Penalty for  
damaging the  
Boats belonging  
to Thomas  
Palmer

XXXIV. And be it further enacted, That if any Person shall wilfully destroy or damage or endeavour to destroy or damage, or be wilfully concerned in destroying or damaging or endeavouring to destroy or damage, any Boat or Vessel belonging to or hired or employed by or by the Authority of the Justice appointed to attend at the Thomas Police Office, or any Part of the Sails, Cords, or other Tackle, Stores, Goods, or Furniture contained in or belonging to any such Boat or Vessel, every Person so offending shall on Conviction thereof before a Justice of the Peace forfeit, and pay for every Boat or Vessel so destroyed or damaged or attempted to be destroyed or damaged, or of which any of the Tackle or other Contents shall have been so destroyed or damaged or attempted to be destroyed or damaged, any Sum not exceeding Thirty Pounds, or shall suffer Imprisonment for any Time not exceeding Three Months, over and above any such Damages as may be recoverable by Action at Law against any such Offender.

Surveys  
having just  
Cause to suspect  
Felonies may  
enter on board  
Vessels under  
apparent  
Forms.

XXXV. And be it further enacted, That it shall be lawful for every such Thomas Police Surveyor (subject to the Orders of any of the said Justices appointed to attend the Thomas Police Office), having just Cause to suspect that any Felony has been or is about to be committed in or on board of any Ship, Boat, Barge, Lighter, Boat, or other Vessel lying or being in the said River, Dock, or Creek, to enter at all Times, as well by Night as by Day, into and upon every such Ship, Boat, Barge, Lighter, Boat, or other Vessel, and therein to take all necessary Measures for the effectual Prevention or Detection of all Felonies which he has just Cause to suspect to have been or to be about to be committed in and upon the said River, Dock, or Creek, and to apprehend and detain all Persons suspected of being concerned in such Felonies, and also all Property so suspected to be stolen, and the same to produce before some Justice, to be dealt with according to Law.

Unlawful  
Quantities of  
Gunpowder  
may be seized.

XXXVI. And be it further enacted, That it shall be lawful for every such Thomas Police Surveyor, at any Time between Sun-rising and Sun-setting, to enter any Ship or Vessel (except His Majesty's Ships) in the said River, Dock, and Creek, and to search the same for unlawful Quantities of Gunpowder, and also to exercise the same Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities of Gunpowder found on board any such Ship or Vessel, and the Barrels or other Packages in which such Gunpowder shall be, as are given to Persons receiving for unlawful Quantities of Gunpowder, under a Warrant of a Justice, by virtue of an Act passed in the Twelfth Year of the Reign of King George the Third, intituled *an Act to regulate the making, buying, and Carriage of Gunpowder within Great Britain, and to repeal the Letters Licentiate made for any of these Purposes.*

18 G. 3. c. 61.

Boats or Car-  
riages having  
stolen Property  
may be searched  
and detained,  
and Persons  
suspected of  
having such  
Goods may be  
taken before a  
Justice.

XXXVII. And be it further enacted, That it shall be lawful for any Thomas Police Surveyor or Constable, or any other Police or Peace Officer, within his Jurisdiction, to stop, search, and detain in some Place of Safety any Boat, Craft, or Vessel which there shall be Reason to suspect of having or conveying by Water, and also any Cart or Carriage which there shall be Reason to suspect of having or conveying on Land, any Goods, Matter, or Thing stolen or unlawfully obtained, and also to apprehend, search, and detain any Person who may be reasonably suspected of having or conveying in any Manner any Goods, Matter, or Thing stolen or unlawfully obtained, and to convey every such Person as soon as conveniently may be, together with such Goods, Matter, or Thing, before some Justice of the Peace; and if such Person shall not give an Account to the Satisfaction of such Justice how he or she came by the same, such Person shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as hereto-afore mentioned; and such Boat, Craft, or Vessel, Cart or Carriage, shall upon such Conviction be forfeited and disposed of as is hereto-afore directed.

On Information  
that there is  
reasonable  
Cause for sus-  
pecting that  
any Goods, &c.  
have been un-  
lawfully ob-  
tained, and are  
concealed, law  
to proceed.

XXXVIII. And be it further enacted, That if on Information given on Oath it shall appear to any Justice that there is reasonable Cause for suspecting that any Goods, Matter, or Thing stolen or unlawfully obtained are or is concealed or otherwise lodged in any Dwelling House, Warehouse, Yard, Garden, or any other Place, it shall be lawful for such Justice, by special Warrant under his Hand and Seal, directed to any Thomas Police Surveyor or Constable as aforesaid, or other Constable within his Jurisdiction, to cause every such Place to be entered and searched at any Time of the Day, or by Night, if Power for that Purpose be especially given and by such Warrant; and the said Justice, if it shall appear to him necessary, may moreover empower such Surveyor or Constable, with any such Assistance as to the said Justice may appear, or by such Surveyor or Constable may be found necessary (such Surveyor or Constable having previously made known such his Authority), to use Force for the effecting of such Entry, whether by breaking open Doors or otherwise, and if upon Search thereupon made any such Goods, Matter, or Thing shall be found, then to convey the same forthwith to and before a Justice, or to guard the same on the Spot while the Offenders are taken before a Justice, or otherwise dispose thereof in some Place of Safety, subject to the Orders of a Justice in manner above mentioned, and moreover to apprehend and convey before the said Justice the Person or Persons in whose House, Lodging, or other Place the same shall so have been found, as also every other Person found in such House, Lodging, or Place who shall appear to have been privy to the depositing of such Goods, Matter, or Thing in such Place, knowing or having reasonable Cause to suspect the same to have been stolen or otherwise unlawfully obtained; and if such Person respectively shall not immediately, or within some reasonable Time to be assigned by the Justice, make it appear to the Satisfaction of the Justice by what lawful Means such Goods, Matter, or Thing came to be deposited or obtained in such Place, he or she shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as hereto-afore mentioned, and shall be liable to be imprisoned for any Term not exceeding Three Months, over and above any such Damages as may be recoverable by Action at Law against any such Offender.

in such Case the Person or Persons in whose House, Lodging, or other Place any such suspected Goods, Matter, or Thing shall have been found, and also every other Person so appearing to have been privy to the depositing thereof, knowing or having Cause to suspect the same to have been stolen, or otherwise unlawfully obtained, shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned.

XXXIX. And be it further enacted, That when any Person shall be brought before such Justice charged with having or conveying any such Goods, Matter, or Thing stolen or unlawfully obtained, and shall declare himself or herself to have recovered the same from some other Person, or to have been employed as a Carrier, Agent, or Servant to convey the same for some other Person, such Justice is hereby authorized and required to cause every such Person, and also, if necessary, every prior or pretended Purchaser, or other Person through whose Possession the same shall have passed, to be brought before him and examined, and to examine Witnesses upon Oath touching the same; and if upon the whole Evidence it shall appear to such Justice that any Person shall have had Possession of such Goods, Matter, or Thing, and have had reasonable Cause to believe the same to have been stolen or unlawfully obtained, every such Person shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned; and every such Person shall be deemed to have had Possession of such Goods, Matter, or Thing at the Time and Place when and where the same shall have been found or seized; and the Possession of a Carrier, Agent, or Servant shall be deemed to be the Possession of the Person who shall have employed such other Person to convey the same.

XL. And be it further enacted, That every Person who, for the Purpose of protecting or preventing any Goods, Matter, or Thing whatsoever from being seized on Suspicion of their being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or made to serve as Evidence of or concerning any Felony or Misdemeanor, shall frame or cause to be framed, or be any-wise concerned in framing or causing to be framed, any Bill of Parole containing any false Statements in regard to the Name or Amount of any alleged Vendor, the Quantity or Quality of any such Goods, Matter, or Thing, the Place from whence or the Conveyance by which the same were furnished, the Price agreed upon or charged for the same, or any other Particular, knowing such Statement to be false, or who shall fraudulently produce such Bill of Parole knowing the same to have been fraudulently framed, shall be adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned.

XLI. And be it further enacted, That any Person who shall be found in or upon any Canal, Dock, Warehouse, Wharf, Quay, or Bank, or on board any Ship, Vessel, Boat, or Craft, having in his or her Possession any Tube or other Instrument for the Purpose of unlawfully procuring or obtaining any Wine, Spirit, or other Liquors, or having in his or her Possession any Still, Stillion, or other Mineral or Likened, for the Purpose of unlawfully extracting or carrying away any such Wine, Spirit, or other Liquors, and any Person who shall attempt unlawfully to procure or obtain any such Wine, Spirit, or other Liquors, shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned.

XLII. And whereas, for the Purpose of increasing the Facility of Depredation, it hath been a common Practice among Persons concerned in the landing and warehousing of Merchandise from or on board Ships and Vessels in the said River wilfully to injure and prevent the opening and breaking of Casks, Bags, and other Packages, and the spilling of their Contents: for Remedy thereof be it further enacted, That if any Person employed in the landing, landing, or warehousing of any Goods, or any other Person, shall wilfully or through culpable Negligence or Carelessness cause or suffer, or be concerned in causing or suffering, to be broken, bruised, pierced, opened, cut, torn, or otherwise injured, any Cask, Box, Chest, Bag, or other Package containing or being designed and prepared for containing any Goods while on board of any Barge, Lighter, or other Craft lying or being in the said River, or any Dock, Creek, Quay, Wharf, or Landing Place adjacent to the coast, or in the Way to or from any Warehouse in or upon which such Package shall have been removed, shall be removing, or about to be removed, with Intent that the Contents of such Package or any Part thereof may be spilled or dropped from such Package, every Person so offending shall for every such Offence be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned.

XLIII. And be it further enacted, That if for the Purpose of preventing the Seizure or Discovery of any Materials, Furniture, Stores, or Merchandise belonging to or being taken Part of the Cargo of any Ship or Vessel lying in the said River, or the Docks or Canals adjacent thereto, or of any other Articles unlawfully obtained from any such Ship or Vessel, or any such or any other Article shall be wilfully let fall or thrown into the River, or in any other Manner directly or purposely conveyed away or endeavored to be conveyed away from any Ship, Boat, Barge, Lighter, Craft, Wharf, Quay, or other Landing Place, every Person being party, privy, or accessory to such letting fall, throwing, or conveying, or to any previous Instructions or preconcerted Design so to let fall, throw, or convey away any such, or to any such Purpose as aforesaid, shall be deemed and adjudged guilty of a Misdemeanor, and shall suffer as herein-after mentioned; and every Thames Police Surveyor, or Constable or other Peace Officer within his Jurisdiction, shall apprehend and detain and lawfully convey such Person before some Justice, and shall also seize and detain any Boat in which such Person shall be found, or before some Justice, and shall also seize and detain any Boat in which such Person shall be found, or out of which any such Article shall be so let fall, thrown, or conveyed away; and upon the Conviction of such Person, such Boat, with her Tackle, Apparel, Furniture, and Landing, shall be forfeited and disposed of as a booby-ship directed.

Party taken whose stolen Goods are returned or recovered by the Justice.

If Goods unlawfully obtained, Party guilty of a Misdemeanor.

Particulars of Servant that of Employer.

Framing a false Bill of Parole to exempt the Vendor from a Misdemeanor.

Unlawfully procuring Instruments for procuring and carrying away Wine, &c. deemed a Misdemeanor.

Breaking up Packages, with an Intent that the Contents may be spilled, deemed a Misdemeanor.

Wilfully letting fall Articles into the Thames, or into a Dock, &c. with fraudulent Intent, deemed a Misdemeanor.

For Offences declared Misdemeanors, and for which no Penalty is appointed, Offenders shall forfeit not exceeding 5*l.*, or be imprisoned (with or without hard Labour).

Articles seized to be advertised in Public newspapers.

2*G* 7 c 25.

Offences have to be tried.

Misdemeanors under recited Act (11.) to 25 to be prosecuted at the Discretion of the Justice.

Forfeited Boats, masts of being burnt, may be resumed or sold.

Penalty on Masters of Vessels between Westminster Bridge and Blackwell having on board Guns loaded with Ball, or

XLIV. And be it further enacted, That for every Offence herein-before declared to be a Misdemeanor, or for which no special Penalty is herein before appointed, the Offender shall, at the Discretion of the Justice before whom the Conviction shall take place, either forfeit and pay any Sum not exceeding Five Pounds, or suffer Imprisonment for any Time not exceeding Two Months, with or without hard Labour, in any Goal or House of Correction within the Jurisdiction of such Justice; and in case of the Adjudication of a pecuniary Penalty, and Nonpayment thereof, it shall be lawful for such Justice to commit the Offender to any Goal or House of Correction for the like Term, unless such Penalty shall be sooner paid; and the Mistry of every such pecuniary Penalty, if recovered or adjudged before any Justice or Justices at the said Public Office in New Street, or at any of the said Police Offices, shall be paid to the said Receiver as aforesaid for the Purpose of this Act, and if recovered or adjudged in the City of London, or the Liberties thereof shall be paid to the Chamberlain of the City of London for the Time being, and the other Mistry thereof, under the Direction of the Justice by whom the same shall have been adjudged, shall either be paid and applied to the Use of the Informer above, or be distributed between such Persons as shall have contributed to the Conviction of the Offender, in such Shares and Proportions as such Justice shall think fit; and that when any Articles shall be seized by virtue of this Act, and the Person in whose Possession the same shall have been found shall be convicted of a Misdemeanor as aforesaid, it shall be lawful for the Justice before whom the Conviction shall take place to cause such Articles to be advertised in some public Newspaper, to the end that Persons having a Right thereto may claim and retrieve the same within Thirty Days from the Date of such Advertisement, in the manner and upon the Conditions directed in and by an Act of the Second Year of the Reign of King George the Third, intitled the Act to prevent the committing of Theft and Fraud by Persons carrying Bag-loads and other Goods upon the River Thames; and if no Person shall prove his Property and Right to the said Articles within the said Thirty Days, the same shall be sold for the best Price that can reasonably be gotten for the same; and after deducting the Charges, according to the said recited Act, the Residue of the Proceeds thereof shall be paid to the said Receiver for the Purpose of this Act.

XLV. And be it further enacted, That in every Case in which Complaint shall be made of any Offence by this Act declared to be a Misdemeanor, or of any Offence touching any Boat or Vessel belonging to or hired or employed by the Justices appointed to attend at the Thames Police Office, the Matter of such Complaint, if the Offence shall have been committed or the Offender apprehended within the Jurisdiction of the City of London, may be heard and determined by the Lord Mayor, Recorder, or one of the Aldermen of the said City, and not elsewhere; but if the Offence shall have been committed or the Offender apprehended out of the said Jurisdiction, such Complaint may be heard and determined, either by one of the Justices appointed to the Thames Police Office as aforesaid, or by any other Justice within whose Jurisdiction the Offence shall have been committed or the Offender apprehended; and every Conviction for any such Offence shall be certified, filed, and entered in such Manner as is directed in and by the said last recited Act with respect to Convictions under that Act, and may also be drawn up in such Form and Manner, under the Seal, as is appointed in and by the same Act; and neither such Conviction nor any Proceeding process therein shall be removed by Certiorari or otherwise into any Court of Record, but such Conviction shall be final and conclusive to all Intents and Purposes whatsoever.

XLVI. And whereas the Penalties for Misdemeanors provided in and by the said last-recited Act have been found insufficient for the preventing of such Offences, be it enacted, That every Person who shall be guilty of any of the Offences respectively made and declared to be Misdemeanors in and by the said Act may be punished, at the Discretion of the Justice or Justices by or before whom the Offender shall be convicted, either with the Penalties appointed in and by the said Act, or by such other Punishment as he hereby appointed in Cases of Offences declared to be Misdemeanors by this present Act, and that all the Powers and Provisions of the said last-recited Act respecting the Obstruction of its Execution, and the Commencement and Prosecution of Actions against Justices, and their Officers acting thereunder, shall extend to all Things done and to all Persons acting under this Act, as fully as if the same Powers and Provisions were herein repeated and re-enacted.

XLVII. And be it further enacted, That in all Cases in which it is directed by the said last-recited Act that any Boat, with her Tackle and Appurtenances, which shall be forfeited, shall be burnt and destroyed, it shall be lawful for any Justice before whom any Person shall have been convicted of any Offence whereby any Boat is or should be adjudged to be forfeited under that Act, and also for any Justice by whom any Boat shall be adjudged to be forfeited under this Act, to direct such Boat, with her Tackle and Appurtenances, either to be burnt and destroyed, or to be restored to the Owners thereof, or to be publicly sold, and the Proceeds of such Sale to be applied in like Manner as other Forfeitures under this Act.

XLVIII. And for the more effectual Prevention of Accidents by Fire and other Mischiefs upon the said River, be it further enacted, That if any Master or Commander or other Officer of any Ship or Vessel (except the Majesty's Ships) shall, while such Ship or Vessel shall lie or be in the said River between Westminster Bridge and Blackwell, keep any Gun on board such Ship or Vessel armed or loaded with Ball, or cause or permit to be fired or discharged any Gun on board such Ship or Vessel before Sun-rising or after Sun-setting, such Master, Commander, or other Officer shall for every such Gun so kept armed or loaded forfeit the Sum of Five Shillings, and for every Gun so fired or discharged the

Sums of Two Shillings; and if any Master, Commander, or other Officer of any such Ship or Vessel, or any other Person on board of the same, or any Person on board of any Barge, Lighter, Boat, or other Craft or Vessel, shall, while such Ship, Barge, Lighter, Boat, Craft, or Vessel shall lie or be in the said River between Wharfedale Bridge and Blackwell, heat or melt, or cause or permit to be heated or melted, by Fire, Loggerhead Fire, or any other Means, on board any Ship, Barge, Lighter, Boat, Craft, or Vessel whatsoever, any Pitch, Tar, Horse, Grease, Tallow, Oil, or other combustible Matter, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds; and any One of the Justice appointed to attend at the Thames Police Office, or any other Justice within his Jurisdiction, is hereby authorized and required, upon any Complaint made on that Behalf within Ten Days next after any such Offence shall have been committed, to summon the Party accused, and also the Witnesses on either Side, or, after Oath made of the Commission of any of the Facts above mentioned by One or more credible Witnesses or Witnesses, to issue a Warrant to apprehend the Party accused, and upon the Party's Appearance, or Contempt in not appearing (upon the Proof of Notice given), such Justice shall proceed to the Examination of the Witness or Witnesses on Oath, and upon due Proof thereof, either by the voluntary Confession of the Party, or by the Oath of One or more credible Witness or Witnesses, to give Judgment or Sentence; and in case the Party accused shall be convicted of such Offence it shall and may be lawful for such Justice to commit such Offender to Prison, there to remain for any Time not exceeding the Space of Two Months, unless the Penalty shall be sooner paid.

XLIX. And whereas Disputes frequently arise between Bergemen, Lightermen, Watermen, Ballast-men, Coal-whippers, Coal-porters, Sailors, Lumpers, Roggers, Shipwrights, Caulkers, and other Labourers who work for Hire in or upon the said River, and the Dock, Creek, Wharf, Quay, and Place adjacent, respecting Wages or Money due to them for Work, and the Owners, Masters, or Commanders of Vessels and their Agents, and the Owners, Wharfingers, or Occupiers of such Wharfs or Quays, and their Agents, and other Persons employing such Labourers; be it further enacted, That all Differences, Complaints, and Disputes which shall happen and arise between any Bergemen, Lightermen, Watermen, Ballastmen (except Treaty Ballastmen), Coal-whippers, Coal-porters, Sailors, Lumpers, Roggers, Shipwrights, Caulkers, or other Labourers who work for Hire in or upon the said River, or the Dock, Creek, Wharf, Quay, or Place adjacent, and the Owners, Masters, or Commanders of Vessels, or their Agents, or the said River, or the Dock or Creek thereto adjoining, or the Owners, Wharfingers, or Occupiers of such Wharf or Quay, or their Agents or other Employers, respecting Wages or Money due to such Labourers for Work, whether the same Persons be employed for any certain Time, or in any other Manner, shall be heard and determined by the Justice appointed to the Thames Police Office, or any One of them, or any other Justice within his Jurisdiction; and every such Justice is hereby empowered to summon before him any such Master or Commander of any Vessel, or any such Owner thereof, or his Agent, or the Owner, Wharfinger, or Occupier of any Wharf or Quay, or their respective Agents, or any other Employer; and if any such Person being so summoned shall refuse or neglect to attend such Summons, then every such Justice is hereby empowered to issue his Warrant to bring such Person summoned before him to answer such Complaint, and to examine upon Oath any such Labourer as aforesaid, or any other Witness or Witnesses, touching any such Complaint or Dispute, and to make such Order for Payment of so much Wages to such Labourer as to such Justice shall seem just and reasonable, provided that the Sum ordered do not exceed Five Pounds, besides all reasonable Costs attending the Prosecution of the Complaint, which Costs the Justice is empowered to order; and in case of Refusal to pay, or Nonpayment of any Sum so ordered, by the Space of Twenty-four Hours next after such Determination, such Justice may issue forth his Warrant to levy the same by Distress and Sale of the Goods and Chattels of the Person ordered to pay the same, together with the Charges of such Distress and Sale; and if no sufficient Distress shall be found, such Justice shall commit the Person ordered to make such Payment to Prison for any Time not exceeding One Month, unless the Sum so ordered shall be sooner paid; and every such Order shall be final and conclusive to all Intents and Purposes, and shall not be removable by Certiorari or otherwise into any Court whatsoever.

L. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower any Justice, except the Lord Mayor, Aldermen, and Recorder of the City of London for the Time being, or some or one of them, to hear and determine any such Differences, Complaints, or Disputes as shall or may arise for or in respect of any Employment or Work done within the said City of London, or the Suburbs and Liberties thereof, or on board of any Ship, Barge, Lighter, Boat, or other Vessel lying or being on the North Side of the River, between the Tower of London and the Western Extremity of the Temple, adjoining Essex Street in the County of Middlesex.

LI. Provided always, and be it further enacted, That nothing in this Act shall extend to deprive the Lord Mayor and Commonalty and Citizens of the City of London of any Right, Privilege, or Jurisdiction heretofore lawfully claimed, exercised, or enjoyed within the Town and Borough of Southwark or the Liberties thereof, or to prevent the said Lord Mayor for the Time being, or each of the Aldermen of the said City as have borne the Office of Mayors, or the Recorder of the said City for the Time being, from acting as Justices of the Peace within the said Town and Borough of Southwark and the Liberties thereof in such and the like Manner as they could or might have done in case this Act had not been made, and in this behalf, the Lord Mayor, and Citizens of the said City of London, shall have full Power.

Wharfing  
Dues before  
Showering or  
other Sea-  
ting, or having  
Tar and other  
combustible  
Matter on board  
of Vessels.

Dispute about  
Wages for La-  
bour done on  
the River, be-  
tween the  
Owners by  
Tithing Ballast-  
men) to be  
settled by Jus-  
tices, provided  
the Sum in  
question does  
not exceed 5l.

Jurisdiction for  
determining  
Disputes about  
Wages for La-  
bour done on  
the Thames, in  
the County of  
Middlesex.

Not to affect the  
Rights of the  
City of London,  
&c.

Right, Privilege, Immunity, or Jurisdiction which they have heretofore lawfully claimed, exercised, or enjoyed upon the said River, or the Lord Mayor of the said City for the Time being as Conservator of the said River, nor to prevent the said Lord Mayor and the said Aldermen and Recorder of the said City from acting as Justices of the Peace upon the said River, or taking cognizance of Offences committed upon or within the Limits of the same, in such Manner as they might or would have done in case this Act had not been made.

near the Dean and Chapter of High Steward of Westminster

LII. Provided also, and be it further enacted, That nothing in this Act shall extend to deprive the Dean and Chapter of the Collegiate Church of Saint Peter Westminster, or the High Steward or High Bailiff of the City and Liberty of Westminster, for the Time being, or their respective lawful Deputies, of any Rights, Privileges, or Jurisdictions which they have heretofore lawfully claimed, exercised, or enjoyed within the said City and Liberty, in such and the like Manner as they could or might have done in case this Act had not been made.

Nor to affect the Rights of the Trinity House, &c.

LIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend to prejudice or deprive from any of the Rights, Privileges, or Authorities of the Master, Wardens, and Assistants of the Guild, Watermen, or Brotherhood of the Most Glorious and Undivided Trinity, and of Saint Clement, in the Parish of Doptford Street in the County of Kent.

Commissioners and Commissioners of the Admiralty

LIV. And be it further enacted, That this Act shall commence and take effect upon the Day next after the Day of the passing thereof, and shall continue until the Fifth Day of July in the Year One thousand eight hundred and thirty-two, and from thence until the End of the then next Session of Parliament; and that as soon as this Act shall commence and take effect, an Act passed in the Third Year of the Reign of His late Majesty George the Fourth, intitled *An Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis*, and for the more effectual Prevention of Dependants on the River Thames and its Tributary, for Seven Years; and an Act passed in the Sixth Year of the Reign of His said late Majesty George the Fourth, intitled *An Act to amend an Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis*; and also an Act passed in the Tenth Year of the Reign of His said late Majesty George the Fourth, intitled *An Act to continue until the Fifth Day of July One thousand eight hundred and thirty-two an Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis*, shall cease and determine; except as to any Offences which may have been committed against any of the said Acts before the Commencement of this Act, and as to any Penalties which may have been incurred under any of the said Acts before the Commencement of this Act, which Offences shall be dealt with and punished, and the Penalties recovered, as if this Act had not been passed; and except also as to any Matters done by any Persons under the Authority of any of the said Acts before the Commencement of this Act, with respect to which every Privilege and Protection given to such Persons by any of the said Acts shall continue in force as if this Act had not been passed.

3 G. 4. c. 55.

4 G. 4. c. 21.

10 G. 4. c. 45.

Proviso.

Justice in common or superior Court of Justice.

LV. And be it further enacted, That it shall be lawful for any Justice of the Peace, on Complaint made to him of any Offence committed against this Act, either to summon or to issue his Warrant for the Apprehension of the Offender, as he shall think fit.

Calendar Month.

LVI. And be it further enacted, That wherever the Word Month or Months shall occur in this Act, the same shall be deemed and taken to mean a Calendar Month or Calendar Months.

Act may be altered this Session.

LVII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

Public Act.

LVIII. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and other Persons whomsoever, without the same being specially pleaded.

## C A P. XX.

An Act to indemnify Witnesses who may give Evidence before either House of Parliament touching the Charge of Bribery in the Election of Burgesses to serve in Parliament for the Borough of Stafford. [18th June 1833.]

WHEREAS there is Reason to believe that there has been the most notorious, long-continued, and general Bribery and Corruption in the Election of Burgesses to serve in Parliament for the Borough of Stafford, and that such Bribery and Corruption are likely to continue and to proceed in future unless some Means are taken to prevent the same: And whereas a Petition against such Practices at the last Election for the said Borough has been presented to the Commons House of Parliament: And whereas it may be necessary to examine before the Committee to which the said Petition may be referred, or to the Bar of either House of Parliament, several Persons; and the Evidence of such Persons may tend to expose them to Penal Consequences: And whereas it is expedient to indemnify such Persons, upon their making such true and lawful Declarations and Discoveries as herein-after mentioned; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the more effectually prosecuting the said Inquiry, every Person who having been a Candidate for the said Borough at the last Election, who may have been implicated or engaged in such alleged Bribery and Corruption and so connected with any Election of Members to serve in Parliament for the said Borough of Stafford, and who shall be examined as a

All Persons except Candidates involved in Bribery at Stafford, who may be examined before either House of Parliament.



Witness before either House of Parliament, or any Committee of either House of Parliament, touching such alleged Bribery and Corruption, and who shall upon such Examination make a true and faithful Discovery and Disclosure to the best of his or her Knowledge touching all Acts, Matters, and Things to which he or she shall be or she shall be so examined, shall be, and he or she is hereby freed, indemnified, and discharged of, from, and against all Penal Actions, Forfeitures, Punishments, Disabilities, and Incapacities, and all Criminal Prosecutions, which he or she may have been or may become liable or subject to, or which he or she may have incurred or may incur at the Suit of His Majesty, His Heirs or Successors, or any other Person, for or by reason or means of or in relation to any Act, Matter, or Thing done or committed by such Person or Persons in respect of such alleged Bribery and Corruption: Provided always, that nothing herein contained shall afford any Indemnity to any Person with respect to any Action for Bribery at the last Election for the said Borough of Stafford, which shall have been commenced before the Eighteenth Day of Month One thousand eight hundred and thirty-three.

21. Provided also, and he it further enacted, That where any Witness shall be examined before the House of Lords or any Committee of the said House, such Witness shall not be indemnified under this Act unless he or she shall receive from the Lord Chancellor a Certificate in Writing, stating that such Witness has, upon his or her Examination, made a true and faithful Disclosure touching all Acts and Matters to which he or she has been so examined; and where any Witness shall be examined before the House of Commons, or before any Committee of the said House, such Witness shall not be indemnified under this Act unless he or she shall receive from the Speaker of the House of Commons or the Chairman of such Committee a similar Certificate; and where any Witness shall be examined before the House of Lords or any Committee of the said House, and also before the House of Commons or any Committee of that House, such Witness shall not be indemnified under this Act unless he or she shall receive a Certificate from the Lord Chancellor, and shall also receive a Certificate from the Speaker of the House of Commons or the Chairman of the Committee of the House of Commons, or such Chairman of the Committee of the House of Commons, are respectively hereby authorized to give; and if any Action, Information, or Indictment shall at any Time be pending in any Court for Bribery at the last or any former Election for the Borough of Stafford, against any Person or Persons, except as aforesaid, who shall have been so examined as a Witness or Witnesses in manner above mentioned, such Court shall, on the Production and Proof of such Certificate or Certificates, stay the Proceedings in any such Action, Information, or Indictment, and may, in its Discretion, award to any such Person or Persons such Costs as he, she, or they may have been put to by such Action, Information, or Indictment.

Parliament, or any Court or Court of Sessions, and who shall make a faithful Disclosure, indemnified.

Not to indemnify against any Action brought before 1833 March 1833.

Witnesses examined before either House, or both Houses, not to be indemnified unless they shall have a Certificate from the Lord Chancellor, or from the Speaker or the Chairman of the Committee of the House of Commons.

To stay of Action, &c. the Production of the Certificate shall stay the Proceedings.

## C A P. XXI.

An Act to suspend until the End of the next Session of Parliament the making of Lists and the Duties and Emoluments for the Militia of the United Kingdom. [25th June 1833.]

[This Act is the same as 2 & 3 W. 4. c. 80.]

## C A P. XXII.

An Act to amend the Laws relating to Sewers. [26th June 1833.]

WHEREAS an Act was passed in the Twenty-third Year of the Reign of His Majesty King Henry the Eighth, concerning Commissioners of Sewers to be directed into all Parts within the then Realm of England, including the Principality of Wales, in the Manner and according to the Form, Tenor, and Effect in the said Act set forth, and which said Act was made perpetual by an Act passed in the Third and Fourth Years of the Reign of His Majesty King Edward the Sixth, intitled *An Act for the Continuance of the Statute of Sewers*, and was amended and altered by an Act passed in the Thirtieth Year of the Reign of Her Majesty Queen Elizabeth, intitled *An Act for the Continuance of Sewers*; And whereas great Difficulties, Inconvenience, and Expence are found to arise by reason that the Laws relating to Sewers are in many respects defective; And whereas Doubts have arisen as to the Extent of the Powers given to the Commissioners of Sewers by the said recited Acts and the Commission issued in pursuance thereof, and particularly as to the legal Mode of conducting Inquiries by means of Juries empanelled and returned by Sheriffs, Bailiffs, and other Returning Officers under the Authority of the said recited Acts, and also as to the legal Power of Courts of Sewers to assess and order new Works to be made and executed for the better defending, draining, serving, and covering the Lands within the Limits of their respective Commissions, and to grant, impose, and levy Rates, Taxes, Sums, or Assessments for or in respect of such new Works, and to direct and order the taking up and borrowing of Money as Interest to repay the Costs and Charges of such new or any extraordinary or other Works, so as to charge and recover of and from the Owners and Occupiers for the Time being of Lands, Tenements, and Hereditaments the Amount of Money so borrowed or any Part thereof, and thereby to distribute such Costs and Charges fairly and equitably among the Parties who shall or may from Time to Time receive Benefit or avoid Damage by or from the same; And whereas it is expedient to increase the Amount of Qualification of Commissions of Sewers within the said Recited Acts, to include in the same the Power of the Courts

25th c. 1.

2 & 3 Edw. 6.

c. 8.

25 Edw. 6.

\* by Law voted or to be voted in Commissioners of Sewers: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Person who has not already acted as a Commissioner under any Commission of Sewers already issued shall be qualified or capable of becoming or acting as a Commissioner in the Execution of any Commission of Sewers unless such Person shall be, in his own Right or in Right of his Wife, in the actual Possession or Receipt for Life or for a larger Estate of the Rents and Profits of Lands, Tenements, or Hereditaments, situated in the County in which he shall act as a Commissioner, or in any adjoining County, of Freehold or Copyhold Tenure, or held for a Term of not less than Sixty Years absolute, or determinable with a Life or Lives, of the clear yearly Value of One hundred Pounds above Rents, or held for a Term of Years originally granted for not less than Twenty-one Years, and of which Ten Years at the least shall then be unexpired, of the clear yearly Value of Two hundred Pounds above Rents, or shall be the Agent of a Person possessed of Freehold or Copyhold Lands, Tenements, or Hereditaments, situated in such County as aforesaid, or in any adjoining County, of the clear yearly Value of Two hundred Pounds above Rents, or unless such Person shall be the Agent duly appointed by Writing under the Seal of any Body Politic or Corporate, or under the Hand of any Person not being himself present, and acting as a Commissioner in the Execution of the Commission of Sewers under or by virtue of which such Agent shall act, and which Body Politic or Corporate shall for the Time being be in the Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments situated in such County as aforesaid, or in any adjoining County, and which Person making such Appointment shall for the Time being be, in his own Right or to Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments, situated in such County as aforesaid, or any adjoining County, and which Lands, Tenements, or Hereditaments, whether so belonging to such Body Politic or Corporate, or to such other Person, shall be actually leased under or by virtue of the Commission of Sewers in respect whereof such Agent shall act, and shall be of the clear yearly Value of Three hundred Pounds above Rents, or unless such Agent shall, before he acts, deliver his written Appointment to the Clerk to such Commission of Sewers, or his Deputy, to be filed by such Clerk among the Records or Proceedings of the Commissioners acting in the Execution of such Commission: Provided always, that in Cases where Commissions of Sewers run into more than One County, the Qualification herein-before provided may be situated either partly in each of the Counties into which such Commission shall run, or wholly in any One of such Counties: Provided that nothing in this Act contained shall extend to give a Qualification to any Person as Agent after he shall have ceased to be such Agent.

Qualifiers may act as Commissioners, upon making an Affidavit.

II. And be it further enacted, That if any Person being a Quaker shall have been or shall hereafter be appointed a Commissioner of Sewers, and shall be in other respects qualified according to the Provisions of the said recited Acts and of this Act, it shall be lawful for such Person, on making his solemn Affidavit to the Effect of the Oath prescribed by the said recited Act of the Twenty-third Year of the Reign of King Henry the Eighth, before the Person or Persons who for the Time being shall be empowered by Law to administer such Oath, and also upon his making and subscribing the Affidavit directed by this Act, to act as a Commissioner of Sewers, without being subject or liable to any Penalty or Forfeiture imposed by the said last-recited Act for acting without having taken the Oath therein contained.

Oaths to be taken by other Commissioners before acting.

III. And be it further enacted, That every such Commissioner before he shall act in the Execution of his Office shall, in addition to the Oath prescribed by the said recited Act of the Twenty-third Year of the Reign of King Henry the Eighth, (or the Affidavit in lieu thereof substituted by this Act in respect of any Commissioner who shall be a Quaker,) take and subscribe before the Person or Persons who for the Time being shall be authorized to administer the Oath prescribed by the said last-mentioned Act the following Oath, or, being a Quaker, the following Affidavit, *either*,

" I do swear, [or, being one of the People called Quakers, do solemnly affirm,] That I truly and lawfully am in my own Right [or in the Right of my Wife] in the actual Possession and Enjoyment of [or in the Receipt for Life, or for a larger Estate, of the Rents and Profits issuing out of] Lands, Tenements, or Hereditaments, situate in the County of \_\_\_\_\_ of Freehold or Copyhold Tenure, or held for a Term of not less than Sixty Years absolute, or determinable with a Life or Lives, of the clear yearly Value of One hundred Pounds above Rents; or held for the unexpired Term of \_\_\_\_\_ Years, originally granted for \_\_\_\_\_ Years, of the clear yearly Value of Two hundred Pounds above Rents; [or am the Agent of \_\_\_\_\_, who, to the best of my Knowledge, is seized of Freehold or Copyhold Lands, Tenements, or Hereditaments, situate in the County of \_\_\_\_\_, of the clear yearly Value of Two hundred Pounds above Rents]; [or am Agent of \_\_\_\_\_, who, [or which,] to the best of my Knowledge, is seized or possessed in his or their own Right] [or in the Right of his Wife] of Freehold or Copyhold Lands, Tenements, or Hereditaments, situate in the County of \_\_\_\_\_, of the clear yearly Value of Three hundred Pounds above Rents. So help me GOD."

Penalty on Persons acting not qualified.

IV. And be it further enacted, That if any Person who has not already acted as a Commissioner of Sewers shall presume to act as a Commissioner of Sewers, not being qualified as aforesaid, or who shall have ceased to be qualified as aforesaid, or, on having taken the Oath, or, being a Quaker, made the

adhere Affirmation prescribed by this Act, every Person willfully so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at Westminster, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Assign, Protection, Waiver of Law, or more than One Imparsonance, shall be allowed; and the Person so sued or prosecuted shall prove that he is qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person had acted as a Commissioner in the Execution of any Commission of Sewers: Provided nevertheless, that no Act or Proceeding touching the Execution of any Commission of Sewers which shall be done or performed by any unqualified Person, previously to his being convicted of the Offence of acting without being qualified as herein provided shall be thereby impeached or rendered nugatory, but all such Acts and Proceedings shall be as valid and effectual as if such Person had been duly qualified.

V. Provided always, That any Mayor, Bailiff, or other Officer appointed or authorized to act as a Commissioner under any Commission of Sewers by virtue of his Office shall and may, so long as he shall hold such Office, act as a Commissioner in the Execution of such Commission of Sewers by virtue of such Office, without being qualified as herein-before directed with regard to Commissions of Sewers in general, and without being required to take and subscribe the Oath or Affirmation herein before prescribed to be taken by Commissioners of Sewers in general with regard to their Qualification, and without being liable to the Forfeiture or Penalty herein-before imposed upon Commissioners of Sewers in general for acting without being qualified as aforesaid, or without having taken such Oath or Affirmation, any thing herein-before contained to the contrary thereof in anywise notwithstanding: Provided also, that such Mayor, Bailiff, or other Officer shall, before he acts, deliver a Certificate, under the Hand of the Town Clerk or other legal Officer of the Corporation in respect of which such Mayor, Bailiff, or other Officer shall or may act, to the Clerk to the Commission under which he shall so act as aforesaid, certifying that he is the Mayor, Bailiff, or other Officer authorized to act as a Commissioner under such Commission.

VI. And he is further enacted, That from and after the passing of this Act all and every Commission and Commissions of Sewers then being in Force, or that hereafter shall be granted and made, shall stand and continue in Force for the Term of Ten Years next ensuing the Date of every such Commission, notwithstanding any Dissolution of the Crown of these Kingdoms during the Existence of any such Commission or Commissions, unless the same Commission or Commissions be or thereaffer shall be repealed or determined by reason of any new Commission in that behalf made, or by Writ of Supersedeas delivered out of the King's Court of Chancery, discharging any such Commission or Commissions.

VII. And he is further enacted, That all Laws, Acts, Decrees, Constitutions, and Ordinances made or to be made by any Court of Sewers, and duly registered to the Rolls or Books of such Court by the Clerk to the Commission, shall continue in full Force and Effect, notwithstanding the Expire, Repeal, or other Determination of the Commission under which such Laws, Acts, Decrees, Constitutions, and Ordinances shall have been respectively made, and notwithstanding the same respectively shall not have been ingrossed or written in Parliament, and under the Seal of the Commissioners or any Six of them, and notwithstanding the one Part thereof shall not remain with the Clerk to the Commission, and the other Part in such Place as the said Commissioners or Six of them shall order or appoint, and notwithstanding the same shall not be certified into the King's Court of Chancery, and the King's Royal Assent had thereto respectively, and the same Laws, Acts, Decrees, Constitutions, and Ordinances shall be altered, repealed, or made void by any subsequent Court or Courts of Sewers in those Parts or Limits where the same Laws, Decrees, and Ordinances were or shall be made and ordained, or by any Six of them.

VIII. And he is further enacted, That it shall be lawful for the said Commissioners or any Three or more of them, or for their Clerk upon the Direction in Writing of any Three or more of the said Commissioners, (and which he is hereby required to do on such Direction,) to appoint the First Meeting of the said Commissioners after the passing of this Act at such Time and Place as to them shall seem best, and of which Meeting Ten clear Days previous Notice shall be given, by Advertisement in some Newspaper of the County, and generally circulated in that District thereof, and it shall be lawful for the said Commissioners from Time to Time to meet at such Time and Place, and to adjourn to meet at any Place or Places and at such Time or Times as the said Commissioners or the major Part of them present at any Meeting shall appoint; and no Order or Determination shall be made unless the major Part of the Commissioners present shall concur therein; and all Acts, Orders, and Proceedings which are directed or authorized to be made, done, or executed by or before the said Commissioners, and all the Powers and Authorities vested in them, shall and may be made, done, and executed by the major Part of the Commissioners who shall be present at the said respective Meetings, the whole Number present not being less than Six; and all Acts, Orders, or Proceedings made, done, or executed by or before such Six Commissioners shall have the same Force and Effect and be as binding and conclusive on all Persons, to all Intents and Purposes whatsoever, as fully and effectually as if the same were made, done, or executed by or before the whole of the said Commissioners; and a Chairman shall and may in the first place be appointed at every Meeting by a Majority of the Votes of the Persons present, who in case of an equal Number of Votes (including the Chairman's Vote) shall have the casting or decisive Vote.

Proceedings not to be impeached on account of Disqualification.

As whole Commission not required to qualify

Commissions to continue for 10 Years, unless removed or repealed by Writ of Supersedeas.

Laws, Decrees, and Ordinances to continue in force notwithstanding Expire, Repeal, or other Determination of Commission, and although not ingrossed in Parliament, or not certified into the Court of Chancery.

Regulation as to Meetings of Commissioners.

Special Meetings may be called on Ten Days Notice.

Any person who causes Special Meetings may be called on Ten Days Notice.

Discretion of Commissioners of Sewers in the exercise of their powers under the several sections of this Act.

Proviso and Enforcement by Law.

IX. And be it further enacted, That if after any Adjournment of any Meeting of the said Commissioners it shall on any Emergency be considered necessary or advisable that a Special Meeting should be appointed for an earlier Day than the Day for which any Meeting shall stand by Adjournment as aforesaid, then and in such Case it shall be lawful for the said Commissioners or any Three or more of them, or for their Clerk upon the Direction in Writing of any Three or more of the said Commissioners (and which he is hereby required to do on such Direction), to appoint a Special Meeting for an earlier Day, and of which Meeting, and of the Time and Purpose thereof, Ten clear Days previous Notice shall be given by Advertisement in some Newspaper of the County, and generally circulated in that District thereof; and no other Business shall be transacted on any such Special Meeting but first which shall have been specified in such Notice as aforesaid: Provided nevertheless, that in the event of any imminent Danger being apprehended from unusually high Tides or any other Cause, and that in the Judgment of Two or more of the said Commissioners the Emergency of the Case will not admit of the Delay of Ten clear Days previous Notice of a Special Meeting, it shall and may be lawful for any Two or more of the said Commissioners, or for their Clerk upon the Direction in Writing of any Two or more of the said Commissioners, (and which he is hereby required to do on such Direction), to convene, by Circular Letter sent to each sitting Commissioner, a Special Meeting for as early a Day as the said Two or more Commissioners shall think fit in their Discretion as aforesaid, such Letters to specify the particular Object for which such Meeting is convened; and no Business shall be transacted thereat but that which strictly relates to such Object.

X. And whereas Doubts have arisen as to the Extent of the Jurisdiction of Commissioners of Sewers: be it therefore further enacted and declared, That all Walls, Banks, Calverts, and other Defences whatsoever, whether natural or artificial, situate or being by the Consent of the Sea, and all Rivers, Streams, Sewers, and Watercourses which now are or hereafter shall or may be navigable, or to which the Tide now does or hereafter shall or may ebb and flow, or which now do or hereafter shall or may directly or indirectly communicate with any such Navigable or Tide River, Stream, or Sewer, and all Walls, Banks, Calverts, Bridges, Dams, Floodgates, and other Works created or to be erected in, upon, over, or adjoining to any such Rivers, Streams, Sewers, or Watercourses, shall be from henceforth, to all Intents, Constructions, and Purposes, within and subject to the Jurisdiction of Commissioners of Sewers: Provided always, that nothing herein contained shall authorize or empower any Commissioner of Sewers to exercise Authority or Jurisdiction upon or over any Dams, Floodgates, or other Works created for the Purpose of Obstruction, previous to the passing of this Act, in, upon, or over any Rivers, Streams, Ditches, Gutters, Sewers, or Watercourses near or contiguous to any House or Building, or to any Garden, Yard, Paddock, Park, planted Walk, or Avenue to a House, without the Consent in Writing of the Owner or Proprietor thereof respectively first had and obtained.

XI. And be it further enacted, That in all Cases in which any Court of Sewers shall inquire by Jury of or concerning all or any of the Matters and Things authorized and directed to be inquired into and presented under and by virtue of the said recited Acts, and the Laws of Sewers of old Time accustomed, or of this Act, it shall and may be lawful for Commissioners of Sewers, or any Six or more of them, to issue a Warrant or Precept under their Hands and Seals to the Sheriff, Bailiff, or other Returning Officer or Officers of every County at large, Cinque Ports, City, Town, Liberty, Precinct, or Place within the Limits of such Commission, commanding such Sheriff, Bailiff, or other Returning Officer or Officers to inquire, summon, and return, and he and they in and are hereby required, on receiving such Warrant or Precept, to inquire, summon, and return, at such Time and Place as in such Warrant or Precept shall be expressed, a Jury of not exceeding Forty-eight nor less than Eighteen substantial and indifferent Persons within his or their respective Jurisdictions, qualified and usually accustomed to serve on Grand Juries as Courts of Sessions of the Peace, and the Persons so to be impeached, summoned, and returned as aforesaid are hereby required to appear before the said Commissioners at such Court of Sewers to be holden within and for the Limits of any and every such Commission of Sewers, or at some Adjournment thereof, as in such Warrant or Precept shall be directed, and to attend such Court, and at any and every Adjournment thereof, until discharged by the said Court; and the said Jury shall be sworn in open Court before the Commissioners, and shall be charged by them to take their Inquiries, and to make and return their Presentments of and concerning all Matters and Things authorized and directed to be inquired into and presented under and by virtue of the said recited Acts, and the Law of Sewers of old Time accustomed, out of this Act, and the said Jury, being so impeached, sworn, and charged as aforesaid, shall proceed in their Inquiry before and in the Presence of the Court, upon the Evidence of One or more credible Witnesses or Witnesses, deposed upon Oath or Affirmation, in the same Manner and Form, and subject to the like Rules of taking and receiving Evidence, as is usual in His Majesty's Courts of Common Law; and the said Commissioners may cause to be summoned to appear before them on the Time and Place of holding their respective Courts of Sewers aforesaid, and at every Adjournment of any Court, all Clerks, Receivers, Bailiffs, Engineers, Surveyors, Collectors, Expeditors, and other their Ministers and Officers of Sewers, and such other Persons as in the Judgment of such Commissioners shall be competent to give proper Evidence and Information to the Court and Jury in the Premises; and Notice of the Time and Place of taking such Inquiries shall be given by affixing to the principal Door of each and every of the Churches and Chapels in the several Parishes, Townships, or Places in which the Rivers, Streams, Ditches, Sewers, Watercourses, Walls, Banks, Calverts, and other Works, Leasls, Tonnements, and Roadments, Channels, Cuts, and Beds of Fishes, and other Matters and Things to be inquired

into or that may be effected thereby, shall be, be, or arise, or if there be no Church, then to some conspicuous Place within such Parish, Township, or Place, a printed or written Paper specifying such Time and Place of Meeting, and signed by the Clerk in the Court before whom such Inquisition is to be taken, at least Seven Days before the taking of such Inquisition, and also by inserting, at least Seven Days before the taking thereof, such Notice once at the least in One or more of the Newspapers published or circulated in or near to the Limits of the Commission of Sewers under Authority whereof such Inquisition shall be taken.

XII. And forasmuch as there are in many Counties at large Cities and Towns being Counties of themselves, Cinque Ports, Hundreds, Liberties, and Precincts, having Jurisdiction exclusive of the Sheriff, Bailiffs, or other Returning Officers of such Counties at large; and it may happen that in the Inquiries and Proceedings of and concerning any Matters and Things affecting or relating to Lands or Tenements lying partly in such County at large and partly in such minor Jurisdiction, authorized and directed to be inquired into and proceeded under or by virtue of the said recited Acts, and the Law of Sewers of old Time accustomed, and of that Act, the Jury returned by the Sheriff or other Returning Officer of such County at large, and the Jury returned by the Sheriff or other Returning Officer of such minor Jurisdiction, may come to opposite or different Conclusions, or make opposite or different Proceedings of or concerning any Matters or Things affecting or relating to any Lands or Tenements lying partly in such County or large and partly in any such City or Town and County of the same, Cinque Port, Hundred, Liberty, or Precinct within such County at large, it shall and may be lawful for such Court of Sewers theretores, or at any Time thereafter, to issue a Warrant or Precept, as well to the Sheriff, Bailiff, or other Returning Officer of such County at large, as to the Sheriff, Bailiff, or other Returning Officer of such City or Town and County of the same, Cinque Port, Hundred, Liberty, or Precinct, commanding them respectively to inquire, summon, and return, and he and they in and are hereby required, on receiving such respective Warrant or Precept, to appear, summon, and return, at such Time and Place (although out of the Jurisdiction of such respective Sheriff, Bailiff, or other Returning Officer,) as in such Warrant or Precept shall be expressed, a sufficient Number, not exceeding Eighteen nor less than Nine substantial and different Persons within his Jurisdiction, and not having occupied Part of the Juris respectively which shall have previously differed in respect of the Matters or Things aforesaid, and out of such Panel so to be returned the Names of Nine Persons shall be drawn by the Clerk of such Court of Sewers or his Deputy in such Manner as Jurors for Trials or Issues joined in His Majesty's Courts of Record at Westminster are by Law directed to be drawn; and the said Eighteen Jurymen shall thereupon be sworn and charged to take their Inquisition and to make and return their Proceedings of and concerning the aforesaid Matters and Things, and which Proceedings so taken and made shall be as conclusive in all respects as if the same Matters and Things had been inquired of as to Lands or Tenements lying within such County at large by a separate Jury of such County at large, and as to Lands or Tenements lying within such City or Town and County of the same, Cinque Port, Hundred, Liberty, or Precinct, by a separate Jury thereof.

XIII. And whereas Doubts have arisen whether a Proclamation of a Jury is not necessary in such or any Occasions to repair Defences and Works within the Jurisdiction of Commissioners of Sewers; by a Statute enacted, That whosoever, under any Commission now in force or which shall hereafter issue, a Jury shall have found and presented that any Person, Body Politic or Corporate, is or are liable to and ought to maintain and repair or contribute to the Maintenance and Repair of any Defence, Wall, Bank, Sewer, or other Work within the Jurisdiction of the Commission of Sewers either under or by virtue of such Commission, in respect of any Lands, Tenements, or Hereditaments, or Common of Pasture, or Profit of Fishing, it shall not afterwards, during the Continuance of such Commission, be necessary to inquire by Jury and obtain a Proclamation upon any subsequent Wants of Amendment and Reparation of the same Defences, Walls, Banks, Sewers, or Works, or any of them, but such Person, Body Politic or Corporate, as presented as aforesaid, and the Owners and Occupiers for the Time being of such Lands, Tenements, or Hereditaments, or Common of Pasture, or Profit of Fishing, shall be liable from Time to Time to maintain and repair or contribute to the Maintenance and Repair of such Defences, Walls, Banks, Sewers, and other Works, according to such Proclamation; and it shall and may be lawful for the Commissioners of Sewers to decree, order, and direct the same to be maintained and repaired by such Person, Body Politic or Corporate, from Time to Time during the Continuance of such Commission accordingly.

XIV. And be it further enacted and declared, That it shall be lawful for the said Commissioners to make separate and distinct Rates, as Occasions shall require, for every separate and distinct Level, Valley, or District, or any Part of such Level, Valley, or District, within their respective Commissions, and to fix and specify the Limits of every such Level, Valley, or District, or of any such Part of a Level, Valley, or District, and to appoint Surveyors, Collectors, Treasurers, Expeditors, and other Officers for every such Level, Valley, or District, or any Part thereof respectively, whenever the said Commissioners shall think fit so to do, and to cause separate and distinct Rates to be levied in the Name of His Majesty, and

Inquests Cases of Difference a Jury to be on panels/Inquests shall be composed, Half from that County at large and Half from the minor Jurisdiction.

A Proclamation of a Jury may be necessary upon such Occasions to repair.

Rates to be made for every distinct Level or District.

received by virtue of any Rate or Rates which shall be made, under the Authority of the said recited Acts relating to Sewers, or of this Act, upon any Lands or Hereditaments within any such Level, Valley, or District, or any Part thereof respectively, and of all Payments and Disbursements in respect thereof; and the said Commissioners are hereby also authorized to apply the Moneys to be collected and received from each distinct Level, Valley, or District, or any Part thereof respectively, by virtue of any such Rate or Rates as aforesaid, to and for the several Purposes to which the same may be lawfully applied under the Authority of the said recited Acts or of this Act, but so nevertheless that each Level, Valley, or District, and every Part of such Level, Valley, or District, shall bear its own Costs, Charges, and Expenses; and in case any such Costs, Charges, and Expenses shall apply to or be incurred in respect of Two or more Levels, Valleys, or Districts, or Parts thereof respectively, the same shall be apportioned and divided between such Levels, Valleys, and Districts, or such Parts thereof respectively, in such Manner as the said Commissioners shall judge to be fair and equitable.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to release or discharge any Person, Body Politic or Corporate, from any Liability to which such Person, Body Politic or Corporate, was or were before the passing of this Act subject by reason of Tenure, Frontage, Prescription, Custom, Covenant, or Grant; but in case any such Person, Body Politic or Corporate, shall not keep in good and proper Repair any Walls, Banks, Sewers, Guts, Cuts, Calces, Tunnels, Culverts, Shutes, Floodgates, Tumbling Bars, Cuts, and other Works, Aids, and Defences to which he, she, or they may be liable by reason of any such Tenure, Frontage, Prescription, Covenant, or Grant, and shall not, after having had Seven Days Notice from the Surveyor, Deputee, or other Officer to be appointed by the Court of Sewers for that Purpose, proceed to put the same into good and proper Repair with all reasonable and proper Dispatch, then and in that Case it shall be lawful for such Surveyor, Deputee, or Officer to put the same into good and sufficient Repair; and the Expenses to be incurred thereby shall be paid by the Person, Body Politic or Corporate, liable to such Repair as aforesaid.

XVI. And be it further enacted and declared, That any Court shall and may, at its Discretion, by and out of the Taxes, Rates, and Scots to be raised under and by virtue of the said recited Acts and this Act, or any or either of them, decree, order and appoint, pay and allow, to Clerks and other Persons employed by the Court, and also to Witnesses attending to give Evidence before the said Court, either in support of any Processment or Order of the Court, or in opposition to such Processment or Order, such Recompense, Fees and Sums of Money, from Time to Time, for their several Expenses and Loss of Time, as to the said Court shall seem just, and also all such Costs, Charges, and Expenses as shall be incurred in surveying, measuring, planning, and valuing the Lands and Hereditaments, or otherwise preparatory to or in or about the making, collecting, and expending such Taxes, Rates, or Scots as aforesaid, or the hearing of Objections in such Taxes, Rates, or Scots, or in or about the carrying on of any Litigation or Controversy arising out of the Duties imposed on the Courts of Sewers by virtue of the recited Acts or of this Act, and for the Payment of all other necessary Allowances, Charges, and Expenses of putting the recited Acts and this Act into execution, and the contingent Expenses of working the said Commissions of Sewers respectively.

XVII. Provided always, and be it enacted, That nothing herein contained shall prevent any Court of Sewers, from Time to Time and at any Time during the Continuance of the Commission of Sewers, from causing Inquiry and Processments to be made by Jury of and concerning the aforesaid Matter and Things, or any other Matter, Cause, or Thing to be inquired into and presented upon, by the Ways and Means herein before provided, or by such other Ways and Means as they were authorized by ancient Customs and Usage or otherwise to do before the passing of this Act, or to abridge or invalidate any Powers or Authorities usually heretofore exercised by any Commissioners of Sewers in their respective Levels not herein expressly abridged or altered.

XVIII. And whereas Persons frequently remove from and give up the Possession of Lands, Tenements, and Hereditaments, before deriving the full Benefit of the Quality of the last Scot or Rate assessed or imposed upon them in respect thereof under or by virtue of the Law of Sewers, and it is just and reasonable that the Persons who succeed them in the Possession thereof should be subject to a Proportion of such Rate; be it therefore enacted, That where any Person shall cease into or occupy any Lands, Tenements, or Hereditaments out of or from which any other Person assessed as aforesaid shall be removed, and also when any Lands, Tenements, or Hereditaments shall at the Time of making such Scot or Rate be empty or unoccupied, then every Person so moved or assessed and removing from, and every Person so coming into or occupying the same, shall be liable to pay such Scot or Rate in proportion to the Time that such Person respectively occupied the same Lands, Tenements, or Hereditaments, in the same Manner, and under the like Penalty of Distress, as if such Person so removing had not removed, or such Person so coming in or occupying had been originally rated and assessed in such Scot or Rate; and which said Proportion, in case of Dispute between the Parties, shall be ascertained and settled by any Court of Sewers; Provided always, that no outgoing Tenant shall be entitled to have or claim any larger Assessement of Rate than shall have been actually paid by him, and not repaid by his Landlord.

XIX. And be it further enacted and declared, That it shall and may be lawful for any Court of Sewers to decree and ordain any new Walls, Banks, Sewers, Guts, Cuts, Calces, Bridges, Tunnels, Culverts, Shutes, Floodgates, Tumbling Bars, Cuts, or other Works, Aids, and Defences, or any Alteration in the same, Drainage, Course, Direction, or Situation of any old or existing Walls, Banks,

Nothing herein to discharge Persons from Liability by Statute, &c.

Various Powers (not) used for Making and Loss of Time (including) Amendments of Sewers.

Nothing in this Act to prohibit Courts of Sewers from causing Inquiry and Processments by any or before.

Right to the appointed tenement occupying and increasing Estates.

Commissioners authorized to make and maintain new Works.

Rivers, Sewers, Guts, Gales, Calceis, Bridges, Tunnels, Culverts, Sluices, Floodgates, Tumbling Bars, Cuts, and other Works, Aids, and Defences to be constructed, made, and done for the more effectually defending and securing any Lands, Tenements, Hereditaments, and Premises within the Jurisdiction of such Court against the Inruption or Overflowing of the Sea, or for draining and carrying of the superfluous Fresh Waters, according to the Wisdom and Direction of such Court, and also, in like Manner and at their Discretion, to decree and ordain any former Walls or Defences against the Sea, or against any Rivers, Streams, Sewers, or Watercourses, within their Commission, to be abandoned and given up, and new Defences and Walls, Banks, Sluices, Floodgates, Tumbling Bars, Cuts, and other Works to be made and continued in lieu thereof, and on every such Case to direct by Inquest and Presentment of a Jury in what Manner and Proportions the same shall thereafter be repaired and maintained by the Parties, Body Politic or Corporate, deriving Advantage or avoiding Damage thereby or therefrom, having regard to previous Liabilities in respect of the Walls and Defences so to be abandoned and given up.

XX. Provided always, and be it further enacted, That nothing herein-before contained shall be construed to authorize or empower the Commissioners acting under any Commission of Sewers for the County of Kent, or any Limits or District within the same, to decree or ordain any Wall, Bank, Sewer, Gut, Cut, Gout, Calceis, Sluice, Floodgate, Tumbling Bar, or other Work, Aid, or Defence to be constructed, made, or done for conveying the Waters of the River Stour, above Sandwich Bridge in the County of Kent, into the Port of Sandwich Barges below the Bridge, or into the Sea at Pyppell Bay, not authorized by an Act passed in the Sixteenth Year of the Reign of His late Majesty King George the Third, entitled, *An Act to enable the Commissioners of Sewers for the several Counties in the Eastern Parts of the County of Kent, more effectually to drain and improve the Lands and Grounds within the general Valley, or so as in any Manner to affect, alter, or interfere with the Provisions of the said Act for the preventing of Prejudice to Sandwich Barges.*

XXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower any Court of Sewers to make any new Walls, Banks, Sewers, Guts, Cuts, Gales, Calceis, Sluices, Floodgates, Tumbling Bars, Cuts, or other Works, Aids, and Defences, where none have or hath or shall have theretofore been, without the Consent in Writing, certified to such Court of Sewers, of the Owners and Occupiers respectively, or their respective Heirs, Executors, Administrators, Trustees, or Assigns, or of the Owners and Occupiers of Three Fourth Parts at the least in Value of the Lands and Hereditaments lying within the Valley, Level, or Division proposed to be charged with the Costs and Expenses of making and continuing such new Works respectively.

XXII. And be it further enacted, That it shall and may be lawful for the Occupier for the Time being of Land lying next and adjoining to any River, Sewer, or Watercourse within and subject to the Jurisdiction of Commissioners of Sewers, at any Time within Six Calendar Months from and after any Gravel, Soil, Mud, or Earth shall have been cast or deposited upon the Banks of such River, Sewer, or Watercourse, by the Order of any Surveyor, Bailiff, Expeditory, or other Officer of Sewers, and at any Time within Six Weeks from and after any Rashes, Flags, or other Woods shall have been cast or deposited upon such Banks as aforesaid, to take and remove for his own Use such Gravel, Soil, Mud, and Earth, and such Rashes, Flags, and Woods respectively: Provided always, that such Gravel, Soil, Mud, and Earth, and such Rashes, Flags, and Woods respectively, shall be removed at least Ten Feet from the Land Side of the Banks of such River, Sewer, or Watercourse.

XXIII. And be it further enacted, That if any such Occupier shall neglect to remove such Gravel, Soil, Mud, or Earth as aforesaid within such Six Calendar Months as aforesaid, or such Rashes, Flags, or other Woods as aforesaid within such Six Weeks as aforesaid, for his own Use, then and from thenceforth respectively it shall be lawful for any such Surveyor, Bailiff, Expeditory, or other Officer of Sewers, with Workmen, Horses, Carts, Carriages, Barrows, and other necessary Tools and Implements, at any Time or Times in the Day-time to enter upon the Land of such Occupier, and to take away and remove therefrom such Gravel, Soil, Mud, and Earth, and such Rashes, Flags, and Woods respectively, and also for such Purposes to pass and repair, at any Time or Times in the Day-time, through and over any other Lands lying between the nearest Highway and the Banks of such River, Sewer, or Watercourse: Provided always, that if the Owner or Occupier of the Land upon which any such Gravel, Soil, Mud, Earth, Rashes, Flags, or Woods shall have been deposited shall require the Commissioners of Sewers to remove the same, such Commissioners shall, within Six Weeks after such Requisition as aforesaid, cause the same to be removed from and off the said Land.

XXIV. And be it further enacted, That it shall be lawful for any Court of Commissioners of Sewers to lease, contract, and agree with the Owners of and Persons interested in any Messuages, Lands, Tenements, Hereditaments, and Premises, with their Appurtenances, for the Purchase thereof or of any Part thereof, for the Purpose of widening, deepening, strengthening, maintaining, repairing, and amending any Rivers, Streams, Watercourses, Walls, Banks, and other Works, Aids, and Defences within the Jurisdiction of Commissioners of Sewers, and for the Loss or Damage which such Owners or Persons may sustain thereby respectively; and it shall be lawful for all Bailiffs Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Towns for Life or in Tail, Heirs, Executors, Administrators, Trustees, or Assigns, and all other Persons whomsoever, not only for or on behalf of themselves, their Heirs and Successors, but also for or on behalf of the Person entitled in Reversion, Remainder, or Reversion after them, and for and in behalf of their Heirs, Executors, Administrators, Trustees, or Assigns, whether

Not to interfere with Provisions of 14 Geo. 3. c. 22. for preventing of Prejudice to Sandwich Barges in Kent.

No new Works to be made without the Consent of the Owners and Occupiers of Three Fourth Parts in Value of the Lands to be charged.

Occupier of Land adjoining Sewers may take away Soil and Woods from Banks for their own use.

Owner of Occupier or Surveyor may remove it.

Commissioners authorized to purchase the Purchase of Lands, &c.

whether Forest Covert, Infesta, or Inseu abarbo, Lantilla, Idiots, or other Persons whatsoever, and to and for all Forests Coverts who are or shall be seized of or interested in their own Right, and to and for every Person whatsoever, who is or shall be possessed of or interested in any such Lands, Tenements, Hereditaments, or Premises, or who shall sustain any Damage as aforesaid, in contract with the said Commissioners for the Sale thereof respectively, or for the Satisfaction to be made for the same or for such Damage as aforesaid, and by Consequence to convey unto the said Commissioners all or any of such Messuages, Lands, Tenements, Hereditaments, or Premises, or any Part thereof, for the Purpose aforesaid, in manner herein-after mentioned: and all Contracts, Sales, and Conveyances which shall be so made shall be good, valid, and effectual, to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, Custom, or other Matter to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbandry, Guardians, Trustees, Professors, Conservators, Executors, Administrators, and all other Persons shall be and are hereby indemnified for what they or any of them shall do by virtue or in pursuance of this Act.

Form of Conveyance to Commissioners.

XXV. And be it further enacted, That all such Conveyances of any Lands, Tenements, or Hereditaments to be purchased by the said Commissioners of Sewers shall be expressed in the following or some similar Form of Words, as the Circumstances of the Case may require:

I, \_\_\_\_\_ of \_\_\_\_\_ as Commissioner of the Sum of \_\_\_\_\_ to me paid by His or her Majesty the King, do hereby grant and release to the Commissioners of Sewers acting as and for the said Lords all (describing the Premises to be conveyed), and all my Right, Title, and Interest in and to the same and every Part thereof, to hold to the said Commissioners, their Successors and Assigns for ever, by virtue of the several Acts and Laws now in force concerning Sewers. In witness whereof I have hereunto set my Hand and Seal this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

Where Premises shall appear or refer to treat, the Commissioners to issue their Warrants to the Sheriff to impanel a Jury.

XXVI. And be it further enacted, That if any such Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Tenant for Life or in Tail, Husbandry, Guardians, Trustees or Executors, Conservators, Administrators, or any other Person arrested in any such Lands, Tenements, Hereditaments, or Premises, or sustaining any Damage as aforesaid, upon Notice to him or them given, or left in Writing at the Dwelling House or Place of Abode of such Person, or of the principal Officer of any such Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Tenant for Life or in Tail, or at the House of the Tenant in possession of any such Lands, Tenements, Hereditaments, or Premises, shall, for the Space of Thirty Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners of Sewers, or any Six or more of them, are hereby empowered from Time to Time to issue out their Warrants or Warrants under their Hands and Seals to the Sheriff, Bailiff, or other Returning Officer of the County or Place wherein the Matter in question shall lie, or if such Sheriff, Bailiff, or other Returning Officer shall be immediately interested in such Matter, then to one of the Coroners of such County or Place, commanding such Sheriff, Bailiff, or other Returning Officer, or Coroner, to impanel, summon, and return a Jury; and the said Sheriff, Bailiff, or other Returning Officer, or Coroner, is hereby required accordingly to impanel, summon, and return Twenty-four Men, qualified according to the Laws of this Realm to be returned for Trials of Issues joined in His Majesty's Courts at Westminster; and the Process so to be impanelled, summoned, and returned are hereby required to come and appear before the Justices of the Peace for the County or Place in which such Lands, Tenements, Hereditaments, or Premises shall lie, or the Matter in question or dispute shall arise, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County or Place, or at some Adjournment thereof, as in such Warrant or Warrants shall be appointed, in order that out of them a Jury of Twelve may be sworn, to inquire touching the Matters in question; and in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff, Bailiff, or other Returning Officer, or Coroner, shall return other honest and indifferent Men that can speedily be procured to attend that Service, to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen; and the Clerk of the Peace for the said County or Place, or his Deputy, is hereby empowered and required to summon before the said Justices all such Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matters in controversy; which Jury (upon their Oaths, to be administered by the said Justices, which Oaths, as also the Oath to such Persons so shall be called upon to give Evidence, the said Justices are hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands, Tenements, or Hereditaments, or the Recompense to be made for Damages that may or shall be sustained as aforesaid, and to settle and ascertain in what Proportions the Sum or Sums of Money so assessed shall be paid to the several Tenants interested in the Premises; and the said Justices shall give Judgment for such Purchase Money or Recompense so to be assessed by such Juries, which said Verdict, and the Judgment thereupon pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes against all Parties, Bodies Politic, Corporate, and Collegiate, and all Persons whatsoever.

Jury may be challenged.

Witnesses to be examined, and examined upon Oath.

Jury to assess Damages.

Verdict of the Jury to be binding.



**XXVII.** Provided always, and he it further enacted, That if any such Sheriff, Bailiff, or other Returning Officer, or Coroner, or his Deputy or Agent, shall make default in the Premises, every such Person shall for every Offence forfeit the Sum of Twenty Pounds; and if any Person so commissioned and returned as aforesaid on such Jury shall not appear, or appearing refuse to be sworn, or being sworn refuse to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true intent of this Act, or if any Person so summoned to give Evidence shall not appear, or appearing refuse to be sworn or examined or to give Evidence, every Person so offending, having no reasonable Excuse, to be allowed by the said Justices, shall for every such Offence forfeit and pay such Sum as the said Justices shall appoint, not exceeding the Sum of Five Pounds for any One Offence.

Commissioners may impose a Fine on Sheriff, Witnesses, &c. making default.

**XXVIII.** And be it further enacted, That all the Agreements, Contracts, Sales, and Conveyances, and also all Verdicts and Judgments, which shall be made and given in relation to any such Lands, Tenements, and Hereditaments as aforesaid, (such Verdicts and Judgments being certified by the Clerk of the Peace of the County or Place in which such Verdict and Judgment shall have been given,) shall be delivered to and deposited with the Clerk of the Sewers for the County, Lincas, or District wherein such Lands, Tenements, or Hereditaments are situate, and shall be filed with the Rolls of the Court or Commissioners of Sewers of such County, Lincas, or District; and the same, or a true Copy thereof, shall be admitted as Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, and take Copies thereof, upon paying for every such Inspection the Sum of One Shilling, and for every such Copy not exceeding Seventy-two Words the Sum of Four-pence, and so in proportion for any greater Number of Words.

Agreements to be filed with the Clerk of the Sewers.

**XXIX.** And be it further enacted, That in case any such Jury or Juries shall deliver a Verdict for more Money as a Satisfaction for such Lands, Tenements, or Property, or for any such Loss or Damage, than what shall have been offered by such Commissioners for the same before the summoning or returning the said Jury or Juries, then and in such Case the Costs and Expenses of summoning and returning the said Jury or Juries, and all other Expenses attending the hearing and determining of such Differences, shall be borne and paid by the said Commissioners out of the same Fund as the said Purchase or Compensation Money is hereby directed to be paid; and such Costs and Expenses shall be ascertained and settled by an Officer of One of His Majesty's Superior Courts of Record at Westminster, to be nominated, in case of Dispute, in the County of Middlesex by the Lord Chief Justice of the Court of King's Bench, and in every other County by the senior Judge of the Gaol Delivery for the time being; but if any such Jury or Juries shall deliver a Verdict for no more or for less Money than shall have been offered by the said Commissioners before the summoning such Jury or Juries, then such Costs and Expenses (to be ascertained and settled in like Manner) shall be borne and paid by the Person with whom such Commissioners shall have such Controversy or Dispute, and shall and may be levied by Distress and Sale of the Goods and Chattels of the Person liable to pay the same, by Warrant under the Hands and Seals of Two Justices of the Peace for the County or Place within which such Verdict and Judgment shall have been given; and the Overplus (if any), after such Costs and Expenses, and the Charge of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels.

By whom Costs of Jury and Witnesses to be paid.

**XXX.** And be it further enacted, That every Sum of Money and Recompense to be agreed for or assessed as aforesaid shall be paid for out of any Messies in the Hands of the said Commissioners which may be levied on the Messuages, Tenements, Lands, and Hereditaments, which shall receive Benefit or avoid Damage by or from such widening, straightening, deepening, repairing, and amending as aforesaid, or by or from making and maintaining any new Walls, Banks, Sewers, Guts, Gates, Callics, sluices, Headgates, Cuts, and other Works, Aids, and Defences; and upon Payment to such Parties or Persons, or their Agents, or left at their respective usual Places of Abode, or with the Tenant in possession of such Lands, Tenements, Hereditaments, and Premises, or into the Bank of England in manner directed by this Act (as the Case may be), then such Lands, Tenements, Hereditaments, and Premises respectively shall be vested in such Commissioners, and shall and may be taken and used for straightening, widening, deepening, repairing, and amending such Rivers, Streams, Ditches, Gutter, Sewers, and Watercourses, or for making and maintaining any new Walls, Banks, Sewers, Guts, Gates, Callics, sluices, Headgates, Cuts, and other Works, Aids, and Defences; and all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands, Tenements, and Hereditaments.

From what Fund Payments and Compensation Made are to be paid.

**XXXI.** And be it further enacted, That if any Money shall be agreed or assessed to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used, by virtue of the Powers of the Act, by any Commissioners of Sewers, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Person in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, or for or on behalf of any Infant, Lunatic, Mute, Feme Covert, Catholic Trust, or to any other Person whose Lands, Tenements, or Hereditaments are or may be limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of England in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account there or into the Commissioners of Sewers for whose such Lands, Tenements, or Hereditaments shall be taken, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the better saving Moneys and Effects paid into the Court of Exchequer at Westminster on account of the Succession of the said Queen, and for the Improvement of an Acqueduct, Sewer, and Two Rivers of the*

Application of Compensation Money exceeding 200*l.*

aid Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward; to the intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands, Tenements, and other Hereditaments, to the Purchase or Redemption of the Land Tax, or to the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof; as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing entitled therewith to the same or the like Uses, Trusts, Incidents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Incidents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds per Centum Consolidated or Three Pounds per Centum Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purpose aforesaid the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by the Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments to be purchased as aforesaid, in case such Settlement or Purchase were made.

Application of  
Consolidated  
Money when  
less than 200*l*.  
and not less  
than 10*l*.

XXXII. Provided always, and be it further enacted, That if any Money so agreed or assigned to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purpose aforesaid, belonging to any Corporation, or to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his Guardian or Committee in Cases of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of England in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees to be nominated by the Person making such Option, and approved by Six or more of the Commissioners taking such Lands, Tenements, or Hereditaments, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends and Interest arising thereon, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application of  
Consolidated  
Money when  
less than 10*l*.

XXXIII. Provided also, and be it further enacted, That when such Money so agreed or assigned to be paid as before mentioned shall be less than the Sum of Twenty Pounds, then and so every such Case the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Commissioners, or any Six or more of them, shall think fit: or in case of Lunacy, Idiocy, or Infancy, then to his Guardian or Committee, so and for the Use and Benefit of such Person as entitled.

Persons in possession  
to be deemed lawfully  
entitled to the  
Produce and  
the interest  
shall be deemed  
to be done  
to the Court  
of Exchequer.

XXXIV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of England in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or in the Dividends or Interest of any such Bank Annuities, the Person who shall have been in possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Land, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be applied and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

If Compensation  
Money is  
refused, or  
Title not made,  
or if Person to  
whom Money  
assigned cannot  
be found, Money

XXXV. And be it further enacted, That in case the Person to whom any Sum or Sums of Money shall be assigned or agreed for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Primitives to the Satisfaction of the said Commissioners or any Six or more of them, or in case such Person to whom such Sum or Sums of Money shall be so assigned or agreed to be paid as aforesaid cannot be found, or if the Person entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Com-



ments shall be, by some Person not interested in the Premises, stating that such Offer was made by or on behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to or was refused by the Person to whom the same was so offered, shall in all Cases whatever be sufficient Evidence and Proof that such Offer was made, and was not agreed to or was refused by the Person to whom such Offer was made (as the Case may be); and in case such Person shall be desirous of purchasing the same, and he and the said Commissioners shall differ and not agree with respect to the Price thereof, in such Case the Price thereof shall be ascertained by a Jury in manner hereinafter directed with respect to the disputed Value of Premises to be purchased by Commissioners of Sewers in pursuance of this Act; and the Expense of hearing and determining such Difference shall be borne and paid in like Manner as heretofore directed with respect to Purchases made by the said Commissioners of Sewers, *scilicet* *metuendo*.

XI. And be it further enacted, That all such Conveyances of any Lands, Tenements, or Hereditaments to be sold and disposed of by the said Commissioners of Sewers shall be expressed in the following or some similar Form of Words, as the Circumstances of the Case may require:

WE, the Commissioners of Sewers acting in and for several Limits (here describe the Limits or set forth in the Certificate of Sewers), in consideration of the Sum of \_\_\_\_\_ to us paid by \_\_\_\_\_ do hereby grant and release to the said \_\_\_\_\_ all (describing the Premises to be conveyed), and all Rights, Title, and Interest of the Commissioners of Sewers in and to the same and every Part thereof, to hold unto the said \_\_\_\_\_ his Heirs, Executors, Administrators, and Assigns for ever. In witness whereof we have hereunto set our Hands and Seals this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

XII. And be it further enacted, That it shall and may be lawful for Courts of Sewers, from Time to Time as Occasion shall require, to borrow and take up at Interest any Sum or Sums of Money for the Purchase of Messuages, Lands, Tenements, or Hereditaments, or for defraying the Costs, Charges, and Expenses of any Work or Works required to be done within the respective Limits of their Commission, for making, repairing, and maintaining any Sea Bank, Wall, or other Defence or Defence, against any violent Eruption or Encroachment or apprehended Encroachment of the Sea or Rivers, or for the making and maintaining any new Cut, or for the more effectual and better draining and carrying off the Floods and superfluous Fresh Waters, or for the building, constructing, repairing, mending, renewing, and maintaining any Floodgates, Sluices, Bridges, Dams, or other necessary Works, or for any other Construction, Work, Matter, or Thing which the said Court shall judge necessary or expedient for the more effectual Defence, Security, and Improvement of the Lands, Grounds, Tenements, and Hereditaments within the Jurisdiction of such Court of Sewers; and the Repayment of such Sum and Sums of Money, with Interest, shall and may from Time to Time be secured to the Party lending the same upon or by virtue of a Decree or Ordinance under the Hands and Seals of the Commissioners, or any Six of them, (which Decree and Ordinance they are hereby authorized to make,) charging the Lands, Tenements, and Hereditaments receiving Benefit or avoiding Damage from the said several Works, and the Owners or Occupiers or Owners and Occupiers for the Time being thereof, with the Payment of such Sum and Sums of Money, with Interest, according to the Proportions and in the Manner returned in and by any Presentment touching or concerning the Costs and Charges of such last-mentioned Works, or the Lands, Grounds, Tenements, and Hereditaments receiving Credit or avoiding Damage thereby: Provided always nevertheless, that no such Money shall be borrowed or taken up at Interest as aforesaid without the Consent in Writing, certified to the said Commissioners or any Six of them, of the Owners and Occupiers respectively, or their respective Husbands, Guardians, Trustees or Executors, Committees, Executors or Administrators, of Three Fourth Parts at the least in Value of the Lands and Hereditaments lying within the Valley, Level, or District proposed to be charged with the Repayment thereof: Provided also, that no Person being the Owner for the Time being of any Lands, Tenements, or Hereditaments shall be chargeable or liable, in respect of such Lands, Tenements, or Hereditaments, for or towards any Principal Money borrowed or taken up as aforesaid, with or to the Payment of any greater Sum of Money than One Fifth Part of the Value of such Lands, Tenements, or Hereditaments at the Time of borrowing or taking up the same: Provided also, that it shall be provided, expressed, and declared in and by the said Decree and Ordinance, that the Sum or Sums of Money so borrowed and taken up thereon shall be repaid within a Time to be named in such Decree and Ordinance, not being for a longer Period than Five Years from the making thereof, by equal annual or shorter Installments, together with Interest on the Sum or Sums so borrowed or taken up, or on such Part thereof as shall from Time to Time remain due and unpaid; and the said last-mentioned Decree and Ordinance shall be and remain in full Force and Effect until such Sum or Sums of Money, and all Interest thereon, shall have been fully paid and satisfied; any thing in the said recited Act or this Act contained, or any Custom or Usage, to the contrary notwithstanding.

XIII. And for facilitating the raising, securing, and paying off from Time to Time of the Moneys which it may be necessary so to raise and borrow as aforesaid, be it further enacted, That it shall and may be lawful for any Court of Sewers from Time to Time to grant Securities, in the Form of a Certificate, under the Hands and Seals of Six of the said Commissioners, to such Person who shall so advance any Sum of Money as aforesaid, setting forth the Amount of the Sum borrowed, the Rate of Interest payable for the same, the Periods at which the said Principal Money shall be decreed to be paid off by Installments, and a general Description of the particular Lands, or, if by Assessment, the District,

Form of Conveyance from Commissioners.

Power to borrow and take up Money at Interest for making and maintaining Works.

Courts of Sewers may grant Securities to Persons advancing Money.

*District, Limit, or Level* in which the Lands are situate, which are to be charged with the Repayment thereof, and that every such Security or Certificate shall be made in the following Words, or by any other Words to the same Purport and Effect:

BY virtue of an Act passed in the Third Year of the Reign of His Majesty King William the Fourth, intituled *(here insert the Title of the Act)*, we the undersigned, being Six of the Commissioners *[here insert the general Description of the Commission under which they act]*, in consideration of the Sum of *[here insert the amount of the Money of Great Britain to (here insert the Name of the Revenue of the said District) lent and paid by us to heretofore certify, that (here describe the particular Lands, or of by Assesment, the Village, Level, or Level in which the Lands are situate, which are to be charged)]* are become charged with the Repayment of the said Sum, in Installments of One *[here insert the Part of the said Sum]* in every Year, together with Interest on each Part of the said Principal Money of *[here insert the sum]* unpaid from Time to Time at and after the Rate of *[here insert the Rate of Interest]* per Centum per Annum, until the whole thereof shall be repaid; which Sum or lent and advanced by the said *[here insert the Name of the Person]* in Part of a Capital Sum of *[here insert the sum]* which as a Court of Sewers holden at *[here insert the Place]* on the *[here insert the Day of the Month]* last was decreed and ordered to be taken up and borrowed for the Purpose of *[here briefly state the general Cause or Object of borrowing the Money]*. In witness whereof we have hereunto set our Hands and Seals the *[here insert the Day of the Month]* Day of *[here insert the Month]* 18*[here insert the Year]*.

Form of Security

XLIII. And he it further enacted, That every Person, Body Politic, Corporate, Collegiate, Aggregate or Sole, who shall be entitled to the Money thereby secured, and his, her, or their Executors, Administrators, and Successors, may from Time to Time, personally, or by Attorney therunto lawfully authorized, assign or transfer his or their Right, Title, Interest, or Benefit to the said Principal and Interest Money thereby secured to any Person whatsoever, by indorsing on the Bank of such Security, in the Presence of One credible Witness, who shall subscribe his Name thereto, the following Words, or Words to the like Effect:

Securities may be transferred

I *[or We]* *[A. B. of A. Co.]*, in consideration of the Sum of *[here insert the sum]* to me this Day paid by *[C. D. of A. Co.]*, do hereby transfer the whole Certificates of Charge, with all my Right and Title to the Principal Money thereby secured and now remaining due thereon, and to all the Interest Money now due or hereafter to become due, unto *[here insert the Name of the Assignee]* his [her, or their] Executors, Administrators, Successors, and Assigns *[or de Cuius may be]*. Given under my Hand and Seal this *[here insert the Day of the Month]* Day of *[here insert the Month]* 18*[here insert the Year]*.

Form of Transfer

Which Transfer shall be produced and confided to the Clerk for the Time being of the said Commissioners before the Party holding the same Transfer shall be entitled to receive any Principal or Interest due or owing as aforesaid; and every such Clerk shall make an Entry amongst the Records of the said Commissioners of the Particulars of every such Transfer, and indorse a Minute of such Entry upon the Book of every such Transfer, signed by such Clerk, and for which Entry and Minute he shall be entitled to a Fee of Five Shillings, and no more.

Transfer to be produced to Clerk of Commissioners, and to be registered by him.

XLIV. And whereas it has been found in some Instances difficult or inconvenient to hold Courts of Sewers within the Limits or Districts of the Commission under or by virtue whereof such Courts have been held, by reason that no House or other edifice or Building could be procured within such Limits or Districts to be therefore further enacted, That it shall and may be lawful for Commissioners acting under any Commission of Sewers to hold Courts of Sewers at any Place not being at a greater Distance than Five Miles from the Limits or Districts of such Commission.

Courts of Sewers may be held out of the Limits of the Commission

XLV. And he it further enacted, That all Laws, Acts, Decrees, Constitutions, and Ordinances heretofore made, done, decreed, and ordained at or by any Court of Sewers holden without the Limits or District of the Commission under or by virtue whereof such Court has been holden, but within Five Miles of the Limits or District of such Commission, shall be and they are hereby declared to be as valid and legal, and shall hereafter be and remain in as full force and virtue, as if the same Laws, Acts, Decrees, Constitutions, and Ordinances had been made, done, decreed, and ordained at a Court of Sewers holden within the Limits or District of the Commission under or by virtue whereof such Court was holden; any Statute, Law, Usage, or Custom to the contrary notwithstanding.

All Acts of Commissioners done without the Limits of the Commission, but within Five Miles thereof, to be valid.

XLVI. And whereas in many Cases the Burthen of supporting, repairing, and maintaining a common Sea Wall, Bank, Sewer, or other Work may be divided among divers Persons, each of whom may be liable to the Repair of a certain Portion thereof; and in order to avoid the Necessity of presenting each such Person separately in respect of the Necessity of such common Sea Wall, Bank, Sewer, or other Work, he it further enacted, That it shall be lawful for any Sewers Jury, Bailiff, Surveyor, Expediter, or other Person to present the whole of such Sea Wall, Bank, Sewer, or other Work respectively, or such Part thereof respectively as shall at any Time be out of repair or require clearing, and to allege to such Presentment what Persons or Bodies Politic or Corporate are liable to the Repair thereof, and also to specify what Part or Portion of such Sea Wall, Bank, Sewer, or other Work each such Person, Body Politic or Corporate, is bound or liable to repair, without making a separate and distinct Presentment against each such Person or Body Politic or Corporate; and upon Twenty-eight Days Notice of such Presentment to be left with, or at the last or usual Place of Abode or Office of such Person, Body Politic or Corporate, each such Person, Body Politic or Corporate, shall be at liberty to traverse the Allegation contained in such Presentment as to his Liability to the Repair of such Part of such Sea Wall, Bank, Sewer, or other Work, or in such Presentment, in which case with

Several Defects may be included in One Presentment, and separately traversed

him; and Trial of such Treasures shall be thereupon had as if such Presentment had been solely and exclusively made against such Person, Body Politic or Corporate, so traversing the same as aforesaid.

Property in  
Lands, Build-  
ings, Goods, &c.  
shall in Com-  
missioners.

XLVII. And be it further enacted, That the Property of and in all Lands, Tenements, Hereditaments, Buildings, Erections, Works, and other Things which shall have been or shall hereafter be purchased, obtained, erected, constructed, and made by or by the Order of, or which are or shall be within or under the View, Cognizance, or Management of any Commissioners of Sewers, with the several Concessions and Appurtenances thereto respectively belonging, and also all and singular the Goods, Tools, Utensils, Materials, and Things whatsoever bid and to be bid, bought, procured, or provided by or by the Order of, or which are or shall be within or under the View, Cognizance, or Management of such Commissioners, shall be and the same are hereby vested in the Commissioners of Sewers within or under whose View, Cognizance, or Management such Lands, Tenements, Hereditaments, Buildings, Erections, Works, Goods, Tools, Utensils, Materials, and Things shall respectively be, who are hereby empowered to bring or cause to be brought any Action or Actions, or to prefer or order the preferring of any Bill or Bills of Indebtedment, against any Person who shall dig up, break or pull down, damage, destroy, injure, spoil, steal, take or carry away, or wilfully and wrongfully buy or receive, any such Lands, Tenements, Hereditaments, Buildings, Erections, Works, Goods, Tools, Utensils, Materials, and Things whatsoever as aforesaid, or any Part thereof, and in every such Action and Indebtedment the said Lands, Tenements, Hereditaments, Buildings, Erections, Works, Goods, Tools, Utensils, Materials, and Things shall be led or described to be the Property of the said Commissioners, without stating or specifying the Name or Names of all or any of such Commissioners.

Officers in  
surrender when  
required.

XLVIII. And be it further enacted, That every Clerk, Treasurer, Collector, Receiver, and other Officer appointed and to be appointed by any Court of Sewers shall, as often as required by such Court, render and give to the said Court, or to such Person as it shall see that Purpose appoint, a true, exact, and perfect Account in Writing under their respective Hands, and produce and deliver unto the said Court, or to such Person as aforesaid, proper Vouchers of and for all Monies which they shall respectively before the Time of rendering such Accounts have received, paid, and disbursed for or on account or by reason of their respective Offices; and in case any Money so received by any such Officer shall remain in his Hands, the same shall be paid by him to such Person as the said Court shall authorize and empower to receive the same; and if any such Officer shall refuse or wilfully neglect to render and give such Accounts, or to produce and deliver up such Vouchers, or shall, for the Space of Fourteen Days after being thereto required by the said Court, refuse or neglect to render, produce, and deliver up to them, or to such Person as they shall direct or appoint, such true and perfect Account, and all or any such Vouchers, as aforesaid, and all or any Books, Papers, Writings, Matters, and Things in his Hands, Custody, or Power, it shall and may be lawful for the said Court, in a summary Way, to cause such Money as shall appear to be due and unpaid from such Officer to be levied by Distress and Sale of the Goods and Chattels of such Officer, rendering to such Officer the Overplus (if any), on Demand, after Payment of the Money remaining due, and deducting the Charges and Expenses of making such Distress and Sale; and if sufficient Distress cannot be found, or if any such Officer shall refuse or wilfully neglect to render such Account, or to deliver up all or any Vouchers, Books, Papers, Writings, Matters, or Things in his Custody or Power relating to the Execution of his Office, the said Court shall or may attach him to any House of Correction or Common Goal of the County, City, or Liberty in which such Court of Sewers shall have Jurisdiction, there to remain without Hall or Mainprize until he shall have made and given a true and perfect Account, and shall have delivered up the Vouchers relating thereto, and shall have paid the Money (if any) remaining in his Hands as aforesaid, according to the Directions of the said Court, or shall have compounded with the said Court for such Money, and paid such Composition according to their Direction (which Composition the said Court is hereby empowered to make and receive), or until he shall have delivered up all such Books, Papers, and Writings, Matters and Things as aforesaid, or have given Satisfaction to the said Court concerning the same; but no such Officer who shall be committed on account of his not having sufficient Goods and Chattels as aforesaid shall be detained in Prison by virtue of this Act for any longer Time than Six Calendar Months.

Removing Of-  
ficer from the  
Possession of the  
Property of  
County of  
Sewers.

XLIX. And be it further enacted, That if any Officer or Servant of any Court of Sewers who shall be by such Court discharged from his Office shall be in possession of any Houses, Buildings, Lands, Floodgates, Sluices, Dams, Works, Materials, Tools, or Implements so belonging to or vested in any such Commissioners of Sewers as aforesaid, and shall refuse to deliver up the Possession thereof within Two Days after Notice of his being discharged and of his being required to deliver up the same shall be given to him, or left at his last or next usual Place of Abode, or if the Wife, Widow, Family, or Representatives of any such Officer or Servant who shall happen to die, shall, after like Notice given to her, them, any or either of them, refuse to deliver up possession of the same within the like Time after she, they, or either of them shall be required so to do, then and in either of the said Cases it shall and may be lawful for any such Court of Sewers for the County, Limits, or District wherein the same Property, Matter, or Thing refused to be delivered up may be, by Warrant under the Hands and Seals of Six Commissioners of Sewers for the County, Limits, or District, to order a Constable or other Peace Officer, with such Assistance as shall be deemed necessary, to enter any such Houses, Buildings, Lands, Floodgates, Sluices, Dams, or other Works so refused to be delivered up, as the Day-time, and to remove the Person who shall be found therein together with their Goods and all or any such

also to take possession of the same, and of all such other Property, Motees, and Things belonging to or vested in the said Commissioners of Sewers, as shall be so refused to be delivered up as aforesaid, and to put the said Commissioners, or their Officer or Servant, in possession thereof.

L. And be it further enacted, That it shall be lawful for any Court of Sewers to take such Security from every Treasurer, Receiver, Collector, Expounder, and other Ministers and Officers, as in such Court shall seem meet, for the just and faithful Execution of such Office or Trust, and such Security shall be given by Bond or Bonds to the Clerk for the Time being to the said Commissioners of Sewers; and in case of Forfeiture it shall be lawful for the said Court of Sewers to sue upon such Bond or Bonds in the Name of the Clerk to the said Commissioners of Sewers for the Time being, and to entry on such Suit at the Costs and Charges and for the Use and Benefit of the Fund for the Security of which such Bond or Bonds shall have been taken, fully indemnifying and saving harmless such Clerk from all Costs and Charges in respect of such Suit from and out of such Fund; and no Action or Suit to be brought or commenced in the Name of the Clerk in the Manner aforesaid shall abate or be discontinued by the Death, Resignation, or Removal of such Clerk, or by the Expiration of any Commission of Sewers or other Authority under which the said Clerk may act as aforesaid.

LII. And be it further enacted, That it shall not be lawful for any Court of Sewers to continue or appoint the Person who hath been or who may be appointed their Clerk in the Execution of any Commission of Sewers, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Clerk or other Person in the Service or Employ of the Partner of such Clerk, the Treasurer for the Purpose of the said recited Acts or of this Act, or to continue or appoint any Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, the Clerk of the said Commissioners; and if any Person shall continue in or accept both the Office of Clerk and Treasurer in the Execution of any Commission of Sewers, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall continue in or accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or shall in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall continue in or accept the Office of Clerk in the Execution of any Commission of Sewers, or shall act as Deputy of such Clerk, or shall in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under such Court of Sewers other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record or Pleas, by Action of Debt or on the Case, or by Bill, Subpoena, or Information, wherein no Escoign, Protection, or Wager of Law, nor more than One Imparlonment, shall be allowed.

LIII. And for the better carrying into execution the Powers and Authorities of the said Commissioners of Sewers, be it further enacted, That all and every Chief and Petty Constables, Headboroughs, and Tellingmen, or by whatsoever other Name or Names such Chief or Petty Constables may be called or known, and other Peace Officers, of or within the respective Hundreds, Parishes, Townships, Liberties, Districts, or Places within the Jurisdiction of the said respective Courts, shall and they are hereby authorized and required to obey and execute all and every the Orders, Warrants, Precepts, or other Process which may be to them directed by the said Commissioners; which said Commissioners respectively are hereby authorized to direct such their Orders, Warrants, Precepts, or other Process to such Chief or Petty Constables, Headboroughs, Tellingmen, and other Peace Officers accordingly.

LIII. And be it further enacted, That no Fine, Amercement, Penalty, or Forfeiture which from and after the passing of this Act shall be set or imposed by any Commissioners of Sewers upon any Person, Body Public or Corporate, for not cleansing, scouring, repairing, or maintaining, or for obstructing or stopping, any of the Walls, Ditches, Banks, Gutter, Sewers, Groves, Bridges, and Streams, or for any other Cause, Matter, or Thing, within the Jurisdiction of the said Commissioners respectively, shall hereafter be returned or returned into the Court of Exchequer; but that the same Fines, Amercements, Penalties, and Forfeitures, and all Penalties and Forfeitures imposed by this Act, except as herein otherwise provided, shall and may be demanded and received by the Treasurer, Clerk, Expounder, or other Person appointed by the said Commissioners to receive the same, and if not paid upon Demand shall and may be levied by Distress and Sale of the Goods and Chattels of the Person, Body Public or Corporate, upon whom such Fines, Amercements, Penalties, or Forfeitures shall or may be so set or imposed, by Warrant under the Hands and Seals of the said Commissioners, or any Six or more of them, together with the Costs and Charges of such Distress and Sale, rendering the Overplus (if any) to the Party or Parties entitled thereto; which Warrant the said Commissioners are hereby authorized to issue; and the said Fines, Amercements, Penalties, and Forfeitures, when so received or levied, shall and may be applied by the said Commissioners to such and the same Uses and Purposes as the Monies raised, levied, or set apart by the said Commissioners for defraying and reimbursing the general Expenses of executing the Commission of Sewers under which they shall or may act or may be applicable.

Commissioners may take Security from Officers and Servants for Forfeitures.

Treasurer and Clerk not to be the same Person.

Constables to obey Orders of Commissioners.

Fines, &c. may be levied by Warrant of Commissioners of Sewers.

Form of Warrant for levying Taxes, &c.

LIV. And he it further enacted, That the Warrant authorizing the levying of any such Fine, Amercement, Penalty, or Forfeiture payable by virtue of this Act may be in the Words or to the Effect following:

To our Bailiff of Sewers, and to and our Collectors, and to each and every of them, and to all Constables and other Peace Officers.

WHEREAS at the Court [or Sessions] of Sewers holden for the Limits [here state the Name of the Commission] on the Day of the last, A. D. of the County of [here state the Name of the County] of the said County of [here state the Name of the County] was fined [inserted or otherwise, as the Case may be] in the Sum of [here state the Sum] which Sum it hath this Day been proved to us, the undersigned, being Six or more of the Justices and Commissioners of Sewers for the aforesaid Limits, by the Oath of [here state the Name of the Person] duly appointed to receive the same Fine, [Amercement, Penalty, or Forfeiture, as the Case may be,] that the said [here state the Name of the Person] hath neglected or omitted to pay when demanded of him: These are therefore to authorize and command you, any or either of you, to levy the said Sum of [here state the Sum] by Distress and Sale of the Goods and Chattels of the said [here state the Name of the Person] together with the Costs and Charges of such Distress and Sale, rendering the Overplus, if any, to the said [here state the Name of the Person]. Given under our Hands and Seals the Day of [here state the Day] in the Year of our Lord One thousand eight hundred and [here state the Year].

Commissioners may direct and cause Costs.

L.V. And he it further enacted, That in all and singular the Orders, Decrees, or other Proceedings hereafter to be made touching or concerning any Matter or Thing within the Jurisdiction of any Court of Sewers, it shall and may be lawful to and for any such Court of Sewers to order and decree that the Costs, Charges, and Expenses of and incidental to the making and getting in force such Order or Decree, Orders, or Decrees, shall be paid and borne by the Person, Body Politic or Corporate, upon or against whom, or by reason of whose Default, or for whose Benefit, such Order or Decree, Orders or Decrees, shall respectively be made, which Costs, Charges, and Expenses shall and may be ascertained and settled by or by the Authority of any such Court of Sewers; and when any such Costs, Charges, and Expenses shall be ordered and decreed to be paid as aforesaid, and such Order or Decree, Orders or Decrees, shall not be previously altered, reversed, or quashed by or at any subsequent Court of Sewers, or by any other Court or Courts, upon Removal of the same by Certiorari or otherwise, the same Costs, Charges, and Expenses shall and may, at any Time after the Court of Sewers immediately following the granting or passing of such Order or Decree respectively, such Court being of the Distance of Twenty-one Days at the least from the Service of such Order or Decree respectively, be levied and raised, together with the Costs and Charges of raising and levying the same, by Distress and Sale of the Goods, and Chattels of the Person, Body Politic or Corporate, by whom the same shall or may respectively be ordered or decreed to be paid as aforesaid, by the Bailiff, Expenditor, Surveyor, or other known Officers of the said Commissioners of Sewers for the Time being, or by any Constable or Peace Officer or any other Person to be named in and by such Order or Decree respectively, without any further Order or Decree of the said Court of Sewers: Provided always, that if no such Distress or Distresses as aforesaid can be found, the same Costs, Charges, and Expenses, together with the Costs and Charges of raising and levying the same, shall and may be raised and levied upon and out of the Lands, Tenements, and Hereditaments, within the Limits of the Commission under and by virtue of which the same Order and Decree shall respectively be made, or of belonging to the Person, Body Politic or Corporate, upon or against whom such Order and Decree shall respectively be made, in such and the same Manner as the same would have been leviable if the same Lands, Tenements, or Hereditaments had been lawfully assessed to the Amount or respective Amounts of the same Costs, Charges, and Expenses to or for a lawful Scot, Rate, or Assessment for the Purpose of the same Commission, and the same Lands, Tenements, and Hereditaments shall be subject to all such Order and Decrees as the same would have been subject to, and such Order and Decree shall be of the same Force and Authority as if the same Costs, Charges, and Expenses were a lawful Scot, Rate, or Assessment as aforesaid, and unpaid.

and in default of Decree may cause the same upon the Lands of the Defendant.

Appropriation of Costs when levied.

L.VI. Provided also, and he it further enacted, That all and every Sum and Sums of Money which shall or may be raised or levied by or for the Costs, Charges, and Expenses of any Officer of Sewers as aforesaid shall be paid into the Hands of the Treasurer or Expenditor of the said Commissioners acting for the District so or for which the Order or Decree shall respectively be made, and shall be paid, applied, and disposed of, so far as the same will extend, in defraying and reimbursing the Costs, Charges, and Expenses which shall have been so incurred as aforesaid, subject to such Order and Disposition of the said Commissioners, as they or any Six or more of them shall deem to be just and reasonable.

Commissioners and Clerks may sue and be sued in the Name of their Clerk.

L.VII. And he it further enacted, That Commissioners of Sewers may sue and be sued at Law or in Equity for or concerning any Matter or Thing whatever, or for or relating to the Lands and Hereditaments or other Property vested or to become so vested in them as aforesaid, or to any River, Stream, Sewer, Wall, Beach, or other Work or Matter within or under the View, Cognizance, Management, or Jurisdiction of such Commissioners, in the Name of any One Commissioner, or in the Name of their Clerk for the Time being; and in any Action or Actions of Ejectment which shall or may be brought or prosecuted by the said Commissioners for recovering the Possession of such Houses, Buildings, or other Property so vested in them as aforesaid, it shall be sufficient to lay the Demise in such Action or Actions in the Name of Six Commissioners, or in the Name of such Clerk; and so Printed and published by the University of Southampton University Press. Action



Action or Suit to be brought or commenced by or against the said Commissioners or the said Clerk in manner aforesaid shall abate or be discontinued by the Death, Resignation, or Removal of such Commissioners or of such Clerk, or by the Expiration of any Commission of Sewers or other Authority under which the said Commissioners or Clerk may act as aforesaid; provided that no Execution shall issue or be had in any such Action or Suit against such Commissioners or Clerk until Six Months shall have elapsed after final Judgment in such Action or Suit shall have been obtained.

LXIII. Provided always, and be it further enacted, That every such Clerk in whose Name any such Action or Suit shall be brought, commenced, or sued, and every such Commissioner of Sewers whose Name shall be used in any Bill, Information, Prosecution, or Indictment, in pursuance of this Act, and that every such Commissioner of Sewers in whose Name the said Commissioners shall or may be sued as aforesaid, shall be fully reimbursed and paid all such Costs, Charges, Damages, and Expenses as by the event or in consequence of any such Action, Suit, Bill, Information, Indictment, or Prosecution he shall pay, sustain, or be put unto, or become chargeable with or liable to by reason of his being Plaintiff or Defendant as aforesaid, or his Name being used as aforesaid, by and out of the Monies that shall be in or come to the Hands of the said Clerk or of the Treasurer or Expenditor for the Time being as such Clerk, Treasurer, Expenditor, or by and out of the Monies to arise and be collected by a Rent, Rate, or Tax to be granted, raised, and levied, under the Authority and Direction of the said Commissioners of Sewers having Authority to raise and levy such Rent, Rate, or Tax, or such of them as shall be authorized to act on behalf of themselves and the others, as the Case may be, on the arable, ratabile, or taxable Lands, Tenements, and Hereditaments, the District for which he or they so act or act, or hath or have acted as Clerk as aforesaid, or for which he is so authorized to act as aforesaid; and which said Rent, Rate, or Tax may be levied and raised under and by virtue of this Act for the Purpose aforesaid.

Clerk and Commissioners to be reimbursed.

LXIV. Provided always, and be it further enacted, That the Clerk being the Plaintiff, Prosecutor, or Defendant in any such Actions, Suits, Proceedings, Prosecutions, or Indictments as aforesaid shall not affect the Competency of such Clerk to be a Witness in any such Actions, Suits, Prosecutions, and Indictments, in the same Manner as he might have been if his Name had not been made use of as the Plaintiff, Prosecutor, or Defendant in any such Actions, Suits, Proceedings, Prosecutions, or Indictments.

Clerk being Plaintiff, may be a Witness.

LXV. And be it further enacted, That the Words "Court" and "Court of Sewers" in this Act shall respectively be deemed to mean every Court, Session, Assize, or Meeting of any Six or more Commissioners of Sewers (Three whereof being of the Quorum) named in any Commission of Sewers, and sitting in the Execution thereof; and whosoever in this Act any Word or Words in or are used or employed signifying the Singular Number or the Masculine Gender only, such Word or Words shall extend to and shall be construed to include several Persons as well as one Person, and Females as well as Males, and a Body or Bodies Public, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, as well as Individuals, unless it be otherwise specially directed or provided for.

Rule for the Interpretation of certain Words and Terms of this Act.

LXVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect, alter, abridge, or interfere with any Local or Private Act of Parliament for Sewers concerning any County, City, Town, District, Lands, or Lamets, or any Commission of Sewers in the County of Middlesex, within the Distance of Ten Miles from the Royal Exchange in the City of London, except such Parts of the said County as may lie within any Commission of Sewers of the County of Essex; or to affect, alter, abridge, or interfere with any Navigable River, Canal, Port, or Harbour under the Management or Power of any Commissioners, Trustees, or Proprietors by virtue of any Local or Private Act of Parliament: or to affect, alter, abridge, or interfere with any Charter, Law, Usage, or Custom in or concerning Romney Marsh in Kent, or the Great Level of the Fens called Bedford Level.

This Act not to prejudice any Local Act.

LXVII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal, or in anywise affect, alter, abridge, or interfere with the Commissioners of Sewers of the City of London and Liberties thereof, or the Rights, Powers, or Privileges of the Mayor and Community and Citizens of the City of London, in relation to the Sewers, Drains, Vaults, and Bridges within the said City or Liberties, or any Act or Acts of Parliament heretofore made for making, amending, defending, widening, altering, or cleansing the said Sewers, Drains, Vaults, and Bridges within the said City and Liberties.

Saving Rights of the City of London.

### C A P. XXIII.

An Act to reduce the Stamp Duties on Advertisements and on certain Sea Insurances; to repeal the Stamp Duties on Pamphlets, and on Receipts for Sums under Five Pounds; and to exempt Insurances on Farming Stock from Stamp Duties. [26th June 1833.]

WHEREAS it is expedient that the several Stamp Duties now payable in Great Britain and Ireland respectively upon Advertisements and upon Sea Insurances in certain Cases, and also upon Pamphlets, and upon Receipts or Discharges given for or upon the Payment of any Sum of Money not amounting to Five Pounds, should be repealed, and that other Stamp Duties should be granted upon such Advertisements and Sea Insurances respectively in lieu of the said Duties now payable thereon as aforesaid; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of His Lords Spiritual and Temporal, and Commons, in this present

The Duties granted in Great Britain by 11 G. 3. c. 134. on certain Sea Insurances and on Receipts for Wines under 21.

Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of July One thousand eight hundred and thirty-three the Duties granted and now payable in Great Britain, under and by virtue of an Act passed in the Fifty-fifth Year of the Reign of King George the Third, intitled *An Act for repealing the Stamp Duties on Books, Law Proceedings, and other written or printed Instruments, and the Duties on Fire Insurances, and on Legacies and Successions to Personal Estate upon Testaments, now payable in Great Britain, and for granting other Duties in lieu thereof*, upon or in respect of any Policy of Assurance or Insurance or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Ship or Vessel, or upon any Goods, Merchandise, or other Property on board of any Ship or Vessel, or upon the Freight of any Ship or Vessel, or upon any other Interest in or relating to any Ship or Vessel which may lawfully be insured for or upon any Voyage, other than a Voyage from any Port or Place in the United Kingdom of Great Britain and Ireland, or to the Islands of Guernsey, Jersey, Alderney, or Sark, or the Isle of Man, to any other Port or Place in the said Kingdom or Islands, or Isle of Man, or for any certain Term or Period of Time not exceeding Twelve Calendar Months; and also the Duty granted by the said Act, and now payable in Great Britain, upon any Receipt or Discharge given for or upon the Payment of Money, so far as the same relates to any Receipt or Discharge given for or upon the Payment of any Sum of Money not amounting to Five Pounds; and also the Duties granted and now payable in Great Britain under and by virtue of another Act passed in the said Fifty-fifth Year of the Reign of the said King George the Third, intitled *An Act for repealing the Stamp Duties on Advertisements, Almanacs, Newspapers, Gold and Silver Plates, Stage Coaches, and Licences for keeping Stage Coaches, now payable in Great Britain, and for granting new Duties in lieu thereof*, upon or in respect of Pamphlets or Books or Papers commonly so called, and upon or in respect of any Advertisement; and also the Duties granted and now payable in Ireland under and by virtue of an Act passed in the Fifty-sixth Year of the Reign of the said King George the Third, intitled *An Act to repeal the several Stamp Duties in Ireland, and also several Acts for the Collection and Management of the said Duties, and to grant new Stamp Duties in lieu thereof*, and to make more effectual Regulations for collecting and managing the said Duties, upon or for any Assurance or Insurance of any Ship or Ships, Goods or Merchandise, or any other Property or Interest whereon Insurance may be lawfully made against Loss in any Voyage or Voyages, or from the Danagers of or other Perils at Sea from any Voyage, other than a Voyage to or from any Port or Place in the United Kingdom of Great Britain and Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, from or to any other Place in the said Kingdom or Islands; and also the Duties granted by the said last-mentioned Act, and now payable in Ireland, upon or for any Pamphlet, and upon or for any Advertisement; and also the Duty granted by the said last-mentioned Act, and now payable in Ireland, upon or in respect of any Receipt or Discharge for or upon the Payment of Money, or on the Delivery of any Check, Draft, Bill, or other Order, so far as the same relates to any Receipt or Discharge given for or upon the Payment of any Sum of Money not amounting to Five Pounds, or on the Delivery of any Check, Draft, Bill, or Order for any Sum not amounting to Five Pounds, shall cease and determine, and the said several Duties here-before mentioned shall be and the same are hereby repealed accordingly; save and except so much and such Part and Parts of the said Duties respectively as shall have accrued or been incurred before or upon the said Fifth Day of July One thousand eight hundred and thirty-three, and shall then or at any Time afterwards be or become due or payable and remain in arrear and unpaid; all which said Duties so remaining in arrear and unpaid as aforesaid shall be recoverable by the same Ways and Means, and with such and the same Penalties, as if this Act had not been made.

The Duties granted in Great Britain by 22 G. 3. c. 124. on Pamphlets and Advertisements, and the Duties granted in Ireland by 22 G. 3. c. 125. on certain Sea Insurances, Pamphlets, Advertisements, and on Receipts for Wines under 21.

repealed, except as to arrears.

Some of new Duties on Advertisements and Sea Insurances were mentioned in the Schedule annexed.

II. And it is enacted, That from and after the Fifth Day of July One thousand eight hundred and thirty-three, in lieu and stead of the said several Duties upon Advertisements and Sea Insurances by this Act repealed, there shall be granted, raised, levied, collected, and paid in Great Britain and Ireland respectively, unto and for the Use of His Majesty, His Heirs and Successors, for and in respect of the several Articles, Matters, and Things mentioned and described in the Schedule to this Act annexed, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule; and that the said Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Articles, Matters, and Things charged thereunto, shall be deemed and taken to be Part of this Act, and that the said Duties shall be levied and assessed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Stamps for the Time being for the United Kingdom of Great Britain and Ireland.

Copies of all Pamphlets, the remaining Advertisements to be sent to the Head Office for Stamps within Six Days after Publication.

III. And in order to provide for the Collection of the Duty by this Act granted on Advertisements contained in or published with any Pamphlet, Literary Work, or Periodical Paper, be it enacted, That any printed Copy of every Pamphlet or Literary Work or Periodical Paper (not being a Newspaper), containing or being published therewith any Advertisements or Advertisements liable to Stamp Duty, which shall be published within the Cities of London, Edinburgh, or Dublin respectively, or within Twenty Miles thereof respectively, shall, within the Space of Six Days next after the Publication thereof, be brought, together with all Advertisements printed therein, or published or intended to be published thereunto, to the Head Office for Stamps in Westminster, Edinburgh, or Dublin nearest to which such Pamphlet, Literary Work, or Periodical Paper shall have been published; and the Title thereof, and the Christian Name and Surname of the Printer and Publisher thereof, with the Number of Advertisements printed with, therein, or published therewith, with only Stamp Duty by Law payable in respect of such

Advertisements shall be registered in a Book to be kept at such Office, and the Duty on such Advertisements shall be there paid to the Receiver General of Stamp Duties for the Time being, or his Deputy or Clerk, or the proper authorized Officer, who shall thereupon forthwith give a Receipt for the same; and one printed Copy of every such Pamphlet, Literary Work, or Paper as aforesaid, which shall be published in any Place in the United Kingdom, not being within the Cities of London, Edinburgh, or Dublin, or within Twenty Miles thereof respectively, shall, within the Space of Ten Days next after the Publication thereof, be brought, together with all such Advertisements as aforesaid, to the Head Distributor of Stamps for the Time being within the District in which such Pamphlet, Literary Work, or Paper shall be published; and such Distributor is hereby required forthwith to register the same in manner aforesaid in a Book to be by him kept for that Purpose; and the Duty payable in respect of such Advertisements shall be thereupon paid to such Distributor, who shall give a Receipt for the same; and if the Duty which shall be by Law payable in respect of any such Advertisements as aforesaid shall not be duly paid within the respective Times and in the Manner herein-before limited and appointed for that Purpose, the Printer and Publisher of such Pamphlet, Literary Work, or Paper, and the Publisher of any such Advertisements, shall respectively forfeit and pay the Sum of Twenty Pounds for every such Offence; and in any Action, Information, or other Proceeding for the Recovery of such Penalty, or for the Recovery of the Duty on any such Advertisements, Proof of the Payment of the said Duty shall lie upon the Defendant.

IV. And be it enacted, That all the Powers, Provisions, Clauses, Regulations, and Directions, Fees, Postcharges, Fines, and Penalties, contained in or imposed by the several Acts of Parliament relating to the Duties on Advertisements and Sea Insurances respectively, and the several Acts of Parliament relating to any prior Duties of the same Kind or Description in Great Britain and Ireland respectively, shall be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Articles, Matters, and Things charged or chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise relating thereto, so far as the same shall not be superadded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the said Duties by this Act granted.

V. And whereas it is expedient to exempt from the Duties imposed by Law on Insurances from Loss by Fire all Insurances on Agricultural Produce, Farming Stock, and Implements of Husbandry in Great Britain and Ireland respectively, be it enacted, That no Insurance from Loss or Damage by Fire which shall be made, renewed, or continued by any Policy effected upon or after the Twenty-fourth Day of June One thousand eight hundred and thirty-three, on any Agricultural Produce, Farming Stock (live or dead), or Implements or Utensils of Husbandry, being upon any Farm or Farms in Great Britain or Ireland, shall be liable to the yearly Per-centage Duties or to any other Stamp Duty granted or imposed upon or in respect of Insurances from Loss or Damage by Fire by any Act or Acts in force in Great Britain or Ireland respectively, provided such Insurance shall be effected by a separate and distinct Policy relating solely to such Agricultural Produce, Farming Stock, Implements, or Utensils.

VI. And whereas by certain Acts in force in Great Britain and Ireland respectively the Corporations or Companies or Persons insuring against Loss by Fire are required to deliver to the Commissioners of Stamps or their Officers certain quarterly Accounts of all Insurances made by such Corporations, Companies, or Persons, and containing such Particulars relating thereto as in the said Acts respectively are specified in that Behalf, be it enacted, That such Corporations or Companies or Persons insuring as aforesaid, at the Time of the Delivery of every such quarterly Account, shall also deliver to the said Commissioners or their Officers a separate and distinct Account of all Insurances of Agricultural Produce, Farming Stock, or Implements or Utensils of Husbandry from Loss or Damage by Fire, made, renewed, or continued by such Corporations or Companies or Persons respectively during the Quarter for which such last mentioned Account shall be rendered; and in every such last-mentioned Account there shall be truly specified the Number of every Policy, by which any such Insurance shall be made, the Sum or Amount of the Sums insured thereby, and the Time for which such Insurance shall be made or renewed, or continued; and for any Default in the Delivery of such Account containing and specifying the Particulars required by this Act, the Corporation or Company or Person or Persons making such Default shall forfeit the Sum of One hundred Pounds.

VII. And be it enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Power and Provisions of former Acts to be in force and put in execution with regard to the Duties hereby granted.

Insurance on Agricultural Produce, Farming Stock, and Implements of Husbandry exempt from Stamp Duties

Separate Accounts of Insurances on Agricultural Produce, &c. to be rendered quarterly to the Commissioners of Stamps.

Act may be altered this Session.

The SCHEDULE to which this Act refers;

CONTAINING

## THE DUTIES IMPOSED BY THIS ACT.

	Duty.
<b>ADVERTISEMENTS:</b>	
For and in respect of every Advertisement contained in or published with any Gazette or other Newspaper, or contained in or published with any other Periodical Paper, or in or with any Pamphlet or Literary Work, Where the same shall be printed and published in Great Britain	0 1 6
And where the same shall be printed and published in Ireland	0 1 0
<b>SEA INSURANCES in Great Britain and Ireland respectively:</b>	
For and in respect of every Policy of Assurance or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Ship or Vessel, or upon any Goods, Merchandize, or other Property on board of any Ship or Vessel, or upon the Freight of any Ship or Vessel, or upon any other Interest in or relating to any Ship or Vessel which may lawfully be insured for or upon any Voyage other than a Voyage from any Port or Place in the United Kingdom of Great Britain and Ireland, or in the Islands of Guernsey, Jersey, Alderney, or Sark, or the Isle of Man, to any other Port or Place in the said Kingdom or Islands, or Isle of Man,	
Where the Premium or Consideration for such Insurance, actually and bona fide paid, given, or contracted for, shall not exceed the Rate of Fifteen Shillings per Centum on the Sum insured,	
If the whole Sum insured shall not exceed One hundred Pounds	0 1 3
And if the whole Sum insured shall exceed One hundred Pounds, then for every One hundred Pounds and also for any fractional Part of One hundred Pounds whereof the same shall consist	0 1 3
And where the Premium or Consideration for such Insurance, actually and bona fide paid, given, or contracted for, shall exceed the Rate of Fifteen Shillings per Centum and shall not exceed the Rate of Thirty Shillings per Centum on the Sum insured,	
If the whole Sum insured shall not exceed One hundred Pounds	0 2 6
And if the whole Sum insured shall exceed One hundred Pounds, then for every One hundred Pounds and also for any fractional Part of One hundred Pounds whereof the same shall consist	0 2 6
And where the Premium or Consideration for such Insurance, actually and bona fide paid, given, or contracted for, shall exceed the Rate of Thirty Shillings per Centum on the Sum insured,	
If the whole Sum insured shall not exceed One hundred Pounds	0 5 0
And if the whole Sum insured shall exceed One hundred Pounds, then for every One hundred Pounds and also for any fractional Part of One hundred Pounds whereof the same shall consist	0 5 0
But if the separate Interests of Two or more distinct Persons shall be insured by One Policy or Instrument, then the said Duty of One Shilling and Three-pence, Two Shillings and Sixpence, or Five Shillings, as the Case may require, shall be charged thereon, in respect of each and every fractional Part of One hundred Pounds as well as in respect of every full Sum of One hundred Pounds which shall be thereby insured upon any separate and distinct Interest.	
And for and in respect of every Policy of Assurance or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Ship or Vessel, or upon the Freight of any Ship or Vessel, or upon any other Interest in or relating to any Ship or Vessel which may lawfully be insured for any certain Term or Period of Time, the following Rates or Sums for every One hundred Pounds and also for any fractional Part of One hundred Pounds whereof the same shall consist; that is to say,	
Where any such Insurance shall be made for any Term or Period not exceeding Three Calendar Months	0 2 6
Exceeding Three Calendar Months	0 5 0

C A P. XXIV.

An Act to amend an Act of the Tenth Year of His late Majesty, for regulating the Reduction of the National Debt. [9th July 1833.]

WHEREAS an Act was passed in the Tenth Year of the Reign of King George the Fourth, intituled *An Act to amend the several Acts for regulating the Reduction of the National Debt*; and it was in and by the said Act, amongst other things, enacted, that the One-fourth Part of the Sum which from Time to Time should appear by every such Annual Account respectively to be the actual surplus Revenue of the Year immediately preceding beyond the Expenditure of the United Kingdom should be charged and the same was in and by the said Act made chargeable upon the Consolidated Fund of the United Kingdom, and was directed to be issued and paid in and for the Quarter of the Year then next ensuing the Quarter of the Year within which such Annual Account respectively was in and by the said Act directed to be made up, either into the Bank of England or into the Bank of Ireland, to the Account of the Commissioners for the Reduction of the National Debt, as the said Commissioners should direct, to be by them applied towards the Redemption of the National Debt of the United Kingdom, in such Proportions, and at such Time and Times in each and every Quarter in every future Year, as the said Commissioners for the Reduction of the National Debt should require, according to the Provisions and Directions of any Act or Acts then in force respecting Sums issued from the Exchequer towards the Reduction of the said National Debt: And whereas in and by the said Act it was also enacted that the said Commissioners should from Time to Time apply of such respective Annual Sums so placed to their Account by virtue of the said Act, either in the whole or in part, in the Purchase of such redeemable Public Annuities, or Annuities for any Term or Terms of Years, as in the Purchase of Exchequer Bills, or in the paying off Exchequer Bills, or in the advancing of such Annual Sums upon the Credit of any Exchequer Bills therein-before mentioned as the said Commissioners should from Time to Time judge most expedient: And whereas it is expedient to extend the Powers and Provisions of the said recited Act, and to enable the said Commissioners to purchase from Time to Time, with the said Money as with any Part thereof which shall be so issued to them from Time to Time, under the Provisions of the said Act, within any Quarter in this present Year, or in any future Year after the passing of this Act, the Reversion of any of the existing perpetual redeemable Annuities, or of any of the perpetual redeemable Annuities which may be hereafter created, and which may at any Time be existing after the passing of this Act, and constituting the Public Funded Debt of the United Kingdom; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the said Commissioners for the Reduction of the National Debt (and the said Commissioners are hereby authorized and empowered), out of any of the said Money which shall be issued to them towards the Reduction of the National Debt, by virtue of the said recited Act, or of any other Act or Acts now in force or which may hereafter be passed relating to the Fund commonly called "The Sinking Fund," to apply such Money or any Part thereof, if they shall think fit, at such Time and Times and under such Regulations as the said Commissioners shall think proper to adopt for that Purpose, to the Purchase of the Reversion of any of the present existing perpetual redeemable Annuities, or the Reversion of any perpetual redeemable Annuities which may at any Time exist after the passing of this Act, and constituting the Public Funded Debt of the United Kingdom, and to grant to any Person or Persons, Bodies Public or Corporate, in exchange for such perpetual Annuities payable at the Bank of England or shall so may be transferred to them under the Provisions of this Act, an Annuity or Annuities, in commutation for such limited Term of Years certain, and upon such Terms and Conditions, as shall and may be agreed upon between the said Commissioners and the Parties contracting with the said Commissioners.

II. And be it further enacted, That all Annuities for Term of Years granted by the said Commissioners by virtue of this Act shall be charged and the same are hereby made chargeable upon the Consolidated Fund of the said United Kingdom, and the said Annuities shall be deemed and taken to be Annuities for Terms of Years granted by the said Commissioners within the Meaning and Intent of the Act passed in the Tenth Year of the Reign of King George the Fourth, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities, and Annuities for Terms of Years*, and all the Clauses, Conditions, Provisions, Directions, Regulations, and Periods of Payment contained in the said last-recited Act relating to immediate Annuities granted or to be granted by the said Commissioners for certain Terms of Years, and in a certain Act made and passed in the Second and Third Years of the Reign of King William the Fourth, intituled *An Act to bring the Management of certain Annuities on Lines from the Receipt of His Majesty's Exchequer to the Management of the Commissioners for the Reduction of the National Debt, and to amend an Act for enabling the said Commissioners to grant Life Annuities and Annuities for Terms of Years*, shall be deemed and taken to apply to the Annuities for Terms of Years which shall at any Time be granted by the said Commissioners under and by virtue of this Act, so fully and effectually, to all Intents and Purposes (except as altered and varied by virtue of this Act), as if the said Clauses, Conditions, Provisions, Directions, Regulations, and Periods of Payment were severally repeated and re-enacted in this Act.

III. And be it further enacted, That all the perpetual annuities which shall at any Time after the passing of this Act be transferred to the said Commissioners under the Provisions of this Act shall be

100.1 100.1

The Commissioners for the Reduction of the National Debt empowered to apply the Moneys of the Sinking Fund to the Purchase of the Reversion of perpetual redeemable Annuities

Annuities for Terms of Years granted by virtue of this Act to be charged upon the Consolidated Fund.

100.1 100.1

Perpetual Annuities transferred to Commissioners for



persons, Devisees, or otherwise, and also any Person who was entitled to an Estate or Interest to which the Person so claiming, or some Person through whom he claims, became entitled as Lord by Barony, and the Word "Person" shall extend to a Body Politic, Corporate, or Collegiate, and to a Class of Conditions or other Persons, as well as an Individual, and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

II. And be it further enacted, That after the Third last Day of December One thousand eight hundred and thirty-three no Person shall make an Entry or Distress or bring an Action to recover any Land or Rent but within Twenty Years next after the Time at which the Right to make such Entry or Distress or to bring such Action shall have first accrued to some Person through whom he claims; or if such Right shall not have accrued to any Person through whom he claims, then within Twenty Years next after the Time at which the Right to make such Entry or Distress or to bring such Action shall have first accrued to the Person making or bringing the same.

III. And be it further enacted, That in the Construction of this Act the Right to make an Entry or Distress or bring an Action to recover any Land or Rent shall be deemed to have first accrued at such Time as herein-after is mentioned; (that is to say) when the Person claiming such Land or Rent, or some Person through whom he claims, shall, in respect of the Estate or Interest claimed, have been in Possession or in Receipt of the Profits of such Land, or in Receipt of such Rent, and shall while entitled thereto have been disseised, or have discontinued such Possession or Receipt, then such Right shall be deemed to have first accrued at the Time of such Disseision or Discontinuance of Possession, or at the last Time at which any such Profits or Rent were or was so received; and when the Person claiming such Land or Rent shall claim the Estate or Interest of some deceased Person who shall have retained in such Possession or Receipt in respect of the same Estate or Interest until the Time of his Death, and shall have been the last Person entitled to such Estate or Interest who shall have been in such Possession or Receipt, then such Right shall be deemed to have first accrued at the Time of such Death; and when the Person claiming such Land or Rent shall claim in respect of an Estate or Interest in Possession granted, appointed, or otherwise secured by any Instrument (other than a Will) to him, or some Person through whom he claims, by a Person being in respect of the same Estate or Interest in the Possession or Receipt of the Profits of the Land, or in the Receipt of the Rent, and no Person entitled under such Instrument shall have been in such Possession or Receipt, then such Right shall be deemed to have first accrued at the Time at which the Person claiming as aforesaid, or the Person through whom he claims, became entitled to such Possession or Receipt by virtue of such Instrument; and when the Estate or Interest claimed shall have been an Estate or Interest in Reversion or Remainder, or other future Estate or Interest, and no Person shall have obtained the Possession or Receipt of the Profits of such Land or the Receipt of such Rent in respect of such Estate or Interest, then such Right shall be deemed to have first accrued at the Time at which such Estate or Interest became an Estate or Interest in Possession; and when the Person claiming such Land or Rent, or the Person through whom he claims, shall have become entitled by reason of any Forfeiture or Breach of Condition, then such Right shall be deemed to have first accrued when such Forfeiture was incurred or such Condition was broken.

IV. Provided always, That when any Right to make an Entry or Distress or to bring an Action to recover any Land or Rent by reason of any Forfeiture or Breach of Condition shall have first accrued in respect of any Estate or Interest in Reversion or Remainder, and the Land or Rent shall not have been recovered by virtue of such Right, the Right to make an Entry or Distress or bring an Action to recover such Land or Rent shall be deemed to have first accrued in respect of such Estate or Interest at the Time when the same shall have become an Estate or Interest in Possession, as if no such Forfeiture or Breach of Condition had happened.

V. Provided also, That a Right to make an Entry or Distress or to bring an Action to recover any Land or Rent shall be deemed to have first accrued, in respect of an Estate or Interest in Reversion, at the Time at which the same shall have become an Estate or Interest in Possession by the Determination of any Estate or Estates in respect of which such Land shall have been held, or the Profits thereof or such Rent shall have been received, notwithstanding the Person claiming such Land, or some Person through whom he claims, shall, at any Time previously to the Creation of the Estate or Estates which shall have determined, have been in Possession or Receipt of the Profits of such Land, or in Receipt of such Rent.

VI. And be it further enacted, That for the Purpose of this Act an Administrator claiming the Estate or Interest of the deceased Person of whose Chance he shall be appointed Administrator shall be deemed to claim as if there had been no Interval of Time between the Death of such deceased Person and the Grant of the Letters of Administration.

VII. And be it further enacted, That when any Person shall be in Possession or in Receipt of the Profits of any Land, or in Receipt of any Rent, as Tenant at Will, the Right of the Person entitled subject thereto, or of the Person through whom he claims, to make an Entry or Distress or bring an Action to recover such Land or Rent shall be deemed to have first accrued either at the Determination of such Tenancy, or at the Expiration of One Year next after the Commencement of such Tenancy, at which Time such Right shall be deemed to have first accrued.

"Person."  
Number and  
Gender.

No Land or Rent to be recovered but within 20 Years after the Right of Action accrued.

When the Right shall be deemed to have accrued in the case of an Estate in Possession; an Discontinuance; or Abatement or Death;

in Alienation;

in case of future Estates;

in case of Forfeiture or Breach of Condition.

If Advantage of Forfeiture in case of Reversion or Remainder, he shall have a new Right when Estate comes into Possession.

Reversion to have a new Right.

An Administrator to claim as if he obtained the Estate without Interval.

In the Case of a Tenant at Will, the Right shall be deemed to have accrued at the End of the

or Certain Trust shall be deemed to be a Tenant at Will, within the Meaning of this Clause, to his Heirs, Executors or Trustees.

VIII. And be it further enacted, That when any Tenancy shall be in Possession or in Receipt of the Profits of any Land, or in Receipt of any Rent, or in Receipt from Year to Year or other Period, without any Lease in Writing, the Right of the Person entitled subject thereto, or of the Person through whom he claims, to make an Entry or Distress or to bring an Action to recover such Land or Rent shall be deemed to have first accrued at the Determination of the first of such Years or other Periods, or at the last Term when any Rent payable in respect of such Tenancy shall have been received (which shall first happen).

IX. And be it further enacted, That when any Tenancy shall be in Possession or in Receipt of the Profits of any Land, or in Receipt of any Rent, by virtue of a Lease in Writing, by which a Rent amounting to the yearly Sum of Twenty Shillings or upwards shall be received, and the Rent reserved by such Lease shall have been received by some Person wrongfully claiming to be entitled to such Land or Rent as Receiver immediately competent on the Determination of such Lease, and no Payment in respect of the Rent reserved by such Lease shall afterwards have been made to the Person rightfully entitled thereto, the Right of the Person entitled to such Land or Rent, subject to such Lease, or of the Person through whom he claims, to make an Entry or Distress or to bring an Action after the Determination of such Lease shall be deemed to have first accrued at the Time at which the Rent reserved by such Lease was first so received by the Person wrongfully claiming as aforesaid; and no such Right shall be deemed to have first accrued upon the Determination of such Lease to the Person rightfully entitled.

X. And be it further enacted, That no Person shall be deemed to have been in Possession of any Land within the Meaning of this Act merely by reason of having made an Entry thereon.

XI. And be it further enacted, That no conditional or other Claim upon or near any Land shall preserve any Right of making an Entry or Distress or of bringing an Action.

XII. And be it further enacted, That when any One or more of several Persons entitled to any Land or Rent as Coparceners, Joint Tenants, or Tenants in Common, shall have been in Possession or Receipt of the Entirety, or more than his or their undivided Share or Shares of such Land or of the Profits thereof, or of such Rent, for his or their own Benefit, or for the Benefit of any Person or Persons other than the Person or Persons entitled to the other Share or Shares of the same Land or Rent, such Possession or Receipt shall not be deemed to have been the Possession or Receipt of or by such last-mentioned Person or Persons or any of them.

XIII. And be it further enacted, That when a younger Brother or other Relation of the Person entitled on His or the Possession or Receipt of the Profits of any Land, or to the Receipt of any Rent, shall enter into the Possession or Receipt thereof, such Possession or Receipt shall not be deemed to be the Possession or Receipt of or by the Person entitled on His.

XIV. Provided always, and be it further enacted, That when any Acknowledgment of the Title of the Person entitled to any Land or Rent shall have been given to him or his Agent in Writing agreed by the Person in Possession or in Receipt of the Profits of such Land, or in Receipt of such Rent, then such Possession or Receipt of or by the Person by whom such Acknowledgment shall have been given shall be deemed, according to the Meaning of this Act, to have been the Possession or Receipt of or by the Person to whom or to whose Agent such Acknowledgment shall have been given at the Time of giving the same, and the Right of such last-mentioned Person, or any Person claiming through him, to make an Entry or Distress or bring an Action to recover such Land or Rent shall be deemed to have first accrued of and not before the Time at which such Acknowledgment, or the last of such Acknowledgments if more than One, was given.

XV. Provided also, and be it further enacted, That when no such Acknowledgment as aforesaid shall have been given before the passing of this Act, and the Possession or Receipt of the Profits of the Land, or the Receipt of the Rent, shall not at the Time of the passing of this Act have been adverse to the Right or Title of the Person claiming to be entitled thereto, then such Person, or the Person claiming through him, may, notwithstanding the Period of Twenty Years herein before limited shall have expired, make an Entry or Distress or bring an Action to recover such Land or Rent at any Time within Five Years next after the passing of this Act.

XVI. Provided always, and be it further enacted, That if at the Time at which the Right of any Person to make an Entry or Distress or bring an Action to recover any Land or Rent shall have first accrued as aforesaid such Person shall have been under any of the Disabilities herein-after mentioned, (that is to say) Infancy, Coverture, Idiotcy, Lunacy, Unsoundness of Mind, or Absence beyond Seas, then such Person, or the Person claiming through him, may, notwithstanding the Period of Twenty Years herein before limited shall have expired, make an Entry or Distress or bring an Action to recover such Land or Rent at any Time within Ten Years next after the Time at which the Person to whom such Right shall first have accrued as aforesaid shall have ceased to be under any such Disability, or shall have died (which shall first happen).

XVII. Provided nevertheless, and be it further enacted, That no Entry, Distress, or Action shall be made or brought by any Person who, at the Time at which his Right to make an Entry or Distress or to bring an Action to recover any Land or Rent shall have first accrued, shall be under any of the Disabilities herein-before mentioned, or by any Person claiming through him, but within Forty Years from the Time at which such Right shall first have accrued, although the Person under Disability

No Person after a Tenancy from Year to Year, to have any Right but from the End of the first Year or last Payment.

Where Rent amounting to 20s. reserved by a Lease in Writing, shall have been wrongfully received, no Right to recover on the Determination of the Lease.

A mere Entry not to be deemed Possession.

No Right to be preserved by conditional Claim.

Person of one Coparcener not to be the Possession of the others.

Possession of a younger Brother not to be Possession of the Heir.

Acknowledgment in Writing agreed to by Possessor or Receipt of Rent.

Where Possession is not adverse at the Time of passing the Act, the Right shall not be barred until after Five Years.

Person under Disability to be allowed Ten Years.

But no Action, shall be brought beyond 40 Years after the Right accrued.



at such Time may have remained under Claim or more of such Disabilities during the whole of such Forty Years, or although the Term of Ten Years from the Time at which he shall have ceased to be under any such Disability, or have died, shall not have expired.

XVIII. Provided always, and be it further enacted, That when any Person shall be under any of the Disabilities herein-before mentioned at the Time at which his Right to make an Entry or Distress or to bring an Action to recover any Land or Rent shall have first accrued, and shall depart this Life without having ceased to be under any such Disability, no Time to make an Entry or Distress or to bring an Action to recover such Land or Rent beyond the said Period of Twenty Years next after the Right of such Person to make an Entry or Distress or to bring an Action to recover such Land or Rent shall have first accrued, or the said Period of Ten Years next after the Time at which such Person shall have died, shall be allowed by reason of any Disability of any other Person.

XIX. And be it further enacted, That no Part of the United Kingdom of Great Britain and Ireland, nor the Islands of Man, Guernsey, Jersey, Alderney, or Sark, nor any Island adjacent to any of these (Saving Part of the Dominions of His Majesty), shall be deemed to be beyond Seas within the Meaning of this Act.

XX. And be it further enacted, That when the Right of any Person to make an Entry or Distress or bring an Action to recover any Land or Rent to which he may have been entitled for an Estate or Interest in Possession shall have been barred by the Determination of the Period herein-before limited, which shall be applicable in such Case, and such Person shall at any Time during the said Period have been entitled to any other Estate, Interest, Right, or Possibility, in Reversion, Remainder, or otherwise, in or to the same Land or Rent, no Entry, Distress, or Action shall be made or brought by such Person, or any Person claiming through him, to recover such Land or Rent, in respect of such other Estate, Interest, Right, or Possibility, unless in the meantime such Land or Rent shall have been recovered by some Person entitled to an Estate, Interest, or Right which shall have been limited or taken effect after or in defeasance of such Estate or Interest in Possession.

XXI. And be it further enacted, That when the Right of a Tenant in Tail of any Land or Rent to make an Entry or Distress or to bring an Action to recover the same shall have been barred by reason of the same not having been made or brought within the Period herein-before limited, which shall be applicable in such Case, no such Entry, Distress, or Action shall be made or brought by any Person claiming any Estate, Interest, or Right which such Tenant in Tail might lawfully have barred.

XXII. And be it further enacted, That when a Tenant in Tail of any Land or Rent, entitled to recover the same, shall have died before the Expiration of the Period herein-before limited, which shall be applicable in such Case, for making an Entry or Distress or bringing an Action to recover such Land or Rent, no Person claiming any Estate, Interest, or Right which such Tenant in Tail might lawfully have barred shall make an Entry or Distress or bring an Action to recover such Land or Rent, but within the Period during which, if such Tenant in Tail had so long continued to live, he might have made such Entry or Distress or brought such Action.

XXIII. And be it further enacted, That when a Tenant in Tail of any Land or Rent shall have made an Assurance thereof, which shall not operate to bar an Estate or Estates to take effect after or in defeasance of his Estate Tail, and any Person shall by virtue of such Assurance, at the Time of the Execution thereof, or on any Time afterwards, be in Possession or Receipt of the Profits of such Land, or in the Receipt of such Rent, and the same Person, or any other Person whatsoever (other than some Person entitled to such Possession or Receipt in respect of an Estate which shall have taken effect after or in defeasance of the Estate Tail), shall continue or be in such Possession or Receipt for the Period of Twenty Years next after the Commencement of the Time at which such Assurance, if it had then been executed by such Tenant in Tail or the Person who would have been entitled to his Estate Tail if such Assurance had not been executed, would, without the Consent of any other Person, have operated to bar such Estate or Estates as aforesaid; then at the Expiration of such Period of Twenty Years such Assurance shall be and be deemed to have been effectual as against any Person claiming any Estate, Interest, or Right to take effect after or in defeasance of such Estate Tail.

XXIV. And be it further enacted, That after the said Twenty-first Day of December One thousand eight hundred and thirty-three no Person claiming any Land or Rent in Equity shall bring any Bill to recover the same but within the Period during which by virtue of the Provisions herein-before contained he might have made an Entry or Distress or brought an Action to recover the same respectively if he had been entitled at Law to such Estate, Interest, or Right in or to the same as he shall claim therein in Equity.

XXV. Provided always, and be it further enacted, That when any Land or Rent shall be vested in a Trustee upon any express Trust, the Right of the Caususque Trust, or any Person claiming through him, to bring a Bill against the Trustee, or any Person claiming through him, to recover such Land or Rent, shall be deemed to have first accrued, according to the Meaning of this Act, at and not before the Time at which such Land or Rent shall have been conveyed to a Purchaser for a valuable Consideration, and shall then be deemed to have accrued only as against such Purchaser and any Person claiming through him.

XXVI. And be it further enacted, That in every Case of a concealed Fraud the Right of any Person to bring a Bill in Equity for the Recovery of any Land or Rent of which he, or any Person through whom he claims, may have been deprived by such Fraud, shall be deemed to have first accrued at and

No further Time to be allowed for a discovery of Disabilities.

A.

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Scotland, Ireland, &c. not to be deemed beyond Seas.

When the Right to an Estate in Possession is barred, the Right of the same Person to bring Action shall also be barred.

When Tenant in Tail is barred. Remainder men shall not recover.

Provision as to a Tenant in Tail shall not be against him, for maintenance.

When there is Possession, under an Assurance by a Tenant in Tail, which shall not bar the Remainder, they shall be barred at the End of Twenty Years after the Time when the Assurance should have taken effect.

Limitation as to Bills in Equity.

In Case of an express Trust the Right not to accrue until Conveyance.

As to Cases of Fraud.

not before the Time at which such Fraud shall or with reasonable Diligence might have been first known or discovered, provided that nothing in this Clause contained shall enable any Owner of Lands or Herots to have a Suit in Equity for the Recovery of such Lands or Herots, or for setting aside any Conveyance of such Lands or Herots on account of Fraud, against any best able Purchaser for valuable Consideration who has not assisted in the Commission of such Fraud, and who at the Time that he made the Purchase did not know and had no Reason to believe that any such Fraud had been committed.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed to interfere with any Rule or Jurisdiction of Courts of Equity in refusing Relief on the Ground of Acquiescence or otherwise to any Person whose Right to bring a Suit may not be barred by virtue of this Act.

XXVIII. And be it further enacted, That when a Mortgagee shall have obtained the Possession or Receipt of the Profits of any Land, or the Receipt of any Rent, comprised in his Mortgage, the Mortgagor or any Person claiming through him shall not bring a Suit to redeem the Mortgage but within Twenty Years next after the Time at which the Mortgagee obtained such Possession or Receipt, unless in the meantime an Acknowledgment of the Title of the Mortgagor or of his Right of Redemption shall have been given to the Mortgagor, or some Person claiming his Estate, or to the Agent of such Mortgagor or Person, in Writing, signed by the Mortgagor or the Person claiming through him; and in such Case no such Suit shall be brought but within Twenty Years next after the Time at which such Acknowledgment, or the last of such Acknowledgments if more than One, was given; and when there shall be more than One Mortgagee, or more than One Person claiming through the Mortgagor or Mortgagees, such Acknowledgment, if given to any of such Mortgagees or Persons, or his or their Agent, shall be as effectual as if the same had been given to all such Mortgagees or Persons; but where there shall be more than One Mortgagee, or more than One Person claiming the Estate or Interest of the Mortgagor or Mortgagees, such Acknowledgment, signed by One or more of such Mortgagees or Persons, shall be effectual only as against the Party or Parties signing as aforesaid, and the Person or Persons claiming any Part of the Mortgage Money or Land or Rent by, from, or under him or them, and any Person or Persons entitled to any Estate or Estates, Interest or Interests, to take effect after or in defence of his or their Estate or Estates, Interest or Interests, and shall not operate to give to the Mortgagor or Mortgagees a Right to redeem the Mortgage as against the Person or Persons entitled to any other undivided or divided Part of the Money or Land or Rent; and where each of the Mortgagees or Persons aforesaid as shall have given such Acknowledgment shall be entitled to a divided Part of the Land or Rent comprised in the Mortgage, or some Estate or Interest therein, and not to any undivided Part of the mortgaged Money, the Mortgagor or Mortgagees shall be entitled to redeem the same divided Part of the Land or Rent on Payment, with Interest, of the Part of the Mortgage Money which shall bear the same Proportion to the whole of the Mortgage Money as the Value of such divided Part of the Land or Rent shall bear to the Value of the whole of the Land or Rent comprised in the Mortgage.

XXIX. Provided always, and be it further enacted, That it shall be lawful for any Archbishop, Bishop, Dean, Prebendary, Parson, Vicar, Master of Hospital, or other Spiritual or Ecclesiastical Corporation Sole, to make an Entry or Distress or to bring an Action or Suit to recover any Land or Rent within such Period as hereinafter is mentioned next after the Time at which the Right of such Corporation Sole, or of his Predecessor, to make such Entry or Distress or bring such Action or Suit shall first have accrued; (that is to say,) the Period during which Two Persons in succession shall have held the Office or Benefice in respect whereof such Land or Rent shall be claimed, and Six Years after a Third Person shall have been appointed thereto, if the Times of such Two Incumbencies and such Term of Six Years taken together shall amount to the full Period of Sixty Years; and if such Times taken together shall not amount to the full Period of Sixty Years, then during such further Number of Years in addition to such Six Years as will with the Time of the holding of such Two Persons and such Six Years make up the full Period of Sixty Years; and after the said Thirty-first Day of December One thousand eight hundred and thirty-three no such Entry, Distress, Action, or Suit shall be made or brought at any Time beyond the Determination of such Period.

XXX. And be it further enacted, That after the said Thirty-first Day of December One thousand eight hundred and thirty-three no Person shall bring any Charge impedit or other Action or any Suit to enforce a Right to present or to bestow any Church, Vicarage, or other Ecclesiastical Benefice, as the Patron thereof, after the Expiration of such Period as hereinafter is mentioned; (that is to say,) the Period during which Three Clerks in succession shall have held the same, all of whom shall have obtained Possession thereof adversely to the Right of Presentation or Gift of such Patron, or of some Person through whom he claims, if the Times of such Incumbencies taken together shall amount to the full Period of Sixty Years; and if the Times of such Incumbencies shall not together amount to the full Period of Sixty Years, then after the Expiration of such further Time as with the Times of such Incumbencies will make up the full Period of Sixty Years.

XXXI. Provided always, and be it further enacted, That when on the Accidance, after a Clerk shall have obtained Possession of an Ecclesiastical Benefice adversely to the Right of Presentation or Gift of the Patron thereof, a Clerk shall be presented or collated thereto by His Majesty or the Ordinary by reason of a Lapse, such last-mentioned Clerk shall be deemed to have obtained Possession adversely to the Right of Presentation or Gift of such Patron as aforesaid; but when a Clerk shall have been

Bring the Jurisdiction of Equity.

Mortgagee to be bound at the End of Twenty Years from the Time when the Mortgagee took possession, or from the last written Acknowledgment.

No Lands or Herots to be recovered by Requisition or Ecclesiastical Corporation Sole but within Two Incumbencies and Six Years, or Sixty Years.

No Actions to be recovered but within Three Incumbencies and Sixty Years.

Incumbencies after Lapse to be reckoned within the Period, but not Incumbencies after Pre-

presented by His Majesty upon the Assentance of a Benefice in consequence of the Incumbent thereof having been made a Bishop, the Incumbency of such Clerk shall, for the Purposes of this Act, be deemed a Continuance of the Incumbency of the Clerk so made Bishop.

XXXII. And be it further enacted, That in the Construction of this Act every Person claiming a Right to present to or to bestow any Ecclesiastical Benefice, as Patron thereof, by virtue of any Estate, Interest, or Right which the Owner of an Estate Tail in the Adversion might have had, shall be deemed to be a Person claiming through the Person entitled to such Estate Tail, and the Right to bring any Quare impedit, Action, or Suit shall be limited accordingly.

XXXIII. Provided always, and be it further enacted, That after the said Thirty-first Day of December One thousand eight hundred and thirty-three no Person shall bring any Quare impedit or other Action or any Suit to enforce a Right to present to or to bestow any Ecclesiastical Benefice, as the Patron thereof, after the Expiration of One hundred Years from the Time at which a Clerk shall have obtained Possession of such Benefice adversely to the Right of Presentation or Gift of such Person, or of some Person through whom he claims, or of some Person entitled to some preceding Estate or Interest, or undivided Share, or adverse Right of Presentation or Gift, held or derived under the same Title, unless a Clerk shall subsequently have obtained Possession of such Benefice on the Presentation or Gift of the Person so claiming, or of some Person through whom he claims, or of some other Person entitled in respect of an Estate, Share, or Right held or derived under the same Title.

XXXIV. And be it further enacted, That at the Determination of the Period limited by this Act to any Person for making an Entry or Distress, or bringing any Writ of Quare impedit or other Action or Suit, the Right and Title of such Person to the Land, Rent, or Advowson for the Recovery whereof such Entry, Distress, Action, or Suit respectively might have been made or brought within such Period, shall be extinguished.

XXXV. And be it further enacted, That the Receipt of the Rent payable by any Tenant from Year to Year, or other Lease, shall, as against such Lessee or any Person claiming under him (but subject to the Lease), be deemed to be the Receipt of the Profits of the Land for the Purposes of this Act.

XXXVI. And be it further enacted, That no Writ of Right Patent, Writ of Right Quare dominum revent curiam, Writ of Right in capite, Writ of Right in London, Writ of Right Cleric, Writ of Right de rotavilla parte, Writ of Right of Advowson, Writ of Right upon Disfranchisement, Writ De rotavilla parte divina, Writ of Right of Ward, Writ De consecrationibus et servitibus, Writ of Assize, Writ of Ejectment, Writ of Quo jure, Writ of Secta ad molendinum, Writ De curia quatenus de theolonia, Writ of Ne inquietur, Writ of Mesne, Writ of Quare permittit, Writ of Formedon in decedendo, in remainder, or in reversion, Writ of Assize of novel disseisin, Nuisance, Dower-claimment, Juris utrum, or Marc d'assessor, Writ of Entry sur disseisin, in the quibus, in the per and out, or in the post, Writ of Entry sur tenement, Writ of Entry sur tenement cum factis non tempore assize, Dues facti infra assizes, Dues facti in possessione, Ad commutationem legem, in causa pcurie, in communi causa, Cur in vita, Sur out in vita, Cur ante divortium, or Sur out ante divortium, Writ of Entry sur chattement, Writ of Entry Quare ejectio infra tenementum, or Ad tenementum qui preterit, or Cause matrimonii probatum, Writ of Aiel, Besset, Treason, Curage, or Nuper obit, Writ of Waste, Writ of Partion, Writ of Distring, Writ of Quare de deforcet, Writ of Covenant real, Writ of Warrancie charter, Writ of Carta claudenda, or Writ Per que servitium, and no other Action real, or mixed (except a Writ of Right of Dower, or Writ of Dower made nihil habere, or a Quare impedit, or an Ejectment,) and no Pleint in the Nature of any such Writ or Action (except a Pleint for Forfeiture or Dower), shall be brought after the Thirty-first Day of December One thousand eight hundred and thirty-four.

XXXVII. Provided always, and be it further enacted, That when, on the said Thirty-first Day of December One thousand eight hundred and thirty-four, any Person who shall not have a Right of Entry to any Land shall be entitled to maintain any such Writ or Action as aforesaid in respect of such Land, such Writ or Action may be brought at any Time before the First Day of June One thousand eight hundred and thirty-five in case the same might have been brought if this Act had not been made, notwithstanding the Period of Twenty Years herein-before limited shall have expired.

XXXVIII. Provided also, and be it further enacted, That when, on the said First Day of June One thousand eight hundred and thirty-five, any Person whose Right of Entry to any Land shall have been taken away by any Decretum curie, Discontinuance, or Warranty, might maintain any such Writ or Action as aforesaid in respect of such Land, such Writ or Action may be brought after the said First Day of June One thousand eight hundred and thirty-five, but only within the Period during which by virtue of the Provisions of this Act an Entry might have been made upon the same Land by the Person bringing such Writ or Action if his Right of Entry had not been so taken away.

XXXIX. And be it further enacted, That no Decretum curie, Discontinuance, or Warranty which may happen or be made after the said Thirty-first Day of December One thousand eight hundred and thirty-five shall toll or defeat any Right of Entry or Action, for the Recovery of Land.

XI. And be it further enacted, That after the said Thirty-first Day of December One thousand eight hundred and thirty-three no Action or Suit or other Proceeding shall be brought, to recover any Sum of Money secured by any Mortgage, Judgment, or Lien, or otherwise charged upon or payable out of any Land or Rent, at Law or in Equity, or any Legacy, but within Twenty Years next after a present Right to receive the same shall have accrued to some Person capable of giving a Discharge for or Release of the same, unless in the meantime some Part of the Principal Money, or some interest thereon, shall have been paid, or some Acknowledgment of the Right therein shall have been made in Writing

written to His Majesty.

As to Persons claiming an Advowson in Remainder, &c. after an Estate Tail.

No Advowson to be recovered after 100 Years.

At the End of the Period of Limitation the Right is to be extinguished.

Receipts of Rent deemed Receipt of Profits.

Real and mixed Actions abolished after the 31st December 1834.

except the Dower, Quare impedit, and Ejectment.

Real Actions may be brought until the 1st June 1835.

During the Rights of Persons entitled to real Actions only at the Commencement of this Act, &c.

No Decretum, &c. to bar Right of Entry.

Money charged upon Land and Legacies to be deemed satisfied at the End of Twenty Years, if there shall be no interest paid

or Acknowledgment in Writing to the same Court.

No Arrears of Dower to be recovered for more than Six Years.

No Arrears of Rent or Interest to be recovered for more than Six Years.

Act not to extend to Scotland, nor to Adversaries in Ireland. Act may be amended.

Act not to extend to the Spiritual Courts.

Act not to extend to Scotland, nor to Adversaries in Ireland. Act may be amended.

Writing signed by the Person by whom the same shall be payable, or his Agent, to the Person entitled thereto or his Agent; and in each Case no such Action or Suit or Proceeding shall be brought but within Twenty Years after such Payment or Acknowledgment, or the last of such Payments or Acknowledgments if more than One, was given.

XLI. And be it further enacted, That after the said Thirty-first Day of December One thousand eight hundred and thirty-three no Arrears of Dower, nor any Damages on account of such Arrears, shall be recovered or obtained by any Action or Suit for a longer Period than Six Years next before the Commencement of such Action or Suit.

XLII. And be it further enacted, That after the said Thirty-first Day of December One thousand eight hundred and thirty-three no Arrears of Rent or of Interest in respect of any Sum of Money charged upon or payable out of any Land or Herit, or in respect of any Legacy, or any Damages in respect of such Arrears of Rent or Interest, shall be recovered by any Distress, Action, or Suit but within Six Years next after the same respectively shall have become due, or next after such Acknowledgment of the same in Writing shall have been given to the Person entitled thereto, or his Agent, signed by the Person by whom the same was payable, or his Agent: Provided nevertheless, that where any joint Mortgagee or other Incumbrancer shall have been in Possession of any Land, or in the Receipt of the Profits (except, within One Year next before an Action or Suit shall be brought by any Person entitled to a subsequent Mortgage or other Incumbrance on the same Land, the Person entitled to such subsequent Mortgage or Incumbrance may recover in such Action or Suit the Arrears of Interest which shall have become due during the whole Time that such prior Mortgagee or Incumbrancer was in such Possession or Receipt as aforesaid, although such Time may have exceeded the said Term of Six Years.

XLIII. And be it further enacted, That after the said Thirty-first Day of December One thousand eight hundred and thirty-three no Person claiming any Tithe, Legacy, or other Property for the Recovery of which he might bring an Action or Suit in Law or in Equity, shall bring a Suit or other Proceeding in any Spiritual Court to recover the same but within the Period during which he might bring such Action or Suit at Law or in Equity.

XLIV. Provided always, and be it further enacted, That this Act shall not extend to Scotland; and shall not, so far as it relates to any Right in parson to or bestow any Church, Vicarage, or other Ecclesiastical Benefice, extend to Ireland.

XLV. And be it further enacted, That this Act may be amended, altered, or repealed during this present Session of Parliament.

C A P. XXVIII.

An Act to repeal an Act of the Thirtieth Year of His Majesty King George the First, for the better Regulation of the Woollen Trade. [24th July 1833.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His Majesty King George the First, entitled *An Act for the better Regulation of the Woollen Manufacture, and for preventing Disputes among the Persons concerned therein; and for limiting a Time for presenting for the Payment of any Act of the Twelfth Year of His Majesty's Sons, in case of Payment of the Workmen's Wages in any other Manner than in Money: And whereas the said Act is at this Day not only unnecessary, but if enforced might be extremely injurious; and it is therefore expedient to repeal the same: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act be and the same is hereby repealed.*

C. 28. & 29.

Repealed Act repealed.

C A P. XXIX.

An Act to make further Provisions with respect to the Payment of Pensions granted for Service in the Royal Artillery, Engineers, and other Military Corps under the Control of the Master General and Board of Ordnance, and with respect to Deductions hereof to be made from Pensions granted by the Commissioners of Chifess Hospital. [24th July 1833.]

WHEREAS it is expedient that the Pensions, Allowances, and Relief payable to Soldiers and others disabled, invalid, or discharged from the Royal Artillery, Engineers, and other Military Corps, which have hitherto been granted and paid by or under the Authority of the Board of Ordnance, should hereafter be granted and paid by and under the Authority of the Lords and others Commissioners of the Royal Hospital for Soldiers at Chelsea in the County of Middlesex, under the like Rules, Provisions, and Regulations as Pensions, Allowances, and Relief granted to other disabled, invalid, and discharged Soldiers: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the whole of the said Pensions, Allowances, and Relief payable to Soldiers and others discharged from the Royal Artillery, Engineers, and other Military Corps which have been heretofore granted and paid by the said Master General and Board of Ordnance, shall be granted and paid by and under the Power, Authority, Direction, Control, and Authority of the said Commissioners of Chelsea Hospital.

Pensions heretofore granted by the Board of Ordnance to be granted by the Commissioners of Chelsea Hospital.

II. And be it further enacted, That all the Classes, Rates, Regulations, Powers, Pains, Forfeitures, Matters, and Things contained in any Act or Acts of Parliament now in force relating to Pensions granted or to be granted to disabled, invalid, or discharged Soldiers, shall be applicable and applied and put in force for the Purpose of this Act, with respect to all subsisting Pensions already granted by the Board of Ordnance on account of the Services herein before mentioned, and to all Pensions, Half-pay, and Allowances hereafter to be granted and payable to Soldiers and others on account of such Services.

III. And be it enacted, That the Treasurer of Chelsea Hospital shall and may withhold and deduct from and out of all Moneys which shall and may be applicable to the Payment of Pensions granted or to be hereafter granted by the Commissioners of Chelsea Hospital to any disabled, invalid, or discharged Soldiers, Artillery-men, or other Persons as aforesaid, who shall have enlisted since the First Day of March last, or who shall hereafter enlist, the Sum of Sixpence in the Pound only instead of One Shilling in the Pound which has heretofore been deducted by the said Treasurer of Chelsea Hospital, and which is so continue to be deducted from all Pensions granted for Services under Enlistments which have taken place previously to the said First Day of March last, subject to the following Proviso or Exception (that is to say): Provided nevertheless, that no Deduction shall be made by the said Treasurer of Chelsea Hospital from any Pensions which have already been granted by the said Master General and Board of Ordnance without being subject to any Deductions, and the Sum of Sixpence in the Pound only shall be deducted from such Pensions as have been granted by the said Master General and Board of Ordnance subject to such Deduction of Sixpence in the Pound only, and all such Deductions as are heretofore directed to be made by the said Treasurer of Chelsea Hospital shall continue to be applied according to the Provision of an Act passed in the Twenty-eighth Year of the Reign of His Majesty King George the Second, intitled *An Act for the Relief of the Out-Pensioners of the Royal Hospital at Chelsea*.

IV. And be it enacted, That all Orders made by Noncommissioned Officers and Soldiers for the Payment of Prize Money, received in any Part of the United Kingdom, for Barges not exceeding Forty Shillings, shall be exempt from Stamp Duty, and for Barges exceeding Forty Shillings shall be subject to a Stamp Duty of One Shilling only; and that no Fee or Payment whatever shall be demanded or taken from any Out-Pensioner of Chelsea Hospital, or charged against him, for administering or attesting any Oath necessary or required to be taken for the Receipt of any Pension or Allowance of Money payable at or from Chelsea Hospital, or for the making or executing or attesting any Assignment of Out-Pension, or Orders of Justice relating to any Out-Pension, or to any Payment on account thereof.

## C A P. XXX.

An Act to exempt from Poor and Church Rates all Churches, Chapels, and other Places of Religious Worship. [24th July 1833.]

WHEREAS it is expedient that Churches, Chapels, and other Places exclusively appropriated to public Religious Worship should be exempt from the Payment of Poor and Church Rates: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of October One thousand eight hundred and thirty-three no Person or Persons shall be rated or shall be liable to be rated, or to pay to any Church or Poor Rates or Rates, for or in respect of any Churches, District Churches, Chapels, Meeting Houses, or Premises, or such Part thereof as shall be exclusively appropriated to public Religious Worship, and which (other than Churches, District Churches, and Episcopal Chapels of the Established Church) shall be duly certified for the Performance of such Religious Worship according to the Provision of any Act or Acts now in force: Provided always, that no Person or Persons shall be hereby exempted from any such Rates or Rates for or in respect of any Parts of such Churches, District Churches, Chapels, Meeting Houses, or other Premises which are not so exclusively appropriated, and from which Parts not so exclusively appropriated such Person or Persons shall receive any Rent or Rents, or shall derive Profit or Advantage.

II. Provided always, and be it enacted, That no Person or Persons shall be liable to any such Rates or Rates because of the said Churches, District Churches, Chapels, Meeting Houses, or other Premises, or any Vestry Rooms belonging thereto, or any Part thereof, may be used for Sunday or Infant Schools, or for the charitable Education of the Poor.

## C A P. XXXI.

An Act to enable the Election of Officers of Corporations and other Public Companies now required to be held on the Lord's Day to be held on the Saturday next preceding, or on the Monday next ensuing. [24th July 1833.]

WHEREAS the Profanation of the Lord's Day is greatly increased by reason of certain Meetings which are usually or occasionally held thereon: And whereas it is the Duty of the Legislature to remove in as much as possible Impediments to the due Observance of the Lord's Day: Be it therefore enacted by His Majesty King George the Fourth, by and with the Advice and Consent of the Lords Spiritual

Regulations relating to Army Pensions to be applicable to Pensions granted under this Act.

Deduction from Pensions from 2s per Cent. instead of 3 per Cent. in the Cases herein ascertained.

28 G. 2 c. 1

Orders for Payment of Prize Money not exceeding 40s. awarded in the United Kingdom, to be exempt from Stamp Duty, and no Fee for Affidavits.

No Person liable to be rated for Places not exclusively appropriated to public Religious Worship.

Places not exclusively appropriated.

Persons not liable because Parts of Premises used for Schools.



Assessments were directed to be made for the same Purpose, in the Manner and under the Limitations therein prescribed, in the Counties wherein any of the said Roads and Bridges were respectively situated: And whereas by an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for maintaining or repairing the Parliamentary and Military Roads and Bridges in the Highlands of Scotland, and also certain Ferry Piers and Shipping Quays erected by the Commissioners for Highland Roads and Bridges*, and certain Provisions were afterwards made and approved, under the Provisions therein contained, to erect Toll Gates on the Roads under their Care, and to levy Tolls to be applied towards the Maintenance of the said Roads, in and of or in lieu of the said Parliamentary Allowance and County Assessment: And whereas by an Act passed in the Fifth Year of the Reign of His said late Majesty King George the Fourth, intitled *An Act to amend the Acts for maintaining and repairing the Military and Parliamentary Roads in the Highlands of Scotland*, further Provisions were made for the Execution of the said recited Acts; but Doubts have arisen in the Interpretation thereof, in Cases where Tolls have been imposed upon Roads for the Maintenance of which such Tolls have afterwards proved inadequate: And whereas it is expedient that such Doubts should be removed: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the said Commissioners, in all Cases where the Tolls which have, under the Provisions of the second of the said recited Acts or of this Act, been imposed and levied upon any Road or Bridge under their Care, or which it may hereafter be deemed expedient to impose or levy thereon, shall prove insufficient for the Maintenance and Repair of such Road or Bridge, or rebuilding of such Bridge, to apply such Insufficiency to the Governor of the County wherein the same shall be situated, and to include, in the Account annually transmitted to the said Governor of the Expediture chargeable to such County under the Provisions of the Act first herein recited, such and the same Proportion of the Amount of the Deficiency of the Expense of maintaining and repairing such Road or Bridge, or rebuilding such Bridge, as would have been chargeable to the said County in respect of the said Road or Bridge in case no Tolls had been imposed and levied thereon; and upon such Notice being given, and such Account being transmitted to the said Governor by the said Commissioners, at least Thirty Days previous to the Twenty-ninth Day of April in each Year, the Amount of such Deficiency shall be chargeable upon and shall be borne or levied and be paid by and out of the said Parliamentary Allowance and County Assessment (but subject to the same Limitations under which the said County Assessment is now levied) in the same Manner and Proportion in which the whole Expense of the Maintenance and Repair of such Road or Bridge, or rebuilding such Bridge, would have been chargeable in case no Tolls had been imposed or levied thereon.

II. And whereas it will tend greatly to increase the public Utility of certain Roads already made under the Superintendance of the said Commissioners, and to enlarge and facilitate the Communications in the County of Inverness, that the District Road herein-after mentioned should be placed under the Direction and Management of the said Commissioners; be it enacted, That the Road commonly called the *Daughfear* or *Turmeson Road*, leading from the Stone Bridge of the Town of Inverness to the North-western Extremity of the Parliamentary Road called the *Inverness-Craig Road*, and passing through the United Parish of *Inverness and Sleat*, and County of *Inverness*, shall from and after the passing of this Act be transferred from the Charge and Control of the local Trustees thereof, and shall for all Purposes be deemed and taken to be Part of the Roads under the Care and Superintendance of the said Commissioners, and shall be maintained in repair, widened, or improved by them, either out of the said Parliamentary Allowance and County Assessment, or by means of Tolls to be levied thereon; which Tolls the said Commissioners are hereby empowered to impose and levy in the Manner directed by the said Act recited herein-before recited, or partly out of the said Parliamentary Allowance and County Assessment, and partly by means of Tolls, by virtue of the Provisions of this Act, in the same Manner, and with and under the same Powers and Limitations, as are applicable to Roads under their Care, pursuant to the said recited Acts.

III. And whereas it is expedient that Power should be granted to the said Commissioners to fix and settle Plans for the Alteration and Improvement of the Lines of the following Roads; namely, the Road leading from the Town of Inverness to the Conings of *Nairnshire*, called the *Fort George Road*, from a Point near the East End of the *High Street* of Inverness to a Point on the said Road East of *Polly Street* near Inverness, and from a Point near *Castle Stewart* to the Western Extremity of the *Nairnshire* *Leuchlin* Coast Road, passing through the Parishes of *Inverness, Petty, and Ardverie*, in the County of *Inverness*; as also the said Road called the *Daughfear* or *Turmeson Road*, from the Stone Bridge of Inverness to a Point near the Canal Bridge at *Alnack*, passing through the Parish of *Inverness*; as also the Road from *Zerpordoch* to Floss called the *Zerpordoch Road*, from a Point at or near *Kinnleith* to a Point at or within the Burgh of *Thorn*, passing through the Parish of *Thorn*, in the County of *Shire*; be it enacted, That so soon as sufficient Funds for defraying the Expense of making any such alteration or new Line of any of the said Roads above described shall be provided to the Satisfaction of the said Commissioners, either by the Contribution of any Individual or Individuals, or Corporation, or by the Assessment of any County or Counties, or by Money which may be borrowed in the Credit of the Tolls on any of the said Roads respectively, the said Commissioners are hereby authorized and empowered by the said recited Acts, or by the Direction of any of the said Roads, for the Alteration or Improvement thereof sufficient Funds shall be so provided, and to cause a Plan to be laid out and

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Provision for Insufficiency of Tolls.

Certain District Roads placed under the Management of the Commissioners.

New Lines of Road to be made.

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the Clerk of the Peace of the County wherein such Road to be altered and improved shall be situated, showing the precise Line thereof, and the Lane through which the same shall pass, together with a Book of Reference, containing the Names of the Owners and Occupiers of such Lands, and shall also cause a written or printed Notice thereof to be affixed on the Church Door of every Parish through which the same shall pass, to be continued at least Three successive Sabbaths before the Alteration shall begin to be made; and from and after the Time when any such Alteration and Improvement shall be completed the said Commissioners are hereby authorized and empowered to direct Tolls to be levied on such Road in the same Manner and to the same Extent, that Tolls are or may be levied on any Road under the Superintendance of the said Commissioners; and any such Road, when so altered and improved, shall be maintained in repair in the same Manner that the other Roads under the Care of the said Commissioners are so.

IX. And whereas by an Act of the Parliament of Scotland, made in the Second Parliament of King Charles the Second, intituled *An Act for repairing Highways and Bridges*, and also by an Act passed in the Eleventh Year of the Reign of His Majesty King George the Third, intituled *An Act for widening the Highways in that Part of Great Britain called Scotland*, it is provided that Highways shall be Twenty Feet in Width at the least; be it enacted, That the said Commissioners shall have Power and they are hereby authorized to direct all or any of the said Roads, or any Road under their Management, to be widened and expanded so that the same shall be in all Places Twenty Feet in Width of clear passable Road, exclusive of the Bank, Ditch, and Fence on either Side thereof; and the said Commissioners shall not be liable to pay for any Ground necessary to make any Road of such legal Breadth, reserving all Issues of Damages to the Proprietors for any Fence or Fences which may be altered or removed, by widening any such Road; and the said Commissioners shall have further Power and are hereby authorized, if they shall see fit, near any Town or Village, to extend any Turnpike Road to any Width not exceeding Forty Feet of clear passable Road, exclusive of the Bank, Ditch, and Fence on either Side thereof, on making Satisfaction in the Manner directed by an Act passed in the Forty-third Year of the Reign of His Majesty King George the Third, intituled *An Act for granting to His Majesty the Son of Treaty thousand Pounds, to be raised and applied towards making Roads and building Bridges on the Highways of Scotland, and for enabling the Proprietors of Land in Scotland to charge their Estates with a Proportion of the Expence of making and keeping in repair Roads and Bridges in the Highways*, to the Proprietors and Occupiers of any Ground, Buildings, or Fences taken or removed for the Purpose of such widening over and above the Width of Twenty Feet as aforesaid.

X. And be it enacted, That it shall be lawful for the said Commissioners to direct to be made and kept in repair Footpaths in or near to any Town or Village where the same can be done by means of the Tolls levied thereon or near thereto.

XI. And be it further enacted, That it shall be lawful for the said Commissioners to advance out of the Funds or their Disposal such Sums as shall appear to them requisite for the necessary Alteration and Improvement of any of the Roads and Bridges under their Superintendance upon which Tolls are at present or shall hereafter be levied under the Provisions of the second Act above recited, and which are wholly unprovided in repair by means of such Tolls, and to repay themselves such Advances out of the surplus Proceeds of such Tolls which shall remain after providing for the Expences of Repair of the Road or Bridge whereon the same shall be respectively levied.

XII. And be it further enacted, That if it shall appear to the said Commissioners to be expedient for the Public Service, it shall be lawful for them, with the Consent of the Justices and Commissioners of Supply of the County within which any such District Road or Bridge as herein-after mentioned shall be situate, verified at some several Meeting for the Assessment of the Land Tax, or at some special Adjournment of such Meeting, to assume to themselves the Care and Superintendance of any Road adjoining to or connected with any Road or Bridge already under their Superintendance, such Road having been previously sufficiently made and repaired to the Satisfaction of the said Commissioners, and every such Road shall thenceforth and thereafter be deemed and taken to be Part of the Roads and Bridges under the Care and Superintendance of the said Commissioners, and shall be maintained in repair by them in the same Manner as the Parliamentary and Military Roads and Bridges under their Care; and it shall and may be lawful for the said Commissioners to exercise all such Powers and Authorities, for and in respect of any such Road, which they are authorized and empowered to exercise with respect to any Road already under their Management: Provided always, that regard shall be had to the Limitation of the Amount of the Money applicable to the County wherein any such Road shall be situated.

XIII. And whereas Doubts have sometimes arisen in defining the Limits of Roads under the Care of the said Commissioners which ought for the Purpose of Repair to be considered as *Turning Out Lines*; be it enacted, That in such Cases it shall be lawful for the said Commissioners, from Time to Time, to appoint and define the Limits of the several Roads under their Care, which are to be respectively deemed and taken to be and form separate and distinct Lanes of Road for the Purpose of Repair, and to be entitled to the Benefit of the Tolls levied within such Limits; and any Order defining such Limits, and directing the Application of such Tolls, or of the Assessment levied in respect of the Road so defined, upon or for the Benefit of such Road, after being presented to the Clerk of the Peace of the County or City to which the same may relate, shall be deemed valid, the same shall be



IX. And whereas it is desirable that the several Ferry Piers and Shipping Quays erected by the said Commissioners should be maintained in repair, but it has in some Cases appeared independent to the said Commissioners to enforce the Provisions made for that Purpose by the said Act accord-  
 above recited, by leaving Tolls or Dues thereon; be it therefore enacted, That it shall be lawful for the said Commissioners, in case they shall deem it expedient, with the Consent of the Justices and Commissioners of Supply of the County within which such Ferry Pier or Shipping Quay as hereinafter mentioned shall be situate, notified at some annual Meeting for the Assessment of the Land Tax, or some special Adjournment of such Meeting, to assume the Care of maintaining in repair, altering, or improving any of the said Ferry Piers and Shipping Quays situated in the Counties of Ayrshire, Renfrewshire, and Argyll, and the same shall therewith be maintained or repair by them in the same Manner, and with and under the same Powers and Limitations, as the Parliamentary and Military Roads and Bridges whereas no Tolls are levied.

Provision as to Ferry Piers and Shipping Quays.

X. And whereas Damage has been done to Bridges erected by or which have been put under the Care and Superintendance of the said Commissioners, by the floating of Timber or Rivers over which such Bridges have been erected, through the Stoppage or Accumulation of such Timber or above such Bridges, whereby the same are not only injured and endangered, but in some Instances have been actually carried away; be it therefore enacted, That if any Timber, Trees, Logs, Deals, or Spars shall at any Time from and after the passing of this Act be floated or directed to be floated by any Person or Persons in any River whereas any Bridge shall have been erected by or shall be under the Care and Superintendance of the said Commissioners, the Owner or Owners of such Timber, Trees, Logs, Deals, or Spars, and every Person who shall have directed or shall be employed in floating the same in any such River, or be actually engaged and employed to station a sufficient Number of Persons at every such Bridge where such Timber, Trees, Logs, Deals, or Spars shall be floating in any such River, for the Purpose of preventing the same from stopping or being accumulated at or above any such Bridge, and for the Purpose of directing the Passage of the same under the Arch or Arches or between the Piers of any such Bridge, or as not to injure the same; and if any Timber, Trees, Logs, Deals, or Spars shall at any Time be floated in any such River without Persons being so stationed as aforesaid, or if any such Timber, Trees, Logs, Deals, or Spars shall be suffered to stop or to accumulate at or above any such Bridge, or if any such Bridge shall sustain any Damage through the floating of such Timber, Trees, Logs, Deals, or Spars, the Owner or Owners thereof, and every Person or Persons who shall have directed or shall have been employed in floating the same, shall be liable to a Penalty of not less than Forty Shillings and not exceeding Five Pounds for each Offence, to be recovered for the Use of any Person suing for the same before the Sheriff or any One or more of His Majesty's Justices of the Peace of the County where the Offender or Offenders shall be found or shall reside, and shall also forfeit all such Timber, Trees, Logs, Deals, or Spars which shall be found stopped or accumulated at or above such Bridge, to the Use of the Person or Persons by whom the same shall be seized and removed from at or above any such Bridge, upon proving the same before the said Sheriff or any One or more of His Majesty's Justices of the Peace of the County where such Timber, Trees, Logs, Deals, or Spars shall be so seized and removed; and if any Person or Persons shall hinder, obstruct, or prevent any Person or Persons from seizing or removing any such Timber, Trees, Logs, Deals, or Spars, every such Person, being lawfully convicted thereof before the said Sheriff or One or more of His Majesty's Justices of the Peace of the County where the Offender or Offenders shall be or reside, shall forfeit a Sum not less than Forty Shillings and not exceeding Five Pounds, to the Use of the Person or Persons suing for the same; and, moreover, every Owner or Owners of any such Timber, Trees, Logs, Deals, or Spars shall be liable in the Amount of any and every Damage that may be occasioned to any such Bridge through the floating of the Stoppage or Accumulation of any such Timber, Trees, Logs, Deals, or Spars thereon, to be recovered by the said Commissioners either before the Sheriff of the County whereas such Bridge may be situated, or before the Court of Session, as they shall think fit; and the full Costs of every such Action shall in every such Case be awarded to the said Commissioners.

Provision of Bridges.

XI. And whereas by the first of the said recited Acts it was enacted, that no Person should obstruct or be presumed to erect any House, Hut, or other Building exceeding Five Feet in Height within Twenty Feet of the Middle of any of the Roads thereby directed to be kept in repair; And whereas by an Act passed in the First and Second Years of the Reign of His present Majesty, entitled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland*, it was enacted, that no new Inclosures or Plantations should be made within the Distance of Twenty-five Feet from the Centre of any Turnpike Road; be it therefore enacted, That from and after the passing of this Act no new Inclosures or Plantation shall be made within the Distance of Twenty-five Feet from the Centre of any Road under the Care of the said Parliamentary Commissioners, without incurring a Penalty of Five Pounds for every such Offence, to be recovered as any Penalty under any of the said recited Acts may be recovered; and the Sheriff of the County and Justices of the Peace are hereby authorized and empowered, on the Application of the Inspector or any other Person acting in the Employment of the said Commissioners, to order any such Inclosure or Plantation to be pulled down or removed at the Expense of the Person making the same, or of the Owner or Occupier of the Ground whereas it shall be made.

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No new Inclosures to be made within Twenty-five Feet of the Centre of any of the Roads.

XII. And whereas by the said recited Act passed in the First and Second Year of the Reign of His present Majesty, and by the said recited Acts, and by the said recited Acts, and by the said recited Acts, the same, are enacted, which is extended to the several Roads under the Charge of the said Com-

Extension of certain Parts of the General Turnpike Act to this Act.

' measures upon which Tolls are levied would be highly beneficial, and would render the Laws for the Regulation of public Roads in Scotland more uniform' be it enacted, That so much of the said recited Act as relates to the Conduct of the Tacksmen of Tolls and Tollkeepers employed in collecting Tolls, and to the making of Encroachments on any Turnpike Road, and to the Regulation of Drivers, and to the Number of Carts which may be taken care of by Drivers, and to the preventing Children from driving Carts, and to the passing on Waggones and Carts of every Description, and other Carriages travelling for Hire, the Names of the Owners thereof, and to the Seizure of trespasser Offences, and to the Amount of Penalties by which any of such Matters and Things may be enforced, and to the Recovery of such Penalties, shall be and the same are hereby extended to this Act, and every such Provision in the said recited Act hereby so extended shall receive the same Effect as if every Clause recited in the said recited Act relating to any Matter or Thing above mentioned had, been reprinted in this Act.

Expenses of Act.

XIII. And be it further enacted, That the Expenses of this Act may and shall be defrayed out of any Money in the Hands of the said Commissioners appointed by the Three Acts herein last before recited.

Certain Powers of 1805, &c. and of a C. 3, &c. extended to this Act, &c.

XIV. And be it enacted, That all the Powers and Authorities granted by the said recited Act passed in the Forty-third Year of the Reign of His Majesty King George the Third, for making Roads as therein directed, are hereby granted for making the new Loans of Road, and the Alterations and Improvements herein directed, and all the Powers and Authorities granted by the said Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, for the opening of Turnpike Gates and of Toll Houses, are hereby granted for the Purposes of this Act, which, with the said Act passed in the Fourth Year of the Reign of His said late Majesty King George the Fourth, save and except in so far as the same is altered by this Act, shall have Continuance for and during the Term of Thirty-one Years from and after the passing hereof, and from thence to the End of the thirteenth Session of Parliament.

Public Act.

XV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

#### C A F. XXXIV.

An Act to continue, until the Fifth Day of April One thousand eight hundred and thirty-five, Compositions for the Assessed Taxes. [24th July 1833.]

1833, c. 117.

**W**HEREAS under the Provisions of an Act passed in the last Session of Parliament, intitled *An Act to continue, until the Fifth Day of April One thousand eight hundred and thirty-four, Compositions for the Assessed Taxes, and to grant Relief in certain Cases, the Duties of Compositions for Assessed Taxes now in force will expire on the Fifth Day of April One thousand eight hundred and thirty-four; and it is expedient to continue such Compositions for a further Term of One Year and so longer, as to expire on the Fifth Day of April One thousand eight hundred and thirty-five: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Duties payable under every Contract of Composition for the Duties of Assessed Taxes, and every Contract and Composition respectively now in force, shall be and are hereby respectively continued to His Majesty, to the like annual Amounts now payable, for a further Term of One Year and no longer, computed from the Fifth Day of April One thousand eight hundred and thirty-four, and to terminate on the Fifth Day of April One thousand eight hundred and thirty-five, to all Intents, and under the same Rules and Privileges as if such Compositions did not by the Laws now in force expire before the last-mentioned Day; and all the Powers and Provisions of the several Acts passed relating to and for continuing the Duties of Compositions and Contracts for collecting the same half-yearly, and for enforcing Payment thereof, shall be extended and applied to the Compositions and Contracts continued under this Act, to all Intents, as if the same had been repeated in this Act.*

Compositions continued for a further Term of One Year, and expiring April 1835.

except in Cases where Parties shall give Notice to determine the same on the 25th of April 1834.

Act may be altered.

It. Provided always, and be it further enacted, That this Act shall not extend to any Person who shall be desirous of determining his or her Composition on the Fifth Day of April One thousand eight hundred and thirty-four, and who shall so or before the Tenth Day of October One thousand eight hundred and thirty-three give Notice thereof in Writing to the Assessor or Collector of the Parish or Place, or to the Surveyor giving the Execution of the Acts relating to the Duties of Assessed Taxes for the District in which such Composition shall be payable.

III. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.



into an, Two (or more) of His Majesty's Justices of the Peace for the said County, Riding, or Division, or the Care may be, upon the Complaint of C. B. of the Person to whom the said Rate or Assessment ought to be paid, (or otherwise, as the Case may be,) that a Notice in Writing, requiring Payment of the said Sum (or said several Sums), was personally served on the said A. B. (or both, as the Place of Abode of the said A. B., or of the Tenant or Occupier of the Lands or Grounds,) to wit, on the Day of last, and that Default has been made in Payment thereof for the Space of Twenty-one Days next after such Notice as aforesaid (or left), and that the said Sum (or several Sums, or a certain Part of such Sum or Sums, as the Case may be,) is (or are) still due and unpaid: And whereas it having been duly proved to us upon Oath, that the said A. B. hath been duly summoned to appear before us, the said Justices, to show Cause why the said Rate or Assessment (Rate or Assessments) should not be paid; and he the said A. B. having appeared or failed to (or and he the said A. B. having neglected to appear accordingly before us, as the Case may be,) according to such Summons, and not having shown to us any sufficient Cause why the said Sum or as aforesaid due and unpaid should not be paid: These are therefore to require you forthwith to make Distress of the Goods and Chattels of him the said A. B. whatsoever they may be found, or of the Occupier or Occupiers of the Lands or Grounds or some Part thereof belonging to the said A. B. in respect of which the said Rate or Assessment (Rate or Assessments) is (or are) made, which may be found in and upon such Lands or Grounds; and if within the Space of Five Days next after such Distress by you taken, the Sum of and also the being the Costs already incurred in the Premises, making together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, that then you do sell the said Goods and Chattels as by you distrained, and out of the Money arising by such Sale that you detain the said Sum of and also your reasonable Charges of taking, keeping, appraising, and selling the said Distress, reserving to him the said A. B. the Overplus, as Demanded Given under our Hand and Seal this Day of One thousand eight hundred and thirty

III. And he it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, then and in every such Case he, she, or they may appeal to the next Court of General Quarter Sessions of the Peace which shall be holden not less than Ten Days after the Cause of such Complaint for the County, Riding, Division, or Place wherein the Cause of Complaint shall have arisen; provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Eight Days after such Cause of Complaint, and Six clear Days at the least before such Sessions, and shall also enter into a Recognizance within such Six Days, with sufficient Surety, before a Justice of the Peace for the same County, Riding, Division, or Place, conditioned to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be awarded by the Court; and the Court at such Sessions shall hear and determine the Matter of such Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet.

IV. And he it further enacted, That no such Warrant of Distress or Adjudication made on Appeal therefrom shall be quashed for want of Form.

V. Provided always, and he it further enacted, That at the hearing of the said Complaint and Appeal, or either of them, no Person shall be an incompetent Witness by reason of his or her being rated or liable to be rated to the said Rate or Assessment, Rate or Assessment.

C A P. XXXVI.

An Act to diminish the Inconvenience and Expence of Committals in the Nature of Writ De lunatico inquirendo; and to provide for the better Care and Treatment of Idiots, Lunatics, and Persons of unsound Mind, found such by Inquisition. [24th July 1833.]

WHEREAS great Inconvenience and Expence have been experienced from the Practice of directing or addressing Commissions in the Nature of Writ De lunatico inquirendo to Three or more Persons therein named as Commissioners: And whereas Doubts have arisen whether such Commissions can be directed or addressed to One such Commissioner only: Be it therefore enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Lord Chancellor, or the Lord Keeper or Commissioners of the Great Seal of Great Britain, or either the Person or Persons for the Time being invested by virtue of the King's Sign Manual with the Care and Government of the Custody of the Petrons and Estates of Persons found idiot, lunatic, or of unsound Mind, (as case he or they shall deem it advisable,) to cause any Commission in the Nature of a Writ De lunatico inquirendo to be directed or addressed to any One or more Person or Persons, who shall make Inquisition thereon, and return the same into the High Court of Chancery, and who for that Purpose shall have the same Power to issue Precepts to the Sheriffs to summon a Jury, and to compel the Attendance of Witnesses, and the Production or Attendance of the alleged Lunatic, Idiot, or Person of unsound Mind, and all other the Powers heretofore possessed by the Three or more Commissioners, in such Commissions as aforesaid; and such

signed

Witness not to be questioned the want of Form. Rated Person not disqualified from giving Evidence.

Lord Chan. Keeper, or any other Commissioner to be addressed to any One or more Person, who shall have Power to issue Precepts to the Sheriffs thereon.

Notwithstanding the said Act shall be of full Effect and Purpose as if the said Commissions in the Nature of

of a *Wish De Insane* Impetundo had been directed or addressed to, and the said Inquisition returned by Three or more Commissioners, as hereinafter.

II. And whereas it is expedient, for the better Care and Treatment of Idiots, Lunatics, and Persons of unsound Mind, found such by Inquisition, that proper and fit Persons should be appointed as superintendants, and from Time to Time report to the Lord Chancellor, or other the Person or Persons intrusted as aforesaid, the Care and Treatment and State of every such Idiot, Lunatic, and Person of unsound Mind; be it further enacted, That it shall and may be lawful for the Lord Chancellor, or other the Person or Persons entrusted as aforesaid, by an Instrument under his Hand and Seal or their Hands and Seals, to appoint Three Persons, Two of whom shall be Physicians, and One a Surgeon of not less than Five Years standing, to be Visitors, during Pleasure, for superintending, respecting, and reporting upon, under the Order and Direction of the Lord Chancellor or other the Person or Persons intrusted as aforesaid, the Care and Treatment of all Persons found idiot, lunatic, or of unsound Mind, by Inquisition, and to make all such Orders and Regulations as to the Duties of such Visitors as the Lord Chancellor, or other the Person or Persons entrusted as aforesaid, shall from Time to Time think fit, and to allow such Visitors such Salaries, not to exceed Five hundred Pounds per Annum to each of the Medical Visitors, and Three hundred Pounds per Annum to the other Visitor, for their Trouble, and also such Allowances for travelling Expenses, as such Lord Chancellor, or other the Person or Persons entrusted as aforesaid, shall think reasonable.

III. And be it further enacted, That each of such Persons so found idiot, lunatic, or of unsound Mind as aforesaid shall be visited on the least Once in each Year by One of such Medical Visitors, and either if the same shall be deemed expedient by the Lord Chancellor, or other the Person or Persons intrusted as aforesaid.

IV. And be it further enacted, That within a fit and convenient Time after each such Visitation such Visitors shall respectively make a Report in Writing to the Lord Chancellor, or other the Person or Persons entrusted as aforesaid, of the State of Mind and bodily Health, and of the general Condition, and also of the Care and Treatment of each such Person so found idiot, lunatic, or of unsound Mind who shall have been visited by him as aforesaid; which said Reports shall be duly filed and kept secret in the Office of such Visitors, and shall be open to the Inspection of no Person whatsoever, save and except the said Visitors, their Secretary, and the Lord Chancellor, or other the Person or Persons intrusted as aforesaid, or such other Person or Persons as the Lord Chancellor, or other Person or Persons entrusted as aforesaid, shall specially appoint: Provided always, that all such Reports, as far as the same relate to any particular Patient, shall be cancelled and destroyed on the Decease of each such Patient, and shall also be cancelled and destroyed on the Surpassness of his or her Commission, unless the Lord Chancellor, or other the Person or Persons intrusted as aforesaid, shall deem it fit and expedient that the same shall not be cancelled or destroyed until his or her Death.

V. And be it further enacted, That as often as any of the Visitors to be appointed as aforesaid shall die or be removed, or refuse to act, or become unable, by Illness or otherwise, to act, it shall and may be lawful for the Lord Chancellor, or other the Person or Persons entrusted as aforesaid, by an Instrument under his Hand and Seal or their Hands and Seals, to appoint a Visitor in the Room of every Visitor who shall die or be removed, or refuse or become unable to act.

VI. And be it further enacted, That no Person shall be appointed Visitor as aforesaid who shall be, or shall have been within the Two Years then next preceding, directly or indirectly interested in the Leasing any House licensed for the Reception of Insane Persons; and if any Person shall after his Appointment become so interested, and continue to act as such Visitor, his Appointment as Visitor shall thenceforth become void and null, and it shall not be lawful for him to act as such Visitor.

VII. And be it further enacted, That the Lord Chancellor, or other the Person or Persons intrusted as aforesaid, it and he or they respectively, by an Instrument under his Hand and Seal or their Hands and Seals, to appoint, during Pleasure, a fit Person to be Secretary to such Visitors, and for the Purposes of this Act, and to allow such Person such Salary for his Trouble, not exceeding Three hundred Pounds per Annum, and also to allow such further Sum or Sums of Money, not exceeding Three hundred Pounds per Annum, for providing and maintaining suitable Offices for the said Visitors and Secretary, and for the general Expenses of carrying into Execution the Purposes of this Act, as such Lord Chancellor, or other the Person or Persons intrusted as aforesaid, shall think reasonable.

VIII. And be it further enacted, That in order to raise a Fund for the Payment of the said Salaries and Expenses, and for the other incidental Expenses of this Act, it shall be lawful for the Lord Chancellor, or other the Person or Persons entrusted as aforesaid, to raise such Fund by a Percentage on the clear annual Income of the Persons found Idiots, Lunatics, or of unsound Mind by Inquisition as aforesaid, such Percentage not to exceed One and a Half Pence per Cent on each clear annual Income, and to order the same, by general Order, to be paid by the Commissioners or Receivers or other the Person or Persons for the Time being in receipt of the Income of the respective Estates of the said Idiots, Lunatics, and Persons of unsound Mind, into the Bank of England, in the Name and with the Privy of the Accountant-General of the Court of Chancery, to an Account to be opened and called "The Account of the Board of Visitors for the better Care and Treatment of Lunatics."

IX. And be it further enacted, That the said Commissioners and Receivers or other the Person or Persons aforesaid shall respectively pay out of the Funds in their Hands the said Percentage as aforesaid to be paid as aforesaid on the same certified by the Masters of the Court of Chancery to be the Account of the clear annual Income of the said Idiots, Lunatics, and Persons of unsound Mind, as the said Account of the

The Lord Chancellor may appoint Visitors as aforesaid, and report to him upon the Care and Treatment of Idiots, &c.

Persons found idiot, &c. to be visited once a Year.

Visitors to report to the Lord Chancellor, &c. the Care and Treatment of Idiots, &c.

Proviso: That, &c. of Visitors, the Lord Chancellor may appoint others.

Certain Persons not to act as Visitors.

A Secretary to such Visitors may be appointed.

A Fund for Payment of Salaries and Expenses to be raised by a Percentage on the Income of the Idiots, &c.

Comrs. to pay such Percentage into the Bank, upon receiving the Account.

**Accountant General**, to the said Account as to be opened and entitled as aforesaid, within One Calendar Month after receiving a Notice in Writing from the said Secretary to the said Visitors, setting forth the Amount of the Sums so certified as the Sums to be paid by such Committees and Receivers or other Persons or Persons as aforesaid, and shall be allowed the same in passing their Accounts.

X. And for the better executing the Assesses of the said clear annual Income, and collecting the said Per-centage thereon, he is further enacted, That the Masters of the said Court of Chancery shall, within Two Calendar Months from the passing of this Act, in all Matters of Lunacy referred to them, wherein a Committee or Committees shall have been then appointed, and within Two Calendar Months after the Appointment of Committees, or within Twelve Calendar Months after the Date of the Inquisition in all other Cases, respectively ascertain and certify to the Lord Chancellor, or other the Person or Persons intrusted as aforesaid, the respective Amounts of the clear annual Income of the Persons so found Idiots, Lunatics, or of assumed Mind as aforesaid; and in case any Alteration shall afterwards take place, the said several Masters shall respectively certify the same to the Lord Chancellor, or other the Person or Persons intrusted as aforesaid, within Two Calendar Months after such Alteration shall have been made known to them; and for the Purpose of enabling the said Masters to ascertain and certify the Assesses of such clear annual Income, it shall and may be lawful for the said Masters to examine the Committees and Receivers or other the Person or Persons for the Time being in receipt of the Income of the respective Estates of the said Idiots, Lunatics, and Persons of assumed Mind, to attend them to give them all the Information in their Power, and also to produce all Books, Papers, Accounts, and Documents in their Possession or Power relating to the Incomes or Estates of such Idiots, Lunatics, and Persons of assumed Mind.

XI. And he is further enacted, That no Sum of Money required for the Purposes of this Act shall be paid by the said Accountant General out of the said Fund so paid into the Bank of England as aforesaid, except upon Checks or Drafts payable to the Bearer, and signed by the Lord Chancellor, or other Person or Persons intrusted as aforesaid; and that no Fee shall be charged or taken upon, for, or in respect of such Payments or any of them.

XII. And he is further enacted, That the Assesses of Money received and paid under and by virtue of this Act shall once in every Year be made out by the said Secretary, and audited and signed by such One of the said Masters of the said Court of Chancery as the Lord Chancellor, or other the Person or Persons intrusted as aforesaid, shall appoint for that Purpose, and shall afterwards be filed in the Office of the Secretary of Lunacy, and that no Fee shall be charged or taken upon, for, or in respect of such Accounts being so audited or filed.

C. A. P. XXXVIII.

An Act to alter and amend the Laws relating to the Temporalities of the Church in Ireland.

[14th August 1833.]

WHEREAS it is expedient to make Provision for the Abolition of First Fruits in Ireland, and the Substitution of an annual Tax in lieu thereof; and it is also expedient that compulsory Assessments by Vicars should be abolished in certain Cases: And whereas the Number of Bishops in Ireland may be successively diminished, and the Revenues of certain of the Bishopsricks, as well as the said annual Tax, applied to the building, rebuilding, and repairing of Churches and other such like Ecclesiastical Purposes, and to the Augmentation of small Livings, and to such other Purposes as may conduce to the Advancement of Religion, and the Efficiency, Permanence, and Stability of the United Church of England and Ireland: And whereas the Treasury by which Church Lands are held in Ireland is empowered, and it is expedient to alter the same in such Manner as may tend to the Ease and Security of the Church, and the Advantage of the Persons holding thereunder: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the several Acts or Parts of Acts hereafter mentioned shall be repealed, (that is to say,) an Act made in the Parliament of Ireland in the Twenty-eighth Year of the Reign of King Henry the Eighth, intitled *An Act for First Fruits*, an Act made in the Parliament of Ireland in the Twenty-eighth Year of the Reign of King Henry the Eighth, intitled *An Act for the Twentieth Part*; so much of an Act made in the Parliament of Ireland in the Second Year of the Reign of Queen Elizabeth, intitled *An Act for the Redemption of the First Fruits and Twentieth Part, and Some several other Things and Things, out of Parsonages Inappreciable, in the Imperial Courts of the Shires, as relates to or concerns First Fruits and Twentieth Parts, or the Payment thereof*; as Act made in the Parliament of Ireland in the Second Year of the Reign of King George the First, intitled *An Act for confirming the several Grants made by Her late Majesty of the First Fruits and Twentieth Parts payable out of the Ecclesiastical Benefices in this Kingdom, and also for giving the Archbishop, Bishops, and other Ecclesiastical Persons some Years Time for the Payment of First Fruits*; so much of an Act made in the Parliament of Ireland in the Eighth Year of the Reign of King George the First, intitled *An Act for the better enabling of the Clergy having Cure of Souls to render upon their respective Benefices, and for the Encouragement of Protestant Schools within the Kingdom of Ireland, as relates to or concerns the Payment of any Sum of Money by the Trustees of First Fruits therein mentioned*; an Act made in the Parliament of Ireland in the Tenth Year of the Reign of King George

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Printed and published by the following in Great Britain: the said for continuing the several Grants made

by Her late Majesty out of the First Fruits and Tenths Parts payable out of the Ecclesiastical Benefices in this Kingdom, and also for giving the Archbishops and other Ecclesiastical Persons Four Years' Time for the Payment of First Fruits, and for incorporating the Trustees and Commissioners of the said First Fruits; an Act made in the Parliament of Ireland in the Twenty-sixth Year of the Reign of King George the Second, intitled *An Act for amending and making more effectual the several Laws relating to the First Fruits payable out of the Ecclesiastical Benefices in this Kingdom, and for the better Regulation and Management of the Charitable Bequest of Doctor Hugh Boulton, late Lord Archbishop of Armagh, for augmenting the Maintenance of Poor Clergy in this Kingdom;* an Act made in the Parliament of Ireland in the Twenty-sixth Year of the Reign of King George the Third, intitled *An Act for the better enforcing the Payment of the First Fruits chargeable on the Clergy of this Kingdom;* also an Act made in the Parliament of the United Kingdom in the Forty-sixth Year of the Reign of His late Majesty King George the Third, intitled *An Act for amending an Act passed in Ireland in the Twenty-ninth Year of King George the Second, intitled 'An Act for amending and making more effectual the several Laws relating to First Fruits payable out of Ecclesiastical Benefices in this Kingdom, and for the better Regulation and Management of the Charitable Bequest of Doctor Hugh Boulton, late Lord Archbishop of Armagh, for augmenting the Maintenance of Poor Clergy in this Kingdom; as far only as relates to the said Charitable Bequest; an Act made in the Parliament of the United Kingdom in the Forty-third Year of the Reign of King George the Third, intitled An Act to enable the Commissioners of First Fruits in Ireland in and certain Sums of Money (Interest free) to Demolish any Buildings there, for the Purpose of enabling them to erect or purchase Glebe Houses and Offices convenient for their Residence, and to purchase Glebe Lands fit and convenient for the Erection of such Houses and Offices; and to make Provision for the Repayment of all Loans so to be made by the said Commissioners; an Act made in the Parliament of the United Kingdom in the Forty-eighth Year of the Reign of King George the Third, intitled the Act to make more effectual Provision for the building and rebuilding of Churches, Chapels, and Glebe Houses, and for the Purchase of Glebe Lands, Glebe Houses, and Improvements in Ireland; an Act made in the Parliament of the United Kingdom in the Forty-ninth Year of the Reign of King George the Third, intitled An Act to amend an Act passed in the last Session of Parliament, for making Provision for the building and rebuilding of Churches, Chapels, and Glebe Houses in Ireland; no such of an Act made in the Parliament of the United Kingdom in the Fourth Year of the Reign of King George the Fourth, intitled An Act to amend the Laws for collecting Church Rates and Money advanced by the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, and for the Improvement of Church Lands in Ireland, as relates to the making, applying, raising, laying, or enforcing any Rate, Assessment, or Tax for or towards the repairing, building, or rebuilding any Churches or Chapels in Ireland, as so relates to any Loans made by the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in Ireland, or any Installments of Sums payable to the said Trustees and Commissioners, or to any Proceeding concerning any of the same; and the said several herein-before recited Acts and Parts of Acts are hereby, from and after the Commencement of this Act, repealed accordingly, save and except so far as the said recited Acts or Parts of Acts, or any of them, repeal the Whole or any Part of any other Act or Acts; and also save and except so far as relates to any Acts, Matters, and Things done at any Time before the Commencement of this Act, all which Acts, Matters, and Things shall be and remain good, valid, and effectual, to all Intents and Purposes whatsoever, as if this Act had not passed; and also save and except as to the Recovery and Application of any Penalty for any Offence which shall have been committed previous to the Commencement of this Act; and also save and except as to the Recovery and Application of any Sum and Sums of Money lent or advanced under or by virtue of any of said recited Acts or Parts of Acts, and which may now be or at any Time after become due, and also save and except so far as relates to all and every the Bonds or other Securities for the Repayment of any such Sum or Sums of Money, all which Penalties, Sums of Money, and Bonds or other Securities, not by this Act otherwise provided for, shall and may be used for recovered, and dealt with to all Intents and Purposes as if this Act had not been passed.*

It. And be it further enacted, That the Lord Primate of all Ireland, the Lord High Chancellor of Ireland, being a Member of the United Church of England and Ireland, the Lord Archbishop of Dublin, the Lord Chief Justice of Ireland, being a Member of the United Church of England and Ireland, all save and several for the Time being, and also each Four of the Archbishops or Bishops of Ireland as shall be appointed from Time to Time by His Majesty in Council for the Time being, by Warrant under the Sign Manual, together with Three proper and discreet Persons, being Members of the United Church of England and Ireland, Two of whom to be appointed from Time to Time by His Majesty in Council by Warrant under the Sign Manual, and the other to be appointed from Time to Time by the said Lord Primate and Lord Archbishop of Dublin for the Time being, by Writing under their respective Hands and Seals, shall be One Body Politic and Corporate, by the Name of the "Ecclesiastical Commissioners for Ireland;" and by that Name have perpetual Succession and a Common Seal; and by that Name shall and may sue and be sued, and shall have Power and Authority to take and purchase and hold Lands, Tenements, and Hereditaments to them, their Successors and Assigns, for the Purpose of this Act, the Statutes of Mortmain, or any other Act or Acts, to the contrary hereof notwithstanding: Provided always, that the said Lord Chancellor and Lord Chief Justice, and said Three other Commissioners respectively, and their Successors for ever, do and shall, before acting under said Commission, take of the King, Swearing they shall respectively stand and behave

205. l. v. 15

205. 2. a. 16.

161. 5. c. 53.

205. 5. c. 104

186. 2. c. 53.

20 C. 3. a. 100.

and 20. 4. a. 20.

except as to the  
Repeal of the  
said Acts as to  
the Recovery of  
Penalties; or as  
to the Recovery  
of Money lent or  
advanced due,  
and to Bonds  
and Securities  
for the same.

Ecclesiastical  
Commissioners  
to be appointed

Commissioners  
to subscribe the  
following De-  
clarations.

as the Book of the Minutes of the Proceedings of said Commissioners a Declaration in the Words following :

“ I DO hereby solemnly, and in the Presence of God, testify and declare, That I am a Member of the United Church of England and Ireland, as by Law established. Witness my Hand this  
 “ Day of \_\_\_\_\_ 1833.”

His Majesty in Council may receive Commissioners and fill up Vacancies.

III. And be it further enacted, That the said Four Bishops and the said Three other Commissioners shall be at all Times removable by His Majesty in Council by Warrant under the Sign Manual; and that whenever by Death, Resignation, Retardation, or otherwise, any such Bishop or Person shall cease to be a Commissioner under this Act, then and in every such Case it shall and may be lawful for His Majesty, by Warrant as aforesaid, to appoint one other Bishop or Person in the Place and Stead of any such Bishop, or in Place and Stead of either of each Two Persons appointed by His Majesty, so coming to be such Commissioner respectively; and in case of the Death, Resignation, or Removal of said Commissioner appointed by the Lord Primate and the Archbishop of Dublin, it shall and may be lawful for the said Lord Primate and Archbishop of Dublin for the Time being to appoint another proper and discreet Person in the Place and Stead of the Person so dying, resigning, or being removed as aforesaid; and any such Bishop or Person so to be appointed shall accordingly be and become to all Intents and Purposes one of the Commissioners for the Purposes of this Act.

Salaries to Commissioners.

IV. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors to order and appoint such Salary as he or they shall deem fit to be paid to the said Three Persons (not being Bishops) to be appointed such Commissioners as aforesaid, beyond being laid in the Nature and Extent of the Duties to be performed, and so the Responsibility which may attach to such Persons respectively.

Commissioners to appoint Officers, and pay Salaries and incidental Expenses.

V. And be it further enacted, That it shall and may be lawful for the said Commissioners to appoint, during Pleasure, such Secretary and Treasurer, and such other subordinate Officer or Officers, as they in their Discretion shall think necessary for the Execution of the several Duties and Trusts hereby imposed on them; and the said Commissioners shall, out of the several Funds hereby vested in and made payable to them, pay such Salaries as shall, pursuant to the Provisions hereon before contained, be appointed to be paid to the said Three Commissioners, and also such other Salaries to the said Secretary, Treasurer, and other subordinate Officer or Officers as the said Commissioners, by and with the Approbation and Consent of the Lord Lieutenant or other Chief Governor or Governors, testified in Writing under his or their Hand or Hands, shall from Time to Time think fit and allow; and the said Commissioners shall also out of the said Funds defray all such incidental Charges and Expenses as shall become necessary in the Execution of the several Powers and Trusts by this Act, or by any Act hereafter to be passed, imposed on them.

Three Commissioners to form a Quorum.

VI. And be it further enacted, That all Acts, Matters, and Things (save as herein-after excepted) which the said Commissioners be by any of the Provisions of this Act authorized or required to do and perform, shall and may be done and performed by any Three of such Commissioners: Provided always, that such Three Commissioners be for each Purpose assembled at a Meeting, whereof due Notice shall have been given to all the said Commissioners.

As to Proceedings respecting to be sealed by the Common Seal.

VII. Provided always, and be it hereby enacted, That no Proceeding which requires to be certified and attested by the Common Seal of the Corporation shall be finally concluded, nor the said Seal affixed to any Deed or Instrument, save at a Meeting whereof Notice shall have been in like Manner given, and whereas Two at least of the said Episcopal Commissioners shall be personally present: Provided always, that in case any Episcopal Commissioner, being the only Episcopal Commissioner present, should object to the Ratification and Confirmation of any such Proceeding as aforesaid, or to the affixing of such Seal to any Deed or Instrument as aforesaid, such Ratification or affixing of the Seal shall not take place till a subsequent Meeting of the Commissioners, of which due Notice shall have been given.

Who to be Chairman.

VIII. And be it further enacted, That at each Meeting of the said Commissioners the Commissioner first in Rank and Precedence there present shall preside as Chairman, and in case of the Equality in Rank and Precedence of all the Commissioners so present, then the senior Commissioner in the Order of Appointment shall so preside; and the Chairman at all such Meetings shall not only vote as a Commissioner, but shall also, in case of the Equality of Votes, have the casting or decisive Vote.

Secretary to keep a Book.

IX. And be it further enacted, That the Secretary or other Officer of said Commissioners shall keep a Book, in which he shall make Minutes of the Proceedings of the said Commissioners at their several Meetings, and enter the Names of the Commissioners present thereon; and such Entry of the Proceedings at each Meeting shall be signed by the Chairman thereof.

Commissioners to make a Report to Lord Lieutenant, and return an Account in Form to be laid before Parliament once in every Year, or Printed image deposited by the University of Southampton Library Digitisation Unit

X. And be it further enacted, That the said Commissioners shall once in every Year, within Fourteen Days after the First Day of August, make a Report to the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, under the Hand and Seal of the said Commissioners, of their Proceedings under this Act for the Year preceding ending on such First Day of August, and shall also return with said Report an Account of all their Receipts and Disbursements during the like Period, distinguishing the specific Sources from which all Monies may be derived, and showing the total Amount derived from each such Source, together with the specific Purposes to which the Receipts have been applied; and such Report and Account shall be laid before both Houses of Parliament; and



the said Commissioners shall also, at all other Times when and as otherwise required by the Lord Lieutenant or other Chief Governor or Governors for the Time being, deliver to him or them a Report of their Proceedings, and return an Account of their Receipts and Disbursements under this Act, for and during such Period as they may be so required.

XI. And be it enacted, That the said Commissioners shall frame and prepare such Rules, Orders, and Bye Laws, not being contrary to the Provisions in this Act contained, nor to the Laws of that Part of the United Kingdom called Ireland, as the said Commissioners shall judge most convenient for the better Government of such Corporation, and the Management and Disposal of the Funds hereby vested in them for the several Purposes of this Act, and for the more effectual Execution of the several Powers and Trusts hereby reposed in them; and of such Rules, Orders, and Bye Laws, being approved and confirmed by the Lord Lieutenant or other Chief Governor or Governors of Ireland, by Writing under his or their Hand or Hands, shall be good, valid, and effectual, and shall be sufficient in all Courts to justify all Persons who shall act pursuant to the same; and it shall be lawful for the said Commissioners, by and with the Consent and Approbation of the said Lord Lieutenant or other Chief Governor, from Time to Time to amend or alter such Rules, Orders, and Bye Laws, or to make others in lieu thereof or in addition thereto, which, being duly confirmed as aforesaid, shall be good, valid, and effectual to all Intents and Purposes whatsoever: Provided always, that no Rule, Order, or Bye Law shall be presented to the Lord Lieutenant or other Chief Governor for his Approbation and Confirmation unless it shall first have been made by the said Commissioners at one Meeting, and shall afterwards have been confirmed by them at another Meeting, which other Meeting shall have been called upon One Month's Notice, which shall have been set forth the Rule, Order, or Bye Law proposed to be confirmed.

XII. And be it enacted, That the Governors and Directors of the Bank of Ireland shall and they are hereby required to open in their Books a general and such and so many particular and distinct Accounts with the said Commissioners, under the Title of "The Ecclesiastical Commissioners for Ireland," as the said Commissioners shall from Time to Time require to be kept, and to receive such Ledgers and make such Payments to the Credit and Debit of such Accounts respectively, and to give and deliver such Receipts and Vouchers as the said Commissioners shall from Time to Time direct.

XIII. And be it further enacted, That from and after the Commencement of the Act all Payments of First Fruits in Ireland shall cease and determine for ever; and that all Archbishops, Bishops, Archdeacons, Deans, Rectors, Vicars, and all other Ecclesiastical Persons, and their Successors, in Ireland, shall be for ever hereafter excused, acquitted, and discharged, as well against his present Majesty, his Heirs and Successors, as against the Trustees and Commissioners of First Fruits in Ireland, and all other Persons whatsoever, of and from the Payment of all and in all manner of First Fruits issuing out of Ecclesiastical Benefices payable by the Clergy in Ireland, by whatsoever Name the same are called, and by whatsoever Right or Title the same did or may any way belong to the Crown, or to the said Trustees and Commissioners, or any other Person or Persons: Provided always, that nothing herein contained shall extend or be construed to extend to exonerate, acquit, or discharge any Person, their Heirs, Executors, or Administrators, from paying and satisfying all and every the Arrears of First Fruits due or payable by them or any of them, or which may hereafter become due and payable by virtue of any Writing Obligatory in force at or before the passing of this Act, but that such Arrears shall and may be recovered as hereafter provided.

XIV. And be it further enacted, That the said Ecclesiastical Commissioners shall make or cause to be made, and from Time to Time, as they shall think necessary, amend or cause to be amended, a Valuation, in which Valuation Allowance shall be made for the Deductions herein-after mentioned, of all and every the Revenues, Rents, Fees, Tithes, Compositions for Tithes, Estates, Demesnes, Glebes and other Lands, Offerings, Emoluments, and all other Profits, Spiritual or Temporal, appertaining or belonging, or that shall hereafter appertain or belong, to any Archbishoprick, Bishoprick, Archdeaconry, Deanery, Prebend, Cathedral Church, Collegiate Church, Spiritual Corporation, Aggregate or Sole, Parsonage not impropriate, Vicarage, Benefice, Chantry, Free or other Chapel, Perpetual Curacy, or any other Benefice or Office or Promotion Spiritual, of what Name, Nature, Quality, or Description wherever they be, within that Part of the United Kingdom called Ireland, and shall have, take, levy, and receive therefrom and thereout, from and after the Times when the same shall lawfully become void next after the passing of this Act, and for ever thereafter, a yearly Tax, Rate, or Assessment, computed and imposed upon such Valuation, according to the several Rates and Scales specified and certified in the Schedule (A.) to this Act annexed.

XV. And be it enacted, That the said yearly Tax shall be paid half-yearly in equal Manner to the said Ecclesiastical Commissioners on each First Day of July and First Day of January, the first Payment on account of such annual Tax to be made from and out of each Dignity, Benefice, Office, or Promotion Spiritual on the First Day of July or First Day of January, as may happen, next after the First Day of May or the First Day of November, as may happen, next after the consecration, Installation, Induction, Collation, Inveiture, placing, Election, or Appointment of the Persons succeeding thereto: Provided always, that such Person shall only be charged or chargeable in such first Payment with a Proportion of such Tax, according to the Term during which he shall have enjoyed or been created to the Profit of such Dignity, Benefice, Office, or Promotion Spiritual; and provided further, that if any such Dignity, Benefice, Office, or Promotion Spiritual shall remain void for any Time after such Day hereinafore appointed for the Payment of the said annual Tax, the Person succeeding thereto

shall, if required.

Commissioners to make Rules and Bye Laws, to be approved by Lord Lieutenant.

An Account to be kept with Bank of Ireland

Payments of First Fruits to cease.

Nothing herein to exempt Persons of Arrears

Commissioners to make a Valuation of all Livings, &c. and levy a yearly Assessment thereon, subject to Deductions mentioned hereafter, such Assessment to continue for ten next Anniversaries.

Tax when to be paid.

shall be charged and chargeable with all Arrears thereof accruing due from and after the last Avoidance thereof.

The law to be  
imposed on  
Dignities.

XVI. And be it enacted, That each and every Dignity, Benefice, or Office, or Promotive Spiritual, shall be separately and distinctly rated, each in the proper Diocese to which it may belong, where- soever the Parsonage or Profits to them respectively belonging shall happen to be locally situate; and first in the Case of any Estate, Tithes, Fines, or other Emoluments whatsoever distributable among the Members of any Corporation Aggregate, under or by virtue of any Law, Statute, Bye Law, or Usage whatsoever, the said Tax, Rate, or Assessment shall be imposed severally upon the separate Share or Income of each such Member respectively, and that each such Share or Income shall be and become respectively charged therewith from and after the Time when the Member of such Corporation now enjoying or entitled to such Share or Income shall die, or become disqualified, or in any Manner cease to be a Member of such Corporation, and for ever thereafter.

Ecclesiastical Fund  
appropriated from  
Tithes.

XVII. Provided, and be it enacted, That no Ecclesiastical or Fund appropriated to the Purpose of repairing any Cathedral or Church, or other such like Purpose, shall be liable to the said annual Tax, Rate, or Assessment, save only so far as respects the Surplus thereof (if any), which may be distributable among the Dean and Chapter or Members of the Ecclesiastical Body to whom such Ecclesiastical Estate or Fund may belong.

Spiritual Per-  
sons to make a  
Return of the  
annual Value of  
their Livings,  
&c.

XVIII. And be it further enacted, That in order to enable the said Commissioners the better to compute and impose the said Tax, Rate, or Assessment according to the Provisions of this Act, every Archbishop, Bishop, Archdeacon, Dean, Prebendary, Master, Warden, Parson, Spiritual Vicar, Perpetual Curate, and every Spiritual Corporation Aggregate under its Corporate Seal, and every Member of such a Corporation individually, and all and every other Spiritual Person, in England, by whatever Name or Name they may be respectively called, known, or described, shall, on or before the First Day of December in the Year One thousand eight hundred and thirty-three, and at all Times thereafter, when and so often as they or any of them shall think fit or shall be thereto required by the said Commis- sioners, return respectively to the said Commissioners an Account of the true and entire yearly Value of such Archbishopsricks, Bishopsricks, and all other the Spiritual Promotions aforesaid, and all Lands, Tenements, Hereditaments, and Profits thereto respectively belonging, by them and each of them at the Time of making such Returns respectively held and enjoyed; and in case the Value thereof shall be of a fluctuating Nature, then such Account shall state the average annual Value commencing on; and such Account of such Value in either of the Cases aforesaid to be exclusive of the See House or Glebe House or Offices, or other Place of Residence of or belonging to the same respectively; and shall therein also respectively specify all Rents, Synodals, or Penions, or other Charges (if any), payable out of or in respect of the same, and also the Amount of the Same (if any) expended in building or improv- ing such See House, Glebe House, or Office, or Place of Residence, by such Spiritual Person, or paid or secured to be paid, or wherewith he shall be chargeable to his or their Predecessors respectively, or his or their Executors, Administrators, or Assigns: distinguishing the Same which are or shall be recoverable by such Spiritual Person as aforesaid from or against his Successors from such Same as shall not be so recoverable; and in case there shall be no See House or Glebe House or Place of Residence therein or therein belonging, then such Account shall specify the annual Rent paid or payable by such Spiritual Person for a House or Place of Residence occupied by him.

Value of  
Glebe House or  
Place of Resi-  
dence.

Commissioners  
may have a  
Commission to  
make Inquiries  
for the Purpose  
of enabling  
them to form a  
Valuation, and  
impose a Tax.

XIX. And be it further enacted, That the said Ecclesiastical Commissioners shall also have Power and Authority, when and so often as they shall so think necessary, to direct into any Diocese in England a Commission under their Corporate Seal to the Archbishop or Bishop thereof, and such other Person or Persons, being Members of the United Church of England and Ireland, as the said Commissioners shall think fit, commanding and authorizing the Persons in such Commission to be named, or Two of them at the least, to examine, search, and inquire into, of, and for all such Matters and Things as may be requisite and necessary in order to enable the said Ecclesiastical Commissioners under this Act to form the said Valuation, and impose the said Rate, Tax, and Assessment, according to the Provisions of this Act, and authorizing and empowering same Two or more Persons to be named in such Commission, separately, or in the Presence of each other, to administer an Oath to each of the said Persons therein named as aforesaid, to the Effect following, that is to say,

That to be taken  
by Persons  
named in such  
Commission.

I, *A. B.* do swear, That I will well, diligently, and truly, according to the best of my Skill and Know- ledge, do, fulfil, perform, and execute the several Powers and Trusts reposed in me by virtue of a Commission issued pursuant to the Provisions of an Act passed on the Fourth Year of the Reign of our Majesty King WILLIAM the Fourth, intituled (Acce. *under the Title of this Act*), within the Limits thereof, without Favour or Affection, Prejudice, Malice, or ill-will to any Person whatsoever.

Commissioners  
to make Report;

So help me GOD:  
Which Oath the said Persons to be therein named shall take before they shall begin to execute their said Commission; and also directing and authorizing the said Persons in such Commission so named, or Two of them at the least, to return, under their Hands and Seals, to the Commissioners appointed under this Act, on a certain Day to be named in the said Commission, a true, just, and faithful Account and Estimate of the said several Matters and Things in the said Commission so directed to be inquired of by them as aforesaid, and which Returns the said Persons in such Commission named are hereby required to make; and the said Persons to be therein named as aforesaid, or any Two of them, shall likewise have Power to examine Witnesses upon Oath touching or concerning

and to examine  
Witnesses.

any of the Matters or Things to be inquired of by them as aforesaid: Provided always, that the said Ecclesiastical Commissioners under this Act may in their Discretion direct and order the Costs and Expenses of issuing said Commission, and of all the Proceedings thereunder, or any Part thereof, to be paid and borne, in such Shares or Proportions as the said Commissioners shall think fit, by such Archbishop, Bishop, Archdeacon, Dean, Prebendary, Parson, Vicar, or other Spiritual Person aforesaid, of and into the Revenues, Rents, Issues, and Profits of whom such Commission shall be issued to issue and exonerate as aforesaid; and which Costs and Expenses, when so ordered to be paid as aforesaid, shall and may be recovered in the Manner hereafter directed and mentioned with respect to the said annual Tax: Provided always, that no such Archbishop, Dignitary, or Spiritual Person shall be required to pay the Costs or Expenses of any such Commission, or any Part thereof, unless the Valuation of the Revenues, Issues, and Profits to him belonging shall exceed the Amount thereof as stated in the last previous Return thereof by him made in the Proportion of Ten Pounds per Centum.

Provision as to Costs of Commissions.

XV. Provided, and he it enacted, That in and from the Valuation to be made for the Purpose of imposing the said Rate, Tax, or Assessment, the said Commissioners shall from Time to Time deduct and allow all Rents, Synodals, Proxies, and other Charges, including Salaries or Stipends for Perpetual Curates or Licensed Assistant Curates of any Benefice the Incumbent whereof shall be resident in any such Benefice, which any such Spiritual Person or Persons as aforesaid, chargeable with the said annual Tax, is or are bound to pay or allow in respect of his or their Archbishoprick, Bishoprick, Archdeaconry, Deanery, Prebend, Benefice, or other Possession Spiritual as aforesaid; and in case there shall be no such House or Glebe House or Place of Residence thereon or therein respectively belonging, then that the said Ecclesiastical Commissioners shall deduct and allow such Sums as shall appear to be the annual Rent or Value of the House or Place of Residence occupied by each such Spiritual Person, or such lesser Sum as the said Ecclesiastical Commissioners shall in their Discretion think fit; and in case any such Spiritual Person so chargeable as aforesaid shall have expended or laid out in building or improving any House, Offices, or Place of Residence as aforesaid, or shall have paid or secured, or shall be chargeable with to his or their Predecessors respectively, or his or their respective Executors, Administrators, or Assigns, any Sums or Sums of Money on account of Money laid out or expended thereupon on any such Buildings or Improvements, then in every such Case the said Ecclesiastical Commissioners shall from Time to Time, in and from such Valuation, deduct and allow, as a set-off thereof, in the following Manner and according to the following Rate; (that is to say) the annual Sum or Allowance of Ten Pounds in the Hundred for all and every the Sum or Sums so expended or laid out in such Building or Improvement, or paid or secured to be paid, or with respect to such Person as aforesaid shall be chargeable to his Predecessor, or his Executors, Administrators, or Assigns, as the Case may be, on account of Money so theretofore laid out or expended on such Building or Improvement as aforesaid, and which shall not be by Law recoverable by such Person, his Executors, Administrators, or Assigns, from or against his Successor; and the annual Sum or Allowance of Five Pounds in every Hundred for all and every the Sum or Sums so expended or laid out, or paid or secured to be paid, or wherewith any such Person shall be chargeable to his Predecessor, or his Executors, Administrators, or Assigns, as aforesaid, on account of Money so theretofore laid out or expended as aforesaid, as the Case may be, and which shall be by Law recoverable by such Person, his Executors, Administrators, or Assigns, from or against his Successors.

Certain Sums chargeable on Laymen, to be deducted from the Valuation.

XVI. Provided always, and he it further enacted, That the said Ecclesiastical Commissioners shall not, from or in such Valuation, deduct or allow for any Sum or Sums of Money so laid out or expended, or paid or secured to be paid, or wherewith any of the Persons aforesaid shall or may be chargeable as aforesaid, unless such Sum and Sums shall be contained, included, and mentioned in the Certificate of the Lord Lieutenant or other Chief Governor or Governors of Ireland, or of the Archbishop or Bishop of the Province or Diocese respectively, as the Case may be, in such Cases given or directed to be given, under or by virtue of any Statute now or hereafter in force or to be made, in order to enable any Archbishop, Bishop, or other of the Persons aforesaid to recover against his Successor the Sums above mentioned, or any of them, or any Part thereof.

No Sums shall be deducted unless mentioned in Certificate.

XVII. And he it further enacted, That if the said Tax, Rate, or Assessment, or any Part thereof, payable by any Body or Person, shall be in arrear and unpaid more than a reasonable Time after the same shall have been demanded by or on the Part of the Commissioners under this Act, it shall and may be lawful for such Commissioners in every such Case to apply to the Court of Chancery or Exchequer in Ireland, by Petition in a summary Way, for Relief in that Behalf; and such Court shall and may, on the Hearing of such Petition, and upon the Production of a Certificate under the Corporate Seal of such Commissioners, of such Tax being in arrear and unpaid as aforesaid, in a summary Way, with or without Reference to any Master or other Officer of said Court, order Process of Sequestration (after hearing such Matters, if any, as may be alleged in answer to such Application, by Affidavit or otherwise, upon a Day to be fixed for that Purpose,) to issue out of said Court, directed to Sequestrators to be named by or on behalf of such Commissioners, authorizing and requiring such Sequestrators forthwith to enter into the Possession of and take and receive the Rents, Issues, and Profits of all and every the Lands, Tenements, and Hereditaments of or belonging to any such Body or Person in his or their Ecclesiastical Capacity or Character, and all and every the Tithes, Modons, Compositions for Tithes, Salaries, Stipends, Fees, and all other Ecclesiastical Endowments and Profits whatsoever of or belonging to the same respectively, or any Part or Parts thereof as to the said Court shall seem fully sufficient for the due payment and satisfaction of the said Tax, Rate, or Assessment, and any Part thereof.

For enforcing Payment of Rates or Assessments.

fully paid and satisfied the said yearly Tax and every Part thereof which shall be then, or which shall at any Time pending such Sequestration, remain or become due and payable, together with lawful Interest for the same from the Time when every such Sum or Sums ought respectively to have been paid, and all Costs and Charges and Expenses whatsoever attending such Process and Sequestration as aforesaid; and it shall and may be lawful for the said Court to proceed against all Persons disobeying or opposing such Process, or in any Manner hindering or preventing the due Execution thereof, and to act in all Matters connected with and consequent upon such Sequestration in the same Manner as in other Cases in which Sequestrations are or shall be issued out of said Court pursuant to the Orders of said Court.

Priority of  
Sequestrations  
under this Act.

XXIII. Provided always, and be it further enacted, That any Sequestration issued pursuant to the Provisions of this Act shall be preferred, and the said Commissioners under this Act shall be paid and satisfied the Sum and Sums to be recovered thereby, and every Part thereof, in preference to any other Process or Process whatsoever, notwithstanding any Sequestration, Judgment, Execution, or other Process whatsoever issued or begun for such other Person or Persons; any thing herein or in any other Law or Statute contained to the contrary hereof notwithstanding.

If incumbent  
die before Gale  
Day, Tax to be  
apportioned.

XXIV. Provided always, and be it further enacted, That if any Archbishop, Bishop, or other Person charged or chargeable with the Payment of said yearly Tax shall happen to die, or be lawfully excused, translated, promoted, removed, or put from his Dignity, Benefice, Office, or Promotion Spiritual, before any one of the Gale Days hereby appointed for the Payment of the said Tax, then such Archbishop, Bishop, or Person, or his Executors or Administrators, in the Case may be, shall only be charged and chargeable with a Proportion of such Tax, according to the Time he may have been entitled to or enjoyed the Profits of such Dignity, Benefice, Perpetual Curacy, or Office, or Promotion Spiritual as aforesaid; and the Successor to such Dignity, Benefice, Office, or Promotion Spiritual shall become liable to the Remainder of such Tax accruing due on each Gale Day: And provided further, that in any Case in which it shall be made to appear to the Satisfaction of the said Commissioners that any Spiritual Person chargeable with the said Tax shall not have received the Profits of the Dignity, Benefice, Perpetual Curacy or Office, or Promotion Spiritual, in respect whereof he may be so chargeable, then and in such Case it shall be lawful for the said Commissioners to extend the Time for the Payment of such Tax until such Profits shall be received, or in case such Spiritual Person shall die, or be removed, or promoted from his Dignity, Benefice, Perpetual Curacy, or Office, or Promotion Spiritual as aforesaid, without being entitled to receive any of such Profits, then and in such Case to charge and recover the same of and from his Successor therein, wherever such Successor shall have received the said Profits; any thing herein-before contained to the contrary notwithstanding.

Arrears of Tax  
due on Death  
of such Person  
to such as a  
Judgment Debt.

XXV. And be it further enacted, That the Proportion of said annual Tax due on the Death of any Archbishop, Bishop, or other Person as aforesaid shall be deemed and taken to be and shall rank as a Judgment Debt of such deceased Archbishop, Bishop, or Person as aforesaid, and be paid as such, as if a Judgment had been duly acknowledged by or entered against him during his Lifetime by the said Commissioners for the Arrears of said Tax which shall be so due as aforesaid, and immediately after all other legal Judgments, Crown Bonds, and Recognizances entered up against, acknowledged, or executed by law during his Lifetime.

Names of  
Commissioners  
to be entitled to  
Administration.

XXVI. And be it further enacted, That the said Commissioners under this Act shall be deemed and taken to be, in every Ecclesiastical Court in the United Kingdom, Judgment Creditors of any Archbishop, Bishop, or other such Person as aforesaid chargeable with any Arrears of said annual Tax; and in case the Executors, or next of Kin, or Ordinary Legatees of such Archbishop, Bishop, or other Person as aforesaid shall refuse or neglect to make out Probate or Letters of Administration to him, the said Commissioners shall be entitled to have Administration of his Goods and Chattels, Rights and Credits, granted or consented unto their Names or Nominees in such Manner and Form, but subject to the same Regulations as far as may be, as and under which Administrations are usually granted to Creditors of other deceased Persons, notwithstanding that no Affidavit or other Evidence shall be made or given in or to such Ecclesiastical Court of any Debt being actually due to such Commissioners: Provided always, that a Certificate under the Corporation Seal of the said Commissioners shall be produced to such Ecclesiastical Court, alleging that a Debt or account of Arrears of said annual Tax is due to such Commissioners, and that they require such Administration to be granted to the Person to be therein named.

Archbishops  
and Bishops to  
return Profits  
taken, &c.

XXVII. And be it further enacted, That the several Archbishops and Bishops of Great Brittain, from and after the passing of this Act, on the First Day of November and First Day of May in every Year, or at the least within Fourteen Days after, make Returns to the said Commissioners of all, how many, and what Archdeacons, Deans, Provosts, Masters, Wardens, Prebendaries, Rectors, Parsons, Vicars, Perpetual Curates, Incumbents, or other Spiritual Persons, by whatever Name called, known, or described, have been installed, admitted, instituted, collated, or inducted (and of and upon Gift, Grant, or Promotion such Installations, Admissions, Institutions, or Inductions has taken place,) into Dignities, Benefices, Curacies, Chapelries, Offices, or Promotions Spiritual, by whatever Name called, known, or described as aforesaid, and by what Names and Surnames they were so installed, admitted, instituted, collated, or inducted, and each of them were singly and separately called and known by, together with the Day and Year of the Installation, Admission, Institution, Collation, or Induction of each of them, and in what County and Counties within their respective Dioceses or Dioceses and

Chapels, or other Dignities, Benefices, or Offices, or Promotions Spiritual, by whatever Name called, known, or described, be and are annexed, to the Dates of the said respective Returns.

XXVIII. And be it further enacted, That all and every the Powers and Authorities, Provisions, Regulations, Privileges, Clauses, Matters, and Things in this Act contained, in relation to Bishops in their Dioceses, shall extend and be construed to extend to the Archbishops in the respective Dioceses of which they are Bishops, and also in their own peculiar Jurisdictions, as fully and effectually as if the Archbishops were named with the Bishops in every such Case.

XXIX. And be it further enacted, That every Archbishop and Bishop within the Limits of whose Province or Diocese respectively any Benefice or Office or Promotion Spiritual, by whatever Name called, known, or described respectively, except or peculiar, shall be locally situate, shall have, use, and exercise all the Powers and Authorities necessary for the due Execution by them respectively of all the Purposes and Provisions of this Act, and for enforcing the same with regard thereto respectively, as such Archbishop and Bishop respectively would have used and exercised if the same were not except or peculiar, but were subject in all respects to the Jurisdiction of such Archbishop or Bishop; and where any Benefice or Promotion Spiritual as aforesaid, except or peculiar, shall be locally situate within the Limits of more than One Province or Diocese, or where the same or any of them shall be locally situate between the Limits of any Two or more such Dioceses, the Archbishop or Bishop of the Cathedral Church in whose Province or Diocese the Parish Church of the same respectively shall be situate in local Situations shall have, use, and exercise all and every the Powers and Authorities which are necessary for the due Execution of the Provisions of this Act, and enforcing the same with regard thereto respectively, as such Archbishop or Bishop would have used and exercised if the same were not except or peculiar, but were subject in all respects to the Jurisdiction of such Archbishop or Bishop respectively, and the same, for all the Purposes of this Act, shall be deemed and taken to be within the Limits of the Province or Diocese of such Archbishop or Bishop: Provided that the Peculiar belonging to any Archbishop or Bishop, though locally situate in another Diocese, shall continue subject to the Archbishop or Bishop to whom they belong, as well for the Purposes of this Act as for all other Purposes of Ecclesiastical Jurisdiction.

XXX. And be it enacted, That when any Two or more Dignities, Benefices, Vicarages, or Perpetual Curacies shall be held by One Incumbent, that the same shall be valued and taxed as a single Benefice: Provided always, that in case any Dignity or Benefice be attached or annexed to or held together with any Archbishop or Bishoprick, such Dignity or Benefice, and such Archbishop or Bishoprick, shall be separately valued and taxed according to the respective Scales contained in the Schedule to this Act annexed, and as if such Benefice or Dignity, and such Archbishop or Bishoprick, were held and enjoyed by several Persons.

XXXI. And be it further enacted, That whenever and as often as any of the Archbishopricks or Bishopricks is or shall happen to be void, that then the Dean of the Cathedral Church where the See of such Archbishoprick or Bishoprick being void shall happen to be, or the Vicar General of the Diocese, being in Holy Orders, or any Archdeacon of the Diocese, according to the Direction or Order of said Commissioners, to be made or given in Writing under the Seal of the said Commissioners, shall, during the Vacancy thereof, be charged and chargeable and is hereby required to do or cause to be done all and every Thing and Things for the due Execution of this Act, within the Diocese of such Archbishoprick or Bishoprick, as the same Archbishop or Bishop of the See being void should have done, according as it is limited and appointed by this Act, or by any thing herein contained: Provided always, that during the Vacancy of the Archbishoprick of Dublin it shall be lawful for said Commissioners to order, direct, and appoint the Dean of *St. Peter's*, or the Vicar General of such Diocese, being in Holy Orders, or Archdeacon of Dublin, to do and perform all and every the Matters and Things for the due Execution of this Act within such Diocese as such Archbishop should have done, according as it is limited and appointed by this Act, or any thing herein contained.

XXXII. And whereas His Majesty has been graciously pleased to signify that He has placed at the Disposal of Parliament His latest in the Temporalities and Civilty thereof of the several Bishopricks and Archbishopricks mentioned in this Act and the Schedule (B.) thereto annexed; be it therefore enacted, That the Bishoprick of Worcester, now void, shall from and after the passing of this Act, and the other Bishopricks named in the First Column of the Schedule (B.) in this Act annexed shall, when and as the same may severally become void, be thereafter united to and held together with the Bishoprick or Archbishoprick mentioned in conjunction therewith respectively in the Second Column of the said Schedule (B.); and that the Archbishops or Bishops of the Archbishopricks or Bishopricks in such Second Column named shall, at such Times respectively as before mentioned, be and become, by virtue of this Act, and without further Grant, Institution, or Ceremony whatsoever, Bishops respectively of the said Bishopricks named in such First Column in conjunction therewith, and shall have and exercise all and every the Ecclesiastical Patronages and Jurisdictions in appointing, collating, and presenting to all and every the Dignities, Rectories, Vicarages, Curacies, Chapels, or other Offices or Promotions, and all other Jurisdictions whatsoever, by whatever Name called, known, or described, heretofore had, used, exercised, and enjoyed by the respective Bishops of the said Bishopricks in the First Column of the said Schedule (B.) named, as also the Right of examining and appointing to all and every the Offices of Chancellor, Vicar General, Official, Præpositus, Registrar, and all other Ecclesiastical Offices of or belonging or appertaining to such Bishopricks, and the same, together with the Right of Enfeoffment, the Right and Succession, shall at all Times thereafter grant each such Bishoprick

Provision for Cases where Archbishopricks are the Bishops, &c.

Jurisdiction of Bishops in Peculiar.

United Benefices to be taxed singly.

Benefice attached to be valued separately.

When a Bishoprick is void, who shall exercise Powers of this Act.

When Archbishoprick of Dublin void, who shall exercise Powers of this Act.

Bishopricks in the First Column of the Schedule (B.) in this Act annexed to be united to the Bishopricks named in the Second Column, &c.

in the First Column of the said Schedule (B) named, together with the Bishoprick or Archbishoprick to which it may have been united in manner aforesaid, so be held by one and the same Person.

XXXIII. Provided always, and be it further enacted, That if any Bishoprick mentioned in the Second Column of the said Schedule (B) shall become void before the Union of such Bishoprick with the Bishoprick mentioned in the First Column of the said Schedule, then the Bishop of the Bishoprick mentioned in the First Column shall become, by virtue of this Act, and without further Grant, Investiture, or Ceremony whatever, Bishop of the Bishoprick in such Second Column named in conjunction therewith, and shall have and exercise all Powers and Authorities of the Bishop of such united Bishopricks: Provided always, that nothing herein contained shall authorize or empower any Bishop of a Bishoprick mentioned in the First Column of the said Schedule as hereafter to be united to the Diocese of *Armagh* or of *Dublin* to become, by virtue of this Act, Archbishop of *Armagh* or of *Dublin*.

XXXIV. Provided also, and be it further enacted, That it shall and may be lawful for the Archbishop of *Armagh* and Archbishop of *Dublin*, and they are hereby required, to select from and out of the Benefices belonging to each of the Bishopricks in the First Column of the said Schedule (B) mentioned, and also in the Gift or Collation of the respective Bishops thereof, one Benefice not exceeding the annual Value of One thousand Pounds, and to return a List of the several Benefices so selected, under their Episcopal Seals, to the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and His Majesty's Privy Council there, for their Approval, and when approved by the said Lord Lieutenant or other Chief Governor or Governors and Council, such List shall be registered in the Rolls Office of His Majesty's Court of Chancery in *England*, together with such Approval, and upon such and every Avoidance of the said Benefices so selected happening from Time to Time after the said Bishopricks to which the same may respectively belong shall have become united to any other Bishopricks by virtue of this Act, it shall and may be lawful for the said Archbishop of *Armagh* and Archbishop of *Dublin* to nominate and present to each such Benefice One of the Fellows or Ex-Fellows of the College of the Holy and Undivided Trinity, near *Dublin*, being in Holy Orders: Provided always, that in case the said Two Archbishops shall not be able to agree in such Nomination and Appointment, or shall decide upon the Person to be appointed to the said vacant Benefice, the first Term therein to be executed by the Archbishop of *Armagh*, and if on the Vacancy of any of the said Benefices so selected as aforesaid the said Archbishop shall not present thereto some such Fellow or Ex-Fellow within such Period as any Patron ought to present to a Benefice in his Gift or Presentation, then and in such Case the Right of Presentation or Collation to such Benefice shall, for that Term, devolve to the Bishop of the Diocese, and be in all respects subject to the ordinary Law of *Liquor*: Provided always, that until the said Bishopricks shall have become united to any other Bishopricks under the Provisions of this Act, nothing herein contained shall alter or affect the Right of Presentation or Collation to any of the Benefices so selected as aforesaid, as in respect enjoyed or possessed; and provided further, that any Fellow of the said College who shall accept any such Benefice shall vacate his Fellowship at such Time and in such Manner as according to any Statute, Bye Law, or Usage of the said College, Fellowships are vacated upon the Acceptance of any Living in the Gift or Disposal of the said College.

XXXV. Provided also, and be it further enacted, That the said Ecclesiastical Commissioners under this Act shall, from and out of the Revenues of each Bishoprick in the First Column mentioned, when and as the same shall become void in them, make good to the Bishop thereof hereafter, by virtue of the Provision herein-before contained, Bishop of the Bishoprick mentioned in conjunction therewith in the Second Column of the said Schedule, the Sum or Sums of Money (if any) whereby the Revenues of such Bishoprick in such Second Column mentioned shall fall short of the Revenues of such Bishoprick in such First Column mentioned.

XXXVI. Provided nevertheless, and be it enacted, That all and singular the Lands, Tenements, and Hereditaments respectively belonging or in anywise appertaining to the Bishopricks in the First Column of the said Schedule (B) named, together with all and singular the Tithes, Rents, and Emoluments whatsoever to such Bishopricks respectively appertaining or belonging, shall, in the Case of the said Bishoprick of *Waterford*, from and after the passing of this Act, and in the Case of the other Bishopricks in the said Schedule (B) mentioned shall, from and after the Times when such Bishopricks shall become respectively void or united to any other Bishoprick as aforesaid, be and the same are hereby transferred to and vested in the said Ecclesiastical Commissioners and their Successors for ever, subject however to all Leases, Rents, Charges, and Incumbrances now or at the Time of such Transfer legally affecting the same, save and except the annual Tax, Rate, or Assessment by this Act authorized to be imposed and levied; and that all the Rents, Revenues, Issues, Profits, and other Emoluments in any Manner arising or accruing to the said Commissioners and their Successors from or out of any of the said Bishopricks shall be received and applied by such Commissioners and their Successors to, for, and upon the several Taxes, Uses, and Purposes in this Act mentioned, and subject to and under the like Rules and Regulations as are herein declared and expressed of and concerning the said annual Tax voted in and made payable to the said Commissioners and their Successors.

XXXVII. And be it further enacted, That all Arrears of Rent and other Temporal Profits and Emoluments which have accrued due to or in respect of the See of *Waterford* since the said Bishoprick of *Waterford* has become void shall by virtue of this Act, and without any writ of *Restitucion* or other Process whatsoever be in and to the said Commissioners and their Successors, to, for, and upon

If Bishoprick in Second Column of Schedule (B) becomes void before Union of such Bishoprick with First Column, then such Bishop to be Bishop of such Bishoprick.

Archbishops of Armagh and Dublin empowered to present a Fellow of Trinity College to a Benefice to be selected as herein mentioned.

Proviso in case of Discontinuance of the Archbishop.

Fellow so elected to vacate his Fellowship.

Commissioners to make good Deficiencies happening to Bishops by the Union of Bishopricks.

Transfer of Bishopricks in First Column of the said Schedule (B) voted in the Commissioners under this Act.

Arrears of Rent, &c. after Death of Wounded to be recovered by Commissioners.

XXXVII. And be it further enacted, That all Arrears of Rent and other Temporal Profits and Emoluments which have accrued due to or in respect of the See of *Waterford* since the said Bishoprick of *Waterford* has become void shall by virtue of this Act, and without any writ of *Restitucion* or other Process whatsoever be in and to the said Commissioners, to, for, and upon

upon the like Tenure, Use, and Purpose, and subject to the like Rules and Regulations, as aforesaid; and that the said Commissioners shall and they are hereby authorized and empowered, either by Action of Court or Debt, or by Action on the Case, as for Use and Occupation, to sue for and recover all and every the Arrears of Rent due, or which shall have accrued or become due since the Death of the said late Bishop of Waterford; and that it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, to distress for such Arrears and every Part thereof, and shall and may do so generally for the same.

XXXVIII. And provided also, and be it further enacted, That the said Commissioners shall and they are hereby required and directed to pay and satisfy the Executors or Administrators or Assigns of Doctor Richard Beards, late Bishop of Waterford, by such Instalments, to be made in such Manner and at such Periods, from and after the passing of this Act, as any Successor to such Bishoprick then appointed would have been bound or liable if any such Successor had been appointed on or before the First Day of January One thousand eight hundred and thirty-four, all and every such Sum and Sums of Money which, pursuant to any Law or Statute in Force in Ireland at the passing of this Act, could or might have been recovered by such Executor or Administrator from or against the Successor of the said late Bishop of Waterford in case this Act had not been passed; and provided further, that the said Commissioners shall by such Instalments, to be made in such Manner and at such Periods from and after such respective Vacancies of the other Bishopricks, now and except the Bishopricks of Coney and of Cork and Ross, named in the First Column of the Schedule (B.) to this Act inserted as aforesaid, or from and after the Annuities thereof to any other Bishoprick under Provision hereinbefore contained, as any Successors thereof would have been respectively bound or liable if such Successors had been appointed, pay to and satisfy the Person or Persons, or He or their respective Executors, Administrators, or Assigns, as the Case may be, by whose Provision or Death (such Vicinity shall have occurred or been occasioned, or who shall become the Bishop of any aforesaid Bishopricks, all and every such Sum and Sums of Money as by force of any Law or Statute or Usage has or have heretofore been charged upon the said other Bishopricks upon the same tenancy and respectively, and which would have been payable to and recoverable by such Persons respectively, or their respective Executors, Administrators, or Assigns, from or against their respective Successors in such Bishopricks, in case this Act had not been made.

XXXIX. And be it further enacted, That in the Case of the said Bishoprick of Waterford it shall and may be lawful for the said Commissioners from and after the passing of this Act, and in the Case of the other Bishopricks named in the First Column of the Schedule (B.) to this Act aforesaid, now and except the Bishopricks of Coney and of Cork and Ross, it shall and may be lawful for such Commissioners to and after such Times as the said Bishopricks shall become respectively vacant, or named to any other Bishoprick or Archbishoprick as aforesaid, and such Commissioners are hereby empowered, by and with the Consent of the Lord Lieutenant or other Chief Governor or Governors in Ireland, to be testified in Writing under his or their Hand or Hands, to demise for any Term of Years or Years or Lives and Years, with a Covenant to make void the said Demise in case of assigning or subletting, and for such Rent or Fine as shall be specified in and by such Consent as aforesaid, the See House and Offices, and all or any Part of the Manual or Domestic Lands of or belonging to the said Bishoprick of Waterford, or to the said other Bishopricks, now as aforesaid: Provided always, that if the Bishop for the Time being of the Bishoprick in which such Bishoprick of Waterford, or such other Bishoprick, now as aforesaid, shall be united by virtue hereof as aforesaid, do and shall, with and by the like Consent as aforesaid, be testified as aforesaid, elect and choose the See House of such Bishoprick of Waterford, or such other Bishoprick, now as aforesaid, to be and continue for ever to be the See House of such named Bishoprick, it shall not be lawful for the said Commissioners so to demise the said See House and Offices so selected and chosen as aforesaid, nor the Manual or Domestic Lands thereof or therein respectively belonging; and in such Case it shall be and become lawful for the said Commissioners, and they are hereby empowered, by and with the like Consent as aforesaid, to be testified as aforesaid, to demise, in like Manner and upon the like Terms as aforesaid, the See House and Offices of the Bishoprick to which such Bishoprick of Waterford or such other Bishoprick, now as aforesaid, shall be united as aforesaid, by virtue of this Act, together with any Part of the Manual or Domestic Lands thereof or therein respectively belonging, instead of the See House and Manual or Domestic Lands of such Bishoprick of Waterford or other Bishopricks as respectively becoming vacant, or united to any other Archbishoprick or Bishoprick, now as aforesaid.

XL. Provided always, and be it enacted, That if such Consents as aforesaid be not recited in the respective Deeds of Demise aforesaid, and if the said Deeds of Demise do not contain such Covenant as aforesaid against assigning or subletting, or be not respectively executed by the said Commissioners in the Manner hereinbefore directed as to the Execution of Deeds by said Commissioners, and the said Bishops of the Bishopricks which shall become united in manner aforesaid, for the Time being respectively, that then the said Demises shall be respectively null and void to all Intents and Purposes whatsoever.

XLI. And be it further enacted, That it shall be lawful for the said Commissioners, when and as soon as the said Bishoprick of Coney and Bishoprick of Cork and Ross shall be, under the Provisions of this Act, united to the Bishopricks of Ferm and Lifford and of Clogher respectively, in like Manner to demise, with the like Consent and subject to the same Covenants as aforesaid, the See House and Offices and of any Part of the Manual or Domestic Lands of or belonging to the said Bishopricks of

Commissioners shall pay Sums charged on Bishoprick of Waterford & Demise.

Commissioners shall pay Sums charged on Bishopricks of Coney & Lifford & Clogher & be appointed.

Commissioners may demise See House of Bishopricks becoming vacant.

Bishopricks now and to be united.

Reveigh and Parton necessary to Deeds of Demise of See House.

See House, &c of Coney and Ross to become the See House, &c of the United Bishopricks.

*Ferra* and *Leghills* and of *Clype* respectively; and the *See Houses* and *Offices* and *Moral* or *Devotive Lands* to the said *Bishopricks* of *Osney* and *Cork* and *Ross* respectively belonging shall be and become thereafter the *See Houses*, *Offices*, and *Moral* or *Devotive Lands* of such united *Bishopricks* of *Osney* and of *Ferra* and *Leghills* and of *Cork* and *Ross* and of *Clype* respectively.

Application of  
Moral and Devotive

XLII. And be it further enacted, That the *Fines* arising or to arise from such *Devotes* as aforesaid, together with the *Rents* to be thereby respectively reserved, shall be applied and disposed of by and Commissioners for the several *Provinces*, and subject to the *like Rules* and *Regulations*, as are herein mentioned with respect to the said annual *Tax* hereby vested in and made payable to said *Commissioners*.

Nonwithstanding  
Provisions of  
the new See  
Houses, the same  
payable as re-  
spects by the  
House by the  
Commissioners  
to be made pay-  
able.

XLIII. Provided, and be it further enacted, That all and every the *Sums* and *Sums* of *Money* which, pursuant to any *Law* or *Statute* in force in *Ireland*, would or might have become payable by or recoverable against the *Successor* or *Successors* in the *Bishoprick* or *Archbishoprick* to which any *See House* and *Offices* as demised, pursuant to such *Choice* and *Selection* as aforesaid, may have theretofore belonged, shall be and become and remain payable by and recoverable against such *Successor* or *Successors* therein notwithstanding the *Selection* or *Choice* of any other *See House* under the *Provision* herein-before contained, and as if such *See House* so demised had continued to be the *See House* of such *Bishoprick*.

Providing for  
Payment of the  
Liabilities upon  
the several  
Bishopricks of  
Ferra, &c. after  
their Union.

XLIV. And be it further enacted, That the said *Commissioners* shall, by such *Instruments*, to be made in such *Manner*, and at such *Periods* from and after the respective *Periods* when the *Bishoprick* of *Ferra* and *Leghills* shall become united to the *Bishoprick* of *Osney*, and the *Bishoprick* of *Clype* united to that of *Cork* and *Ross*, as any *Successors* therein would have been respectively bound or liable if such *Successors* had been appointed, pay to the *Princes* or their *Representatives* by whom *Promotion* or *Death*, or who shall become the *Bishops* respectively of such united *Bishopricks*, all and every such *Sum* or *Sums* of *Money* as would have been payable by or recoverable against the several *Successors* in the said *Bishoprick* of *Ferra* and *Leghills* and *Bishoprick* of *Clype* respectively in case this *Act* had not been passed; and the *Bishops* of such united *Bishopricks* of *Ferra* and *Leghills* and of *Osney* shall be and become liable to the *Payment* of all such *like Sums* or *Sums* of *Money* as any *Successor* or *Successors* in the said *Bishoprick* of *Osney* would have been in case this *Act* had not been passed; and the *Bishops* of such united *Dioceses* of *Clype* and of *Cork* and *Ross* shall be and become liable to the *Payment* of all such *like Sums* or *Sums* of *Money* as any *Successor* or *Successors* in the said *Bishoprick* of *Cork* and *Ross* would have been in case this *Act* had not been passed. Provided that nothing herein contained shall, in the Event of the new *Bishops* of *Osney* and of *Cork* and of *Ross* becoming respectively *Bishops* of such United *Bishopricks*, alter or affect the *Liabilities* to them respectively of their *Successors*.

Leasing Powers  
granted to Com-  
missioners with  
respect to  
Bishopricks  
vested in them  
by the Provi-  
sions of this Act.

XLV. And be it further enacted, That the said *Commissioners* shall have all such and the *like Powers* of granting, conveying, exchanging, leasing, and devising all or any Part of the *Lands*, *Tenements*, and *Hereditaments*, and *Possessions* (save and except the *See Houses*, *Offices*, and *Moral* or *Devotive Lands* herein-before provided for,) of or belonging or pertaining to the said *Bishoprick* of *Waterford*, or to the said other *Bishopricks* in the *First Column* of the said *Schedule* mentioned respectively, when the same shall, pursuant to the *Provisions* of this *Act*, be respectively vested in the said *Commissioners*, as the *Bishops* thereof have respectively heretofore had and enjoyed by virtue of any *Law* in force at the passing of this *Act*; and that all and every *Act* or *Acts* enabling such *Bishops* respectively to grant, convey, exchange, lease, or demise such *Lands*, *Tenements*, or *Hereditaments*, and *Possessions* as aforesaid, or any Part thereof, or disabling or restraining them respectively from so doing, shall apply and be construed to apply and extend to the said *Commissioners* as if they had been named in such *Act* or *Acts*, and as if the *Provisions* of such *Act* or *Acts* had been herein expressly re-enacted, subject always to the *Provisions* herein-after contained with respect to the *Renewal* of any *Lease* or *Leases* heretofore made of such *Lands*, *Tenements*, and *Hereditaments*, and the *Grants* of *Perpetuities* thereon.

Archiepiscopal  
Jurisdiction of  
Cork and  
Ross annexed  
to Armagh and  
Dublin respec-  
tively.

XLVI. And be it further enacted, That when and as the new *Archiepiscopal See* of *Ferra* and *Cork* shall become severally void, the *Bishops* of *Ferra* and *Cork* shall theretofore for ever respectively cease to have or exercise *Archiepiscopal Jurisdiction* within the said *Provinces* of *Ferra* and *Cork*; and all such *Archiepiscopal Jurisdiction* as may have theretofore belonged to and been exercised by the *Bishop* of *Ferra* shall be transferred to and vested in the *Archbishop* of *Armagh* for the Time being, and all such *Archiepiscopal Jurisdiction* as may have theretofore belonged to and been exercised by the *Bishop* of *Cork* shall be transferred to and vested in the *Archbishop* of *Dublin* for the Time being; and the *Bishops* of *Ferra* and *Cork* shall, as well as the other *Bishops* of the said *Provinces* of *Ferra* and *Cork*, be subject to the *Archiepiscopal Jurisdiction* of the said *Archbishops* of *Armagh* and *Dublin* respectively; and the said *Archbishops* of *Armagh* and *Dublin*, and their *Successors* respectively, shall have, use, and exercise, without further *Grant*, *Installation*, or *Canonization* whatsoever, all and singular the *Metropolitan Rights*, *Privileges*, *Precedences*, *Duties*, *Powers*, and *Auithorities* theretofore exercised or which might have been exercised within the said *Provinces* of *Ferra* and *Cork* respectively: Provided always, that nothing herein contained shall in any respect abridge or affect the *Jurisdiction*, *Privileges*, *Rights*, or *Auithority* of the *Archbishop* of *Armagh* or *Dublin* of all *Ireland*.

Bishopricks of  
Osney and  
Armagh united.

XLVII. And be it enacted, That when and so soon as the new *Archiepiscopal See* of *Ferra* shall become void, the *Bishoprick* of *Armagh*, now held, thenceforth shall be united to and held together with



the Bishoprick of Kildare, and that the then Bishop of Kildare shall be and become, by virtue of this Act, and without further Grant, Installation, or Ceremony whatsoever, Bishop of Ardfagh, and have and exercise all and every the Ecclesiastical Patronages and Jurisdictions in appointing, collating, and presenting to all and every the Dignities, Rectories, Vicarages, Curacies, Chapels, or other Offices or Promotions, by whatever Name called, known, or described, heretofore lawfully had, used, exercised, and enjoyed by the Archbishop of Tuam as Bishop of Ardfagh, as also the Right of nominating and appointing to all and every the Offices of Chancellor, Vicar General, Official, Principal Registrar, and all other Ecclesiastical Offices of or belonging to the said Bishoprick of Ardfagh; and His most Excellent Majesty, His Heirs and Successors, shall at all Times thereafter grant, to be held by one and the same Person, the said Bishopricks of Kildare and Ardfagh, together with each other Bishoprick as shall under the Provisions of this Act be appointed to be held together with each Bishoprick of Kildare.

XLVIII. Provided always, and be it enacted, That all and singular the Lands, Tenements, and Hereditaments together with all and singular the Tithes, Rents, and Emoluments, to the said Bishoprick of Ardfagh appertaining and belonging, shall, from and after the Time when the said new Archbishoprick See of Tuam shall become void as aforesaid, and by the same are lawfully transferred to and vested in the said Ecclesiastical Commissioners and their Successors for ever, to and for the like Trusts, Uses, and Purposes, with the like Powers, and subject in all respects to such and the like Charges, Conditions, and Regulations, as herein-before provided in respect of the Bishopricks mentioned in the First Column of the said Schedule (B.) to this Act annexed.

XLIX. And be it enacted, That all and singular the Lands, Tenements, and Hereditaments, with all and singular the Tithes, Rents, and Emoluments whatsoever, appertaining or belonging to the Preceptory of Tully or Deanery of Christ Church, heretofore held and enjoyed in commendam or otherwise by the Bishop of Kildare for the Time being, as Dean of Christ Church, or by whatever other Title, shall be deemed and taken to be, for the Purposes of this Act, Part of the Lands, Tenements, and Hereditaments, Tithes, Rents, and Emoluments, appertaining and belonging to the said Bishoprick of Kildare, and be in like Manner and Time transferred to and vested in the said Ecclesiastical Commissioners and their Successors, and in all respects subject to such and the like Provisions.

L. And be it further enacted, That the said Deanery of Christ Church shall, from and after the next Avoidance thereof, be united to and held together with the Deanery of Saint Patrick's; and that the then Dean of the Cathedral of Saint Patrick's in the Archbishopric of Dublin shall, and his Successors for ever shall be and become, by virtue of this Act, and without further Grant, Installation, Election, or other Ceremony whatsoever, Dean and Deans of Christ Church for ever, and have and exercise all and every the Rights, Privileges, Jurisdiction, and Authority appertaining to the said Deanery of Christ Church, heretofore lawfully had, used, and enjoyed by the Deans thereof: Provided nevertheless, that all and every the Ecclesiastical Patronage in appointing or presenting to Benefices now belonging, in his sole and separate Right, to the Dean of Christ Church, shall, from and after the next Avoidance of such Deanery, vest in and be exercised by the Archbishop of Dublin and his Successors for ever.

L. And whereas an Act was passed in the Parliament of Ireland in the Fourteenth Year of the Reign of His Majesty King George the Third, intitled *An Act to regulate the Bishops of the Lords Spiritual and Temporal, and the Commons, in and to the United Kingdom or the Part of Ireland, shall be amended and returned to the said Parliament; and the said Act of the Parliament of Ireland was incorporated into and made Part of an Act passed in the Parliament of England in the same Year, intitled *An Act for the Union of Great Britain and Ireland, and by force of the said Two Acts the Right of sitting in the House of Lords of the United Parliament, as between the Lords Spiritual of Ireland, stands regulated according to a certain Rotation by the said Acts appointed to take place among the Archbishoprick Sees, from Session to Session, and according to another like Rotation appointed to take place among the Episcopal Sees: And whereas the Enactments herein-before made for reducing the Number of the Archbishoprick Sees in Ireland, and for the Union of certain of the Episcopal Sees, render it necessary to make Provisions so as to accommodate the said Rotation to such Enactments: be it therefore enacted, That when and as the new Archbishoprick Sees of Cashel and Tuam shall severally become void, they and each of them respectively shall thereafter cease to be included in the Rotation by the said Acts established amongst the Archbishoprick Sees, and shall be included in the Rotation by the said Acts established to be observed amongst the Episcopal Sees, and therein take place next before the Episcopal See last in the Order of Rotation of the Episcopal Sees the Bishops whereof may have sat in Parliament for the Session last previous; and the Rotation by the said Acts appointed to take place amongst the Archbishoprick Sees shall, in case of such such Avoidance as aforesaid, proceed in the Archbishoprick whose See is next in Rotation to the Archbishoprick See becoming void or aforesaid.**

LII. And be it further enacted, That in the Case of the Bishoprick of Waterford now void, and in the Case of such and singular of the other Bishopricks named in the First Column of the Schedule to this Act annexed, when and as they shall become respectively void, or united to any other Bishoprick, the Rotation by the said recited Acts appointed to take place among the Episcopal Sees shall proceed to the Bishop whose See is next in Rotation to the said See of Waterford or other See being or becoming void, or united to any other Bishoprick as aforesaid; and such See of Waterford, or other See being or becoming void, or united to any other Bishoprick as aforesaid, shall for ever afterwards be excluded from being included out of such Rotation.

Temporality of Ardfagh united to the Commissioners under this Act.

Temporality of the Deanery of Christ Church to be several Part of the Tenements of the Bishoprick of Kildare.

Dean of St Patrick's to be Dean of Christ Church.

Patronage of Dean of Christ Church to rest in Archbishop of Dublin.

Rotation of Archbishopricks sitting in Parliament.

30 & 41 G. 3. c. 67.

Rotation of Bishops.

Survey of the  
said Archbishop.

LIII. Provided always, and be it enacted, That, save as herein specifically provided, the Order of Retention by the said recited Acts established shall remain unchanged, but subject always to the Regulations thereby made in case any Spiritual Lord should be a Temporal Peer of the United Kingdom, or being a Temporal Peer of that Part of the United Kingdom called Ireland should be elected by the Lords Temporal to be one of the Representatives of the Lords Temporal.

Revenues of  
Armagh and  
Down reduced.

LIV. And whereas the Revenues of the Archbishoprick of Armagh and the Bishoprick of Down have increased in such Manner that, without affording the just and competent Support of the said Bishops, a Partion thereof may be beneficially applied for the other Purposes of the Established Church in Ireland, in manner hereinafter mentioned; be it therefore further enacted, That when and so soon as the said Archbishoprick of Armagh shall become void, the Successor thereto, and his Successors for ever, Archbishop of Armagh, shall, from and out of the Revenues of the said Archbishoprick, pay over to the said Commissioners under this Act the annual Sum of Four thousand and five hundred Pounds, the same to be paid by Two equal Payments on each First Day of July and First Day of January in every Year, the first Payment or Amount of each annual Tax to be made on the First Day of July or First Day of January, as may happen, after the first half yearly Payment of the Revenue of such Archbishoprick of Armagh shall have become due and payable to such Successor of the now Archbishop of Armagh; and that the now Bishop of Down, having freely assented thereto, shall, from and out of the Revenues of the said Bishoprick, pay over to the said Commissioners under this Act the annual Sum of Four thousand and one hundred and sixty Pounds; and when and so soon as the said Bishoprick of Down shall become void, the Successor thereto, and his Successors for ever, Bishops of Down, shall, from and out of the Revenues of the said Bishoprick, pay over to the said Commissioners under this Act the annual Sum of Six thousand one hundred and sixty Pounds, the same to be paid by Two equal Payments on each First Day of July and First Day of January in every Year, the first Payment thereof to be made on the First Day of January in the Year One thousand eight hundred and thirty-four; and the same in like Manner to be paid to the said Commissioners by the said Archbishop of Armagh and Bishops of Down shall be applied to such and the like Purposes as the Proceeds of said Tax hereby voted in the said Commissioners and the Revenue of such Bishopricks so to be applied with other Bishopricks, and under like Rules and Regulations.

Bishops of  
Down and  
Armagh as-  
signed their  
annual Tax in  
respect of same  
paid by them.

LV. Provided always, and be it enacted, That the now Bishop of Down and his Successors, and the Successors of the now Archbishop of Armagh, shall not be liable, in respect of the said Sums so by them to be respectively paid to the said Commissioners, to be rated, taxed, or assessed in or to the annual Tax herein-before appointed to be imposed and levied; any thing herein-before contained to the contrary notwithstanding.

Commissioners  
may receive  
Arrears by  
sequestration

LVI. And be it enacted, That if at any Time the said Sums hereby directed to be paid by the said Archbishop or Bishop shall be in arrear and unpaid for Six Months next after the same shall have become due and payable as aforesaid, it shall be lawful for the said Commissioners to recover the same by Process of Sequestration, to be applied for and issued in like Manner as herein-before directed in case any Archbishop or Bishop shall fail to make Payment of the annual Rate, Tax, or Assessment by this Act authorized to be imposed and levied, and subject in all respects to such and the like Provisions.

Payments to be  
made during  
Vacancies of  
same.

LVII. And be it enacted, That while and so long as the Temporality of the said Archbishoprick and Bishoprick respectively shall at any Time be in the Custody of His most Excellent Majesty, His Heirs and Successors, the said annual Payments shall be made to the said Commissioners in like Manner as the same are hereby directed to be made by the Archbishop or Bishop thereof respectively while the said Sees are full.

Summs now due  
to Trustees of  
First Fruits on  
vacant Arches  
to be paid by  
Commissioners  
till paid.

LVIII. And be it further enacted, That all and every Sum and Sums of Money due and payable at the passing of this Act by any Archbishop, Dean, Prebendary, Minister, Vicar, Incumbent, Perpetual Curate, Parson, Vicar, or other Spiritual Person, by whatever Name called, Laico, or otherwise, on account of First Fruits and Arrears thereof, and any Sum or Sums at any Time lawfully lent and advanced by, and now payable or hereafter to become payable, pursuant to the Laws in force in Ireland, to the Trustees and Commissioners of the First Fruits in Ireland, for purchasing, building, rebuilding, improving, repairing, enlarging, or enlarging Glebe or other Houses or Offices, shall, from and after the passing of this Act, be and the same and every Part thereof are hereby vested in and transferred and made payable to the Commissioners under this Act, and their Successors, to be by them applied and disposed of to, for, and upon the Purposes of this Act hereafter mentioned, and subject to the like Rules and Regulations as are herein mentioned, as to the Proceeds of the said annual Tax hereby voted in the said Commissioners.

Summs now due  
and now owing,  
or to be paid  
Trustees, in  
Name of and by Com-  
missioners.

LIX. And be it further enacted, That all and every Sum of Money so actually due on account of First Fruits and Arrears thereof, and all and every Sum and Sums so lent and advanced as aforesaid for building, rebuilding, improving, repairing, enlarging, or enlarging Glebe or other Houses and Offices, and which are or shall become due and payable as aforesaid, and all and every Sum or Sums of Money due or to become due on any Account whatever to the said Trustees and Commissioners of First Fruits in Ireland, other than the Sums by this Act entitled, shall and may be used for and recovered and levied, by or under the Direction of the Commissioners of this Act and their Successors, and in their Name as aforesaid, by the same Ways, Means, Remedies, and Processes, and at the Times, as the same might have been respectively used for and recovered and levied by or for the said Trustees and Com-  
missioners of First Fruits in Ireland of this Act and shall and may equally be used for all the Purposes, Remedies, and

and Authorities given or mentioned in any Act or Acts of Parliament, or otherwise provided or allowed by Law, for the Recovery thereof respectively, shall, until all and every such Sums and Sums shall be recovered and paid as aforesaid, continue and be in full Force and Effect as if the same were herein re-enacted, and as if the Commissioners of this Act had been named in every such Act or Acts, or in any Bond or Bonds or other Securities therein respectively mentioned, and in pursuance thereof respectively executed and entered into, instead of the Trustees and Commissioners of the First Fruits in Ireland.

LX. And be it further enacted, That all and every Sum and Sums of Money and Property of every Kind and Description, and Securities for Money, belonging to and now in the Hands or Possession of or at the Disposal of the Trustees and Commissioners of First Fruits in Ireland, or any of their Officers, an account of the First Fruits, or on account of any Gift, Grant, or Loan from the Commissioners of the Treasury in pursuance of any Act of Parliament heretofore made, or on any other Account, shall, from and after the passing of this Act, be forthwith, and the same and every of them are hereby directed to be paid over and transferred to, and are hereby to all Intents and Purposes vested in, the said Commissioners under this Act and their Successors for ever, subject nevertheless, in the first place, to all Grants and subsisting Contracts made by the said Board of First Fruits before the passing of this Act, to be by them applied and disposed of in and for the several Purposes of this Act as heretofore mentioned, and subject to the like Rules and Regulations as heretofore mentioned with respect to the said annual Tax hereby vested in the said Commissioners.

LXI. And whereas the several Sums respectively bequeathed by Doctor Hugh Smiler and Doctor Richard Robinson, formerly Lord Archbishops of Armagh, towards buying of Glebes and augmenting poor Livings in Ireland, were and are vested in the said Trustees and Commissioners of First Fruits in Ireland for the Purposes aforesaid; be it therefore enacted, That the same and all the Proceeds thereof, or so much thereof as remains unapplied to the aforesaid Purposes, and the Funds, Parliamentary or otherwise, Loans, Estates, and Mortgages or other Securities wherein the same or any Part thereof have been laid out or invested, shall be and the same are hereby transferred to, vested in, and made payable to the Commissioners under this Act appointed, and their Successors for ever, to be by them kept distinct from all other Funds, and applied and disposed of, immediately from and after the passing of this Act, towards the Payment of such annual Salaries, save as herein-after excepted, as may have been heretofore lawfully granted by the said Trustees and Commissioners of First Fruits to any Incumbent, Curate, or Minister for the Augmentation of any Benefice, Living, or Curacy, and towards buying of Glebes and augmenting poor Livings in Ireland, and to all other Purposes, but in the Manner and subject and according to the Regulations and Directions hereafter mentioned and appointed with respect to the other Funds to be applied for such Purposes.

LXII. And be it further enacted, That the said Commissioners under this Act are hereby authorized and empowered from Time to Time, at their Discretion, to lay out or invest all or any Part of such Moneys as shall at any Time hereafter, by or under the Provisions of this Act, come to or be in their Hands or at their Disposal, in the Purchase of Government or Parliamentary Funds, Stocks, or Securities, and or other, either in England or Ireland, and from Time to Time change, transfer, or sell out such Stocks, Funds, or Securities, or any Part thereof, as they may find necessary or convenient.

LXIII. And be it further enacted, That all and every the Rents, Issues, and Profits of all Lands, Tenements, or Hereditaments, and the said annual Tax and the Proceeds thereof, and all and every Sum and Sums of Money and Securities for Money, vested in or which shall accrue to or in any Manner come into or be in the Hands, Power, Custody, or Possession, or at the Disposal of the said Commissioners and their Successors, under and by virtue of this Act, and all Incomes, Dividends, Profits, and Proceeds thereof, or any Part thereof, (save and except the Properties and Funds respectively bequeathed by Doctor Hugh Smiler and Doctor Richard Robinson, and heretofore vested in the said Trustees and Commissioners of First Fruits in Ireland as heretofore mentioned, and the Interest, Dividends, and Proceeds thereof respectively, and also save and except such other Funds and Properties as may be hereafter bequeathed to or vested in the said Commissioners under this Act, and their Successors, for any special Purposes,) shall be and the same are hereby declared to be applicable, and shall be applied in the Manner and for the Purposes following. (That is to say,) for the providing, in such Manner and Proportions, and subject to such Regulations, in the said Commissioners shall deem fitting, Things necessary for the Celebration of Divine Service in the Church or Chapel of every Parish, Vicar, Perpetual Curacy, or Chapelry, or Chapel of Ease in Ireland, as required and authorized by any Bulw or Canon in Force in England or Ireland, and also for the Payment of the Salaries for Maintenance of the Parish Clerks or Sextons, or the Clerks or Sextons of any Chapelry or Chapel of Ease, and also for defraying such Expenses of building, rebuilding, enlarging, or repairing any Church or Chapel, or house and maintaining any Churchyard as aforesaid, as have been heretofore defrayed by Vestry Assessment in Ireland, and also for supplying such Parts or Proportions of the Expenses of providing for the said several Matters aforesaid, and for putting into and keeping in repair Cathedral and Parochial Churches, as the said Commissioners are hereafter directed to contribute for such Purposes: Provided always, that in Cases such Parish Clerks or Sextons shall and may be appointed by the Messors, and by him responsible, with the Consent of the Bishop, for any Misconduct.

LXIV. And be it further enacted, That in all Cases where, under and by virtue of an Act made in the Twenty-first Year of His Majesty King George the Second, and in the said Act, any

Moneys now in the Hands of said Trustees or Officers vested in Commissioners.

Private Donations towards Building to be vested in Commissioners, and kept distinct.

Commissioners to put Moneys out of Interest.

Application of all Rents and Profits.

Exceptions.

Commissioners' contribution towards rebuilding Churches.

and repairing  
Cathedral and  
Parochial  
Churches.  
21 G. 4. (1.)  
20 G. 5. (1.)

*Benefices belonging to Deans, Archdeacons, Rectors, and other Members of Cathedral Churches, and for appropriating others to their Use, and also for the Removal of the Sites of ruined Cathedral Churches, and for Parochial Church shall have been or shall be made, or shall have been made by Usage or Custom, Cathedral and Parochial, and in all Cases where, under and by virtue of an Act made in the Parliament of Ireland in the Thirty-sixth Year of the Reign of King George the Third, intitled *An Act for the repairing of Cathedral Churches in Cases where the Parochial Churches have been long in Ruins*, any Cathedral Church shall have been or shall be made use of as a Parochial Church, it shall and may be lawful for the said Commissioners, and they are hereby required, to contribute to the Repairs of such Cathedral and Parochial Churches, in such Proportion as has been agreed upon by and between the Dean and Chapter, or Chapter, of such Cathedral Church, and by the Protestant Inhabitants of the Parish or Union in which such Church is situate, that the Inhabitants thereof should contribute to the rebuilding, enlarging, and putting into and keeping in repair of such Cathedral and Parochial Churches; and if it shall happen that no such Agreement as aforesaid shall have been made by and between the Parties aforesaid, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, and the Privy Council thereof, upon the Petition of the Dean and Chapter or of the said Commissioners, finally to adjust and ascertain the Proportions in which such Deans and Chapters, or Chapters, and said Commissioners shall so respectively contribute for the Purposes aforesaid; and the same necessary and sufficient for such Purposes shall be from Time to Time appointed and paid accordingly by the said Deans and Chapters, or Chapters, and said Commissioners respectively, subject however to the Regulations hereafter mentioned with respect to Monies to be expended in such Purposes.*

Certain Parts of  
7 G. 4. c. 12.  
repealed

LXV. And be it further enacted, That from and after the Commencement of this Act, and save as herein-after provided, so much and such Parts of an Act made in the Parliament of the United Kingdom in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to consolidate and amend the Laws which regulate the Levy and Application of Church Rates and Parish Rates, and the Election of Churchwardens and the Maintenance of Parish Clergy in Ireland*, as herein-after mentioned, shall be and the same are hereby repealed, (that is to say,) so much and such Parts of the said Act as authorize and enable the Archbishop or Bishop of any Diocese wherein any Church which shall be made Cathedral and Parochial, or any Cathedral Church which shall have been made use of as a Parochial Church, under the said recited Acts made in the Twenty-first Year of King George the Second, or the Thirty-sixth Year of King George the Third, in estate, to adjust and ascertain the Proportions in which the Deans and Chapters and Inhabitants shall respectively contribute as aforesaid to the rebuilding, enlarging, or keeping in repair of such Churches; and also so much and such Parts of the said Act as authorize the making or levying of any Church Rate or Parish Rate or Assessment for any of the following Purposes, namely, the building, rebuilding, enlarging, or repairing of the Church or Chapel of any Parish, Union of Parishes, or Chapel, or of any Cathedral and Parochial Church, or Cathedral made use of as a Parochial Church, the providing Things necessary for the Celebration of Divine Service therein or in any of them, as regulated and authorized by any Statute or Canon in force in England or Ireland, the providing a Salary for the Maintenance of any Parochial Clerk or Sexton, or the Clerk of any Chapel or Chapel of Ease, or the defraying of the Expenses of such building, rebuilding, enlarging, or repairing, or other necessary Charges, or any of them, or the taking of any other Proceedings in relation to such Rate, Tax, or Assessment, for any of the foregoing Purposes; and from and after the Commencement of this Act it shall not be lawful for any Vestry called or holden in or for any Parish, Union, or Chapel, or Place in Ireland, or for any Person or Persons, to make or levy any Rate or Assessment for any Church Purpose whatsoever; but all such Rates or Assessments upon any Parish, Union, Chapel, or Place, or the Inhabitants thereof or any of them, for any of the said Purposes, and all Proceedings for the making, assessing, applying, or levying the same, shall, from and after the Commencement of this Act, wholly cease and determine; any Law, Custom, or Usage to the contrary notwithstanding: Provided always, that every Rate, Assessment, or Apportionment for any Church Purpose whatsoever shall be and shall be deemed to be by all Courts of Justice totally void so far as much thereof as provides for the aforesaid Church Purposes or any of them, any thing in the said Act of the Seventh of George the Fourth to the contrary notwithstanding; provided that nothing herein contained shall be deemed, taken, or construed to make void the said Rate or Assessment as to so much thereof as shall have been assessed or applied for any other Purpose.

Loans by Means  
of First Fruits  
for building  
Churches  
repealed.

LXVI. And be it further enacted, That from and after the Commencement of this Act it shall not be lawful to make, apply, or levy any Rate or Assessment in any Parish, Union, Chapel, or Place, for the Purpose of repaying, by Instalments or otherwise, any Loan or Loans heretofore made by the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in Ireland, for the Purpose of building, rebuilding, enlarging, or repairing the Church or Chapel of any such Parish, Union, Chapel, or Place, but that all Sums so lent and advanced and remaining unpaid shall be and the same are hereby remitted and discharged, and all Obligations to the King's Majesty or otherwise, in the Nature of collateral Securities, for the Repayment of such Advances, shall be deemed and taken to be satisfied; provided that nothing herein contained shall affect or repeal any Provision contained in any Act or Acts heretofore made in order to enforce the due Application of any Sum or Sums of Money so advanced, or the refunding thereof if not so applied.

Yearly Estimates  
of Expenses to  
be transmitted  
to the Treasury.

LXVII. And be it further enacted, That from and after the Commencement of this Act the Incumbent, or, in his Absence, the officiating Curate or Minister officiating as Curate of every Parish, Union, or Chapel, or of every such Cathedral

Cathedral and Parochial Church, or Cathedral used as a Parish Church, in Zealand, shall and he and they are hereby required, on or before the First Day of November in this present Year, and on or before the First Day of June in each and every succeeding Year, to prepare or cause to be prepared an Estimate of such Sum or Sums of Money as will be necessary, according to his or their Belief, for the ordinary Repairs of the Church or Chapel of such Parish, Union, Chapelry, or Perpetual Curacy, or of such Cathedral and Parochial Church, or Cathedral used as aforesaid respectively, for the ensuing Year, and for providing Things necessary for the Celebration of Divine Service in every such Church or Chapel of any such Parish, Union, Chapelry, or Perpetual Curacy, for each ensuing Year, which Estimate shall contain the several Items and Particulars of all the Matters and Things for which such Sum or Sums shall or may be required necessary for such Church or Chapel; and such Estimate shall be transmitted by such Person or Persons whose Duty it is to prepare the same to the Ordinary of the Diocese on or before the First Day of December in this present Year, and on or before the First Day of July in each and every succeeding Year, together with a Certificate under the Hand or Hands of such Person or Persons, stating that according to his or their Belief the several Matters and Things contained in such Estimate are or will be necessary or proper to be done or executed or provided for the Use of or in the Church or Chapel of such Parish, Union, Chapelry, or Perpetual Curacy, or such Cathedral and Parochial Church, or Cathedral used as aforesaid, as the Case may be, and that the Charges for the same and every of them as contained in such Estimate are reasonable and proper Charges: Provided always, that such Estimate, except in the Case of Cathedral Churches, before it be sent to the Ordinary of the Diocese, shall be first approved of by the Rural Dean of the Deanery in which the Church or Chapel to which such Estimate shall relate shall be locally situate, which Approval shall be certified by Signature affixed to such Estimate.

LXVIII. And be it further enacted, That upon the Receipt of such Estimate and Certificate as aforesaid the Archbishop, Bishop, or other Ordinary of the Diocese whosoever such Church or Chapel shall be situate, or in case of the Illness or Absence from Zealand of each Archbishop, Bishop, or other Ordinary, or during the Vacancy of the See, then that the Vice-Governor of such Diocese shall and he and they are hereby required, when such Estimate shall have been approved of by him, to signify his Approbation thereof by certifying such Approbation at the Foot of such Estimate, and to transmit such Estimate, with such Certificate of Approbation thereof, to the said Commissioners, who are hereby required to take the same into their Consideration; and they are hereby authorized and required to grant the Amount required by such Estimate and Certificate for the Purposes aforesaid, or any of them, or such lesser Sum as they in their Discretion shall think fit, and to issue and pay the same to such Person or Persons, in such Manner, and subject to such Regulations as they shall think fit.

LXIX. And be it further enacted, That the said Commissioners shall pay or cause to be paid on the First Day of September in each Year, in such Manner as they shall think fit, for the Maintenance of all and every the Person or Persons who at the passing of this Act shall be Clerk or Clerks of any Parish, Union, or Chapelry, or of any Chapel of Ease, (not being within the County of the City of Dublin or the Suburbs thereof,) in which there shall be a Church or Chapel fit for the Celebration of Divine Service according to the Rites and Ceremonies of the United Churches of England and Ireland, the following Salaries, so long as such Person or Persons shall be and continue to be such Clerk or Clerks as aforesaid, that is to say, for the Clerk of every such Parish in the Church or Chapel whereof there shall be Divine Service usually celebrated on Sundays and Festival Days and also on Two common Days at least in the Week, a Sum not exceeding Twenty Pounds nor less than Ten Pounds, and in all other Cases a Sum not exceeding Ten Pounds nor less than Five Pounds, as and for the Maintenance and Maintenance of every such Clerk respectively for the Year next ensuing, and in satisfaction and full of all other Fees, Dues, and Allowances whatsoever alleged or claimed to be payable to such Parish Clerk under any Usage or Custom.

LXX. And be it enacted, That the said Commissioners are hereby authorized and required to grant any Sum or Sums, not exceeding the Sum of Twenty Pounds and Ten Pounds respectively above mentioned, which they in their Discretion shall think fit, as and for the Maintenance of any Person or Persons who shall from and after the passing of this Act be appointed to the Office of such Clerk or Clerks of such Churches or Chapels as aforesaid, and which Salary shall also be in full and satisfaction of all other Fees, Dues, and Allowances whatsoever alleged or claimed to be payable to such Clerk under any Usage or Custom.

LXXI. And be it further enacted, That if any Church or Chapel of any Parish, or any such Cathedral and Parochial Church, or Cathedral used as a Parish Church, shall, by reason of any accidental Injury or other unforeseen Event, be in immediate Want of any extraordinary Repairs or rebuilding or Expensures thereof, or if it should become necessary to enlarge any such Church or Chapel, the said Commissioners appointed under this Act, upon the Application of such Dean and Chapter, or Chapter, or of the Incumbent, or in his Absence of the officiating Curate or Minister of such Parish, approved by the Ordinary of the Diocese, shall and may pay and apply such Sum or Sums of Money as they shall think fit and necessary, or as by the Provisions of this Act they are bound to contribute with respect to any such Cathedral and Parochial Church, or Cathedral used as aforesaid, in making or executing such extraordinary Repairs, or rebuilding or enlarging of any such Church or Chapel, or such Cathedral and Parochial Church, or Cathedral used as aforesaid.

LXXII. And be it further enacted, That if any Church, Chapel, or other Building used for Religious Worship according to the Rites of the British Church of England and Ireland shall, by accident or otherwise

Bishop or Ordinary is to certify.

Commissioners to grant such Sum as they may think fit.

Payment of Clerks Salaries

Salaries of Clerks to be hereafter appointed

Commissioners may advance Money for extraordinary Repairs, &c.

Judge or Judges of Assize, &c. may grant Com-

provision for such and every or Damage in Offences, to be held by Grand Jury Presentments.

whenever demolished, pulled down, burned, or set fire to, or in any Manner maliciously or wantonly injured or damaged, it shall and may be lawful for the said Ecclesiastical Commissioners, or any Person or Persons to be by them deputed in that Behalf, by Writing under their Common Seal, to sue for and recover Satisfaction and Amends for such malicious or wanton Demolition, Burning, Firing, or Injury or Damage as aforesaid, at the next Assizes to be held for the County to which such Church, Chapel, or other Building may be situate, or if in the County of Dublin, at the next Presenting Term, or if in the City of Dublin, at the next Quarter Sessions for the said City, by exhibiting to the Judge or Judges of Assize, or to the Court of King's Bench for the said County of Dublin, or to the Recorder of the City of Dublin at such Quarter Sessions, a Petition, setting such Satisfaction and Amends as aforesaid, and therein setting forth particularly the Injury or Damage done or committed, and the particular Amount and Nature thereof, by what Number of Persons such Injury or Damage was done or committed, and the Names or Descriptions of such Offenders, so far as the same shall be known to the Petitioner: and the Matter of such Petition shall be inquired into by such Judge or Judges of Assize, or Court of King's Bench, or Recorder, in open Court, in the Presence of the Grand Jury impanelled and sworn at such Assizes or Presenting Term or Sessions, on the Oath of such Person or Persons as may be produced to testify as to the same, and if on Consideration of the Matter such Judge or Judges of Assize, or Recorder, shall be of opinion that such Demolition, Burning, Firing, or other Injury or Damage was wantonly or maliciously done, such Judge or Judges shall inquire into the Amount of such Injury or Damage done or committed as aforesaid: and the said Grand Jury shall thereupon, and they are hereby required, pursuant to the Directions of such Judge or Judges, Court of King's Bench, or Recorder as aforesaid, in present such Sum or Sums of Money as shall appear to be the Amount of the Injury or Damage committed or aforesaid to be raised either on the County, County of a City or Town, Barony, Town or Towns, Parish or Parishes, in or near which such Offence shall have been committed, and in such Proportions as they shall think fit: which Sum or Sums as presented as aforesaid shall be apportioned, levied, and raised by such Ways and Means and in such Form or Manner as other public Money presented at the said Assizes, or Presenting Term, or Sessions; and such Monies shall be paid to the said Commissioners, or to the Person or Persons by them deputed as aforesaid, and be by such Commissioners applied to rebuild or repair such Church, Chapel, or other Building, and be for such Purpose expended by such Person or Persons in such Manner and subject to such Regulations and Security for the due Application thereof as they shall think fit: Provided that if any Person or Persons shall find himself, herself, or themselves aggrieved by any Proceedings to be made in pursuance of this Act, such Person or Persons, in case the Sum so presented do exceed the Sum of Ten Pounds, shall or may, at the said Assizes, or Presenting Term, or Sessions, traverse the same: which Traverse shall be tried at the same or next ensuing Assizes, Presenting Term, or Sessions, as the Judge or Judges who shall allow the same shall think fit: and if in such Traverse the Issue shall be found for the Petitioner, such Proceedings shall be discharged, otherwise the same shall be final and conclusive to all Persons, and in case the said Issue shall be found against the Traverser, it shall and may be lawful to and for the Judge before whom the same shall be tried, in case he shall see fit, to award the Costs thereof to be paid by the Traverser, to be taxed and certified by the Clerk of the Crown, the Payment whereof may be enforced, if necessary, by a summary Order of His Majesty's Court of King's Bench in Ireland: Provided always, that the said Commissioners, or the Person or Persons by them deputed as aforesaid, or the Rector, Curate, or other officiating Minister, or, in case of Vacancy of the Benefice, any Two Inhabitants of the Parish, within Thirty Days after such Offence shall have been committed, shall give Notice thereof to the High Constable of the Barony and to the Churchwardens, of the Parish where such Offence shall have been committed (if such High Constable or Churchwardens shall respectively reside within such Barony and Parish), who are hereby required forthwith to publish the same within such Barony and Parish: and if such High Constable or Churchwardens shall not reside therein as aforesaid, then such Notice shall be given to some Two Inhabitants of such Barony or Parish.

A review of Proceedings above St. to be held in cases of such Offences.

Notice thereof to be given within Ten Days after Offence committed.

Any Proceeding commenced in any County in any Assize or other Court of Law, shall not be discontinued by any Person or Persons.

Expenses of such Money to be recovered by Commissioners.

Amount to be paid to the Commissioners.

LXXIII. And be it further enacted, That in all Parishes and Places where, by virtue of any Law, Statute, or Custom, Provisions may heretofore have been made, by Vestry or other Assessor, for the Maintenance of any Curate, Lecturer, Clerk, or other Minister or Assistant in the Celebration of Divine Worship, or Almoner or Sexton, such Provisions by Vestry or other Assessor shall from and after the passing of this Act wholly cease and determine, and it shall and may be lawful for the said Commissioners under this Act, by and out of the Proceeds of the said annual Tax, and the other Funds as aforesaid by this Act vested in them, to provide for all such Purposes in such Manner and Proportions as to them shall seem fitting.

LXXIV. Provided always, That it shall be lawful for the said Commissioners, and they are hereby authorized, to appoint such Sum or Sums of Money to be expended under such Rules and Regulations, and Security for ensuring the due Application thereof, as they in their Discretion shall think fit.

LXXV. And be it further enacted, That every such Incumbent, Dean and Chapter, or Chapter, or other Person or Persons who shall have received from the said Commissioners any Sum or Sums of Money for any of the Purposes herein-before mentioned, shall, within One Year from the Receipt of such Sum or Sums of Money, return and transmit to the said Commissioners a full Statement and Account of the Expenditure of such Sum or Sums of Money, and shall, if required by the said Commissioners, verify the Truth thereof upon Oath, which Oath any Vicar General, Barrington, Justice of the Peace, Master or Master Extraordinary in Chancery, in and are respectively hereby empowered and

LXXVI. And be it enacted, That it shall be lawful for the said Commissioners to use for any Part of any Sum or Sums of Money granted for any of the Purposes aforesaid which may be assigned or not duly accounted for as herein directed, or any Surplus thereof after the Execution of the said Purposes, by Civil Bill before the Assistant Barrister of the County wherein such Church and Parochial Church or Cathedral used as aforesaid in respect whereof the same may be due shall be granted, provided that such Sum used for by such Civil Bill shall not exceed the Sum of Fifty Pounds, and if the same shall exceed the Sum of Fifty Pounds, then by Action in any of His Majesty's superior Courts or Courts of Law: And provided further, that if the Person retaining the same or not duly accounting shall be possessed of any Ecclesiastical Benefice or other Ecclesiastical Emolument, then the said Commissioners shall take Proceedings to recover the same by Process of Sequestration, which Sequestration shall be applied for and issued on the Certificate of the said Commissioners, in the Manner and subject to the Regulations herein-before directed as to Sequestrations in any other Case to be applied for by the said Commissioners.

Commissioners may use the Money unaccounted for as assigned.

LXXVII. And be it further enacted, That when and so soon as in any Year the said Commissioners shall have in their Hands any Surplus or Balance, after due Provision shall have been made for the several Objects and Purposes herein-before mentioned, and not sooner, it shall and may be lawful for the said Commissioners to apply and dispose of such Surplus, or any Part thereof, in such Proportions as to the said Commissioners shall seem fit, for all or any of the Objects herein-after mentioned.

Commissioners may apply surplus Money.

LXXVIII. And be it enacted, That it shall and may be lawful for the said Commissioners to advance or apply, out of the said surplus Fund and Monies at their Disposal as aforesaid, such Sum or Sums as they shall think fit for the Purpose of building Churches or Chapels of Ease in any Parish or Place in England, provided that an Application in Writing shall be made to such Commissioners, through the Bishop of the Diocese, for such Purpose, by or at least Twenty of the Inhabitants of such Parish or Place, accompanied by a Plan and Estimate of the Expence of building such Church or Chapel of Ease, and that such Application shall signify the Willingness of the Persons making the same to contribute or procure to be contributed, in such Proportions as may have been mutually agreed upon by them, a Sum not less than One Fifth of the whole Expence as stated in such Estimate, for the Purpose of building such Church or Chapel of Ease; and provided further, that before any Advance for such Purpose shall be made by said Commissioners the several Sums so subscribed or contributed shall be respectively paid or secured to be paid to the said Commissioners, in such Manner as the said Commissioners shall appoint and require, and that for such Purpose the said Commissioners shall and they are hereby enabled to take such Personal or Real Security as to them shall seem proper or necessary; and provided further, that such Commissioners may employ an Architect chosen by themselves to execute such Building, and subject to such Regulations as such Commissioners shall think fit; and provided that if such Sum or Sums of Money shall be paid by Inhabitors, the last Inhabitor shall be at least One Fourth Part of the whole Sum granted for such Purpose, and that such Inhabitor shall not be paid until the said Commissioners shall be satisfied, by the Certificate of a competent Architect, that the building of such Church or Chapel is completed in a sufficient and workmanlike Manner, pursuant to the Plan and Estimate approved as aforesaid, and also by a Certificate from the Ordinary of the Diocese that he, upon Inspection thereof, is satisfied with the Execution of such Work; and the said Commissioners shall have the like Remedies for the Recovery of any Part of such Sum or Sums recovered from them for the Purpose of any such Building which shall not have been duly applied for such Purpose, and shall remain over and above after the Execution of such Purpose, as herein-before provided as to Sums granted by said Commissioners for the Purpose of repairing Churches or Chapels; and the Rents or Profits which may arise from the Letting or Sale of Pews and Seats in such Church or Chapel shall and become vested in such Commissioners, to be employed by them in other Works which shall come into their Hands under the Provisions of this Act: Provided always, that if it shall appear to the said Commissioners that, from the peculiar Circumstances of any Parish or Place, it is expedient that a Church or Chapel of Ease should be built in such Parish or Place, and that such Application of Twenty Inhabitants as aforesaid, or Contribution of One Fifth of the Expence of building the same as aforesaid, cannot be obtained, it shall and may be lawful for the Commissioners, upon the Application of the Bishop of the Diocese, to advance, if they shall think fit, the necessary Means out of the Funds at their Disposal, without such Application or Contribution as aforesaid.

Commissioners may advance Part of Surplus for building Churches in certain Cases.

LXXIX. Provided nevertheless, and be it enacted, That in consideration of such Subscriptions as aforesaid it shall and may be lawful for such Commissioners to allot and assign such and so many of the Seats and Pews to be erected in said Church or Chapel of Ease as to them shall seem fit or expedient to the Persons who may have or entered into such Subscriptions as aforesaid, according to such Scheme for the Classification thereof, with regard to the Amount of their several Subscriptions, as shall be proposed by such Subscribers and approved by such Commissioners; and the Pews so assigned to such Subscribers as aforesaid shall be vested in them, and deemed and taken to be Personal Property, and assignable and transmissible as such.

Commissioners may assign Pews to Subscribers in consideration of their subscriptions.

LXXX. And be it further enacted, That it shall and may be in the Manner lawful for the said Commissioners, out of any surplus Funds or Monies at their Disposal, from Time to Time, and in such Proportions as they shall think proper, to lend and advance, upon an Application accompanied by a Plan and Estimate made by the Inhabitors of any Benefice or Parish, and approved of by the Bishop of the Diocese, any Sum of Money, not exceeding Two Years net Income of such Benefice or Parish, to be applied for the Purpose of building or repairing any Building of the said Bishop and Clergy for the

Commissioners may advance Money for building Works in certain Cases.

Purchase of Houses already built, for the fit and suitable Habitation of such Incumbent and his Successors, or if the said Commissioners shall so think fit, in the Purchase of Glebe or Demesne Lands fit and convenient for the Erection of such Glebe House and Offices.

Money so advanced to be repaid by Incumbent.

LXXXI. And be it further enacted, That the Incumbent of any such Benefice or Parish to whom any such Money shall be so advanced, or in case of his Death or Removal before the Repayment of the whole Sum so advanced, his Successor or Successors for the Time being, shall and he and they is and are hereby required and bound to repay to the said Commissioners as much of the said Sum as shall become due, by Installments during their respective Incumbencies, in manner following: that is to say, Four Pounds per Centum of the Sum so advanced on the First Day of July next after the Expiration of One Year from the Day on which same shall have been so advanced and lent (or within Twenty-one Days after), and Four Pounds per Centum more of the Sum advanced on the First Day of July in every succeeding Year (or within Twenty-one Days after), until the Sum so advanced shall be wholly repaid.

Who shall not be deemed Incumbent to such Installments.

LXXXII. Provided always, and be it further enacted, That no Person shall be deemed a Successor, so as to be charged by or under this Act, who shall die or be removed within the Space of One Year from the Death or Removal of the Incumbent immediately preceding him.

In what Manner Successors shall be liable.

LXXXIII. Provided also, that no Successor shall in any Case be liable to pay any such Installment before the First Day of July next after he shall have so become a Successor chargeable under this Act, nor to pay any more than One such Installment on each First Day of July, notwithstanding that more than One Year may have intervened between the Death or Removal of the last Incumbent who had become chargeable with the Payment of any Installment under this Act and such First Day of July.

For repaying Payment of Installments by Successors of Incumbents removed before Receipt of the whole Sum granted.

LXXXIV. Provided also, That in Cases where such last preceding Incumbent shall die or be removed before he shall have received the whole of such Sum so granted by way of Loan, every Person who shall be a Successor of any such Incumbent should be bound and obliged to repay to the said Commissioners appointed under this Act an Installment at the Rate of Four Pounds per Centum for the Sum which shall have been actually so advanced to such Incumbent on account of such Loan (although the whole Amount of such Loan may not have been received by such Incumbent) on the First Day of July next after such Person shall have become a Successor chargeable by virtue of this Act; and that no Installment not actually paid of any such Loan shall be discharged, or be deemed or taken as discharged by reason of the Neglect or Default of any Incumbent in respect of the Nonpayment of any Installment which may have become due and payable during his Incumbency, it being the true Intent and Meaning of this Act that Installments of every such Loan shall continue to be paid until the whole Amount of such Loan shall be actually paid to the said Commissioners.

To enforce Payment of such Sums as shall be so lent and advanced to parsonage and by virtue of the Provisions of this Act, it shall and may be lawful for the said Commissioners appointed under this Act for the Time being, and they are hereby required, to take and receive, previous to the advancing of any Sum of Money to any such Incumbent, a Bond from such Incumbent, which Bond shall not be subject to any Stamp Duty, binding him, with One or more sufficient Sureties, and them, his and their Heirs, Executors, and Administrators, jointly and severally, to the King's most Excellent Majesty, His Heirs and Successors, in Penalty amounting to Double the Sum advanced, conditioned for the due Application of the Money so to be advanced within Ten Years from the Advance, or for refunding to the said Commissioners so much of the said Money as shall not be so applied within such Time, and for the Payment to the said Commissioners of all such Installments of the said Sum or Sums at the several Times before mentioned as may severally become due during his Incumbency, with legal Interest on such Installments respectively from the respective Time when such Installment ought to have been paid until the actual Payment thereof; which Bond shall have the same Force and Effect as Bonds to the King's most Excellent Majesty, and for His Use, have by virtue of an Act passed in Ireland in the Twenty-first and Twenty-second Years of the Reign of King George the Third, intituled *An Act for the more speedy and effectual Recovery of the King's Debts*, and Suits shall and may be prosecuted and carried on upon such Bonds, by the Orders and under the Directions of the said Commissioners, for the Recovery of the Money which shall be due thereon, in such and the same Manner as Suits on Bonds to the King's Majesty may be prosecuted by virtue of the said Act.

When Commissioners may apply their Installments to require Interest.

LXXXV. Provided also, That it shall and may be lawful for the said Commissioners, if they shall so think fit, at the Time of making such Advance, to signify their Intention to require Interest, at the lawful Rate or any less Rate, to be paid for the same from the Time of advancing the said Sum, or any other Time, until Repayment thereof, and in such Case the Bond aforesaid shall be framed and Payment made accordingly.

Sum advanced to be a Charge on all the Ecclesiastical Endowments of the Benefice.

LXXXVI. And be it further enacted, That all and every Sum and Sums of Money so to be advanced by the said Commissioners appointed under this Act to any such Incumbent as aforesaid shall, with or without Interest, as the Case may be, from the Time of advancing any Part thereof, be a Charge on all the Glebe Lands, Tithes, Composition for Tithes, Rents, Modies, Salaries, Stipends, Fees, Gratifications, and all other Ecclesiastical Emoluments and Profits whatsoever arising or to arise from the Benefice of which such Person or Persons shall be Incumbent as aforesaid; and in case Default shall be made in the due Application of such Advances, or the regular Discharge of any of the said Payments or any Part thereof, on the Days appointed for the Payment thereof, by such Incumbent or his Successor or Successors, it shall and may be lawful for the said Commissioners to recover the same

In default of Repayment, Commissioners may recover the same by Process.



by Process of Sequestration, and such Sequestration shall be applied for and issued on the Certificate of such Commissioners in the Manner and subject to the Regulations herein-before directed as to Sequestrations in any other Case to be applied for by the said Commissioners.

LXXXVIII. And be it further enacted, That such Sums or Sums of Money as shall be lent or advanced on any such Incumbent by virtue of this Act shall be distinguished and reckoned apart, in the said Certificate to be given by any Archbishop or Bishop by virtue of the Acts now in Force to enable an Incumbent who builds to recover against his Successor, from any and every Sum or Sums by any such Incumbent lent out or expended out of his own proper Income in the building of such Glebe House and Offices which would otherwise be allowed by such Certificate; and a separate and distinct Part of the said Certificate shall be allotted by the said Archbishop or Bishop for ascertaining the Expenditure of the Sums so lent and advanced by the said Commissioners.

LXXXIX. And be it further enacted, That in case any such Incumbent shall die or be removed before all the Sums agreed to be advanced by the said Commissioners appointed by virtue of this Act for building or procuring such Glebe House and Offices as aforesaid shall have been actually advanced by the said Commissioners, then and in such Case his Successor shall be entitled and bound to receive the Remainder of the Money so agreed to be advanced, and shall give, in proportion to the Money remaining to be advanced, the like Security that had been given by his Predecessor, by Bond to the King's most Excellent Majesty, the Penalty of which Bond shall be recovered in manner herein-before declared and enacted with respect to the Secretary of the Penalty of the Bond so given by his Predecessor; and the Money so advanced, with or without Interest, as the Case may be, shall also be charged on such Benefice in the same Manner as the Money advanced to such first Incumbent, and recoverable in the like Manner.

XI. Provided also, and be it further enacted, That the Incumbent for the Time being of such Benefice shall annually, at his own Expence, until the last Instalment of such Sum shall be paid, keep the Buildings on which Money so lent and advanced shall have been expended regularly insured against Fire at some public Insurance Office in Great Britain or Ireland, to the full Amount at least of the Sum so lent and advanced: and in default thereof it shall be lawful for the Court of Chancery or Exchequer in Ireland to assign the Fruits of such Benefice, Parson, Vicar, Curacy, or Perpetual Curacy, in like Manner as herein directed as to Sequestrations issued on the Petition of the said Commissioners, until such Insurance shall be made.

XII. Provided always, That nothing herein contained shall extend or be construed to extend to limit or restrain the Power by this Act vested in the Commissioners to grant any Sum or Sums of Money gratuitously to any Incumbent or Perpetual Curacy for the Purpose herein-after mentioned, whether such Incumbent or Curacy shall not have received a Lease so far in part applied to the said Purpose, not to abstract, amend, make void, or alter the Laws now in Force for building, repairing, or improving Glebe Houses, or any of them, save as herein mentioned; but that such Incumbents, in case they shall think proper to proceed under and according to the said Laws, may do so in the same Manner as if the Act had not been made.

XIII. And be it enacted, That where the annual Value of any Benefice or of any Perpetual Curacy, which has not been augmented as herein mentioned, shall not amount to One hundred Pounds commuted value, and there shall be no Glebe House thereon, it shall be lawful for the said Commissioners gratuitously to grant a Sum of One hundred Pounds to the Incumbent thereof, in such Manner as they shall think fit, to enable him the better to carry on the building of a Glebe House thereon, and before such House is begun to be built.

XIV. And be it further enacted, That it shall and may be lawful for the said Commissioners under this Act, when and as in their Judgment it may be proper, out of such surplus Funds and Monies as aforesaid from Time to Time remaining in their Hands or at their Disposal, to assign any Benefice with Cure of Souls, Living, or Curacy, Appropriate or Inappropriate, or the Maintenance of any Parson, Vicar, Curate, and Minister officiating in any Church or Chapel, or licensed Place of Worship in England where the Liturgy and Rites of the United Church of England and Ireland as now by Law established are or shall be used and observed, and which shall appear to them to be under the clear yearly Value of Two hundred Pounds, after allowing the Deductions herein-before mentioned, either by the Purchase of Glebes or other Lands, or Tithes or Compositions for Tithes, or both, or by granting to the Incumbent of such Benefice or Living, or to such Parson, Vicar, Curate, or Minister, an annual Salary, to be paid out of the Rents, Issues, and Profits of the several Lands or Tenements and the Interest or Dividends of the several Monies and Properties hereby vested in such Commissioners as aforesaid, or in any other Manner as to the said Commissioners shall seem fit: Provided always, that the Value of such Benefice, Living, Maintenance, or Curacy, together with such Augmentations as aforesaid, shall not in the whole exceed the Value of Two hundred Pounds by the Year.

XV. Provided also, and be it further enacted, That no Augmentation of the Benefice or Maintenance of any such Parson, Vicar, Minister, or Curate as aforesaid shall be made by any of the Ways or Means aforesaid by the said Commissioners, unless there shall be at the Time of such Augmentation (or within Three Years after such Augmentation shall be made, or purchased, or granted as aforesaid,) within such Benefice, Living, or Curacy a Church or Chapel or other licensed Place of Worship, where Divine Service as aforesaid may and shall be performed, every Sunday at the least, by such Parson, Vicar, Curate, or Minister whose Benefice or Maintenance shall be so augmented as aforesaid; and in case such Augmentation by Salary of a Parson shall be made as aforesaid or by any other

Sum lent to be distinguished in the Certificate.

In case Incumbent dies before the whole Sum shall be advanced, Successor to receive the Remainder upon the Security.

Incumbent to keep Buildings insured.

Not to extend to abstract or alter the Laws now in Force for building Glebe Houses.

Commissioners may grant 100£ gratuitously to certain Cases.

Power of Commissioners to assign Benefices.

No Augmentation, unless there is a Church where Divine Service to be performed, or to be performed at the building or repairing of the within Three Years after.

or Chapel, or other licensed Place of Worship, shall be, at the Time of such Augmentation being so made or granted as aforesaid, actually built, but the same is to be so made and granted in order to encourage the building or repairing such Church or Chapel, or other licensed Place of Worship, within Three Years as aforesaid, such Augmentation shall, notwithstanding any such Augmentation or Grant as aforesaid, not commence or take place, nor shall any Parson, Vicar, Curate, or Minister be entitled to, or have any Right whatever to demand or receive, such Salary or Augmentation less from the Time when such Church or Chapel, or other licensed Place of Worship, shall be actually built and fitted for the Performance of such Divine Service as aforesaid.

CCV. And be it further enacted, That if the Incumbent of any Benefice, or any Parson, Vicar, Minister, or Curate, whose Maintenance has been augmented by the Trustees and Commissioners of First Fruits, or which shall be so augmented by the Commissioners under this Act, by the Grant of such annual Salary or otherwise, shall not reside upon such augmented Benefice, Living, or Curacy, or so conveniently as shall be satisfactory to the Bishop of the Diocese, or shall be wilfully absent from the Cure of such Church or Chapel for the Service of which such Augmentation has been or shall be so granted, for any Period exceeding the Space of Sixty-one Days together, or to be accounted at several Times in any One Year, and make his Residence and abiding at any other Place or Places, without such Licence or Exemption as allowed by an Act passed in Fifth Year of the Reign of His late Majesty, entitled An Act to consolidate and amend the Laws for enforcing the Residence of Spiritual Persons on their Benefices, to restrain Spiritual Persons from carrying on Trade or Merchandize, and for the Support and Maintenance of almsgiving Charities, in Ireland, and unless such Parson, Vicar, Curate, or Minister so to be absent by virtue of such Licence or Exemption shall find and provide a sufficient Parson, to be approved of by the Archbishop, Bishop, or other Ordinary of such Diocese, to supply the Cure and perform Divine Service in such Church or Chapel as aforesaid during such Absence; and if there shall be a Discontinuance of the Performance of Divine Service, except for the necessary Repairs, or rebuilding, or enlarging of the said Churches or Chapels, or for other Cause to be approved of by the Archbishop, Bishop, or other Ordinary of the Diocese, and certified to the said Commissioners as aforesaid; then and in any of said Cases such Salary or Augmentation as made or to be made of any such Benefice, Living, or Curacy, and all Right and Title of any such Parson, Vicar, Incumbent, Curate, or Minister to demand or receive such Salary or Augmentation, shall utterly cease and be determined, during his Incumbency only, notwithstanding any such Grant before made thereof; and that such Parson, Vicar, Incumbent, Curate, or Minister shall for ever after be disabled and rendered incapable of having or enjoying such Salary or Augmentation, but that the same shall nevertheless be retained and payable to the next Successor as if the same had not so ceased or been so suspended; and that the said Salary or Augmentation so stopped during the Incumbency of such disabled Person shall be vested in the said Commissioners, to be applied by them to such Uses and Purposes as the same might have been applied to if the same had not been so granted or aforesaid.

CCVI. And be it further enacted by the Authority aforesaid, That in case any Incumbent of any such Benefice, Living, or Curacy, or any Parson, Vicar, Curate, or Minister, whose Maintenance shall be augmented by the Grant of such annual Salary or otherwise by the said Commissioners under this Act, or which shall have been at any Time heretofore augmented by the said Trustees and Commissioners of First Fruits in Ireland, shall accept and take any other Benefice, Living, or Curacy, and be instituted and inducted into the Possession of the same, that then the said Benefice, Living, or Curacy which shall have been so augmented shall from thenceforth be and be deemed and adjudged absolutely void to all Intents and Purposes whatsoever; and that it shall be lawful for the Archbishop, Bishop, or other Parson to collate or present thereto, in like Manner and Form as if the former Incumbent had died or resigned, any Licence, Union, or other Dispensation to the contrary in anywise notwithstanding; and that every Licence, Union, or Dispensation, of what Name or Names, Quality or Qualities soever, obtained contrary to the true Meaning and Intention of this Act, shall be absolutely void and of none effect; and in case any Parson already possessed of any Benefice, Living, or Curacy shall be collated or instituted to any of the said Benefices, Livings, or Curacies which have been heretofore augmented as aforesaid by the said Trustees and Commissioners of First Fruits in Ireland, or which shall be so augmented by the Commissioners under this Act as aforesaid, every such Collation, Presentation, or Nomination shall be utterly void to all Intents and Purposes whatsoever Provided always, that no Lapse shall incur upon any Avoidance of any Benefice, Living, or Curacy which shall happen in consequence of this Act, until Six Months after Notice shall be given, in all Cases in which Notice is now by Law required, to the Parson or Persons having a Right to present or nominate to the same, by the Archbishop or Bishop of the Diocese, or other Ordinary for the Time being, in Writing sealed by him or their Hand and Archbishops or Episcopal Seal or Seal of Office respectively.

CCVII. And whereas the Provision for augmenting such poor Livings as shall be thought proper by the said Commissioners to be so augmented is intended to extend not only to Parsons, Vicars, and Curates who come in by Presentation or Collation, Induction, and Induction, or Licence, but likewise to such Ministers who come in by Donation, or are only almsgiving Parsons or Curates in and of

Improper or Appropriate Parishes, officiating in any Church or Chapel where the Liturgy and Rites of the United Churches of England and Ireland as by Law established shall be used and observed, some of which may happen not to be Corporations nor have a legal Succession, and therefore are incapable of taking a Grant of such perpetual Augmentation by a Salary, or Endowment of

Pharaoh Hates on Jews in by this Act intended; and in some Places might be in the Power of the

Improper,

If Incumbent of augmented Benefice do not reside, Salary to cease.

1 G. 4. c. 141

If Incumbent of augmented Benefice take a second, the first to be void.

No Lapse when Notice in Parson

Provision hereof to extend to Donations and Curates.

• Insuper, Donor, Patron, or Vicar to withdraw the Allowance now or heretofore paid to the Minister or Curate serving the Cure, or, in case of a Chapelry, the Incumbent of the Mother Church

• might refuse to employ a Curate, or permit a Minister duly nominated or licensed to officiate in such augmented Chapel, and might officiate therein himself, and take the Benefit of the Augmentation, or

• though he having by above the Voice of those which are hereby intended to be augmented, and the Ministers of the Curate or Minister would thus be sunk, instead of being augmented; therefore he is constituted by the Authority aforesaid, That all such Churches, Curacies, or Chapelries which shall at any Time hereafter be augmented by the said Commissioners shall be and are hereby declared and established to be, from the Time of such Augmentations, Perpetual Cures and Benefices; and the Ministers duly nominated and licensed thereunto, and their Successors respectively, shall be and be esteemed as Law Holders Public and Corporate, and shall have perpetual Succession by such Name and Names as in the Grant of such Augmentation shall be mentioned, and shall have a legal Capacity, and are hereby enabled to take in Perpetuity, to them and their Successors, all such Lands and Tenements and Tithes as shall be granted to or purchased for them by the said Commissioners, or such annual Salaries as shall be so granted pursuant to the Act, any Law or Statute to the contrary notwithstanding; and that the Insuperintendents or Patrons of any Churches or Donations of the Benefices so augmented for the Time being, and their Heirs, and the Rectors and Vicars of the Mother Churches whereunto any such augmented Curacy or Chapel doth appertain, and their Successors, shall be and are hereby utterly excluded from having or receiving, directly or indirectly, any Profit or Benefit by such Augmentation, and shall from Time to Time, and at all Times from and after such Augmentation, pay and allow to the Ministers officiating in any Church or Chapel so augmented such annual or other Pensions, Salaries, and Allowances which by ancient Customs or otherwise, of Right and out of Bounty, ought to be by them respectively paid and allowed, and which they might by due Course of Law, before the making of this Act, have been compelled to pay or allow to the respective Ministers officiating here, and such other yearly Sum or Allowance as shall be agreed upon, if any shall be, between the said Commissioners and such Patron or Insuperintendent upon making the Augmentation; and the same are and shall be hereby perfectly vested in the Ministers officiating in the Church or Chapel of the Benefice so augmented, and their respective Successors.

Curacies and Chapelries augmented to be Perpetual Cures and Benefices.

XCVIII. Provided always, and be it enacted, That no such Rector or Vicar of such Mother Church, or any other Ecclesiastical Person or Persons having Cure of Souls within the Parish or Place where such Church or Chapel of the Benefice so augmented shall be granted, or his or their Successors, shall be lawfully deposed or discharged from the same; but the Cure of Souls, with all other Parochial Rights and Duties (such Augmentations and Allowances to the Church or Chapel of the Benefice so augmented as aforesaid only excepted), shall hereafter be and remain in the same Right and Condition as if such Augmentation had not been made.

No Rector or Vicar discharged lawfully from Cure of Souls.

XCIX. And for continuing the Succession in such augmented Cures hereby made Perpetual Cures and Benefices, and that the same may be duly and constantly served, be it further enacted by the Authority aforesaid, That in case such augmented Curacy be suffered to remain void by the Space of Six Months, without any Nomination within that Time of a fit Person to serve the same, by the Patron or Persons having the Right of Nomination thereunto, to the Bishop or other Ordinary, to be licensed for that Purpose, the same shall lapse to the Bishop or other Ordinary, and from him to the Metropolitan, and from the Metropolitan to the Crown, according to the Course of Law used in the Case of Presentation Livings and Benefices; and the Right of Nomination in such augmented Cures may be granted or recovered, and the Incumbency thereof may and shall cease and be determined, in the like Manner and by the like Method as the Presentation to or any Incumbency in any Vicarage Presentation may see be respectively granted, recovered, or determined: Provided always, that in case the Patron or Persons entitled to nominate to such augmented Cures should suffer Lapse to incur, but shall, before any Advantage taken thereof by the Ordinary, Metropolitan, or Crown respectively, nominate, such Nomination shall be effectual as if made within Six Months, although so much Time be before elapsed as that the Title of Lapse be vested in the Crown.

If augmented Curacy void for Six Months in like lapse.

Nomination before Advantage taken of Lapse, good.

C. And be it further enacted, That all such Donations which have been augmented by the said Trustees and Commissioners of such Profits in England, or which shall be at any Time hereafter augmented by the Commissioners under this Act, by virtue of the Powers hereby given to them, shall be subject to the Visitation and Jurisdiction of the Bishop of the Diocese wherein such Donative is or shall be, to all Intents and Purposes of Law whatsoever: Provided always, that no Donative shall be augmented without the Consent of the Patron or Patrons in Writing under his or their Hands and Seals first had and obtained.

Donation to be subject to Visitation.

Consent of Patron necessary to Augmentation.

CI. Provided also, That where the said Commissioners under this Act shall, in pursuance of the Powers given to them by this Act, think it convenient and fitting that any Donative, Curacy, or Chapelry should receive an Augmentation out of the Lands, Tenements, and Hereditaments, or other Funds and Revenues hereby vested in them, it shall and may be lawful to and for the said Commissioners, before they make the said Augmentation, to treat and agree with the Patron of any Donative, Insuperintendent of any Rectory appropriated without Endowment of any Vicarage, or Person or Vicar of any Mother Church, in the Case shall happen to be, for a perpetual, yearly, or other Payment or Allowance to the Minister or Curate of such augmented Donative, Curacy, or Chapelry, and his Successors, to be made on all succeeding Times by such Patron, Insuperintendent, Person, or Vicar, and his and their Heirs and Successors, and Predecessors, and subjecting the said augmented Donative, Curacy, or Chapelry therewith

Power to Commissioners to agree with Patron by yearly Allowance.

therewith and thereto in such Manner and with such Remedies for Recovery thereof as shall be thought fit; and such Agreement made with the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, by and with the Advice and Consent of Six or more of His Majesty's Privy Council in Ireland, sealed under their Hands, in Cases where the King's most Excellent Majesty, His Heirs and Successors, are or shall be interested, or with any Bodies Politic or Corporate, or any other Person or Persons, having any Estate or Interest in Possession, Reversion, or Remainder in any such Impropriate Rectory, in fee or their own Right, or in Right of their Wives, or in Right of his or their Churches, or with the Guardians or Guardians or Committees or Committees of or acting for any Person or Persons having such Estate or Interest, who at the Time of such Consent shall be respectively Infants, Idiots, or Lunatics, or under any other legal Disability, or with any Parson or Vicar of any Mother Church, shall be respectively good and effectual to all Intents and Purposes in Law, with respect to such Charges, against His Majesty, His Heirs and Successors, or against all or any such Bodies Politic and Corporate, or against the Person or Persons so agreeing, their Wives, Heirs, and Successors respectively, and every of them, and against all and every their Issue, and against every other Person and Persons claiming in Remainder or Reversion after any Estate Tail in the Possession, according to the Form of such Agreement, as fully and in like Manner as if such Agreement had been made by His Majesty, His Heirs and Successors, under His said their Great Seal, and as if such Bodies Politic and Corporate had been free from any Restraints, and as if each other Person so agreeing had been sole owner in fee and their own Right of such Rectory, Impropriate Rectory, or Mother Church as aforesaid, at the Time of making such Agreement; and that the Agreements of Guardians or Committees for or on behalf of Infants or Idiots or Lunatics under their Guardianship, or of whom they shall be Committees as aforesaid, shall be as good and effectual to all Intents and Purposes as if the said Infants or Idiots or Lunatics respectively had been of full Age and of sound Mind, and had themselves entered into such Agreement: Provided always, that in case of any such Agreement as aforesaid with any Parson or Vicar, the same shall be with the Approbation and Consent of his Parson and Ordinary; and in case of any such Agreement made with any Person in Right of his Wife, that the Wife may be a Party to the Agreement, and seal and execute the same.

Such Agreement to be with Consent of Parson.

Remedy in Case of Impropriate Rectory following to repair Churches or maintain officiating Clergyman.

CII. And whereas it is expedient to provide a more effectual Remedy in Cases where the Owners of Impropriate or Improper Tithe are by Law bound, but nevertheless refuse or neglect, to repair the Church of any Church, or maintain an officiating Clergyman, in Ireland; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for the said Commissioners, or any Archbishop or Bishop of the Diocese, to present a Petition to the Lord Chancellor, Lord Keeper, or Lords Commissioners for the Custody of the Great Seal, or Master of the Rolls, for the Time being, or to the Court of Exchequer, in Ireland, praying such Relief as the Nature of the Case may require; and it shall be lawful for the Lord Chancellor, Lord Keeper, and Commissioners for the Custody of the Great Seal, and for the Master of the Rolls, and the Court of Exchequer, in Ireland, and they are hereby required, to hear such Petition in a summary Way, and upon Affidavits or such other Evidence as shall be produced upon such Hearing to support of or in answer to such Petition, to determine the same, and to make such Order thereon, and with respect to the Costs of such Petition, as to him or them shall seem just, and such Order shall be final and conclusive, unless the Party or Parties who shall think himself or themselves aggrieved thereby shall, within One Year from the Time such Order shall have been passed and entered by the proper Officer, have preferred an Appeal from such Decision to the House of Lords, to whom it is hereby enacted and declared that an Appeal shall lie from such Order; and neither such Petitions, nor any Proceedings upon the same or relative thereto, nor the Copies of any such Petitions or Proceedings, shall be subject or liable to the Payment of any Stamp Duty whatever.

Entries of Agreements and Orders.

Copy to be Exhibited.

Power for Commissioners to purchase House and Land for aggregated Benefice.

CIII. And be it further enacted by the Authority aforesaid, That all Agreements, Agreements, and Orders made by the said Commissioners in pursuance of this Act shall be carefully examined and entered into a Book to be provided and kept by their Secretary or other Officer or Officers to be by their appointed for such Purpose, and that such Entries, being approved of by the said Commissioners, and attested by them, shall be taken to be as Records; and true Copies thereof or of the said Entries, being proved by One or more credible Witnesses or Witnesses, shall be deemed, taken, and adjudged to be good and sufficient Evidence in Law touching the Matters and Things therein contained or relating thereto.

CIV. And be it further enacted, That where any Living, Benefice, Curacy, or Chapelry shall have been aggregated by the said Trustees and Commissioners of First Fruits in Ireland, or shall be aggregated by the Commissioners under this Act, by any of the Ways or Means aforesaid, and there is or shall be no Parsonage or other House suitable for the Residence of the Minister, Curate, Chaplain, or Incumbent, it shall and may be lawful for the Commissioners under this Act, by and with the Approbation and Consent of the Bishop of the Diocese, and they are hereby empowered (in order to promote the Residence of Clergy as their Benefices), to apply and dispose of any surplus Funds or Monies as aforesaid remaining in their Hands or at their Disposal, in such Manner as they shall deem most advisable, as or towards the building, rebuilding, or purchasing a House and other proper Erections within the Parish, Benefice, Curacy, or Chapelry, convenient and suitable for the Residence of the Minister thereof, which House shall be over thereafter be deemed the Parsonage appertaining to such Living, Benefice, Curacy, or Chapelry, to all Intents and Purposes whatsoever; and also it shall and may be lawful for any Lords, or Judges, or the whole Parliament, whether being within

the local Limits of the said Benefice, Curacy, Living, or Chapelry, or rat, but so as that the same be situate convenient to such House as to be built, rebuilt, or purchased as aforesaid, such Land so to be purchased being of Freehold Tenure, or Copyhold of Inheritance, or for Life or Lives, holden of any Manor or Lordship belonging to the same Benefice, Curacy, Living, or Chapelry; and which Lands so purchased shall for ever, from and after the Grant and Conveyance thereof, be and become annexed to and Gliebs of such Benefice, Living, Curacy, or Chapelry, to all Intents and Purposes whatsoever, and be holden and enjoyed by such Incumbent and his Successors accordingly, without any License or Writ of Ad quod damnum; and the Whole or any Part or Parts of the said Land which before such Appropriation were or was of Copyhold Tenure shall for ever from and after such Appropriation become and be of Freehold Tenure; the Statute of Mortmain, or any other Statute or Law, to the contrary notwithstanding; subject nevertheless to the Laws now in force or that may hereafter be in force in Ireland for exchanging of Glebes.

CV. And whereas Two or more Benefices, Vicarages, or Curacies may be contiguous, and of such small Extent as that One Church may be sufficient for the same, and the Cure thereof may be conveniently attended by the same Parson, Vicar, or Curate; and it may happen that such Benefices, Vicarages, or Curacies are or shall be permanently united, and yet the whole Value of such united Benefices, Vicarages, or Curacies may not amount to the clear yearly Value of Two hundred Pounds; according to the Valuation herein-before mentioned; be it therefore declared and enacted by the Authority aforesaid, That all and every the Clauses and Provisions in this Act relative to the augmenting of single Benefices, Vicarages, or Curacies, or Chapelries, shall extend and be construed to extend to all such united Benefices, Vicarages, and Curacies, when the same do not in the whole amount to the clear yearly Value of Two hundred Pounds as aforesaid.

CVI. And be it further enacted, That from and after the Commencement of this Act it shall and may be lawful for the said Commissioners under this Act, by Instrument in Writing under their Corporate Seal, by and with the Consent of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, and of His Majesty's Privy Council in Ireland assembled (Six at least consenting), and with the Consent of the Archbishop or Bishops of the Diocese, and of the respective Patron or Patrons, certified under his or their Hand and Seal or Hands and Seals, attested by Two or more credible Witnesses subscribing thereto, to divide any Parish in Ireland the average annual Value whereof shall exceed Eight hundred Pounds, and to separate and disunite from such Parish any Townland, Townlands, District, Parcel or Parcels of Land, and all Tithes, Composition for Tithes, Dues, and Ecclesiastical Emoluments whatsoever, from such Townland, Townlands, District, Parcel or Parcels of Land arising or to arise and payable to the Ecclesiastical Incumbent of such Parish, and themselves to annex and unite in Perpetuity, by the same or a different Instrument, any such Townland, Townlands, District, Parcel or Parcels of Land, and all such Tithes, Composition for Tithes, Dues, and Ecclesiastical Emoluments whatsoever therefrom arising or to arise, to any other adjoining Parish or Parishes the annual average Value of which respectively shall not exceed Two hundred Pounds: Provided nevertheless, that the annual Value of any such Parish so divided as aforesaid shall not by such Division be in any Case reduced below the Sum of Three hundred Pounds.

CVII. And provided also, and be it enacted, That any such Division of any Parish shall take effect and come into operation upon the Death or Removal of any Person who shall be the Incumbent of any such divided Parish at the Time of the Commencement of this Act or at the Time when such Division shall be made as aforesaid, as the Case may be, and not sooner; and that then and for ever thereafter such Townland, Townlands, District, Parcel or Parcels of Land, and all such Tithes, Compositions for Tithes, Dues, and Ecclesiastical Emoluments whatsoever therefrom respectively arising or to arise, shall cease to be or to be deemed a Part or Parts of or annexed to such divided Parish, and shall become and be and be deemed a Part or Parts of or annexed to such adjoining Parish or Parishes, to all Intents and Purposes whatsoever.

CVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners, with such Approbation and Consent and in such Manner as are herein-before last ascertained, to divide and separate the Glebes belonging to any such Parish so divided, and to grant a Portion of such Glebe to the Incumbent of each divided Portion of the Parish or of such adjoining Parish, as the Case may be, and for a Glebe for such Parish, subject, however, to the Laws now in force or that may hereafter be in force for the Exchange of Glebes; and that all such Divisions of Glebes shall be good, firm, and valid in Law; and that such Part or Parts of such Glebe so divided be always deemed and taken to be the Glebe or Glebes of such Parish or Parishes to which the same shall be so annexed; and that the Incumbent or Incumbents of such Parish or Parishes to which the same shall be so annexed shall hold and enjoy such Part or Parts of such divided Glebe, being so annexed, in as full and ample a Manner to all Intents and Purposes as if such Part or Parts of such Glebe had been always held and enjoyed as the Glebe belonging to such Parish or Parishes to which the same shall be so annexed, any Law or Usage to the contrary notwithstanding.

CIX. And be it further enacted, That whenever any Patron of any Parish so to be divided as aforesaid shall happen to be a Minor, Infant, Lunatic, or Feme Covert, it shall and may be lawful for the Guardian, Committee, or Husband of every such Patron to consent to such Divisions as aforesaid for such Patron, and to certify his, her, or their Consent under his, her, or their Hand and Seal or Hands and Seals, for such Patron, who shall be bound thereby in such Manner, and the same shall be as valid

Provision of Act relative to augmenting single Benefices to extend to united Benefices not of the Value of 2000.

Commissioners may divide Parishes in certain Cases.

Such Divisions not to take effect until Death of Incumbent.

Commissioners may divide also the Glebes belonging to the Parishes so divided.

Guardian, Committee, &c. may consent.

and effectual, as if he or she had been of Full Age, or sound Mind, or Feme Sole, and had expressed such Consent as aforesaid.

Boards of  
Parishes to be  
first constituted,  
and Map and  
Statement of  
Value trans-  
mitted to Lord  
Lieutenant, who  
shall examine or  
refer same.

CX. And he it further enacted, That before any such Division or Augmentation of any Parish or Parishes as last aforesaid shall be made and concluded, the Boards of such Parish or Parishes shall be ascertained by Instrument in Writing in manner following; (that is to say,) the said Commissioners under this Act, by Instrument in Writing under their Seal, shall and may set out and describe the Boards of such Parishes, and the several Townlands or other Parcels or Demarcations of Lands which shall be comprised within such Parishes respectively; and a Copy of such Instrument shall, within Fourteen Days from the Date thereof, together with a Map and Survey of the said Parishes respectively, and a Statement of the annual Value of the same, and of such Part or Parts to be so separated and divided from such divided Parish as aforesaid, be transmitted to the Lord Lieutenant or other Chief Governor or Governors of Ireland in Council, and the Lord Lieutenant or other Chief Governor or Governors in Council shall confirm or alter the Boards of such Parish or Parishes as set out and described in such Instrument, on the Circumstances of the Case may seem to require, and shall order such Instrument to be altered accordingly: Provided always, that such Instrument so altered by any such Order, or if no Order shall be made thereupon by the Lord Lieutenant or other Chief Governor or Governors of Ireland in Council within Six Weeks after the Date of the Transmission of the Copy of such Instrument to the Council Office in Dublin Castle, then such Instrument as originally transmitted, shall be entered in the Registry of the Diocese, (for which Entry the Sum of Thirteen Shillings and Fourpence, and no more, shall be paid to the Registrar,) and shall also be enrolled in the Rolls Office of the High Court of Chancery in Ireland, for which Enrolment the Sum of Thirteen Shillings and Fourpence, and no more, shall be paid, over and above the Expenses usually paid to the Clerk for registering the same.

Commissioners  
shall adjust Pro-  
portions of  
Crown Rents,  
Ports, &c. to be paid,  
by Incumbents  
of divided  
Parishes.

CXI. And in order to prevent Disputes which might arise upon the apportioning of any Crown Rents, Post Corn Rents, Pensions, Procurations, Synodals, and Salaries payable to the Schoolmasters of the Diocesan Schools by the several Incumbents of any such divided or augmented Parish or Parishes, he it enacted, That it shall and may be lawful for the said Commissioners under this Act, and they are hereby empowered and directed, to settle and adjust the Proportions of Crown Rents, Post Corn Rents, Pensions, Procurations, Synodals, and the Salaries of the said Schoolmasters which the Incumbents of any such divided Parish and such augmented Parish or Parishes are respectively to pay; which Proportions, being so adjusted by an Adjudication in Writing under the Seal of the said Commissioners, and registered in the Register Book of the Bishop of the Diocese wherein such Parishes are situate respectively, shall be the Proportions which the Incumbents of such divided and of such augmented Parishes respectively to pay, and shall be binding and conclusive upon the said several Incumbents of such divided or augmented Parish or Parishes respectively, and their respective Successors, any Law or Custom to the contrary notwithstanding.

Incumbents of  
divided Parishes  
entitled to re-  
ceive Disburse-  
ments from their  
Successors, as of  
Parish had not  
been divided.

CXII. And he it further enacted, That where any Parish shall be divided in manner aforesaid, and that the Incumbent of any such divided Parish shall be entitled to receive any Sum of Money from his next Successor in such Parish, in case the same had not been divided, on account of any Purchase of Glebe, or Addition to the Glebe, or of any Buildings or Improvements made on the Glebe of such Parish, or any Money paid by him to his Predecessor on such Account, according to the Laws in force for that Purpose, such Incumbent shall have and be entitled to receive from his next Successor in that Part of such divided Parish within which such additional Glebe shall be situate, or on which such Buildings or Improvements shall have been made, the same Sum as he would have been entitled to receive if the said Parish had not been divided, provided that the Sum so to be received shall not exceed Two Years Income of that Part of the Parish; and such Incumbent, having paid such Proportion of the said Money, shall be entitled to receive such Proportion of the Money so to be paid from his Successors, according to the Laws in force for that Purpose, in such Manner as he ought in case such Parish had not been divided, and it shall not be lawful for the said Commissioners to divide any Parish the Incumbent whereof shall be liable to any such Payment in such Manner as that the Sum to be paid by him shall exceed Two Years Income of the divided Part of the Parish in which such Buildings or Improvements shall be situate.

Where Assent  
of His Majesty  
is required,  
Assent of the  
Lord Lieu-  
tenant to be good.

CXIII. Provided always, and he it further enacted, That where the Assent of the King's Majesty, His Heirs or Successors, is to be given to the making of any such Division of any Parish as aforesaid, or to the annexing or uniting a Part or Parts thereof to any adjoining Parish or Parishes as aforesaid, the Assent of the Lord Lieutenant or other Chief Governor or Governor of Ireland for the Time being directed, under his or their Hand and Seal or Hands and Seals, shall to all Intents and Purposes be as good, valid, and effectual in Law as if the Consent of His Majesty, His Heirs or Successors, were therein signified by Letters Patent under the Great Seal of Ireland: Provided always, that such Consent of the Lord Lieutenant or other Chief Governor or Governors of Ireland shall be enrolled in the Rolls Office of the High Court of Chancery in Ireland, together with the Instrument making and setting forth such Division as aforesaid, for the Enrolment of which Consent the Sum of Three Shillings and Sixpence, and no more, shall be paid, over and above the Expenses usually paid to the registering Clerk for the same.

Commissioners  
may pay Com-  
mission to

CXIV. And he it further enacted, That where any Person or Persons, other than the Crown, or an Archbishop or Bishop, shall be Patron or Possessor of any Living or Parish so to be divided as aforesaid,

or shall be entitled to present a Clerk thereto upon any Vacancy or Turn thereof, it shall and may be lawful for the said Commissioners under this Act, if they shall think fit so to do, out of the surplus Funds remaining at their Hands, upon obtaining the Consent of such Patron or Patrons to such Division of any such Parish as aforesaid, to pay unto such Patron or Patrons such Sum or Sums of Money as the said Commissioners shall think fit as a Compensation for the Distribution of the annual Value of such Living or Parish, so that such Sum or Sums of Money shall in no Case exceed Twelve Years Purchase of the annual Sum by which the Income or annual Value of such divided Parish shall be reduced by reason of and in consequence of such Division as aforesaid: and such Sum or Sums of Money shall be and become vested in and settled upon the same Patron or Patrons, and for and upon the same Uses, Estates, Tenants, and Limitations, and subject to the same Powers, Conditions, Charges, and Incumbrances, as the Advowson or Right of Presentation to such divided Parish was vested in, settled upon, or subject to, or would have been vested in, settled upon, or subject to, or as near thereto as the Nature of the Case may admit.

XXV. And be it further enacted, That where any Person or Persons, other than the Crown, or an Archbishop or Bishop, shall be Patron or Patrons of any Living or Parish or to be augmented by the Association thereto of any Part of any such divided Parish, or shall be entitled to present a Clerk thereto upon any Vacancy or Turn thereof, it shall and may be lawful for the said Commissioners under this Act, and they are hereby directed and required, and shall be entitled to demand, take, and receive from such Patron or Patrons of any such augmented Parish or Parishes such Sum or Sums of Money as shall be mutually agreed upon by and between such Commissioners and the respective Patron or Patrons, or, in case of Disagreement between them, shall be fixed and determined by Three Arbitrators, to be chosen in the same Manner as in the Case of Arbitration appointed for the Settlement of Differences between the said Commissioners and Parties applying for the Purchase of Prebendaries under this Act, and under and subject to the like Regulations, so far as the same are applicable: which Sum or Sums of Money so to be received by the said Commissioners shall be added to the general Funds of the said Commissioners for the Purposes of this Act; and in default of Payment of such Sum or Sums of Money to the said Commissioners, within Six Calendar Months after a Demand thereof by Notice in Writing shall have been made and served upon such Patron or Patrons, the said Sum or Sums of Money shall be and become a Charge or Lien on such Advowson or on the Inheritance of the same, and be paid and payable to the said Commissioners, with Interest thereon, in priority to all other Charges or Incumbrances upon such Advowson.

XXVI. And be it enacted, That whenever any Benefice whereof the King shall be Patron, or the Right of Presentation or Collation whereof shall be in any Archbishop, Bishop, or other dignitary, or in any Ecclesiastical Corporation, shall, after the passing of this Act, become void in any Manner whatsoever, and that it shall appear to the Commissioners under this Act, by the Certificate of the Ordinary, that Three Years shall not have been celebrated thereon for the Three Years next preceding the First Day of February One thousand eight hundred and thirty-three, then and in such Case it shall be lawful for the said Commissioners, if they shall so think fit, by an Instrument under their Corporate Seal, to direct that the Appointment, Presentation, or Collation of any Clerk to such Benefice shall be suspended until such Commissioners shall think fit by a like Instrument otherwise to direct; and in the meantime, and for and during such Period as such Benefice shall remain vacant, all and every the Tithes, Profits, and Emoluments whatsoever belonging or appertaining thereto, and all Arrears thereof which may have accrued there since the said Benefice may have become void as aforesaid, shall be vested in and received by the said Commissioners under this Act, to be by them applied to the building or repairing of the Church and Glaze Houses in the said Benefice; and if the Circumstances of such Benefice shall not require such Application of the said Funds, then so to be paid into the general Fund under the Administration of the said Commissioners; and the said Commissioners shall have all and every the like Remedies for the Recovery of such Tithes, Profits, and Emoluments, and all Arrears thereof, as any Clerk filing such Benefice might or would have, and shall be for all such Intents and Purposes in the Piece and Stand of such a Clerk; and it shall and may be lawful for the said Commissioners and the Archbishop or Bishop associated with them, pursuant to the Provision herein-after contained, in any Case where the Spiritual Wants of any Benefice so notified as aforesaid shall appear to require the Appointment of an Officiating Minister, so to declare, and to appoint such moderate Stipend or Salary to be paid to such Officiating Minister as they shall think proper, and thereupon the Bishop of the Diocese shall appoint and license a Curate for the Performance of Ecclesiastical Duties within such Benefice for and during such Period as the same shall remain notified, and in case the Spiritual Wants of such Benefice shall not appear to require the Appointment of such Curate, then and in such Case, and for and during such Period as aforesaid, the Cure of Souls, and all and every the occasional Duty or Duties within such Benefice so remaining notified as aforesaid, shall be committed to the Incumbent or Officiating Minister of some adjoining Parish, to be remunerated by a moderate Stipend or Salary, in like Manner fixed by the said Commissioners and the Archbishop or Bishop associated with them, such Incumbent or Minister to be nominated and appointed by the Ordinary, and when such Ordinary is hereby required to nominate and appoint at the Request of the Commissioners under the Act, under such Regulations as he may think fit to make; and the Ordinary shall and is hereby required, when thereto required by the Commissioners under this Act, to grant such Certificates as aforesaid in all such Cases as aforesaid; and the said Commissioners shall, from and out of the Tithes, Profits, and Emoluments of such Benefice so notified as aforesaid, pay to the said

Patrons in or this Case.

Commissioners may require Compensation for Incumbent Curate

Commissioners may suspend Appointment of Clerk in any Benefice where the said Ministry shall not have been celebrated for Three Years

Tithes and Profits of such Benefice to run to Commissioners.

Application of them.

Authorizing the Appointment of an Officiating Minister in any notified Benefice, or the Remuneration of the Incumbent or some adjoining Parish

appointed as aforesaid, or to the Incumbent or Officiating Minister to whom the Care of Souls and occasional Duty shall have been committed, as the Case may be, such Stipend or Salary as may have been fixed and determined in manner aforesaid.

**CXVII.** Provided always, and be it enacted, That whenever the said Commissioners under this Act shall propose to suspend the Appointment, Presentation, or Collation to any Benefice, under the Power herein-before vested in them, or of removing such Suspension if it shall have taken place, they shall in either of such Cases give Notice of such Intention to the Archbishop or Bishop of the Diocese in which such Benefice shall be situate, unless he happen to be one of the said Commissioners; and such Archbishop or Bishop shall be associated with the said Commissioners in determining upon the Propriety of directing or removing such Suspension as aforesaid, and shall and may vote upon all Questions relating thereto as if he were a Commissioner, and be deemed and taken to be for such Purpose or Purposes a Member of the said Corporation of the Ecclesiastical Commissioners of Ireland.

**CXVIII.** Provided also, and be it further enacted, That in any Case in which the said Commissioners shall direct that the Appointment, Presentation, or Collation of a Clerk to any Benefice shall be suspended, a full Statement of the Reasons on which such Direction was founded, comprising the several Particulars of the Extent of such Benefice, its annual Value, the Amount of the Population, the Number of Protestants residing within it, the Condition of the Church and Glebe House, if any, and the Quantity of Land belonging to it, shall be entered in a Book to be kept for that Purpose, and preserved among the Records of the Commission.

**CXIX.** And whereas by an Act made in the Parliament of the United Kingdom, in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to consolidate and amend the Laws for enforcing the Residence of Spiritual Persons on their Benefices, to curtail Spiritual Powers from carrying on Trade or Merchandize, and for the Support and Maintenance of Stipendiary Curates, Bishops are authorized and empowered to pay over certain Sums therein mentioned to the Trustees and Commissioners of First Fruits in Ireland, for certain Purposes therein also mentioned; be it therefore enacted, That all and every Payment made to the Commissioners of this Act, in the Manner and Form and for the Purposes directed and specified by said recited Act, with respect to Payments to said Trustees and Commissioners of First Fruits, shall be as good, valid, and effectual to all Intents and Purposes; and such Sums, when paid, shall be applied by the Commissioners of this Act for the Purposes in said recited Act mentioned, so the same Manner as if such Payments had been made to the said Trustees and Commissioners of First Fruits, and as if this Act had not been passed.*

**CXX.** And whereas the Commissioners under this Act may hereafter purchase Houses not situate within the Parishes for which they are purchased, but as near as to be sufficiently convenient and suitable for the Residence of the Officiating Minister thereof; be it therefore enacted, That such Houses, having been previously approved by the Bishop by Writing under his Hand and Seal, and duly registered in the Registry of the Diocese, shall be deemed Houses of Residence appertaining to such Benefices to all Intents and Purposes whatsoever.

**CXXI.** And be it further enacted, That it shall and may be lawful for the Commissioners of this Act to lend and advance all and every such Sums and Sums of Money, and to give such Consents, and to do and perform such Acts, Matters, and Things, and to give such Securities, and in such Manner and Form respectively, as by any Statute or Law in Ireland in Force at the passing of this Act the Trustees and Commissioners of First Fruits in Ireland might or were empowered or authorized to have lent and advanced, given and done, if this Act had not been passed; all which Securities, Loans, Consents, Acts, Matters, and Things, when made, entered into, given, and done, respectively shall be valid and effectual to all Intents and Purposes whatsoever, unless it is or shall be enacted or declared to the contrary or otherwise provided for by this Act, or by any other Act hereafter to be made; and that all and every Action or Proceeding for Breaches of Covenant, or otherwise, which has been commenced, or which might at any Time hereafter, if this Act had not been made, have been taken, commenced, and carried on by the said Trustees and Commissioners of First Fruits in Ireland, shall and may be recommenced, taken, and carried on at any Time hereafter by the Commissioners of this Act, in the Name of their Secretary, as if they had been expressly named in any Deed, Covenant, Agreement, Writing, or Security, or in any Act or Acts of Parliament, or under or by virtue whereof such Action or Proceeding might have been and shall be so recommenced, taken, and carried on; and that all and every Sum and Sums to be recovered in any such Action or Proceeding shall and may be applied and disposed of by the Commissioners of this Act to such of the Purposes hereof as they in their Discretion shall think fit; and that the Commissioners of this Act shall pay, satisfy, and discharge, out of the Funds hereby vested in them, all Debts legally due by said Trustees and Commissioners of First Fruits in Ireland, whether for and on account of Salaries due to any of their Officers, Bills of Costs, or otherwise, or any other Account whatsoever, at the passing of this Act, which said Trustees and Commissioners of First Fruits would have been bound to pay if this Act had not been passed; and shall and may perform and execute all and every Covenant, Contract, or Agreement lawfully entered into and made by the said Trustees and Commissioners before the passing of this Act; and shall do and perform all and every Act, Matter, and Thing lawfully covenanted, agreed, or contracted to be done, performed, and executed by or on the Part of said Trustees and Commissioners of First Fruits, and which the said Trustees and Commissioners would have been bound to perform, execute, and do, if this Act had not been passed.

**CXXII.** And be it further enacted, That in case of any Refusal or Neglect of any Archbishop, Bishop, Archdeacon, Dean, Vicar, or Curate, to receive or pay the same to any Spiritual Person as aforesaid.

Archbishop or Bishop to be associated with Commissioners in determining upon Suspension or Removal of Benefices.

Statement to be made of Reasons for such Suspension.

Certain Money to be paid to Commissioners of this Act.

Houses purchased by Commissioners to be the House of Residence.

General Powers of Commissioners to do all Acts which Trustees of First Fruits could have done, if not otherwise provided for, to being Actions.

to pay Debts;

and to perform Contracts.

Ministers may be directed to receive and pay the same.



afforded, by whatever Name called, known, or described, or any other Person or Persons whatsoever, to make or cause to be made any of the Returns hereby required or directed to be made to the said Commissioners of this Act, or to do any Act, Matter, or Thing hereby directed or required to be done by them or any of them, it shall be lawful for the Court of King's Bench in Ireland to direct a Writ of Mandamus, or any other Writ that may be necessary, to any such Archbishop, Bishop, Archdeacon, Dean, Prelate, or other Spiritual or other Person as aforesaid, to enforce the making such Returns, or the Performance of such Acts, Matters, and Things, by each Spiritual or other Person as aforesaid, Pursuant to this Act.

CXXXIII. And be it further enacted, That if any Person, upon Examination on Oath or Affirmation before the said Commissioners of this Act, or the Commissioners to be named and authorized in and by any Commission to be issued in pursuance of this Act, or in any Affidavit, Deposition, or Affirmation before any Judge, Baron of the Exchequer, Vice-Chancellor, Surrogate, Master or Master Extraordinary in Chancery, or Justice of the Peace, in any Matter relating to the Execution of this Act, shall wilfully and corruptly give false Evidence, or shall in any such Affidavit, Deposition, or Affirmation wilfully and corruptly swear or affirm any Matter or Thing which shall be false or untrue, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Fines and Penalties as by any Law now or hereafter to be in force in Ireland any Persons convicted of wilful and corrupt Perjury are or may be subject and liable to.

CXXXIV. And whereas several Parishes, or the Tithes or Portions of Tithes and Glebes thereof, are appropriated or united to certain Archbishopsricks, Bishopsricks, Deaneries, Archdeaconries, Dignities, Prebends, or Canonries; and it is expedient that the same should be disappropriated, dissolved, and divested out of such Archbishopsricks, Bishopsricks, Deaneries, Archdeaconries, Dignities, Prebends, or Canonries, and vested in the respective Vicars or Curates discharging the Duties of the Parishes in which the said Benefices, Tithes, or Portions of Tithes are respectively situate: And whereas the new Dean of Down and Raphoe freely consent that such Appropriations as aforesaid should be made in respect of their several Deaneries, and the Parishes or Tithes or Portions of Tithes and Glebes appropriated or united thereto; he it therefore enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, and His Majesty's Privy Council there, in the Case of the said Deaneries of Down and Raphoe, when and as they may so think fit, and in the Case of any and every Archbishopsrick, Bishopsrick, or other Deanery, or Archdeaconry, Dignity, Prebend, or Canonry, by and with the Consent and Approbation of the Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prelate, or Canon thereof, or whosoever such Archbishopsrick, Bishopsrick, Deanery, Archdeaconry, Dignity, Prebend, or Canonry shall be void, to disappropriate, dissolve, and divert any Rectory, Vicarage, Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof from and out of said Deaneries of Down and Raphoe respectively, or from and out of any Archbishopsrick, Bishopsrick, or other Deanery or Archdeaconry, Dignity, Prebend, or Canonry, and to unite any such Rectory, Vicarage, Tithes or Portions of Tithes to the Vicarages or Perpetual or other Curacies of such Parishes respectively, so that each such Rectory, Vicarage, Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof, shall, with its respective Vicarage, Perpetual or other Curacy, form a distinct Parish or Benefice: Provided always, that whenever a Vicarage or Perpetual Curacy to which any Rectory, Vicarage, Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof, shall have been so united as aforesaid, shall have been previous to such Union augmented either by the Trustees and Commissioners of First Fruits in Ireland, or by the said Ecclesiastical Commissioners, and that the whole of the net Income of the Benefice created by such Union as aforesaid shall exceed the Sum of Two hundred Pounds, that then and in such Case the said Augmentation, or the Partion thereof whereby the whole Income of such Benefice shall exceed the Sum of Two hundred Pounds, shall cease and determine.

CXXXV. Provided always, and be it enacted, That in case any Bishopsrick shall by such Means as aforesaid be reduced below the annual Value of Four thousand Pounds, the said Commissioners under this Act shall, from and out of the Funds vested in them by this Act, pay to the Bishop of such Bishopsrick for the Time being such annual Sum as may be necessary, at the Time of disappropriating the said Tithes or Portions of Tithes or Glebes, to make up such full annual Value of Four thousand Pounds.

CXXXVI. And be it further enacted, That whenever, pursuant to the Provisions aforesaid, any Rectory, Vicarage, Tithes or Portions of Tithes, or Glebe or Portions thereof, shall be united to any Vicarage or Perpetual Curacy, then and in such Case the Right of Presentation in such Rectory, Vicarage, or Perpetual Curacy, in any and every Vacancy thereof happening at any Time after such Disappropriation and Union as aforesaid, shall belong to and be exercised by the King's Majesty, His Heirs or Successors, or by the Archbishop, Bishop, or other Dignitary, or Corporation or Person having the Right of Grant, Nomination, Election, or Appointment to the Dignity, Prebend, or Canonry whereunto such Rectory, Vicarage, Tithes or Portions of Tithes, or Glebe or Partion thereof, had, before such Disappropriation, been united or annexed, and the Dignitary, Corporation, or Person having the previous Right of Presentation to such Rectory, Vicarage, or Perpetual Curacy, in such Times or Relations and according to such Manner as the Lord Lieutenant or other Chief Governor or Governors and Privy Council of Ireland shall direct.

CXXXVII. And whereas the Duties of Archbishops and Bishops in Ireland will be, by the aforesaid Unions and Dissolutions of Archbishopsricks, Bishopsricks, Deaneries, Archdeaconries, Dignities, Prebends, or Canonries, whether

Pastors to be  
Parish.

Lord Lieuten-  
ant, with Con-  
sent of Arch-  
bishops, Bishops,  
Dean, &c., may  
dissolve Rectory,  
&c. from  
Archdeaconrick,  
Bishopsrick,  
Deanery, &c.

In case Bishops-  
rick be reduced  
below 4000*l*.  
Commissioners  
to make up  
Deficiency.

Parsonage to be  
Parish having  
Right of Ap-  
pointment.

Archbishops in  
Ireland to have  
same Powers as

Archdeacons in  
England

whether Archdeacons in Ireland can lawfully exercise the same Powers as may be exercised by Archdeacons in England, be it therefore enacted by the Authority aforesaid, That the several Archdeacons in Ireland shall have and shall be deemed and taken to have and exercise all such Powers, Rights, Authorities, Privileges, and Jurisdictions within their respective Archdeaconries as any Archdeacon in England have or may exercise within their respective Archdeaconries by any Law, Statute, Custom, or general Custom in force in England.

Letters of  
Bishops, Leases  
shall be made to  
apply for a Perpetuity  
thereby, by  
Notice to the  
Commissioners  
under this Act.

CXXXVIII. And whereas it is expedient that the Tenants or Lessees of the Lands of Archbishops or Bishops, and other Sole Ecclesiastical Corporations, in Ireland, should be empowered to purchase a perpetual Estate or Interest in such Lands and Premises, be it therefore enacted, That from and after the Commencement of this Act it shall and may be lawful for any Tenant or Tenant, Lessee or Lessee, holding or who shall hold under or by virtue of any Lease or Contract for Term of Twenty-one Years, or for Term of Twenty-one Years or Three Lives, or for Three Lives, or for Term of Forty Years, immediately free and under any Archbishop or Bishop or other Sole Ecclesiastical Corporation in Ireland, any Lands, Premises, or Hereditaments belonging to the respective Sees or other Spiritual Promotion or Dignity of any such Archbishop or Bishop or other Sole Ecclesiastical Corporation, to purchase the Fee Simple and Inheritance of and in the said Lands, Premises, and Hereditaments so held by him or them as aforesaid, in the Manner and at the Rate of Purchase Money, and subject to the perpetual annual Rents, and to the Provisions, Restrictions, Regulations, and Conditions hereinafter mentioned; (that is to say,) that it shall and may be lawful for any such Tenant or Lessee, by Notice in Writing under his Hand, to notify to the said Commissioners under this Act, and to such Archbishop or Bishop or other Ecclesiastical Person under whom such Lands, Premises, or Hereditaments are or shall be held, that he, such Tenant or Lessee, is ready and willing to purchase the Fee Simple and Inheritance as aforesaid of and in the said Lands, Premises, or Hereditaments so held by him under such Archbishop or Bishop or other Spiritual Promotion or Dignity, in the Manner and pursuant to the Provisions of this Act; and that thereupon the said Commissioners shall and may, and they are hereby authorized and required to ascertain the annual Rent or Rents now thereby reserved and payable by virtue of such Lease or Contract out of the said Lands and Premises, and the Amount of the Sum or Sums of Money (whereof paid or agreed to be paid as and for the Fine or Fines and Fees for Renewal of any such Lease or Interest of and in the said Lands and Premises, in the Case of Leases usually renewed every or every alternate or every third Year, for and during the Period of Nine Years next preceding the Service of such Notice; and in the Case of Leases usually renewed at longer Intervals, and in the Case of Leases for Lives, for and during each Period so shall include the Three last previous Occasions of such Renewal; and every such Archbishop or Bishop or other Ecclesiastical Person under whom the said Lands and Premises shall be held as aforesaid shall, upon being thereto required by the said Commissioners by Writing, certify to the said Commissioners, by Writing under his Hand and Seal, the Amount of such annual Rent, and every such Fine and Fines and Fees so paid, or agreed to be paid, or usually paid or payable as aforesaid, for and during such Period as aforesaid; and then it shall and may be lawful for the said Commissioners under this Act, and they are hereby empowered, if they shall so think fit, or shall be required by Request under the Hand and Seal of the said Archbishop or Bishop or other Ecclesiastical Person, or Tenant or Tenant, Lessee or Lessee, to issue a Commission under their Seal to inquire into and ascertain the Amount of such annual Rent and such Renewal Fine or Fines and Fees as aforesaid to be paid or payable, or agreed to be paid, or usually paid or payable as aforesaid, for and during the Period aforesaid; which Commission shall issue in the same Manner, and subject to the like Rules and Regulations, with the like Powers, as is used and heretofore provided with respect to Commissions directed to be issued for inquiring into the annual Value of Ecclesiastical Benefices.

Commissioners  
to ascertain  
Amount of  
annual Rent  
and what  
Addition has  
been made  
thereon  
since  
the  
Sixteenth  
Day of  
August  
1793.

CXXXIX. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners, and they are hereby empowered and directed, so each and every Case in which they shall proceed to ascertain the Amount of the annual Rent or Rents reserved and payable out of the Lands and Premises in which the Tenant, Lessee, or Assignee thereof shall be desirous to purchase the Fee Simple and Inheritance as aforesaid, to inquire and ascertain whether any and what Addition has been made to the Rent or Rents reserved and payable to any Archbishop or Bishop or other Ecclesiastical Person out of the said Lands and Premises since the Sixteenth Day of August in the Year One thousand eight hundred and thirty-two; and in case it shall appear that the said yearly Rent or Rents has or have been increased since such Period, and that such Increase has been made in consequence of the Change of the Liability to the Payment of the Composition for Tithes, then and in every such Case the said Commissioners shall separate the Sum or Sums which shall as appear to have been added on the aforesaid Account to the yearly Rent or Rents theretofore usually reserved and payable out of such Lands and Premises, and shall not include such additional Sum or Sums in the Rent to be reserved in any Conveyance of such Lands and Premises to be executed by them or him pursuant to this Act; and the said Commissioners shall ascertain, by reference to the Lease or Contract made made under the Reservation of such additional Sum or Rent, the annual and customary Rent or Rents (said Rents of Sums in the Nature of penal Rents excepted) reserved and payable out of the said Lands and Premises; and such annual and customary Rent or Rents shall be deemed and taken to be the annual Rent reserved and payable out of such Lands and Premises.

Commissioners  
shall ascertain  
the Amount of

CXXX. And be it further enacted, That when such Rent or Rents and Fine or Fines and Fees shall have been ascertained by any of the Ways or Means aforesaid, it shall and may be lawful for the said



the Ways and Means aforesaid, to ascertain the Amount of the annual Rent to be reserved and made payable in and by the Deed of Conveyance herein-after mentioned, in the same and the like Manner and according to the like Averages and Proportions, and subject to the like Provisions, as are herein-before mentioned and provided with respect to Lands and Premises held immediately from and under any Archbishop or Bishop as aforesaid; which Rent, when so ascertained by the said Commissioners as aforesaid, shall be the Amount of the annual Rent to be reserved and made payable to the said Commissioners and their Successors in and by such Deed of Conveyance, subject only to such Approval as herein-after intimated, and to such Variation as may be made in the Amount thereof according to the Price of Wheat or Oats in any Period of Seven Years, according to the Provisions herein-after mentioned; and the Amount of such Rent, when so ascertained as aforesaid, shall thereupon be notified by a Notice in Writing by the said Commissioners to the Tenant or Lessee who shall have applied to purchase the said Lands and Premises as aforesaid, together with the Amount of Purchase Money, to be computed by the said Commissioners as herein-after mentioned, required to be paid by such Tenant or Lessee for or on account of the Deed of Conveyance of the Lands and Premises as held by him as aforesaid.

Terms of proposed Purchases of Proportions to be subject to Approval of the Lord Lieutenant.

CXXXV. Provided always, That in each and every Case of such Purchase as aforesaid, before such Purchase shall be completed, the said Commissioners shall and they are hereby required to notify in Writing to the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being in Council the Terms and Particulars of such proposed Purchase, the Purchase Money to be paid in respect thereof, and the annual Rent to be thereafter reserved from and out of the said Lands and Premises so to be purchased, together with the Amount of the annual Rent and the average annual Fine for Removal thereto payable in respect of the said Lands and Premises, and ascertained as aforesaid; and no such Purchase shall be completed until the said Lord Lieutenant or other Chief Governor or Governors of Ireland in Council shall signify his Approval thereof.

On ascertaining Amount of Rent to be reserved, the Commissioners shall grant a Certificate, and the Tenant, who shall pay Purchase Money into Bank of Ireland, and thereupon a Conveyance to be executed.

CXXXVI. And be it further enacted, That whenever the Amount of the annual Rent so to be thereafter reserved and made payable for and out of the said Lands and Premises to such Archbishop or Bishop, or other Ecclesiastical Person, and his Successors, or to the said Commissioners under this Act, as the Case may be, shall have been ascertained and determined on by any of the Ways and Means aforesaid, it shall and may be lawful for the said Commissioners under this Act, and they are hereby directed, if as required by such Tenant or Lessee, Tenant or Lessees, by Writing under his or their Hand or Hands as to do, to grant to such Tenant or Lessee, Tenant or Lessees, a Certificate under their Seal, stating the Terms of such Purchase, and the Amount of the said Purchase Money to be paid as aforesaid, and of the annual Rent to be reserved and made payable in and by the said Deed or Deeds of Conveyance herein-after mentioned; which Sum so ascertained and mentioned as such Purchase Money as and by the said Certificate such Tenant or Lessee shall (if he shall think fit to complete such Purchase) pay or cause to be paid into the Bank of Ireland, to the Credit of the said Commissioners under the Act, under a distinct and separate Account, to be for that Purpose opened in the Books of the said Bank, to be called the Perpetuity Purchase Fund Account, within the Period of Six Calendar Months after the signing of the said Certificate; and thereupon, if the said Lands and Premises so to be purchased shall, previously to such Purchase, have been transferred to and become vested in the said Commissioners by virtue of the Provisions of this Act, then and in such Case, on the Production to the said Commissioners of the Receipt of the Cashier or Cashiers of the said Bank of Ireland for the Amount of such Purchase Money mentioned and specified in and by such Certificate, the said Commissioners shall and they are hereby required, in such Manner as herein-before provided as to the Execution of Deeds by them, to execute, seal, and deliver a Deed of Conveyance to such Tenant or Lessee of the Fee Simple and Inheritance of the said Lands and Premises, when the same shall be tendered for Execution by the said Tenant or Lessee, unto and to the Use of such Tenant or Lessee, his Heirs and Assigns, as he or they shall appoint, subject to such annual Rent as aforesaid; and if the said Lands and Premises so to be purchased shall at the Time of such Purchase belong to or be held under any Archbishop or Bishop or other Ecclesiastical Person, then and in such Case to the Production by the said Tenant or Lessee to the said Archbishop or Bishop or other Ecclesiastical Person of the said Notice or Certificate as delivered by the said Commissioners as aforesaid, specifying the Amount of such annual Rent to be reserved and made payable in and by the said Deed of Conveyance, and specifying the Amount of Purchase Money to be paid for such Purchase as aforesaid, and upon Production of such Receipt of the said Cashier or Cashiers for such Purchase Money as aforesaid, such Archbishop or Bishop or other Ecclesiastical Person shall and he or they is and are hereby required and directed to execute, seal, and deliver a Deed of Conveyance of the Fee Simple and Inheritance of the said Lands and Premises to such Tenant or Lessee, when the same shall be tendered for Execution, subject to the annual Rent so ascertained as aforesaid; and if such Archbishop or Bishop or other Ecclesiastical Person shall, on the Production of such Notice or Certificate and Receipt as aforesaid, refuse or neglect to execute such Deed of Conveyance when tendered for Execution as aforesaid, for the Space of Two Calendar Months after such Tender shall have been made as aforesaid, then, upon satisfactory Proof being made to the said Commissioners of such Refusal or Neglect, by Affidavit to be sworn before any Judge, Sergeant, Vice General, Master or Master Extraordinary in Chancery, or Justice of the Peace, which Affidavit or Oath they are hereby respectively empowered to take or administer, or upon Oath of a credible Witness to be sworn by the said Commissioners, it shall and may be lawful for the said

Deed or Deeds of Conveyance in the Name of and on behalf of the said Archbishop or Bishop or other Ecclesiastical Person as aforesaid, or neglecting to execute the same as aforesaid, and to affix the Corporate Seal of the said Commissioners to such Deed or Deeds, and to certify the Cause of their so executing the same by Writing at the Foot of or on the Back of the said Deed or Deeds; and such Execution of the said Deed or Deeds by the said Commissioners shall be as valid and effectual, to all Intents and Purposes whatsoever, as if the said Deed or Deeds had been duly executed by the said Archbishop or Bishop or other Ecclesiastical Person, in pursuance of this Act.

CXXXVII. Provided always, and be it further enacted, That the Recitals in any such Deed of Conveyance shall for all Purposes whatsoever be deemed conclusive Evidence of the Truth of the Facts therein stated.

CXXXVIII. Provided always, and be it further enacted, That the said Commissioners shall and they are hereby directed, at the Request of either Party, to insert or cause to be inserted in each and every the said Deed or Deeds of Conveyance a Statement of the average Price of Wheat or Oats (whichever of the Two they shall consider as the Corn principally grown in the County or District where such Lands are situate) for the Period of Ten Years immediately preceding the First Day of May next before the Service of such Notice by such Tenant or Lessee as aforesaid, calculated upon the Returns advertised in the *Bulletin Goods* during such Period of Ten Years, which average Price the said Commissioners are hereby required and empowered to calculate and increase from such Returns as aforesaid.

CXXXIX. Provided always, and be it further enacted, That the said Tenant or Lessee as purchasing the Fee Simple and Inheritance of and in such Lands and Premises as aforesaid shall seal and deliver a Counterpart or Counterparts of such Deed or Deeds of Conveyance, one Part whereof shall be delivered to the said Archbishop or Bishop or other Ecclesiastical Person, or to the said Commissioners, as the Case may be, to whom respectively the said annual Rent shall be so reserved and made payable as aforesaid.

CXL. And provided also, and be it further enacted, That the said Commissioners, or Archbishop or Bishop or other Ecclesiastical Person, as the Case may be, shall, in every Case of such Purchase, cause such Deed or Deeds of Conveyance to be enrolled in the Rolls Office of the High Court of Chancery in *Ireland* (for which Enrolment a Fee of Two Shillings and Sixpence only shall be demanded or paid); and the said Commissioners shall in every such Case cause a Certificate, specifying the Amount of the annual Rent and of the average Recreval Fine theretofore paid or payable on the several Occasions of renewing the Lease in the said Lands or Premises during such Period as aforesaid, to be registered in the Registry of the Diocese wherein the same shall be situate, and also to be enrolled in the Rolls Office of the High Court of Chancery in *Ireland* along with and annexed to the Enrolment of the said Deed or Deeds; and a true and correct Copy of which Certificate, when enrolled in the said Rolls Office as aforesaid, shall be and be deemed and taken to be conclusive Evidence of the Truth of the several Matters and Things therein contained as aforesaid.

CXLI. Provided always, and be it enacted, That to Tenant or Lessee as aforesaid shall be entitled to have any such Conveyance of the Fee Simple and Inheritance made or granted to him or her, of whose Lease, if holding by Lease for the Term of Twenty-one Years, Twenty Years shall not be then to come and unexpired, or if holding by Lease for the Term of Forty Years, whereof Thirty-nine Years shall not be then to come and unexpired, or if holding by Lease for Twenty-one Years or Three Lives, or for Three Lives, all the Lives named wherein shall not be then or being, unless he or she shall, previous to the Execution of such Deed of Conveyance, pay all and every the Recreval Fines customably paid or payable on and for the Renewal of such Lease; nor shall any such Tenant or Lessee be entitled to such Conveyance of the Fee Simple and Inheritance unless all Rent and Arrears of Rent due upon and reserved by such Lease shall have been fully paid and satisfied.

CXLII. And be it further enacted, That it shall and may be lawful for such Archbishop or Bishop or other Ecclesiastical Person to whom, or the Purchaser, his Heirs, Assignees, or Assigns, by whom, the Rent reserved by the said Deed of Conveyance shall be payable, to make an Application in Writing to the said Commissioners, at any Time within Four Months after the Expiration of Seven Years, to be computed from the First Day of May next preceding the Execution of such Deed of Conveyance as aforesaid, and in like Manner at any Time within Four Months after the Expiration of every subsequent Period of Seven Years, such Periods to be computed each from the Termination of the preceding Period, during the Continuance of such Grant as aforesaid, signifying the Desire of such Archbishop or Bishop or other Ecclesiastical Person, Purchaser, his Heirs, Assignees, or Assigns, to have the average Price of Wheat or Oats for the Seven Years preceding inquired of and ascertained, in order that the annual Rent reserved in and made payable by such Deed of Conveyance may be varied or increased or diminished for the ensuing Seven Years, in proportion to such average Price, of which Application due Notice in Writing shall be given to such Archbishop or Bishop or other Ecclesiastical Person, or such Purchaser, his Heirs, Assignees, or Assigns as aforesaid, in the Case may require; and in Cases in which the said Lands and Premises shall have been leased in and transferred to the said Commissioners, or the said annual Rent shall be payable to them, under the Provisions of this Act, then it shall and may be lawful for the said Commissioners, or such Purchaser, his Heirs, Assignees, or Assigns, at the Times and in the Manner herein-before mentioned, during the Continuance of such Grant as aforesaid, to cause a Notice to be served in Cases of any such Notice by the said Commissioners upon such Purchaser, his Heirs, Assignees or Assigns, within twelve calendar

Recitals in Deeds of Conveyance conclusive.

The average Price of Wheat or Oats for Ten Years previous to be inserted in the Conveyance.

A Counterpart to be executed and delivered to the Bishop or the Commissioners.

Deeds to be enrolled, and Certificate registered.

Tenant not entitled to Purchase unless he previously certifies in writing to the Commissioners of the average Price of Wheat or Oats for the Seven Years preceding inquired of and ascertained, in order that the annual Rent reserved in and made payable by such Deed of Conveyance may be varied or increased or diminished for the ensuing Seven Years, in proportion to such average Price, of which Application due Notice in Writing shall be given to such Archbishop or Bishop or other Ecclesiastical Person, or such Purchaser, his Heirs, Assignees, or Assigns as aforesaid, in the Case may require; and in Cases in which the said Lands and Premises shall have been leased in and transferred to the said Commissioners, or the said annual Rent shall be payable to them, under the Provisions of this Act, then it shall and may be lawful for the said Commissioners, or such Purchaser, his Heirs, Assignees, or Assigns, at the Times and in the Manner herein-before mentioned, during the Continuance of such Grant as aforesaid, to cause a Notice to be served in Cases of any such Notice by the said Commissioners upon such Purchaser, his Heirs, Assignees or Assigns, within twelve calendar

Application may be made every Seven Years for Variation of new reserved Rent, according to Increase or Decrease in Price of Corn.

such Notice to such Purchaser, his Heirs, Assignees, or Assigns, then upon the said Commissioners, signifying the Decline of the said Commissioners, or of the said Purchaser, his Heirs, Assignees, or Assigns, as the Case may be, that such average Price of Wheat or Oats for the Seven Years preceding the First Day of May next before the Service of such Notice may be taken and ascertained as aforesaid; and thereafter in each and every of such Cases it shall and may be lawful for the said Commissioners to ascertain the average Price of Wheat or Oats for the Term of Seven Years next preceding the First Day of May next before such Application or the Service of such Notice, and for that Purpose to nominate and appoint a Person to be Arbitrator for ascertaining the same accordingly; and such Arbitrator is hereby authorized and required, from the Public Grants, to ascertain the Price of a Bushel of Wheat or Oats upon the Average of such Term of Seven Years preceding, and to state and set forth such average Price by his Report in Writing under his Hand, to be delivered to the said Commissioners, and if it shall appear that the average Price of Wheat (when Wheat shall be taken as the Measure of such Rent), or that the average Price of Oats (when Oats shall be taken as the Measure of such Rent), for such Seven Years preceding, is more or less by One Tenth than the average Price thereof set forth in the Deed or Deeds of Conveyance, then and in such Case the Amount of such annual Rent to be paid out of or in respect of the said Lands and Premises to such Archbishop or Bishop or other Ecclesiastical Person, or to the said Commissioners, as the Case may be, shall be increased or diminished by the said Commissioners in such Manner and to such Extent that the Amount of such annual Rent payable for and during the next ensuing Seven Years shall bear the like Proportion to the Amount of the annual Rent reserved and made payable out of the said Lands and Premises in such original Deed of Conveyance of the said Lands and Premises as the average Price of Wheat or Oats ascertained at the Time of such Application shall bear to the average Price thereof set forth in such original Deed of Conveyance; and the said Commissioners under this Act shall nevertheless, in Cases where the said annual Rent shall be payable to any such Archbishop or Bishop or other Ecclesiastical Person, grant to such Archbishop or Bishop or other Ecclesiastical Person, Purchaser, his Heirs, Assignees, or Assigns, or, in Cases where the said Rent shall be payable to the said Commissioners, shall, for the Purpose of Registry and Enrolment as herein-after mentioned, execute a Certificate under their Seal setting forth the Amount of such revised or new annual Rent to be paid and payable out of the said Lands and Premises to such Archbishop or Bishop or other Ecclesiastical Person, or to the said Commissioners, as the Case may be, and cause Notice of or a Copy of the said Certificate to be given to or served upon such Archbishop or Bishop or other Ecclesiastical Person, and the Person or Persons who shall have purchased the Fee Simple and Inheritance of and in the said Lands and Premises, or to the Person or Persons who shall have become possessed of his or their Estate or Estates therein, and shall also cause such Certificate to be registered in the Registry of the Diocese where the said Lands and Premises shall be situate, and also to be enrolled in the Rolls Office of the High Court of Chancery along with and annexed to the Enrolment of such Deed of Conveyance; and a Copy of such Enrolment, duly compared and attested, shall be conclusive Evidence of the Amount of such revised and new annual Rent: and such revised and new annual Rent shall be paid to and received by such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners respectively, as the Case may be, for Seven Years from and after the First Day of May next before the Service of such Notice, and until such revised and new annual Rent shall afterwards, upon a Note Application, be again varied and ascertained according to the average Price of Wheat or Oats during the Term of Seven Years then last past; and the several Parties aforesaid are hereby respectively authorized to make such further Application from Time to Time after the Expiration of every Seven Years, during the Continuance of such Grant, in such and the like Manner and Form as herein-before directed with respect to the first Application; and the Costs, Charges, and Expenses of every such Application, and of varying and re-ascertaining the Amount of such annual Rent, shall be defrayed by the Person or Persons who shall make such Application as aforesaid; and any such revised and new annual Rent shall, during the Period when it shall be so in force, stand in the Place of the said original annual Rent reserved and made payable out of the said Lands and Premises upon such Purchase or Conveyance of the said Lands and Premises, and shall be paid and recoverable, and charged and chargeable upon the said Lands and Premises, and against the Purchaser, his Heirs, Assignees, or Assigns, in like Manner as the said original Rent reserved as and by such Deed of Conveyance, and subject to the same Regulations; and the several Clauses and Provisions here-in-before in every such Case apply as fully and effectually to any such revised and new annual Rent, to all Intents and Purposes, as if such revised and new annual Rent were the annual Rent originally reserved upon such Purchase in and by the Deed or Deeds of Conveyance of the said Lands and Premises as aforesaid: Provided always, that the said Rent so reserved by such original Deed of Conveyance shall continue to be used as the Standard, by reference to which, together with the original Price of Wheat or Oats, the Rent is from Time to Time to be varied as aforesaid: Provided also, that in case any such Archbishop or Bishop or other Ecclesiastical Person, Tenant, Assignee, or Owner of such Lands and Premises purchased as aforesaid, who would respectively be entitled to receive or liable to pay such revised or new annual Rent as aforesaid, shall be dissatisfied with or dispute the Amount of the average Price of Corn so ascertained as aforesaid, or the Amount of any such revised and new annual Rent ascertained as aforesaid, it shall be lawful for such Archbishop or Bishop or other Ecclesiastical Person, Tenant, Assignee, or Owner of such Lands and Premises, within One Calendar Month after the expiration of such Notice, to apply by Petition to the said Court in such Manner and

under and subject to such Regulations and Provisions as herein-after mentioned with respect to Disputes as to the Amount of any Purchase Money, or any Contribution thereon, or in respect thereof, to be paid by any Tenant, and such Court may vary the Amount of such revised and new Rent as the Case may require; and if the Amount of such revised and new annual Rent shall be varied by the said Court, upon such Petition, from the Amount thereof ascertained by the said Commissioners, then the Amount thereof so ascertained and adjudged by the said Court shall be the annual Rent of the said Lands and Premises for each Period as aforesaid, and subject to the Provisions and Regulations aforesaid as to such revised and new annual Rent, and shall be inserted in such Certificate to be engrossed and enrolled as aforesaid, instead of the revised and new annual Rent ascertained by the said Commissioners as aforesaid, and stand in the Place of the same to all Intents and Purposes; provided that any Party or Person so petitioning, and being in such Petition, shall pay all the Costs in relation thereto.

CXLIII. And be it further enacted, That it shall and may be lawful for the said Commissioners under this Act to deduct and be paid, out of the Amount of such Purchase Money paid for the Purchase of the Fee Simple and Inheritance of and in any such Lands and Premises, such Sum or Sums of Money as shall be necessary for defraying the Costs or Expenses necessarily or properly incurred by the said Commissioners, or by such Archbishop or Bishop or other Ecclesiastical Person, in and about or in respect of any such Purchase and Conveyance of the Fee Simple and Inheritance of and in the said Lands and Premises; and upon the Production of a Certificate, signed as behalf of the said Commissioners, specifying the Amount of such Costs and Expenses incurred by such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, it shall and may be lawful for the said Governors and Directors of the said Bank of Ireland into whose Hands the said Purchase Money shall have been paid as aforesaid, and they are hereby directed, immediately thereupon, without further Order or Inquiry, to pay out of such Purchase Money to the said Commissioners, for defraying all such Costs and Expenses, the Amount so specified in such Certificate; which Payment and Certificate shall be received and allowed to such Governors and Directors of the said Bank of Ireland, in the Account of such Purchase Money, as a sufficient Discharge and Acquittance for the Amount thereof.

CXLIV. And be it enacted, That in all Cases of Applications for the Purchase of Properties under this Act, the Applicant shall deposit or secure in such Manner as the said Ecclesiastical Commissioners shall approve such Sum of Money as the said Commissioners shall think necessary to defray the Expenses which the said Commissioners may incur in ascertaining the Terms of the Purchase for which such Application shall be made; and in case such Applicant shall decline completing such Purchase, such Expenses as aforesaid shall be deducted from and out of the Money so deposited or secured, and the Surplus, if any, refunded to such Applicant; and in case such Applicant shall complete such Purchase, the whole Sum so deposited or secured shall be refunded, subject nevertheless to such Award as any Arbitrators appointed under this Act shall make in respect of the Expenses of such Arbitration.

CXLV. And be it further enacted, That for the Purpose of ascertaining the respective Amount of Purchase Money to be paid by any such Tenant or Lessee as aforesaid for the Purchase of the Fee Simple and Inheritance of and in any such Lands and Premises as aforesaid, the said Commissioners appointed under this Act shall inquire and ascertain, by the assent of a Commission, with the like Powers and Authorities and subject to the like Regulations as any other Commission to be issued under this Act, or by such other Ways and Means as to them shall seem fit, the full improved yearly Value of the said Lands and Premises, such full and improved annual Value to be taken and estimated according to the usual and accustomed Mode of ascertaining and estimating the same by the Archbishop or Bishop or other Ecclesiastical Corporation Sole in whose Diocese or Dignity or Promotions such Lands and Premises shall be respectively situate, and shall estimate and compute, according to the best of their Knowledge, Skill, and Ability, the Value of the Fee Simple and Inheritance in such Lands and Premises, subject to the annual Rent to be received and made payable thereon by the Deed of Conveyance to be executed in manner herein-before appointed; and having estimated and computed the Value of such Fee Simple and Inheritance, subject to such Rent, the said Commissioners shall deduct therefrom Four Fifths per Centum on the Amount thereof, and ascertain and declare the Amount of such Value so reduced; and the said Commissioners shall also estimate and compute the Value of the Interest in such Lands and Premises possessed by such Tenant or Tenants, Lessee or Lessees, under his, her, or their then subsisting Lease, and shall determine and declare the Difference between the Value reduced by such Four-Fifths as aforesaid of such Fee Simple and Inheritance, subject to the Rent aforesaid, and the Value of the Interest possessed under such Lease, which Difference shall be the Amount of Purchase Money to be paid by such Tenant or Tenants, Lessee or Lessees, for the Perpetuity to be acquired under this Act; and the said Commissioners shall insert such Amount in the Certificate of the Terms of such Purchase to be by them granted to such Tenant or Lessee as herein-before provided: Provided always, that in case any such Tenant or Lessee shall be dissatisfied with the Amount of Purchase Money adjudged payable to himself aforesaid by the said Commissioners, the Matter shall be referred to Three Arbitrators, one to be appointed by the said Commissioners, another by such Tenant or Lessee, and the third by the Two Arbitrators appointed as aforesaid, within Ten Days after Notice in Writing to be given by such Commissioners, Tenant, or Lessee for that Purpose; and in case of the Death or Incapacity, or Refusal to act of any or either of the said Arbitrators, either shall be appointed in the stead of the Party so unable or unwilling to act;

Expenses of Bishops and Commissioners to be deducted from Purchase Money.

On Application for Purchase of Properties, Applicant to deposit a Sum to defray Expenses of ascertaining Terms, &c.

Rate of Purchase Money

he was appointed, or by the said Two Arbitrators appointed by the Parties, as the Case may be, within Two Days next after Notice thereof; and the said Arbitrators, or any Two of them, shall and are hereby authorized and empowered, by actual Survey or Valuation, or by the Examination of Witnesses upon Oath (which Oath the said Arbitrators are hereby empowered to administer), and by such other Ways and Means as they shall think proper, to compute, estimate, and determine, in like Manner as the said Commissioners are herein-before directed, the Amount of Purchase Money payable for the Perpetuity to be acquired under this Act, and to make their Award therein by Writing under their Hands and Seals, or under the Hands and Seals of any Two of them; and such Award shall be binding upon the said Commissioners, and they shall amend accordingly the Certificate of the Terms of the Purchase to be by them granted to such Tenant or Lessee, or grant a new Certificate in lieu thereof, and the Expenses of such Arbitrators shall be borne by the said Commissioners, or by the said Tenant or Lessee or Lessee or Lessees, as such Arbitrators shall direct.

CXLVI. And he it further enacted, That the said annual Rent so reserved and made payable by any such Tenant or Lessee or Grantee out of or in respect of any such Lands and Premises, in any such Deed or Deeds of Conveyance thereof as aforesaid, and every such rent and now annual Rent so aforesaid, shall be recovered and recoverable by any such Archbishop or Bishop or other Ecclesiastical Person, and his Successors, or by the said Commissioners and their Successors, as the Case may be, by all or any of the Ways, Means, or Remedies which, according to any Law or Statute now in force in England or hereafter to be made, is or are or shall be provided for the Recovery of any Rent Service upon any Lease for Life or for Years executed by any Landlord or Person named in Fee Simple, and subject to all the like Rules and Regulations by Statute or otherwise, any Law, Usage, or Custom to the contrary notwithstanding: Provided always, that if in any Action of Ejectment to be brought on account of the Nonpayment of any such annual Rent, pursuant to the Statutes in force in England as to Nonpayment of Rent, Judgment shall be had and given for the Plaintiff in such Action, and Execution shall have been executed, and such Tenant, Lessee, or Grantee who shall have so purchased the Fee Simple and Inheritance as aforesaid of and in such Lands and Premises, his Assignees or Assignees, or the Person or Persons who shall be then entitled to his Estate or Interest therein, shall not, within Six Months from the Time of such Execution executed, do such Act or Acts or take such Proceedings as are or shall be by Law necessary for the Redemption of the said Lands and Premises from the said Judgment and Execution, pursuant to the said Statutes, then and in every such Case it shall and may be lawful for any Tenant, Under-tenant, or Owner of any derivative Lease, Estate, or Interest in the said Lands and Premises, who shall have contributed to the Purchase of the Fee Simple and Inheritance as aforesaid, his Assignee or Assignees, within Nine Months after such Execution executed, to do such Act or Acts or take such Proceedings for the Redemption of the said Lands and Premises from the said Judgment and Execution, and for obtaining Relief in respect of the same, so under the said recited Statutes any Mortgagee of a Lease might do or take for the Redemption of the said Lease, or his Estate or Interest therein, from any Judgment and Execution in any Action of Ejectment for Nonpayment of Rent, pursuant to the said Statutes, and for obtaining Relief in respect of the same, and with the like Effect to all Intents and Purposes; and after such Redemption the Sum or Sums of Money so paid or advanced for or on account of such Redemption, and the Costs thereof, shall be and be deemed a Lien and Charge upon such Estate or Interest of such Tenant or Person so failing or neglecting to pay the same, or to take such Proceedings for such Redemption as aforesaid, and shall be payable, with Interest, to such Person who shall have so paid or advanced such Sum or Sums or obtained such Redemptions, or the same shall be recoverable by him (at his Election) from such Person so failing or neglecting as aforesaid, in and by any Action of Debt.

CXLVII. And he it further enacted, That it shall and may be lawful for any Owner, his Heirs, Assignees, or Assigns, or any Trustee after the passing of this Act, upon a Division of the Lands or Premises held by him or them, either by Sale or otherwise (except by Lease or Demise or Rack Rent), to make an Application in Writing to any Archbishop or Bishop or other Ecclesiastical Person under whom he or they shall then hold the said Lands or Premises, or to the Commissioners under this Act in case the said Lands and Premises shall have been vested in and transferred by the said Commissioners, signifying the Desire of such Applicant that the yearly Rent or Rents then charged, or to be charged on the said Lands and Premises by such Deed of Conveyance as aforesaid shall be divided and apportioned upon Parts of the said Lands and Premises only; and thereupon in each and every such Case such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, as the Case may be, shall and he or they is and are hereby authorized and required to divide or apportion the Whole or any Part of the said yearly Rent or Rents as aforesaid in such Messuages and Proportions as by such Application may be required, regard being had to the Security of the several Parts or Proportions of the said yearly Rent or Rents; and in case of any Disagreement in respect of such Apportionment, then the same shall be made by One or more Valuers, to be in all Cases nominated by the said Commissioners; and the Expenses of such Apportionment shall be in all Cases defrayed by the Party applying for the same; and such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, or, in case of such Disagreement as aforesaid, such Valuer or Valuers, shall declare what Parts and Proportions of the said yearly Rent or Rents respectively shall in future be severally charged upon any Part or Parts of the said Lands and Premises, and shall state the Names and Descriptions, the Number of Acres, and the Mires and Bounds of each Partion, and the Amount of Rent to be reserved and made payable out of each such Partion respectively, and after every such Apportionment made digital by the University of Southampton Library Digitisation Unit

Recovery for Recovery of reserved Rents.

Upon Application of Owner, the Archbishop, his, may apportion the yearly Rent then charged on Lands on Parts of such Lands only.



agement the yearly Rents or Sums so apportioned shall be reserved and be made and be payable in such Parts and Proportions, and chargeable only upon such Proportion of the said Lands and Premises as shall be so declared to be liable to the Payment thereof respectively: and in case the said Apportionment shall be made before the Execution of a Conveyance of the Fee Simple and Inheritance, pursuant to this Act, then and in every such Case it shall and may be lawful for such Archbishop or Bishop, or for the said Commissioners, to execute separate Conveyances, in the Manner herein before directed for executing Conveyances, of each such Part or Proportion of the said Lands and Premises, subject only to the proportionate Rent payable in respect thereof; and in case a Conveyance shall have been made or executed by such Archbishop or Bishop, or the said Commissioners, of the said Lands and Premises, then and in every such Case the said Archbishop or Bishop, or the said Commissioners, shall execute, under his or their respective Seal, a Certificate setting forth the said Apportionment, and the Amount of the Rent to be charged or chargeable upon such Portion of the said Lands and Premises, and shall cause the same to be registered in the Registry of the Diocese wherein the said Lands and Premises shall be situate, and also to be enrolled in the Rolls Office of the High Court of Chancery along with and annexed to the Enrollment of the Deed of Conveyance of such Lands and Premises as aforesaid; and after such Registry and Enrollment of such Certificate the said Lands and Premises shall thenceforward stand and be charged and chargeable with the said yearly Rent or Sums in such Parts and Proportions only and in such Manner as shall be specified in such Certificate; and a Copy of such Enrollment, duly compared and attested, shall be conclusive Evidence of the Amount of Rent with which each respective Portion of the said Lands and Premises stands charged and chargeable.

CXLVIII. And he it further enacted, That immediately upon the Execution of such Deed of Conveyance as aforesaid of the said Lands and Premises, under the Provisions of this Act, the said Lands and Premises in the said Deed of Conveyance mentioned, and the Estates and Interests therein so granted, shall thereupon respectively go to and be vested in, settled upon, and enjoyed by the same Person or Persons, for the like Estate, Estates, or Interests, and to and upon the same Uses, Trusts, Issues, and Purposes respectively, (or as near thereto as the Nature of such Case and the Difference of Interest will admit,) as the said Lands and Premises stood settled or limited to, for, or upon, or each of them as at the Time of making such Conveyance shall be existing undetermined and capable of taking effect: Provided always, that the Execution of such Deed of Conveyance as aforesaid shall operate as and be and be deemed to be, to all Intents and Purposes, a Surrender of all and every the then previously subsisting Terms or Terms of Years, Estates, or Interest in the said Lands and Premises derived from or under such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, as the Case may be: and the same and every of them shall thenceforth cease, determine, and be for ever extinguished.

CXLIX. And he it further enacted, That whenever any such Tenant or Lessee who shall have purchased and acquired as aforesaid the Fee Simple and Inheritance of and in such Lands and Premises previously held by him as immediate and superior Tenant under such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners appointed under this Act, shall, by virtue of any Lease, Covenant, or Contract theretofore made or entered into, be bound to render to any other Person or Persons any Lease of any such Lands and Premises, either as often as such Archbishop or Bishop or other Ecclesiastical Person respectively shall renew the Lease of such Lands and Premises to him such immediate superior Tenant, or in any other Manner, then and in every such Case the Conveyance of the Fee Simple as aforesaid of and in the said Lands and Premises as aforesaid to such immediate and superior Tenant (or the Payment from Time to Time of the annual Rent out of the said Lands and Premises to the said Archbishop or Bishop or other Ecclesiastical Person, or to the said Commissioners respectively,) shall (so long as the said Estate or Interest thereby granted shall continue) in all Courts of Law and Equity, and to all Intents and Purposes whatsoever, as to such under Tenant or inferior Tenant, or Person or Persons having any such derivative Estate or Interest, and being entitled to the Benefit of such Covenant or Contract for Renewal, and as to all other derivative Estates or Interests in the said Lands and Premises dependent upon such Covenant, Contract, or Agreement for Renewal, be and be deemed, taken, and construed to be a Renewal by such Archbishop or Bishop or other Ecclesiastical Person, or otherwise, from Time to Time of the Lease of such immediate and superior Tenant, for the Purpose of and within the true Intend and Meaning of such Covenant, Contract, or Agreement for Renewal as aforesaid.

CL. And he it further enacted, That when the Fine to be paid upon the Execution of any such Renewal or before mentioned shall have been, by such Covenant, Contract, or Agreement for Renewal, agreed to be a certain or ascertained Proportion of or dependent upon the Amount of the Renewal Fine to be paid by the immediate superior Tenant of such Lands to such Archbishop or Bishop or other Ecclesiastical Person as aforesaid, then and in such Case, upon and after the Completion of such Purchase of the Fee Simple of and in the said Lands and Premises as aforesaid, the Amount of such Proportion of such Renewal Fine payable by such under or inferior Tenant shall be ascertained by reference to the Amount of the average Renewal Fine payable previously to the said Purchase, as appearing in the Certificate of the said Commissioners appointed under this Act, registered in the Registry of the Diocese, and enrolled in the Rolls Office of the Court of Chancery as aforesaid, ascertaining the Amount of the average Renewal Fine payable by the immediate superior Tenant of the said Lands

Lands conveyed in new Conveyances to be settled on former Uses.

Tenant acquiring Property shall render to inferior Tenants who bound by certain covenants.

Continuation of inferior Tenants here mentioned.

previously to such Purchase and Sale of the Fee Simple and Inheritance therein as aforesaid, and in no other Manner whatsoever.

Time for Re-  
newal to be in-  
quired or  
certified ac-  
cording to  
average Price of  
Wheat or Oats

CLL. Provided always, and be it further enacted, That such Fine to be paid upon the Execution of any such Renewal as aforesaid shall be subject to such Variation as may be made in the Amount thereof according to the Price of Wheat or Oats in any Period of Seven Years according to the Provisions herein-before contained, such Variation to be applied for and ascertained in the like Manner, and subject to the Regulations, so far as the same are applicable, as herein-before provided in respect of the Variation of the new Rents to be reserved under this Act.

Persons having  
derivative  
Estate shall  
contribute to-  
wards Purchase  
Money.

CLL. And whereas such Purchase of the Fee Simple and Inheritance of and in such Lands by such immediate superior Tenant of such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, will, pursuant to the Provisions hereof, come to the Benefit of all Persons having derivative Estate or Interest in the said Lands by virtue of Leases containing Covenants or Conditions for Renewal, and it is just that all Persons having such derivative Estates and claiming the Benefit of the Provision of this Act should contribute to the Expenses of such Purchase; be it therefore enacted, That whereas any such Tenant of such Lands, holding the same immediately from and under such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, shall have purchased the Fee Simple and Inheritance as aforesaid of and in the said Lands and Premises at a certain Rate of Purchase Money as aforesaid, pursuant to the Provisions of this Act, and shall, after completing such Purchase, be bound, under the Provisions of this Act, or otherwise, to renew any Lease or Leases of any of the said Lands and Premises to any under or inferior Tenant, or any other Person or Persons, all and every such Person and Persons having any derivative Estate or Interest in the said Lands and Premises immediately or mediately from, through, or under such immediate superior Tenant who shall have made such Purchase as aforesaid, shall respectively contribute towards the Amount of the Purchase Money thereof, or towards reimbursing and paying of a Proportion of the same, such to his own next immediate Landlord, according to the Value of their respective Interests, in manner following; that is to say, it shall and may be lawful for such immediate superior Tenant who shall have made such Purchase as aforesaid, his Executors and Administrators, by Notice in Writing, to call upon and require all and every such his under or inferior Tenant or Tenants, or Persons holding immediately from or under him, as shall be entitled to any Estate or Interest in any of such Lands and Premises by virtue of any Lease or Contract containing any Covenant or Agreement for Renewal of such Estate or Interest, to contribute respectively towards such Purchase Money in proportion to the Value of his or their respective Estate or Interest in the said Lands and Premises, or any of them; and in like Manner it shall and may be lawful for any such under or inferior Tenant or Person holding the said Lands and Premises, or any of them, upon being served with such Notice requiring from him such Contribution as aforesaid, by Notice in Writing to call upon and require all and every under or inferior Tenant, or Person or Persons holding immediately from or under him respectively any of such Lands and Premises, by virtue of any Lease or Contract containing any Covenant or Agreement for Renewal, to contribute, in proportion to the Value of his or their respective Interest, towards such Sum of Money to be paid as such Contribution as aforesaid by such his or their next immediate Landlord; and so in like Manner every under or inferior Tenant of or Person holding any of such Lands and Premises, upon being so called upon for any such Contribution as aforesaid, may and is hereby empowered, by Service of a Notice in Writing, to require a Contribution in like Manner from any Tenant or Person holding under him or them respectively under by virtue of any Lease or Contract containing any Covenant or Agreement for Renewal.

Dispute be-  
tween superior  
Tenants and  
others, how to  
be determined.

CLL. And be it further enacted, That it shall and may be lawful for any such immediate superior Tenant of the said Lands under such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, as the Case may be, or for any under or inferior Tenant or other Person as aforesaid having or claiming any derivative Estate or Interest in any of the said Lands and Premises immediately or mediately from, through, or under such superior Tenant, under or by virtue of any Lease or Contract containing a Covenant or Agreement for Renewal, in case any Dispute or Difference shall arise here-on there or any of them respectively as to the Sum of Money to be paid by any such inferior Tenant to any such his next immediate Landlord or the Person from whom he holds the said Lands, or any of them, or as to the Contribution towards such Purchase Money as aforesaid, or towards reimbursing to such his next immediate Landlord or Person from whom he holds as aforesaid a Proportion of the Same of Money paid or payable by such his next immediate Landlord or Person for a Contribution in respect of such Purchase as aforesaid, or in case during the Period of Six Calendar Months from the Service of any such Notice as last aforesaid there shall be no Opinion or Neglect by any of such Parties or Persons to agree with respect to any such Contribution, or in case within such Time no Agreement shall be made with respect to the same, or in case any such Dispute shall arise respecting any Mortgage or Sale of any Land or Premises for raising any Contribution Money or Part thereof, as respecting the Variation of any Fine, as herein-after provided, according to the Price of Wheat or Oats, or respecting the Redemption of any additional and increased annual Rent to be reserved in lieu or stead of any Contribution under the Provisions herein-after contained, in any of such Cases to present a Petition to the High Court of Chancery or Court of Exchequer in Ireland, stating the Premises respectively as the Case may be, and praying the proper or necessary Relief in relation to the said Matters; whereupon it shall and may be lawful for such Court, without requiring

Proof of any Notice of such Petition being given to or served upon any Person or Persons, to make an Order referring the Matter of such Petition to one of the Masters of the Court of Chancery, or to the Chief Remembrancer of the Court of Exchequer, as the Case may be, directing such Master or Chief Remembrancer to inquire and report concerning the said Matters or any of them, as such Court shall direct; and thereupon it shall and may be lawful for the said Master or Chief Remembrancer, as the Case may be, to summon before him any of the said Parties, or any Person or Persons, and to examine him or them, upon Oath, respecting any of the Matters so referred to him, and upon Appearance of, or Proof of Service of Notice of such Petition and Order upon, any such Person or Persons to be affected by such Petition, to inquire and make his Report concerning the said Matters so referred to him, as in other Cases of References to any such Master or Chief Remembrancer under the Orders of such respective Courts: to which Report of such Master or Chief Remembrancer it shall be lawful for any of the said Parties to the said Petition or to be affected by it to take an Exception or Exceptions as in other Cases of Exceptions taken to any Reports of such Master or Chief Remembrancer; and upon the Hearing of such Report when not excepted to, or upon the Hearing of such Exceptions to such Report when any such shall have been taken thereon, it shall and may be lawful for such Court to make such Order for the Payment of such Sum or Sums of Money by such Person or Persons as shall be found to be chargeable with the same by such Report, or of such Sum or Sums of Money by such Person or Persons as, upon Exceptions taken to such Report, the said Court shall deem to be properly chargeable with the same, to be paid within Three Calendar Months from the Time of Service of such Order of the said Court, in such Manner as such Court shall think fit, or such other Order as the said Court shall think fit; and such Order of such Court shall be final and conclusive, and without any Appeal therefrom; and the said Court may order the Costs of any such Proceedings in relation to the said Petition to be paid by or to any of the said Parties respectively, as the said Court shall think fit, and such Order or Orders shall and may be served either in the Manner herein-after provided, or in such other Manner as the said Court shall think fit to direct: Provided always, that it shall and may be lawful for any such immediate superior Tenant of such Lands and Premises, if he shall so think fit, to make all the Tenants or Persons having or claiming any derivative Estate or Interest in the said Lands whether immediately or mediately from, through, or under him by virtue of any Covenant for Renewal, Parties to any such Petition, for the Purpose of having all the Sums of Money payable by or chargeable upon all and every of such Persons in respect of any such Contribution simultaneously satisfied.

CLIV. And be it further enacted, That if any such Person or Persons having or claiming any such derivative Estate or Interest in such Lands and Premises by virtue of any Lease or Contract containing any such Covenant or Agreement for Renewal, having been served with any such Notice calling on him or them for any such Contribution as aforesaid, by Writing decline or refuse to take or accept a Renewal of such Estate or Interest, subject to the Provisions of this Act, or who bring or serve with any such Order of such Court as aforesaid shall neglect or refuse to comply with the Terms of such Order for or during the Period of Three Calendar Months from the Time of the Service of such Order as aforesaid, every such Person so declining or refusing to take or accept such Renewal as aforesaid, or neglecting or refusing to comply with such Order as aforesaid, his or their Heirs, Executors, Administrators, and Assigns, and all other Persons claiming under him, or claiming any Benefit or Interest under any such respective Lease or Contract containing such Covenant or Agreement for Renewal, shall for ever thereafter be barred of and from all Right, Benefit, and Advantage, in Law or Equity, in, of, and from such Covenant or Agreement for Renewal, or to obtain any new Lease of the said Lands and Premises respectively; and every such Person or Persons, his or their Heirs, Executors, Administrators, and Assigns, and all Persons claiming any Benefit of such respective Covenant or Agreement for Renewal, shall be therewith for ever barred from all Relief in any Court of Law or Equity in respect of any such Covenant or Agreement for Renewal: Provided always, that any such Order of any such Court as aforesaid shall and may be enforced by any of the Ways or Means by which any Order pronounced by such Court in any Suit in Equity upon a Bill filed may be enforced, save only as against any Person or Persons who, being entitled to any such derivative Estate or Interest as aforesaid, shall have, by Notice in Writing, declined or refused to take or accept any Renewal of such Estate or Interest.

CLV. And be it further enacted, That whenever it shall happen that any immediate and superior Tenant of such Lands, or any other Tenant or Person having any derivative Estate or Interest in such Lands and Premises immediately or mediately from, through, or under any such immediate superior Tenant of such Lands, (other than and except Tenants at Rack Rent for Years, or from Year to Year, or at Will,) shall be unable or unwilling to pay or advance such Sum or Sums of Money as shall be ascertained, agreed, or adjudged as aforesaid to be payable by any such Person or Persons respectively for or on account of such Purchase Money or Contribution in respect of such Purchase Money as aforesaid, it shall and may be lawful for any of such Persons, in lieu of paying or advancing any such Sum or Sums of Money respectively, or the whole Amount thereof respectively, to grant to the Person or Persons respectively entitled to receive any such Sum or Sums of Money, or to any other Person or Persons who shall be willing to advance such Sum or Sums of Money, a Mortgage of the said Lands and Premises so held or possessed by him or them respectively, or of their respective Estate or Interest therein, (subject nevertheless to such annual Rent as aforesaid, and to any Rent or Rent payable thereon,) for such original Payment of such Sum or Sums of Money as to the said Person or Persons respectively,

Persons having derivative Estates, and falling in any Contributions, shall forfeit Right of Renewal.

Tenants entitled to mortgage, in order to raise Purchase Money; or to give a Mortgage in lieu of Money.



for Payment of such other Rent next after the giving of such Notice; provided that the making of such Election, and the giving of such Notice, and the Payment of such additional Rent by such under or inferior Tenant or Owner of such derivative Estate or Interest, shall be deemed and taken to be a sufficient Compliance with any Order as herein-before mentioned to be made by the Court of Chancery or Court of Exchequer for the Payment of such Contribution Money as aforesaid by such Tenant or Owner of such derivative Estate or Interest; Provided also, that it shall and may be lawful for such under or inferior Tenant or Owner of such derivative Estate or Interest, having served such Notice as last aforesaid, and being liable to the Payment of such last-mentioned additional Rent, to redeem the Whole or any Portion of such additional Rent, by paying at any Time thereafter to such his next immediate Landlord of the said Lands and Premises, his Executors or Administrators, or Assigns, the Whole or any Portion of such Contribution Money payable in respect of such derivative Estate or Interest, in manner following; (that is to say,) that from such Time when the Whole or a Portion of such Contribution Money shall be so paid as last aforesaid, the Whole or so much of such additional Rent as shall be equivalent to the Interest of such Sum of Money so paid, at the Rate of Six Pence per Centum for a Year, shall cease and determine; and the Owner of such derivative Estate or Interest, and his Assigns, and such Lands and Premises so held by him or them, shall from the Time of such Payment cease to be liable to the Payment of the Whole or of such Portion of the said additional Rent, as the Case may be.

CLVIII. And be it further enacted, That if any Person, who by reason of being possessed of an Estate or Interest in such Lands shall become liable to pay any Part of such Purchase Money required for the Purchase of the Fee Simple and Inheritance of and to such Lands and Premises, or such Contribution Money in respect of such Purchase as aforesaid, and shall have paid or advanced the same or such Portion thereof as he was liable to pay as aforesaid, shall, by virtue of any Deed, Will, Instrument, Contract, or otherwise, be seised or possessed of or entitled to only a limited Interest as Tenant for Life, or other like limited Interest, in such Lands and Premises, or in such Estate or Interest therein, the Executor and Administrators of any such Tenant for Life or Person having such like limited Interest, having so paid or advanced any such Purchase Money or Contribution Money in respect of such Purchase, shall after his Death, as against all Persons claiming any Charge, Incumbrance, or Estate in or upon such derivative Estate or Interest, be the first Incumbrancer or Incumbrancers upon, and have the first Charge or Lien upon, such Estate or Interest in such Lands and Premises (having always such annual Rent as aforesaid payable to such Archbishop or Bishop or other Ecclesiastical Person, or the said Commissioners, or other Head Rent payable out of the same,) for the Amount of such Sum of Money so paid by him, together with legal Interest thereon from the Time of the Decease of such Tenant for Life or Person having such like limited Interest; Provided nevertheless, that if any Part of such Principal Sum of Money so paid and advanced by such Person shall be repaid or refunded to such Person having such limited Interest, his Executors or Administrators, by any under or inferior Tenant of the said Lands and Premises, by way of Contribution in respect of any such Purchase under the Provisions thereof, such Charge, Lien, or Incumbrance shall be reduced by the Amount of the Sum so refunded or repaid as aforesaid.

CLIX. And be it further enacted, That for the Purpose of raising such Purchase Money or Contribution Money in respect of such Purchase as aforesaid, it shall and may be lawful for all Bodies Politic, Corporations, and Collegiate, Corporations Aggregate or Sole, and all Guilds, Fraternities, and Brotherhoods, whether Corporata or not Corporata, and all Trustees for Charities or other public Purposes, and all Joint Stock Companies, who are or shall be possessed of any Estate or Interest in any such Lands or Premises belonging to the See or other Spiritual Promotion or Dignity of any Archbishop or Bishop or other Ecclesiastical Person, and also for any Committee or Curator of any Infant or Lunatic, or of any Person non compos mentis, and for any Guardian of any Infant, or for any Person authorized to act for any incapacitated Person, (which Infant, Lunatic, non compos mentis, Infane, or incapacitated Person shall be possessed of or entitled to any Estate or Interest in any of the said Lands and Premises,) in the same Manner as such Persons might have done if not under any Incapacity, and also for all Trustees of any such Lands and Premises on behalf of the Persons for whom they shall be Trustees, and also for all Persons having a limited Interest in possession in any of such Lands and Premises as Tenants for Life, or such like limited Estate, to contract or agree respectively as to the Amount of any Purchase Money or Contribution Money in respect of such Purchase to be paid as herein-before mentioned in respect of any such respective Lands and Premises, and to apply to or appear before any of the said Courts as Parties to any such Petition or Proceedings as herein-before mentioned, and to comply with and perform the Orders of any of the said Courts respecting any such Contribution Money or other Matters; and (for the Purpose of performing any such Order, or for raising any such Purchase Money or Contribution Money, or for doing or performing such other Matters or Things as shall in such respective Cases be necessary or proper under the Provisions of this Act) also to make or execute any such Sale or Mortgage of the Whole or a Portion of such respective Lands and Premises, or such respective Interest or Estates therein as shall be necessary or proper in each such Case; and also to agree for or cause to be reserved or recoverable out of such respective Lands and Premises, or such respective Estates or Interests, such additional annual Rent as aforesaid as may be necessary or proper under the Provisions of this Act, in lieu of Payment of any such Contribution Money; and also to make, do, or execute all other Matters, Acts, and Things necessary or proper therein for the Purpose of effecting the said ends and purposes of the said Act, and the

Tenants for Life or other limited Interest shall be the first Incumbrancers or Mortgages of record by them.

Persons for Cases of Incapacity Person and those under Disability

the Provisions or executing the Powers hereof in any respect, as to any such Lands, in the same or in like Manner, as nearly as the Nature of each Case will admit, as fully and effectually, to all Intent and Purposes, and subject to all the same Rules and Regulations, as, under the Provisions hereof, any Person of full Age, being solely or absolutely possessed of or entitled for his own Use to any Lease of any such Lands, or any derivative Estate or Interest therein, might or could make, do, or execute the same or any of them under the Provisions of this Act; and that whenever in any of the Provisions of this Act relating to any such Lands, in describing any Tenant, Landlord, or other Person, a Word importing the Singular Number or the Masculine Gender only be used, the same shall be understood to include and be applied to several Persons as well as One Person, and Female as well as Male, and to such Bodies Politic, Corporate, or Collegiate as aforesaid, and to such Corporations Aggregate or Sole, Guilds, Fraternities, or Brotherhoods, Corporate or not Corporate, Trustees for Charities or other public Purposes, and Trustees for any Person or Persons, as well as to Individuals; and that the Word "Landlord" shall extend as well to any Person or Persons, Body Corporate, Politic, or Collegiate, or other Body of Persons entitled to receive any Rent out of any of such Lands and Premises, as to Persons usually or legally designated by such Word; and that the Word "Tenant" shall extend as well to any Person or Persons, Body Politic, Corporate, or Collegiate, or other Body of Persons, who shall be bound to pay any Rent out of any of such Lands and Premises, as to Persons usually or legally designated by such Word, unless in any of the foregoing Cases there be something in the Subject or Context repugnant to such Construction.

CLX. And be it further enacted, That while and as long as any Tenant or Tenants, Lessee or Lessees, holding, or who shall at any Time hereafter hold immediately from and under the said Commissioners under this Act, any Lands, Premises, or Hereditaments heretofore belonging or which shall hereafter belong to any Bishoprick or hereafter to be united to any other Archbishoprick or Bishoprick, and such Lands, Premises, and Hereditaments, or the Revenue thereof, shall have been transferred to and vested in the said Commissioners by virtue of this Act, shall be desists of holding such Lands, Tenements, and Hereditaments by the like Tenure as the same have been heretofore held by, and shall from Time to Time, at such Periods as the Lease in such Lands, Tenements, or Hereditaments may have been theretofore usually renewed, or ought to be renewed according to the customary Manner of renewing the same, or within Six Months thereafter, apply for a Renewal of such Lease, and the said Commissioners under this Act shall and may accept a Surrender of the then subsisting Lease, and shall and are hereby required to devise anew the Lands, Tenements, or Hereditaments therein contained for such like Terms or Interest as may have been granted therein by the Lease so surrendered, reserving by such new Lease the annual Rent or Rents theretofore reserved out of the said Lands, Tenements, and Hereditaments by the Lease so surrendered, and receiving for and in consideration of making such new Lease Payment of such a Fine as may be equal to the average Amount of the Renewal Fees theretofore paid or agreed to be paid, or customarily paid or payable for the Renewal of the Lease or Interest in such Lands, Tenements, and Hereditaments, such annual Rent or Rents and average Amount of such Renewal Fees to be ascertained by all such and the like Means as hereinbefore provided for ascertaining the same in the Case of Applications for the Purchase of Perpetuities under this Act.

CLXI. Provided always, and be it enacted, That in case the Value of any new Lease or Interest so to be granted as aforesaid shall at any Time appear to the said Commissioners to be increased or diminished in any Manner whatsoever, it shall and may be lawful for the said Commissioners to accept or require such greater or lesser Renewal Fee or Fees as in their Judgment may be just and reasonable with regard to such increased or diminished Value: Provided nevertheless, that if any Difference as to the Increase or Reduction of such average Renewal Fee should arise between the said Commissioners and the Tenant or Tenants, Lessee or Lessees claiming such Renewal, the same shall be referred to the Determination of Three Arbitrators, to be appointed in manner hereinbefore provided for the Appointment of Arbitrators to adjust Differences between the said Commissioners and Tenants or Lessees applying for the Purchase of Perpetuities under this Act, and with the like Powers and Authority so far as the same are applicable; and the Determination of such Arbitrators as to the Amount of such Increase or Reduction of the said Fee shall be conclusive and binding upon all Persons whatsoever; and the Expence of such Arbitration shall be borne by the said Commissioners, or by the said Tenant or Tenants, or Lessee or Lessees, as such Arbitrators shall direct.

CLXII. And be it further enacted, That it shall and may be lawful for any Archbishop or Bishop, or other Ecclesiastical Person, in any Lease or Demise of any Lands or Premises to be made by him or Right of his See or other Spiritual Proceeding, after the passing of this Act, or for the said Commissioners, in any Lease or Demise to be made by them of any Lands and Premises vested in them pursuant to the Provisions of this Act, to reserve any additional Rent or Sum reserved as a consequence of the Change in the Liability to the Payment of Corporations for Tithes in any Lease or Demise of any such Lands and Premises made by him or them after the Statute Day of August One thousand eight hundred and thirty-two from the former and customary annual Rent or Rents theretofore reserved and payable out of such Lands and Premises, and to reserve such former and customary annual Rent or Rents in any new Lease or Demise to be made thereof by him or them after the passing of this Act.

CLXIII. And be it further enacted, That no Lease or Demise of any Lands and Premises to be made by any Archbishop or Bishop, or other Ecclesiastical Person, after the passing of this Act, or by the said Commissioners of any Lands and Premises vested or which may hereafter be vested in them pursuant to the Provisions of this Act, shall be deemed a P

Definition of  
Tenant in this  
Act.

As to the Renewal  
of Leases held  
under this  
Act, whereof the  
Terms shall  
may be varied  
by the Com-  
missioners under  
this Act.

Allowance to be  
made on re-  
newed Leases  
in certain  
Cases.

If any Differ-  
ence arise there-  
upon, the same  
shall be referred  
to Arbitration.

Annual Rent  
only to be re-  
served in Leases,  
reserving any  
Sum added  
thereon since  
1734 August  
1<sup>st</sup> 1734.

No Lease made  
after the passing  
of this Act shall  
be deemed a P

tant to this Act, shall be deemed or taken to be a leasing, letting, or deciding of any Lands and Premises within the Meaning of an Act passed in the Second and Third Years of the Reign of His Majesty King William the Fourth, intitled *An Act to amend Three Acts passed respectively in the Fourth, Fifth, and in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, providing for the constituting of Commissions for Tithe in Ireland, and to make such Commissions permanent, so as to enable the Lessee or Tenant thereof to hold the said Lands and Premises free from the Payment of Tithe or Compensation for Tithe.*

Letter with and -  
Meaning of  
§ 23. s. 11  
as to 20 which  
Taxes the total  
Lands Tax in  
Ire.

CLXIV. And be it further enacted, That whenever any Notice required to be given by this Act, or whenever any Service of any Order or other Proceeding of any Court which shall be required or be necessary for carrying into effect any of the Provisions of this Act, cannot be given or delivered as or cannot be effected upon the Party or Person or Persons to or for whom such Notice is directed or intended, or upon whom such Service is to be effected, it shall be sufficient for the Party or Person obliged to give such Notice or effect such Service to leave such Notice, or a Copy of such Order or Proceeding, at the last or most usual Place of Abode of such Party or Person or Persons to or upon whom such Notice is to be given or Service effected, if the same shall be within Ireland, and if the same shall not be within Ireland, then to serve such Notice or such Copy upon the Agent or Receiver of the Rents of such Party or Person or Persons, and if such Agent or Receiver cannot be discovered, then it shall be sufficient to publish such Notice, or to give Notice of such Order or Proceeding, by publishing Notice thereof Three Times in the *London Gazette*, and also to give such Notice to or make such Service upon any principal Occupier of any of the said Lands and Premises respectively to which such Notice, Order, or Proceeding shall relate.

Notice under  
this Act, how  
to be served.

CLXV. And be it further enacted, That the said Commissioners under this Act shall have Power and Authority, and are hereby empowered and authorized, from Time to Time to administer as Oath to any Person or Persons who shall at any Time give them Information or be examined of or concerning any Matter or Thing relating to the Execution of this Act, or any way concerning the several Powers and Trusts in them hereby reposed, and the due Execution thereof.

Power for Com-  
missioners to  
administer an  
Oath.

CLXVI. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be made in the present Session of Parliament.

Act may be  
altered.

CLXVII. And be it further enacted, That the Schedules (A.) and (B.) to this Act annexed shall be deemed and taken to be Part thereof as fully and entirely to all Intents and Purposes as if inserted herein.

Act may be  
altered.  
Schedules to be  
taken to be Part  
of Act.

SCHEDULES.

SCHEDULE (A.) PART THE FIRST.

COMPOSING THE YEARLY TAX TO BE IMPOSED UPON ALL BISHOPS, DEANS, AND OTHER SPIRITUAL PROMOTIONS UNDER THE RANK OF BISHOPRICKS.

| Value of Benefice. |                   | Charge<br>per Cent. | Value of Benefice. |                   | Charge<br>per Cent. |
|--------------------|-------------------|---------------------|--------------------|-------------------|---------------------|
| Exceeding          | And not exceeding |                     | Exceeding          | And not exceeding |                     |
| £                  | £                 | £ s. d.             | £                  | £                 | £ s. d.             |
| 500                | 505               | 2 10 0              | 515                | 525               | 6 10 0              |
| 505                | 515               | 2 15 0              | 525                | 535               | 6 12 6              |
| 515                | 525               | 3 0 0               | 535                | 545               | 6 15 0              |
| 525                | 535               | 3 5 0               | 545                | 555               | 6 17 6              |
| 535                | 545               | 3 10 0              | 555                | 565               | 7 0 0               |
| 545                | 555               | 3 15 0              | 565                | 575               | 7 2 6               |
| 555                | 565               | 4 0 0               | 575                | 585               | 7 5 0               |
| 565                | 575               | 4 5 0               | 585                | 595               | 7 7 6               |
| 575                | 585               | 4 10 0              | 595                | 605               | 7 10 0              |
| 585                | 595               | 4 15 0              | 605                | 615               | 7 12 6              |
| 595                | 605               | 5 0 0               | 615                | 625               | 7 15 0              |
| 605                | 615               | 5 5 0               | 625                | 635               | 7 17 6              |
| 615                | 625               | 5 10 0              | 635                | 645               | 8 0 0               |
| 625                | 635               | 5 15 0              | 645                | 655               | 8 2 6               |
| 635                | 645               | 5 20 0              | 655                | 665               | 8 5 0               |
| 645                | 655               | 5 25 0              | 665                | 675               | 8 7 6               |
| 655                | 665               | 5 30 0              | 675                | 685               | 8 10 0              |
| 665                | 675               | 5 35 0              | 685                | 695               | 8 12 6              |
| 675                | 685               | 5 40 0              | 695                | 705               | 8 15 0              |
| 685                | 695               | 5 45 0              | 705                | 715               | 8 17 6              |
| 695                | 705               | 5 50 0              | 715                | 725               | 9 0 0               |
| 705                | 715               | 5 55 0              | 725                | 735               | 9 2 6               |
| 715                | 725               | 6 0 0               | 735                | 745               | 9 5 0               |
| 725                | 735               | 6 5 0               | 745                | 755               | 9 7 6               |
| 735                | 745               | 6 10 0              | 755                | 765               | 9 10 0              |
| 745                | 755               | 6 15 0              | 765                | 775               | 9 12 6              |
| 755                | 765               | 6 20 0              | 775                | 785               | 9 15 0              |
| 765                | 775               | 6 25 0              | 785                | 795               | 9 17 6              |
| 775                | 785               | 6 30 0              | 795                | 805               | 9 20 0              |
| 785                | 795               | 6 35 0              | 805                | 815               | 9 22 6              |
| 795                | 805               | 6 40 0              | 815                | 825               | 9 25 0              |
| 805                | 815               | 6 45 0              | 825                | 835               | 9 27 6              |
| 815                | 825               | 6 50 0              | 835                | 845               | 9 30 0              |
| 825                | 835               | 6 55 0              | 845                | 855               | 9 32 6              |
| 835                | 845               | 7 0 0               | 855                | 865               | 9 35 0              |
| 845                | 855               | 7 5 0               | 865                | 875               | 9 37 6              |
| 855                | 865               | 7 10 0              | 875                | 885               | 9 40 0              |
| 865                | 875               | 7 15 0              | 885                | 895               | 9 42 6              |
| 875                | 885               | 7 20 0              | 895                | 905               | 9 45 0              |
| 885                | 895               | 7 25 0              | 905                | 915               | 9 47 6              |
| 895                | 905               | 7 30 0              | 915                | 925               | 9 50 0              |
| 905                | 915               | 7 35 0              | 925                | 935               | 9 52 6              |
| 915                | 925               | 7 40 0              | 935                | 945               | 9 55 0              |
| 925                | 935               | 7 45 0              | 945                | 955               | 9 57 6              |
| 935                | 945               | 7 50 0              | 955                | 965               | 10 0 0              |
| 945                | 955               | 7 55 0              | 965                | 975               | 10 2 6              |
| 955                | 965               | 8 0 0               | 975                | 985               | 10 5 0              |
| 965                | 975               | 8 5 0               | 985                | 995               | 10 7 6              |
| 975                | 985               | 8 10 0              | 995                | 1005              | 10 10 0             |
| 985                | 995               | 8 15 0              | 1005               | 1015              | 10 12 6             |
| 995                | 1005              | 8 20 0              | 1015               | 1025              | 10 15 0             |
| 1005               | 1015              | 8 25 0              | 1025               | 1035              | 10 17 6             |
| 1015               | 1025              | 8 30 0              | 1035               | 1045              | 10 20 0             |
| 1025               | 1035              | 8 35 0              | 1045               | 1055              | 10 22 6             |
| 1035               | 1045              | 8 40 0              | 1055               | 1065              | 10 25 0             |
| 1045               | 1055              | 8 45 0              | 1065               | 1075              | 10 27 6             |
| 1055               | 1065              | 8 50 0              | 1075               | 1085              | 10 30 0             |
| 1065               | 1075              | 8 55 0              | 1085               | 1095              | 10 32 6             |
| 1075               | 1085              | 9 0 0               | 1095               | 1105              | 10 35 0             |
| 1085               | 1095              | 9 5 0               | 1105               | 1115              | 10 37 6             |
| 1095               | 1105              | 9 10 0              | 1115               | 1125              | 10 40 0             |
| 1105               | 1115              | 9 15 0              | 1125               | 1135              | 10 42 6             |
| 1115               | 1125              | 9 20 0              | 1135               | 1145              | 10 45 0             |
| 1125               | 1135              | 9 25 0              | 1145               | 1155              | 10 47 6             |
| 1135               | 1145              | 9 30 0              | 1155               | 1165              | 10 50 0             |
| 1145               | 1155              | 9 35 0              | 1165               | 1175              | 10 52 6             |
| 1155               | 1165              | 9 40 0              | 1175               | 1185              | 10 55 0             |
| 1165               | 1175              | 9 45 0              | 1185               | 1195              | 10 57 6             |
| 1175               | 1185              | 9 50 0              | 1195               | 1205              | 11 0 0              |
| 1185               | 1195              | 9 55 0              | 1205               | 1215              | 11 2 6              |
| 1195               | 1205              | 10 0 0              | 1215               | 1225              | 11 5 0              |
| 1205               | 1215              | 10 5 0              | 1225               | 1235              | 11 7 6              |
| 1215               | 1225              | 10 10 0             | 1235               | 1245              | 11 10 0             |
| 1225               | 1235              | 10 15 0             | 1245               | 1255              | 11 12 6             |
| 1235               | 1245              | 10 20 0             | 1255               | 1265              | 11 15 0             |
| 1245               | 1255              | 10 25 0             | 1265               | 1275              | 11 17 6             |
| 1255               | 1265              | 10 30 0             | 1275               | 1285              | 11 20 0             |
| 1265               | 1275              | 10 35 0             | 1285               | 1295              | 11 22 6             |
| 1275               | 1285              | 10 40 0             | 1295               | 1305              | 11 25 0             |
| 1285               | 1295              | 10 45 0             | 1305               | 1315              | 11 27 6             |
| 1295               | 1305              | 10 50 0             | 1315               | 1325              | 11 30 0             |
| 1305               | 1315              | 10 55 0             | 1325               | 1335              | 11 32 6             |
| 1315               | 1325              | 11 0 0              | 1335               | 1345              | 11 35 0             |
| 1325               | 1335              | 11 5 0              | 1345               | 1355              | 11 37 6             |
| 1335               | 1345              | 11 10 0             | 1355               | 1365              | 11 40 0             |
| 1345               | 1355              | 11 15 0             | 1365               | 1375              | 11 42 6             |
| 1355               | 1365              | 11 20 0             | 1375               | 1385              | 11 45 0             |
| 1365               | 1375              | 11 25 0             | 1385               | 1395              | 11 47 6             |
| 1375               | 1385              | 11 30 0             | 1395               | 1405              | 11 50 0             |
| 1385               | 1395              | 11 35 0             | 1405               | 1415              | 11 52 6             |
| 1395               | 1405              | 11 40 0             | 1415               | 1425              | 11 55 0             |
| 1405               | 1415              | 11 45 0             | 1425               | 1435              | 11 57 6             |
| 1415               | 1425              | 11 50 0             | 1435               | 1445              | 12 0 0              |
| 1425               | 1435              | 11 55 0             | 1445               | 1455              | 12 2 6              |
| 1435               | 1445              | 12 0 0              | 1455               | 1465              | 12 5 0              |
| 1445               | 1455              | 12 5 0              | 1465               | 1475              | 12 7 6              |
| 1455               | 1465              | 12 10 0             | 1475               | 1485              | 12 10 0             |
| 1465               | 1475              | 12 15 0             | 1485               | 1495              | 12 12 6             |
| 1475               | 1485              | 12 20 0             | 1495               | 1505              | 12 15 0             |
| 1485               | 1495              | 12 25 0             | 1505               | 1515              | 12 17 6             |
| 1495               | 1505              | 12 30 0             | 1515               | 1525              | 12 20 0             |
| 1505               | 1515              | 12 35 0             | 1525               | 1535              | 12 22 6             |
| 1515               | 1525              | 12 40 0             | 1535               | 1545              | 12 25 0             |
| 1525               | 1535              | 12 45 0             | 1545               | 1555              | 12 27 6             |
| 1535               | 1545              | 12 50 0             | 1555               | 1565              | 12 30 0             |
| 1545               | 1555              | 12 55 0             | 1565               | 1575              | 12 32 6             |
| 1555               | 1565              | 13 0 0              | 1575               | 1585              | 12 35 0             |
| 1565               | 1575              | 13 5 0              | 1585               | 1595              | 12 37 6             |
| 1575               | 1585              | 13 10 0             | 1595               | 1605              | 12 40 0             |
| 1585               | 1595              | 13 15 0             | 1605               | 1615              | 12 42 6             |
| 1595               | 1605              | 13 20 0             | 1615               | 1625              | 12 45 0             |
| 1605               | 1615              | 13 25 0             | 1625               | 1635              | 12 47 6             |
| 1615               | 1625              | 13 30 0             | 1635               | 1645              | 12 50 0             |
| 1625               | 1635              | 13 35 0             | 1645               | 1655              | 12 52 6             |
| 1635               | 1645              | 13 40 0             | 1655               | 1665              | 12 55 0             |
| 1645               | 1655              | 13 45 0             | 1665               | 1675              | 12 57 6             |
| 1655               | 1665              | 13 50 0             | 1675               | 1685              | 13 0 0              |
| 1665               | 1675              | 13 55 0             | 1685               | 1695              | 13 2 6              |
| 1675               | 1685              | 14 0 0              | 1695               | 1705              | 13 5 0              |
| 1685               | 1695              | 14 5 0              | 1705               | 1715              | 13 7 6              |
| 1695               | 1705              | 14 10 0             | 1715               | 1725              | 13 10 0             |
| 1705               | 1715              | 14 15 0             | 1725               | 1735              | 13 12 6             |
| 1715               | 1725              | 14 20 0             | 1735               | 1745              | 13 15 0             |
| 1725               | 1735              | 14 25 0             | 1745               | 1755              | 13 17 6             |
| 1735               | 1745              | 14 30 0             | 1755               | 1765              | 13 20 0             |
| 1745               | 1755              | 14 35 0             | 1765               | 1775              | 13 22 6             |
| 1755               | 1765              | 14 40 0             | 1775               | 1785              | 13 25 0             |
| 1765               | 1775              | 14 45 0             | 1785               | 1795              | 13 27 6             |
| 1775               | 1785              | 14 50 0             | 1795               | 1805              | 13 30 0             |
| 1785               | 1795              | 14 55 0             | 1805               | 1815              | 13 32 6             |
| 1795               | 1805              | 15 0 0              | 1815               | 1825              | 13 35 0             |
| 1805               | 1815              | 15 5 0              | 1825               | 1835              | 13 37 6             |
| 1815               | 1825              | 15 10 0             | 1835               | 1845              | 13 40 0             |
| 1825               | 1835              | 15 15 0             | 1845               | 1855              | 13 42 6             |
| 1835               | 1845              | 15 20 0             | 1855               | 1865              | 13 45 0             |
| 1845               | 1855              | 15 25 0             | 1865               | 1875              | 13 47 6             |
| 1855               | 1865              | 15 30 0             | 1875               | 1885              | 13 50 0             |
| 1865               | 1875              | 15 35 0             | 1885               | 1895              | 13 52 6             |
| 1875               | 1885              | 15 40 0             | 1895               | 1905              | 13 55 0             |
| 1885               | 1895              | 15 45 0             | 1905               | 1915              | 13 57 6             |
| 1895               | 1905              | 15 50 0             | 1915               | 1925              | 14 0 0              |
| 1905               | 1915              | 15 55 0             | 1925               | 1935              | 14 2 6              |
| 1915               | 1925              | 16 0 0              | 1935               | 1945              | 14 5 0              |
| 1925               | 1935              | 16 5 0              | 1945               | 1955              | 14 7 6              |
| 1935               | 1945              | 16 10 0             | 1955               | 1965              | 14 10 0             |
| 1945               | 1955              | 16 15 0             | 1965               | 1975              | 14 12 6             |
| 1955               | 1965              | 16 20 0             | 1975               | 1985              | 14 15 0             |
| 1965               | 1975              | 16 25 0             | 1985               | 1995              | 14 17 6             |
| 1975               | 1985              | 16 30 0             | 1995               | 2005              | 14 20 0             |
| 1985               | 1995              | 16 35 0             | 2005               | 2015              | 14 22 6             |
| 1995               | 2005              | 16 40 0             | 2015               | 2025              | 14 25 0             |
| 2005               | 2015              | 16 45 0             | 2025               | 2035              | 14 27 6             |
| 2015               | 2025              | 16 50 0             |                    |                   |                     |

| Value of Annuity |                   |  | Charge    |    |    | Value of Rents |                   | Charge    |    |    |
|------------------|-------------------|--|-----------|----|----|----------------|-------------------|-----------|----|----|
| Exceeding        | And not exceeding |  | per Cent. |    |    | Exceeding      | And not exceeding | per Cent. |    |    |
| £                | £                 |  | £         | s. | d. | £              | £                 | £         | s. | d. |
| 755              | 760               |  | 9         | 5  | 0  | 975            | 985               | 12        | 5  | 0  |
| 765              | 770               |  | 9         | 7  | 6  | 985            | 995               | 12        | 7  | 6  |
| 785              | 790               |  | 9         | 10 | 0  | 995            | 1,005             | 12        | 10 | 0  |
| 795              | 800               |  | 9         | 12 | 6  | 1,005          | 1,015             | 12        | 12 | 6  |
| 815              | 820               |  | 9         | 15 | 0  | 1,015          | 1,025             | 12        | 15 | 0  |
| 825              | 830               |  | 9         | 17 | 6  | 1,025          | 1,035             | 12        | 17 | 6  |
| 835              | 840               |  | 10        | 0  | 0  | 1,035          | 1,045             | 12        | 0  | 0  |
| 845              | 850               |  | 10        | 2  | 6  | 1,045          | 1,055             | 12        | 2  | 6  |
| 855              | 860               |  | 10        | 5  | 0  | 1,055          | 1,065             | 12        | 5  | 0  |
| 865              | 870               |  | 10        | 7  | 6  | 1,065          | 1,075             | 12        | 7  | 6  |
| 875              | 880               |  | 10        | 10 | 0  | 1,075          | 1,085             | 12        | 10 | 0  |
| 885              | 890               |  | 10        | 12 | 6  | 1,085          | 1,095             | 12        | 12 | 6  |
| 895              | 900               |  | 10        | 15 | 0  | 1,095          | 1,105             | 12        | 15 | 0  |
| 905              | 910               |  | 10        | 17 | 6  | 1,105          | 1,115             | 12        | 17 | 6  |
| 915              | 920               |  | 11        | 0  | 0  | 1,115          | 1,125             | 14        | 0  | 0  |
| 925              | 930               |  | 11        | 2  | 6  | 1,125          | 1,135             | 14        | 2  | 6  |
| 935              | 940               |  | 11        | 5  | 0  | 1,135          | 1,145             | 14        | 5  | 0  |
| 945              | 950               |  | 11        | 7  | 6  | 1,145          | 1,155             | 14        | 7  | 6  |
| 955              | 960               |  | 11        | 10 | 0  | 1,155          | 1,165             | 14        | 10 | 0  |
| 965              | 970               |  | 11        | 12 | 6  | 1,165          | 1,175             | 14        | 12 | 6  |
| 975              | 980               |  | 11        | 15 | 0  | 1,175          | 1,185             | 14        | 15 | 0  |
| 985              | 990               |  | 11        | 17 | 6  | 1,185          | 1,195             | 14        | 17 | 6  |
| 995              | 1,000             |  | 12        | 0  | 0  | exceeding      |                   |           |    |    |
| 1,005            | 1,010             |  | 12        | 2  | 6  | 1,195          | -                 | 15        | 0  | 0  |

No fractional Part of a Pound to be subject to this Per-centage.

SCHEDULE (A.) PAIR cum Success.

Containing the YEARLY TAX to be imposed upon all Archbishopsricks and Bishopsricks.

| YEARLY VALUE.   | YEARLY TAX.     |
|---|-----------------|
| Where the yearly Value shall not exceed £4,000                          | £5 per Centum.  |
| Where the yearly Value shall exceed £4,000 and shall not exceed £6,000  | £7 per Centum.  |
| Where the yearly Value shall exceed £6,000 and shall not exceed £8,000  | £10 per Centum. |
| Where the yearly Value shall exceed £8,000 and shall not exceed £10,000 | £12 per Centum. |
| Where the yearly Value shall exceed £10,000                             | £15 per Centum. |

SCHEDULE (B.)

| BISHOPRICKS,<br>where and so long, to be united to other<br>Bishopricks or Archbishopsricks. | ARCHBISHOPRICKS and BISHOPRICKS<br>to which the Bishopricks bearing red are<br>to be united. |
|--|--|
| 1. Downore   | Down and Connor.   |
| 2. Raphoe  | Down.  |
| 3. Clougher  | Armagh.  |
| 4. Elphin  | Kilmore.   |
| 5. Killalee and Achoury  | Tam.   |
| 6. Clonfert and Kilmacduagh  | Killalee and Kiltinora.  |
| 7. Kildare   | Dublin and Glendalough.  |
| 8. Ossory  | Ferne and Leighlin.  |
| 9. Waterford and Lismore   | Cahel and Emly.  |
| 10. Cork and Ross  | Clayton.   |



## C A P. XXXVIII.

An Act to extend to the Twenty-first Day of January One thousand eight hundred and thirty-four, and to the End of the then next Session of Parliament, the Time for carrying into execution an Act of the First and Second Years of His present Majesty, for ascertaining the Boundaries of the Forest of Dean, and for inquiring into the Rights and Privileges claimed by Free Miners of the Hundred of Saint Brice's, and for other Purposes.

[14th August 1833.]

**W**HEREAS an Act was passed in the First and Second Years of the Reign of His present Majesty, intitled *An Act for ascertaining the Boundaries of the Forest of Dean, and for ascertaining into the Rights and Privileges claimed by Free Miners of the Hundred of Saint Brice's, and for other Purposes*: And whereas the Commission directed by the said recited Act to be issued under the Great Seal of Great Britain, or under the Seal of His Majesty's Court of Exchequer, bears Date the Twenty-first Day of January One thousand eight hundred and thirty-two: And whereas the Time within which the Commissioners are by the said recited Act directed to make their Reports to the Lord High Treasurer, or Lords Commissioners of His Majesty's Treasury, will expire on the Second Day of August One thousand eight hundred and thirty-three: And whereas the Commissioners appointed by virtue of the said Act have proceeded with all practicable Expedition, and have made great Progress in inquiring into and ascertaining the Boundaries of the said Forest of Dean, the Rights and Interests of Persons occupying or claiming to be interested in Lands or Tenements within the same, and the Origin of the Rights and Privileges claimed by the Persons calling themselves Free Miners; but as such Rights, Privileges, and Interests are of a very complicated Description, and have occupied considerable Time in their Investigation, and some of them not being yet ascertained and settled, it will be impracticable for the Commissioners to make the Reports directed by the said recited Act within the Period thereby limited; and it is therefore expedient that further Time should be allowed for that Purpose; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Time for making the several Reports directed to be made by the said Commissioners under the Authority of the said recited Act shall be extended until the Twenty-first Day of January One thousand eight hundred and thirty-four from thence to the End of the then next Session of Parliament.

II. And be it further enacted, That all the Powers, Provisions, Authorities, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters, and Things in the said recited Act contained shall extend and be construed to extend to this present Act, and shall operate and be in force during the said additional Period, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities, Provisions, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters, and Things were particularly repeated and re-enacted in the Body of this Act and made expressly applicable thereto, and as if the Time for the making the said several Reports by the said Commissioners as aforesaid had been therein originally extended to the said additional Period.

## C A P. XXXIX.

An Act to reduce certain of the Duties on Dwelling Houses, and to repeal other Duties of Assessed Taxes.

[14th August 1833.]

**W**HEREAS by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intitled *An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain additional Duties to be consolidated therewith; and also for repealing the Stamp Duties on Gene Consignments, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes; and the several other Acts in force for granting and regulating the Assessment of the Duties on inhabited Dwelling Houses, all Shops and Warehouses therein-after described, being Parts of Dwelling Houses occupied by Persons in Trade, and included in the Rate or annual Value of the Dwelling House, and the Household and other Officers: And whereas by an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for repealing certain of the Duties of Assessed Taxes, for reducing certain other of the said Duties, and for relieving Persons who have compounded for the same, Persons in Trade because exempt for the Duties chargeable by the said Acts on Windows or Lights for any Number not exceeding Three Windows or Lights to any Shop or Warehouse in the Front or Fronts and on the Ground or Basement Story of every Dwelling House occupied by such Person or Persons in Trade, who should expose to sale or sell any Goods, Wares, or Merchandises in any such Shop or Warehouse: And whereas it is expedient to grant further Relief to Persons in Trade who are assessed for their Dwelling Houses or Tenements which they occupy for the joint Purposes of Residence and carrying on their Trades in such Shops or Warehouses thereof as are described in the said last-mentioned Act: Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon all Assessments for any Year, commencing from and after the Fifth Day of April**

1833 c. 38.

Time of making Reports under recited Act extended until 21 Jan 1834.

Powers of recited Act re-extended to this Act.

40 G. 3. c. 23

43 G. 4. c. 11.

Relief to Occupiers of Dwelling Houses

and partly for  
the Dwelling and  
partly for the  
Trade

of Persons in Partnership in Trade, shall be duly assessed to the said Duties on inhabited Dwelling Houses as the Occupier or Occupiers of any Dwelling House or Tenement, and shall trade and dwell in Part thereof only as a Place of Residence, the same Person or Persons using and carrying on his, her, or their Trade in any other Part or Parts of the same Dwelling House or Tenement, (that is to say,) in any Shop or Warehouse in respect of which any Number of Windows not exceeding Three consent to be and are and shall not be payable under the said Act passed in the Fourth Year of His said late Majesty, it shall and may be lawful for every such Occupier or Occupiers as aforesaid to claim Exemption from One entire Mosaic of the Duties charged by the said Act aforesaid on the Rent or annual Value of such Dwelling House or Tenement, and which shall be allowed in the Mosaic hereinafter mentioned. Provided always, that no Exemption shall be claimed by or granted to any Person or Persons whose Name or Names shall not be conspicuously and legibly painted on or affixed to the Front or Parts of the Dwelling House or Tenement in respect of which the Exemption shall be claimed as aforesaid.

Proviso.

It shall be lawful  
to reduced or  
to reduced  
Dwelling  
Houses from  
£10, to £10  
who are not  
using the  
premises for  
trading  
Exemption

It. And whereas it is also expedient to grant Relief to Occupiers of Dwelling Houses or Tenements of the Rent or annual Value hereinafter described, who shall not be entitled to reduced Assessments by the preceding Provision of this Act; be it further enacted, That upon all Assessments in the Cases next hereinafter mentioned, to commence from and after the Fifth Day of April One thousand eight hundred and thirty-three, the Duties now payable under the Provisions of the Acts in force for any Dwelling House hereinafter described, which shall not fall within the Exemption of the preceding Provision as aforesaid, shall be reduced according to the respective Rents or Values, and to the Amounts following: (that is to say,)

| Where the Rent or annual Value of any Dwelling House shall be | £ | s. | d. |
|---|---|----|----|
| £10, the reduced Duties amounting in the whole to the Sum of  | 0 | 10 | 0  |
| £11, the reduced Duties of                                    | 0 | 12 | 0  |
| £12, the reduced Duties of                                    | 0 | 14 | 0  |
| £13, the reduced Duties of                                    | 0 | 16 | 0  |
| £14, the reduced Duties of                                    | 0 | 18 | 0  |
| £15, the reduced Duties of                                    | 1 | 0  | 0  |
| £16, the reduced Duties of                                    | 1 | 2  | 0  |
| £17, the reduced Duties of                                    | 1 | 4  | 0  |
| and £18, the reduced Duties of                                | 1 | 6  | 0  |

respectively and no more;

all which reduced Duties shall be assessed and taken to be Duties payable on inhabited Dwelling Houses, according to the Rules and Provisions of the Acts in force for charging the Duties in respect of inhabited Dwelling Houses before the passing of this Act.

III. And be it further enacted, That the Exemption from One Mosaic of the said Duties on Houses hereinafter mentioned shall be and is hereby extended and applied to the Occupier or Occupiers of every Dwelling House who shall be duly licensed by the Laws in force to sell Beer, Ale, Wine, or other Liquors (except by Retail, although the House or Houses thereof in which any such Liquors shall be exposed to sale, sold, drunk, or consumed shall not be a Shop or Warehouse described in the said Act passed in the Fourth Year of the Reign of His said late Majesty.

IV. And be it further enacted, That in respect of all Assessments to be made for any Year commencing on or after the second Batez and Duties granted by the said Act passed in the Forty-eighth Year of the Reign of His said late Majesty King George the Third, and also an Act passed in the Fifty-second Year of the Reign last aforesaid, intitled *An Act for granting to His Majesty certain new and additional Duties of Assessed Tolls, and for consolidating the same with the former Duties of Assessed Tolls*, and also an Act passed in the Second and Third Year of the Reign of His present Majesty King William the Fourth, intitled *An Act to amend and to amend the Fifth Day of April One thousand eight hundred and thirty-four* (intitled *Competition for the Assessed Tolls, and to grant Relief in certain Cases, and new Provisions for Male Persons employed in the Capacities of Riders or Traveillers, and of Clerks, Bank-keepers, or Office-keepers, and of Stewards, Bailiffs, Overseers or Managers, or Clerks, Deeds Stewards, Bailiffs, Overseers or Managers, and of Shopkeepers, Warehousemen, Porters, or Cellar-men, or of Grocers, Stable-boys, or Helpers in the Stables, sailors and Land-men employed in their respective Trades, or Businesses by any Livery Stable Keeper, Horse-dealer, Postmaster, or any other Person licensed by the Commissioners of Stamps, or by any Person under their Authority, to let Post Horses or Carriages for Hire or Forth, as in the said Acts respectively described, shall severally cease and determine: Provided also, that where any Licensed Water-carrier in the said Acts described shall employ One Male Person only (and not generally to carry out and deliver any Beer, Ale, or other Liquors to Customers, such Person shall be considered a Porter) hereby excepted from Duty, although he may be occasionally employed to wait on Guests.*

V. And whereas by an Act passed in the last Session of Parliament, intitled *An Act to reduce the Duties now payable in certain Cases on Carriages and also Four Wheels*, the Duties of Three Pounds Five Shillings thereupon payable were reduced to One Pound Ten Shillings for every Carriage in the said Act described: And whereas it is expedient to repeal the said Act and the reduced Duties thereby payable, and to exempt all such Carriages hereinafter described from the Payment of any Duty: be it further enacted, That for and in respect of all Assessments to be made for any Year commencing from and after the Fifth Day of April One thousand eight hundred and thirty-three as aforesaid

(1) Exemption  
from One  
Mosaic of  
Duties on  
Dwelling  
Houses with  
Shops to extend  
to Licensed  
Water-carriers,  
Riders on Travellers,  
Clerks,  
Bank-keepers,  
Stewards,  
Bailiffs, Overseers,  
Managers,  
Wharfmen,  
Warehousemen,  
Porters, or  
Cellar-men, &c.  
to come  
§ 11. 1. s. 22.  
§ 11. 1. s. 23.  
§ 11. 1. s. 24.

§ 11. 1. s. 25.

Repealed Act  
intituled as  
aforesaid

assess the said Act shall be and is hereby repealed, and the said reduced Duties thereby payable shall cease and determine; and every Carriage with less than Four Wheels hitherto chargeable with either of the said Duties of Three Pounds Five Shillings or One Pound Ten Shillings respectively, built, constructed, and used within the Regulations next herein-after described, shall not be chargeable with any Duty payable under any Act now in Force relating to the Duties of Assessed Taxes; and any Exemptions now in Force for a Horse, Mare, Gelding, or Male *donk* kept for the Purposes of Husbandry, drawing any Carriage in the said Acts described as a Taxed Cart or Common Stage Cart, shall be and is hereby extended to Carriages exempt from Duty by this Act. (repealed.)

made from April 1833, and the Duties thereby payable to cease.

1. Every Carriage with less than Four Wheels, kept by any Person or Persons for his or her own Use, and not for Hire or Profit, and drawn by One Horse, Mare, Gelding, or Male only, and not otherwise, and built and constructed with any Materials (except as herein mentioned) and in any Form, but without any Hood or Covering, or any Lining, fixed or not fixed, and without any Spring or Springs of Iron, Steel, or other metallic Substances, or of any Composition of Iron, Steel, or other metallic Substances, either wholly or in part, (other than Iron Taps, Caps, or Swivels, each not exceeding Nine Inches in Length, and of the Extremity only of each Spring of such Carriage), and the original Price of which Carriage, together with the Cushion or Cushions and any other Article or Thing used with or belonging to such Carriage, shall not have exceeded, or the Value whereof shall not at any Time exceed, the Sum of Twenty-one Pounds Sterling, provided that every such Carriage shall have the Christian and Saracenic or Names and Places of Abode, Occupation, or Calling of the Owner or Owners marked or painted in One or more straight Lines or Lines on a Black Ground in White Letters or on a White Ground in Black Letters on the Back Panel or Back Part of such Carriage, or if there shall be no such Back Panel or Back Part, then upon the Right or Off Side of the Side Panel, and if no such Side Panel, then upon the Right or Off Side Sash of such Carriage, in Roman Characters and in Words at Length, each of such Letters being at least One Inch in Height, and of a proper and proportionate Breadth:

No. 1.  
Exemption.

2. Every Carriage with less than Four Wheels, *donk*, built and constructed wholly of Wood and Iron, with any Spring or Springs (wholly or in part of Metal), and without any Covering other than a tilted Covering, and without any Lining, Apron, or Cushion, and with the Seat fixed or suspended by Slings or Braces, such Carriage not being in any Manner let or used by the Owner or Owners, or any other Person or Persons, for Hire or Profit, but kept as a Common Stage Cart, and used truly and without Fraud in the Affairs of Husbandry, or in the Carriage of Goods, or in the Carriage of Trade, although used occasionally for the Purpose of riding thereon, provided that every such Common Stage Cart shall have the Christian and Saracenic or Names, and Residence, Occupation, or Calling of the Owner or Owners, and also the Words "Common Stage Cart," painted thereon in the same Manner as is herein-before prescribed with respect to the Carriage and Exemption Number One.

No. 2.  
Exemption.

VII. And be it further enacted, That for and in respect of all Assessments to be made for any Year commencing from and after the Fifth Day of April One thousand eight hundred and thirty-three every Horse, Mare, Gelding, or Male, *donk* kept and used by Persons carrying on the Trade or Business of Market Gardeners, in the Cultivation of the Gardens or Lands in their respective Occupations, and in conveying the Produce thereof to or from Market (and whether solely and for such Purpose, or partly therein and partly in the Affairs of Husbandry by the same Persons), shall be deemed and taken to be Husbandry Horses, and shall and are hereby declared to be exempt from the Duty of Ten Shillings and Sixpence now payable, as if such Horses, Mares, Geldings, or Males were solely kept and used for the Purpose of Husbandry.

Exemption for Horses employed by Market Gardeners.

VIII. And be it further enacted, That from and after the Fifth Day of April One thousand eight hundred and thirty-three every Person being employed as a Shepherd, and making a Livelihood solely thereby, shall be exempt from the Duty now payable in respect of Dogs next herein-after described, (repealed.) for any Dog or Dogs, not being a Greyhound, Hound, Pointon, Setting Dog, Spaniel, Lurcher, or Terrier, which shall be *donk* kept and employed by such Shepherd solely in the Care of a Flock or Flocks of Sheep which such Shepherd shall tend, and in which he shall have a direct Interest, and not otherwise; provided that Returns shall be made and Exemption claimed for such Dogs as in other Cases under the Provisions of the said Acts in Force.

Exemption for Dogs which are employed by Shepherds in the Care of Flocks in which they have a direct Interest.

IX. And be it further enacted, That all and every the Rules, Provisions, and Regulations contained in any Act or Acts relating to the Duties of Assessed Taxes and Compositions for the same shall (except as herein varied) be executed by the several Commissioners, Assessors, Surveyors, and other Officers, and be applied and extended to the Provisions of this Act, and for claiming, ascertaining, and allowing the Exemptions hereby granted for and in respect of Assessments commencing from and after the Fifth Day of April One thousand eight hundred and thirty-three, to all Inlands and Purposes, as if the same Rules, Provisions, and Regulations were re-enacted by this Act.

Rules and Provisions of former Acts extended to this Act (except as herein varied.)

X. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in the present Session of Parliament.

An Act to be amended.



Removal of such poor Person, his Wife, Child or Children as aforesaid, within such County, Riding, City, Borough, Town Corporate, Division, or Liberty.

V. And be it further enacted, That in case the Churchwardens and Overseers of the Parish, Township, or Place maintaining its own Poor, or whose Complaint such Order of Removal shall be made as aforesaid, shall bring or send to the Clerk of the Peace or Town Clerk of the County, Riding, City, Borough, Town Corporate, Division, or Liberty in which such Parish, Township, or Place maintaining its own Poor shall be situate, such Order of Removal, accompanied with an Affidavit sworn before some Justice of the Peace of such County, Riding, City, Borough, Town Corporate, Division, or Liberty, (who is hereby authorized to administer the same,) of the Amount of the Expenses *bona fide* incurred and paid by such Churchwardens and Overseers on account of the Removal of such poor Person, his Wife, Child or Children as aforesaid, and also a Statement of the several Items comprised in such Amount, such Clerk of the Peace or Town Clerk is hereby required to lay the same before the Justices of the Peace assembled at the Quarter Sessions, or Adjournment thereof, held in and for such County, Riding, City, Borough, Town Corporate, Division, or Liberty, next after he shall have received the same; and the said Justices so assembled as aforesaid are hereby authorized and required to order the Amount thereof to be paid out of the County Rate raised and levied in such County, Riding, City, Borough, Town Corporate, Division, or Liberty, provided that as the Removal of such poor Person, his Wife, Child or Children as aforesaid, the Orders, Rules, Regulations, and Directions of the said Justices, made as herein-before mentioned, have been duly complied with.

VI. And be it further enacted, That all such Charges and Expenses as aforesaid, which shall be properly and reasonably made for the Purposes aforesaid out of any such Parish Rates within the City of London, shall by such Parish or extra-parochial Place maintaining its own Poor, or Parish next adjoining to such extra-parochial Place, be charged against the said City of London, and being audited and allowed by the Justices of the said City of London assembled at any Quarter Sessions or adjourned Sessions of the Peace in or for the said City of London, shall thereupon by the Chamberlains of the said City of London be repaid to the Overseers or Guardians of the Poor of the said Parish or extra-parochial Place maintaining its own Poor, or Parish next adjoining to such extra-parochial Place, for the Benefit thereof; for which Purpose a Rate or Assessment shall be made by the Order and under the Authority of such Justices of the said City of London, in the several Wards of the said City of London, at such Time or Times as such Justices shall think fit, in the same Manner and with the same Powers and Authorities as the Rates for the Relief of the Poor are made in the said Parishes and extra-parochial Places; and the Powers and Authorities contained in the several Acts of Parliament for making and collecting Rates for the Relief of the Poor shall be and the same are hereby extended to this Act.

VII. And be it further enacted, That in any City, Borough, Town Corporate, Division, or Liberty which does not contribute to the County Rate, or in which no County Rate shall be made, raised, or levied, the Charges and Expenses paid for the Purposes aforesaid by the Parish or Parishes within such City, Borough, Town Corporate, Division, or Liberty as aforesaid shall be allowed by the Justices of the Peace for such City, Borough, Town Corporate, Division, or Liberty as aforesaid, at any Quarter Sessions or adjourned Sessions of the Peace, and paid by the Order of such Justices to the Churchwardens or Overseers of the Poor of the Parish or Parishes within such City, Borough, Town Corporate, Division, or Liberty, for which Purpose a general Rate or Assessment shall be made by the Order and under the Authority of such Justices in the Parish or Parishes, if more than One, within such City, Borough, Town Corporate, Division, or Liberty, at such Time or Times as such Justices shall think fit, in the same Manner and with the same Powers and Authorities as the Rates for the Relief of the Poor are made in the Parish or Parishes of such City, Borough, Town Corporate, Division, or Liberty; and the Powers and Authorities contained in the several Acts of Parliament for making and collecting Rates for the Relief of the Poor shall be and the same are hereby extended to this Act for the making, raising, levying, and collecting the said Rate.

VIII. And be it further enacted, That this Act shall continue in force until the First Day of May One thousand eight hundred and thirty-six, and in the End of the then next Session of Parliament.

### SCHEDULE.

#### Form of Order of Removal.

To the Constable of the Parish of  
in the County of

Whereas Complaint hath been made by the Churchwardens and Overseers of the Poor of the  
[Parish, Township, or Place, as the Case may be] in the said County of \_\_\_\_\_ unto us,  
whose Names are hereunto set and Seal affixed, Two of His Majesty's Justices of the Peace acting in  
and for the said County (One being of the Quorum), that \_\_\_\_\_ a Person born in Scotland  
[or Ireland, or the Isle of Man or Scilly,] hath become and is now actually chargeable to the said  
[Parish, Township, or Place, as the Case may be]; And whereas upon Examination of the said  
taken upon Oath before us (which Examination is hereto annexed) it doth appear  
and we do adjudge, that the said \_\_\_\_\_ hath not gained a Settlement in England, and  
that he hath a Wife named \_\_\_\_\_ and \_\_\_\_\_ Children, viz. \_\_\_\_\_  
neither of which Children doth appear to be born in England, in witness whereof we have hereunto set our  
\_\_\_\_\_

Churchwardens, do to be repaid Expenses out of County Rate.

How Expenses to be defrayed of removing poor Persons within London.

How Expenses to be defrayed of when Parish is drawn in one City, do not contributing to County Rate.

Form of Act.

These are therefore to require you the said Constable of *\_\_\_\_\_* aforesaid, in the County of *\_\_\_\_\_* aforesaid, to convey the said *\_\_\_\_\_* his Wife and Family aforesaid, to Scotland for Ireland, or the Isle of Man or Scilly, in the Manner directed by the Justices of the said County of *\_\_\_\_\_* in presence of the Possessor of a certain Act made and passed in the Fourth Year of the Reign of King William the Fourth, intitled [see at the Title of this Act.]

Given under our Hand and Seal this *\_\_\_\_\_* Day of *\_\_\_\_\_* in the Year of our Lord One thousand eight hundred and thirty-

[Here copy the Regulations, et cetera, of the Justices of Sessions, or applicable to the Removal of the Party.]

#### Form of Examination.

} This Examination of *\_\_\_\_\_* taken on Oath before us, *\_\_\_\_\_*  
 is, that Two of His Majesty's Justices of the Peace sitting in and for the [County, Riding, City, Borough, Town Corporate, Division, or Liberty] aforesaid, this *\_\_\_\_\_* Day of *\_\_\_\_\_* in the Year of our Lord One thousand eight hundred and thirty-*\_\_\_\_\_* who on Oath saith, that according to the best of [his or her] Knowledge and Belief [he or she] was born in *\_\_\_\_\_* in that Part of the United Kingdom called Scotland, [or Ireland, or in the Isle of Man or Scilly,] which [he or she] left about *\_\_\_\_\_* Years ago, and hath done so Act whereby to gain a Settlement in that Part of the United Kingdom called England, and hath actually become and is now chargeable to the [Parish] of *\_\_\_\_\_* in the [County, Township, or other, or the same may be] of *\_\_\_\_\_* [and that he hath a Wife named *\_\_\_\_\_* and *\_\_\_\_\_* Children, neither of which Children have passed a Settlement in England].

Sworn the Day and Year first }  
 above written, before us, }

#### C A P. XLI.

An Act for the better Administration of Justice in His Majesty's Privy Council.

[14th August 1833.]

WHEREAS by virtue of an Act passed in a Session of Parliament of the Sixth and Third Years of the Reign of His present Majesty, intitled *An Act for transferring the Powers of the High Court of Delegates, both in Ecclesiastical and Maritime Causes, to His Majesty in Council*, it was enacted, that from and after the First Day of February One thousand eight hundred and thirty-three it should be lawful for every Person who might thereafter, by virtue either of an Act passed in the Twenty-fifth Year of the Reign of King Henry the Eighth, intitled *The Subordination of the Clergy and Restraint of Appeals*, or of an Act passed in the Eighth Year of the Reign of Queen Elizabeth, intitled *For the settling of certain Acts in Civil and Marine Causes*, have appeared or made suit to His Majesty in the High Court of Chancery, to appeal or make suit to the King's Majesty, His Heirs or Successors, in Council, within such Time, in such Manner, and subject to such Rules, Orders, and Regulations for the due and more convenient Proceeding, as should seem meet and necessary, and upon such Security, of any, as His Majesty, His Heirs and Successors, should from Time to Time by Order in Council direct: And whereas, by Letters Patent under the Great Seal of Great Britain, certain Persons, Members of His Majesty's Privy Council, together with others, being Judges and Barons of His Majesty's Courts of Record at Westminster, have been from Time to Time appointed to be His Majesty's Commissioners for receiving, hearing, and determining Appeals from His Majesty's Courts of Admiralty, in Causes of Prize: And whereas, from the Decline of various sorts of Judicature in the East Indies, and in the Plantations, Colonies, and other Possessions of His Majesty Abroad, an Appeal lies to His Majesty in Council: And whereas Matters of Appeal or Petition to His Majesty in Council have usually been heard before a Committee of the whole of His Majesty's Privy Council, who have made a Report to His Majesty in Council, whereupon the final Judgment or Determination hath been given by His Majesty: And whereas it is expedient to make certain Provisions for the more effectual hearing and reporting on Appeals to His Majesty in Council and on other Matters, and to give such Powers and Jurisdiction to His Majesty in Council as herein-after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the President for the Time being of His Majesty's Privy Council, and the Lord High Chancellor of Great Britain for the Time being, and such of the Members of His Majesty's Privy Council as shall from Time to Time hold any of the Offices following, that is to say, the Office of Lord Keeper or First Lord Commissioner of the Great Seal of Great Britain, Lord Chief Justice or Judge of the Court of King's Bench, Master of the Rolls, Vice Chancellor of England, Lord Chief Justice or Judge of the Court of Common Pleas, Lord Chief Justice or Baron of the Court of Exchequer, Judge of the Prerogative Court of the Lord Archbishop of Canterbury, Judge of the High Court of Admiralty, and Chief Judge of the Court in Bankruptcy, and also all Persons Members of His Majesty's Privy Council who shall have been President thereof or hold the Office of Lord Chancellor of Great Britain, or shall have held any of the other Offices herein-before mentioned, shall form a Committee of His Majesty's and Privy Council, and shall be styled in the Acts by the Commission of the King's Majesty in Council, and shall be

Certain Persons in this Act mentioned, to be styled in the Judicial Commission of the Privy Council.

be lawful for His Majesty from Time to Time, as and when He shall think fit, by His Sign Manual, to appoint any Two other Persons, being Privy Counsellors, to be Members of the said Committee.

II. And be it further enacted, That from and after the First Day of June One thousand eight hundred and thirty-three all Appeals or Applications in Prize Cases and in all other Suits or Proceedings in the Courts of Admiralty, or Vice Admiralty Courts, or any other Court in the Possessions in America and other His Majesty's Dominions or elsewhere Abroad, which may now, by virtue of any Law, Statute, Commission, or Warrant, be made to the High Court of Admiralty in England, or to the Lords Commissioners in Prize Cases, shall be made to His Majesty in Council, and not to the said High Court of Admiralty in England or to such Commissioners as aforesaid; and such Appeals shall be made in the same Manner and Form and within such Time wherein such Appeals might, if this Act had not been passed, have been made to the said High Court of Admiralty or to the Lords Commissioners in Prize Cases respectively; and that all Laws or Statutes now in force with respect to any such Appeals or Applications shall apply to any Appeals to be made in pursuance of this Act to His Majesty in Council.

III. And be it further enacted, That all Appeals or Complaints in the Nature of Appeals whatsoever, which, either by virtue of this Act, or of any Law, Statute, or Custom, may be brought before His Majesty or His Majesty in Council from or in respect of the Determination, Sentence, Rule, or Order of any Court, Judge, or Judicial Officer, and all such Appeals as are now pending and unheard, shall from and after the passing of this Act be referred by His Majesty to the said Judicial Committee of His Privy Council, and that such Appeals, Causes, and Matters shall be heard by the said Judicial Committee, and a Report or Recommendation thereon shall be made to His Majesty in Council for His Decision thereon as herebefore, in the same Manner and Form as has been heretofore the Custom with respect to Matters referred by His Majesty to the whole of His Privy Council or a Committee thereof (the Nature of such Report or Recommendation being always stated in open Court).

IV. And be it further enacted, That it shall be lawful for His Majesty to refer to the said Judicial Committee for Hearing or Consideration any such Matter whatsoever as His Majesty shall think fit, and such Committee shall thereupon hear or consider the same, and shall advise His Majesty thereon in manner aforesaid.

V. And be it further enacted, That no Matter shall be heard, nor shall any Order, Report, or Recommendation be made, by the said Judicial Committee, in pursuance of this Act, unless in the Presence of at least Four Members of the said Committee; and that no Report or Recommendation shall be made to His Majesty unless a Majority of the Members of such Judicial Committee present at the Hearing shall concur in such Report or Recommendation: Provided always, that nothing herein contained shall prevent His Majesty, if He shall think fit, from summoning any other of the Members of His said Privy Council to attend the Meetings of the said Committee.

VI. And be it further enacted, That in case His Majesty shall be pleased, by Directions under His Sign Manual, to require the Attendance at the said Committee for the Purpose of this Act of any Member or Members of the said Privy Council who shall be a Judge or Judges of the Court of King's Bench, or of the Court of Common Pleas, or of the Court of Exchequer, such Arrangements for despatching the Attendance of such Judge or Judges upon his or their ordinary Duties during the Time of such Attendance at the Privy Council as aforesaid shall be made by the Judges of the Court or Courts in which such Judge or Judges shall belong respectively in regard to the Business of the Court, and by the Judges of the said Three Courts, or by any Eight or more of such Judges, including the Chief of the several Courts, in regard to all other Duties, as may be necessary and consistent with the Public Service.

VII. And be it enacted, That it shall be lawful for the said Judicial Committee, in any Matter which shall be referred to such Committee, to examine Witnesses by Word of Mouth, (and either before or after Examination by Deposition,) or to direct that the Depositions of any Witness shall be taken in Writing by the Registrar of the said Privy Council, to be appointed by His Majesty as hereinafter mentioned, or by such other Person or Persons, and in such Manner, Order, and Course as His Majesty in Council or the said Judicial Committee shall appoint and direct; and that the said Registrar and such other Person or Persons so to be appointed shall have the same Powers as are now possessed by an Examiner of the High Court of Chancery or of any Court Ecclesiastical.

VIII. And be it enacted, That in any Matter which shall come before the said Judicial Committee it shall be lawful for the said Committee to direct that such Witnesses shall be examined or re-examined, and as to such Facts as to the said Committee shall seem fit, notwithstanding any such Witness may not have been examined, or no Evidence may have been given on any such Facts in a previous Stage of the Matter; and it shall also be lawful for His Majesty in Council, on the Recommendations of the said Committee, upon any Appeal, to remit the Matter which shall be the Subject of such Appeal to the Court from the Decision of which such Appeal shall have been made, and at the same Time to direct that such Court shall rehear such Matter, in such Form, and either generally or upon certain Points only, and upon such rehearing take such additional Evidence, though before rejected, or reject such Evidence before admitted, as His Majesty in Council shall direct; and further, on any such remitting or otherwise, it shall be lawful for His Majesty in Council to direct that One or more signed Issues or Issues shall be tried in any Court in any of His Majesty's Dominions Abroad, for any Purpose for which such Issue or Issues shall to His Majesty in Council seem proper.

Appeals from Vice Admiralty Courts Abroad, &c. to be made to the King in Council.

All Appeals from Sentences of any Judge, &c. to be referred by His Majesty to the Committee, to report thereon.

His Majesty may refer any of the Matters to the Committee.

No Matter to be heard unless in Presence of Four Members of the Committee.

In case the King directs the Attendance of any Judge, a Member of the Committee, Arrangements to be made by the several Judges of the Court.

Evidence may be taken viva voce, or upon written Depositions.

Committee may order any particular Witness to be examined, and as to any particular Facts, and may remit Causes for rehearing.

Witness to the  
examined on  
Oath, and to be  
able to Pledge  
swear for Per-  
jury.

Committee may  
direct an Issue  
to try any Part;

may, in certain  
Cases, direct  
Depositions to  
be read in the  
Trial of the  
Issue;

may make such  
Orders as to the  
Admission of  
Evidence as is  
made by the  
Court of Chan-  
cery;

and may direct  
new Trials of  
Issues.

Persons, &c. of  
19 G. 3. c. 25.  
and 17 G. 4. c. 23.  
with regard to  
Examinations of  
Witnesses ap-  
plied to the Ju-  
dicial Com-  
mission.

Calls to be in  
the Discretion  
of the Com-  
missioner.

Decrees to be  
enrolled.

Commissioner may  
refer Matters to  
Registrar in  
certain Matters as  
Matters are by  
Court of Chan-  
cery referred to a  
Master.

The King may  
appoint Reg-  
istrars.

Attendance of  
Witnesses, and  
Production of  
Papers, may  
be compelled  
by Process.

Time of  
appealing

XI. And he it enacted, That every Witness who shall be examined in pursuance of this Act shall give his or her Evidence upon Oath, or if a Quaker or Moravian upon solemn Affirmation, which Oath and Affirmation respectively shall be administered by the said Judicial Commissioner and Registrar, and by such other Persons or Persons as His Majesty in Council or the said Judicial Commissioner shall appoint; and that every such Witness who shall wilfully swear or affirm falsely shall be deemed guilty of Perjury, and shall be punished accordingly.

X. And he it enacted, That it shall be lawful for the said Judicial Commissioner to direct One or more Special Issues or Issues to be tried in any Court of Common Law, and either at Bar, before a Judge of Assize, or at the Settings for the Trial of Issues in Lawes or Chancery, and either by a Special or Common Jury, in like Manner and for the same Purpose as is now done by the High Court of Chan-  
cery.

XI. And he it enacted, That it shall be in the Discretion of the said Judicial Commissioner to direct that, so the Trial of any such Issues, the Depositions already taken of any Witness who shall have died, or who shall be incapable to give oral Testimony, shall be received in Evidence; and further, that such Deeds, Evidence, and Writings shall be produced, and that such Facts shall be admitted, as to the said Commissioner shall seem fit.

XII. And he it enacted, That it shall be lawful for the said Judicial Commissioner to make such and the like Orders respecting the Admission of Persons, whether Parties or others, to be examined as Witnesses upon the Trial of any such Issues as aforesaid, as the Lord High Chancellor or the Court of Chancery has been used to make respecting the Admission of Witnesses upon the Trial of Issues directed by the Lord Chancellor or the Court of Chancery.

XIII. And he it enacted, That it shall be lawful for the said Judicial Commissioner to direct One or more new Trials or new Trials of any Issues, either generally or upon certain Points only; and that in case any Witness examined at a former Trial of the same Issue shall have died, or have, through bodily or mental Disease or Infirmary, become incapable to repeat his Testimony, it shall be lawful for the said Commissioner to direct that such Evidence of the Testimony of such Witness shall be received.

XIV. And whereas by an Act passed in the Thirteenth Year of His late Majesty King George the Third, and intituled *an Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, or well in India or in Europe*, and by an Act passed in the First Year of the Reign of His present Majesty, and intituled *An Act to make the Courts of Law to order the Examinations of Witnesses upon Interrogatories and otherwise*, certain Powers are given to certain Courts therein mentioned to enforce, and Provisions are made for the Examination of Witnesses by Com-  
missioners, upon Interrogatories and otherwise; he it therefore further enacted, That all the Powers and Provisions contained in the Two last-mentioned Acts, or either of them, shall extend to and be exercised by the said Judicial Commissioner in all respects as if such Commissioner had been therein named as one of His Majesty's Courts of Law at Westminster.

XV. And he it enacted, That the Costs incurred in the Prosecution of any Appeal or Matter referred to the said Judicial Committee, and of such Issues as the same Committee shall under this Act direct, shall be paid by such Party or Parties, Person or Persons, and be taxed by the aforesaid Registrar, or such other Person or Persons, to be appointed by His Majesty in Council or the said Judicial Committee, and in such Manner as the said Committee shall direct.

XVI. And he it further enacted, That the Orders or Decrees of His Majesty in Council made in pursuance of any Recommendation of the said Judicial Committee, in any Matter of Appeal from the Judgment or Order of any Court or Judge, shall be enrolled, for safe Custody, in such Manner, and the same may be inspected and Copies thereof taken under such Regulations, as His Majesty in Council shall direct.

XVII. And he it further enacted, That it shall be lawful for the said Commissioner to refer any Matters to be examined and reported on to the aforesaid Registrar, or to such other Person or Persons as shall be appointed by His Majesty in Council or by the said Judicial Committee, in the same Manner and for the like Purpose as Masters are referred by the Court of Chancery to a Master of the said Court; and that for the Purpose of the Act the said Registrar and the said Person or Persons so to be appointed shall have the same Powers and Authorities as are now possessed by a Master in Chancery.

XVIII. And he it further enacted, That it shall be lawful for His Majesty, under His Sign Manual, to appoint any Person to be the Registrar of the said Privy Council, as regards the Purpose of this Act, and to direct what Duties shall be performed by the said Registrar.

XIX. And he it further enacted, That it shall be lawful for the President for the Time being of the said Privy Council to require the Attendance of any Witness, and the Production of any Deeds, Evidence, or Writings, by Writ to be issued by such President: as such and the same Force, or as nearly as may be, as that in which a Writ of Subpoena ad testificandum or of Subpoena duces tecum is now issued by His Majesty's Court of King's Bench or Westminster; and that every Person disobeying any such Writ so to be issued by the said President shall be considered as in Contempt of the said Judicial Committee, and shall also be liable to such and the same Penalties and Consequences as if such Writ had issued out of the said Court of King's Bench, and may be used for such Penalties by the said Court.

XX. And he it further enacted, That all Appeals to His Majesty in Council shall be made within such Times respectively within which the same may now be made, where such Times shall be fixed by Printed image deposited by the University of Southampton Library Digitisation Unit



any Law or Usage, and where no such Law or Usage shall exist, then within such Term as shall be ordered by His Majesty in Council; and that, subject to any Right subsisting under any Charter or Constitution of any Colony or Plantation, it shall be lawful for His Majesty in Council to alter any Usage as to the Time of making Appeals, and to make any Order respecting the Time of appealing to His Majesty in Council.

XXI. And be it further enacted, That the Order or Decree of His Majesty in Council on any Appeal, from the Order, Sentence, or Decree of any Court of Justice in the East Indies, or of any Colony, Plantation, or other His Majesty's Dominions Abroad, shall be carried into effect in such Manner, and subject to such Limitations and Conditions, as His Majesty in Council shall, on the Recommendation of the said Judicial Committee, direct; and it shall be lawful for His Majesty in Council, on such Recommendation, by Order, to direct that such Court of Justice shall carry the same into effect accordingly, and thereupon such Court of Justice shall have the same Powers of carrying into effect and enforcing such Order or Decree as are possessed by or are hereby given to His Majesty in Council: Provided always, that nothing in this Act contained shall suspend or abridge the Powers, Jurisdiction, or Authority of His Majesty's Privy Council as heretofore exercised by such Council, or in anywise alter the Constitution or Duties of the said Privy Council, except so far as the same are expressly altered by this Act, and for the Purposes aforesaid.

XXII. And whereas various Appeals to His Majesty in Council from the Courts of Sudder Dewanny Adawlat at the several Presidencies of Calcutta, Madras, and Bombay in the East Indies, have been admitted by the said Courts, and the Transcripts of the Proceedings in Appeal have been from Time to Time transmitted under the Seal of the said Courts, through the United Company of Merchants in England trading to the East Indies, to the Office of His Majesty's said Privy Council, but the Sisters in the Classes so appealed have not taken the necessary Measures to bring on the same to a Hearing; he it therefore further enacted by the Authority aforesaid, That it shall be lawful for His Majesty in Council to give such Directions to the said United Company and other Persons for the Purpose of bringing to a Hearing before the said Committee the several Cases appealed or heretofore to be appealed to His Majesty in Council from the several Courts of Sudder Dewanny Adawlat in the East Indies, and for appointing Agents and Counsel for the different Parties in such Appeals, and to make such Orders for Security and Payment of the Costs thereof, as His said Majesty in Council shall think fit; and thereupon such Appeals shall be heard and reported on to His Majesty in Council, and shall be by His Majesty in Council determined in the same Manner, and the Judgments, Orders, and Decrees of His Majesty in Council thereon shall be of the same Force and Effect, as if the same had been brought to a Hearing by the Direction of the Parties appealing in the usual Course of proceeding: Provided always, that such last-mentioned Powers shall not extend to any Appeals from the said Courts of Sudder Dewanny Adawlat other than Appeals in which no Proceedings have been or shall heretofore be taken in England on either Side for a Period of Two Years subsequent to the Admission of the Appeal by such Court of Sudder Dewanny Adawlat.

XXIII. And be it enacted, That in any Case where any Order shall have been made on any such Appeal as last aforesaid, the same shall have full Force and Effect notwithstanding the Death of any of the Parties interested therein; but that in all Cases where any such Appeal may have been withdrawn or discontinued, or any Compromise made in respect of the Matter in dispute, before the Hearing thereof, then the Determination of His Majesty in Council in respect of such Appeal shall have no Effect.

XXIV. And be it further enacted, That it shall be lawful for His Majesty in Council from Time to Time to make any such Rules, and Orders as may be thought fit for the regulating the Mode, Form, and Time of Appeal to be made from the Decisions of the said Courts of Sudder Dewanny Adawlat, or any other Courts of Judicature in India or elsewhere as the Eastward of the Cape of Good Hope (from the Decisions of which an Appeal lies to His Majesty in Council), and in like Manner from Time to Time to make such other Regulations for the preventing Delays in the making or hearing such Appeals, and as to the Expenses attending the said Appeals, and as to the Amount or Value of the Property in respect of which any such Appeal may be made.

XXV. And whereas by an Act of Parliament passed in the Fifty seventh Year of the Reign of His Majesty King George the Third, intitled *An Act to facilitate the hearing and determining of Suits in Equity in His Majesty's Court of Exchequer at Westminster*, it was enacted that the Lord Chief Baron of the said Court for the Time being should have Power to hear and determine all Causes, Matters, and Things which should be at any Time depending in the said Court of Exchequer as a Court of Equity, and that if the said Lord Chief Baron of the Court of Exchequer should by Sickness or any other unavoidable Cause be prevented from sitting on the Equity Side of the said Court for the Purpose in the said Act mentioned, then it should and might be lawful for His Majesty and His Successors to nominate and appoint from Time to Time by Warrant under the Royal Sign Manual, revocable at Pleasure, any One other of the Barons of the Degree of the Coat of the said Court for the Time being, to hear and determine the Causes, Matters, and Things in the said Act mentioned; And whereas by reason of the great Increase of Business on the Common Law or Plea Side of the said Court of Exchequer the Lord Chief Baron is prevented from giving so much Time as heretofore to the Sittings on the Equity Side of the said Court, and the Sittings on such Equity Side of the said Court being necessarily suspended during the Absence of the Lord Chief Baron, great Inconvenience is thereby

Orders for Courts Allowed to be carried into effect, with King's Council shall direct.

Act not to abridge Powers of Privy Council

His Majesty may direct the East India Company to bring on Appeals from the Sudder Dewanny Adawlat Courts to a Hearing.

Orders made on such Appeals to have effect notwithstanding Death of Parties, &c.

His Majesty empowered to make Orders for regulating the Mode, &c. of such Appeals.

His Majesty empowered to appoint One of the Barons of the Court of Exchequer to sit on Equity in the Absence of the Lord Chief Baron.

whereas the Lord Chief Baron may by this Act become liable to the Performance of other additional Duties unconnected with the said Court of Exchequer, and it is desirable that the said Court of Exchequer should sit as a Court of Equity without any unnecessary Interruption, for the Purpose of hearing and determining Causes, Matters, and Things depending in the said Court as a Court of Equity. And whereas Doubts have arisen whether or not the above-recited Act extends to Cases of the Lord Chief Baron being prevented from sitting by the Performance of Judicial Duties elsewhere: be it therefore declared and enacted, That it shall and may be lawful for His Majesty and His Successors to nominate and appoint from Time to Time by Warrant under the Royal Sign Manual, revocable or Pleasure, any One of the Barons of the Degree of the Chief of the said Court for the Time being to hear and determine (on such Days as the Lord Chief Baron of the said Court shall sit on the Common Law Side of the said Court during the Term, or shall preside at the Sittings at His Prizes in London or Middlesex after the Term, or shall attend at the Judicial Committee of His Majesty's Privy Council under the Provisions of this Act) all Causes, Matters, and Things which shall at any Time be depending in the said Court of Exchequer as a Court of Equity.

XXVI. And be it further enacted, That during the Absence of the Chief Judge in Bankruptcy from the Court of Review established by virtue of an Act passed in the First and Second Year of His present Majesty, intitled *An Act to establish a Court in Bankruptcy*, by reason of his Attendance at the said Judicial Committee by virtue of this Act, any Two Judges of the said Court shall and may form a Court of Review in Bankruptcy, and shall and may make, do and execute all Orders, Acts, Matters, Powers, and Things whatsoever which by virtue of the said Act the Judges of the said Court or any Three of them are authorized to make, do, or execute, and in all respects whatsoever as if Three of the said Judges were present, except that nothing herein contained shall authorize any Two Judges of the said Court to hear and determine any Matter brought under the Review of the said Court by way of Appeal from the Determination or Decision of any Commissioner or Subdivision Court appointed by virtue of the said Act.

XXVII. And be it further enacted, That all the Clauses and Provisions contained in the said Act of Parliament which relate to the Baron nominated and appointed under that Act shall apply and be extended to the Baron nominated and appointed under the Authority of this Act.

XXVIII. And be it enacted, That the said Judicial Committee shall have and enjoy in all respects such and the same Power of punishing Contempts and of compelling Appearances, and that His Majesty in Council shall have and enjoy in all respects such and the same Power of enforcing Judgments, Decrees, and Orders, as are now exercised by the High Court of Chancery or the Court of King's Bench, (and both in person and in rem,) or as are given to any Court Ecclesiastical by an Act of Parliament passed in a Session of Parliament of the Second and Third Years of the Reign of His present Majesty, intitled *An Act for enforcing the Process upon Contempts in the Courts Ecclesiastical of England and Ireland*; and that all such Powers as are given to Courts Ecclesiastical, of punishing Contempts or of compelling Appearances, shall be exercised by the said Judicial Committee, and if at enforcing Decrees and Orders shall be exercised by His Majesty in Council, in such and the same Manner as the Powers to and by such Act of Parliament given, and shall be of an equal Force and Effect as if the same had been thereby expressly given to the said Committee or to His Majesty in Council.

XXIX. And be it further enacted, That, subject to such Orders as His Majesty in Council shall from Time to Time make, it shall be lawful for the present Registrar of the High Court of Admiralty, if he shall so think fit, either in Person or by Deputy, to attend the Hearing by the said Judicial Committee of all Causes and Appeals which, but for this Act or the said intromitted Act, would have been heard by any Court or Commission which such Registrar was entitled to attend, in Person or by Deputy, by virtue of his Office of Registrar of the High Courts of Admiralty, Delegates, and Appeals for Prizes, and likewise, subject to any Order of His Majesty in Council, to transmit, perform, and do all Acts, Matters, and Things that shall be found necessary, or have heretofore been done by the said Registrar or his Deputies in respect of such Causes and Appeals.

XXX. And be it enacted, That Two Members of His Majesty's Privy Council who shall have held the Office of Judges in the *Exchequer* or any of His Majesty's Departments beyond the Seas, and who, being appointed for that Purpose by His Majesty, shall attend the Sittings of the Judicial Committee of the Privy Council, shall severally be entitled to receive, over and above any Allowance granted to them in respect of having held such Office as aforesaid, the Sum of Four hundred Pounds for every Year during which they shall so attend as aforesaid, as an Indemnity for the Expence which they may thereby bear; and such Sum of Four hundred Pounds shall be chargeable upon and paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

XXXI. Provided always, and be it enacted, That nothing herein contained shall be held to impeach or render void any Treaty or Engagement already entered into by or on behalf of His Majesty, or be taken to restrain His Majesty from acceding to any Treaty, with any Foreign Prince, Potentate, or Power, in which Treaty it shall be stipulated that any Person or Persons other than the said Judicial Committee shall bear and finally adjudicate Appeals from His Majesty's Courts of Admiralty in Causes of Prize, but that the Judgments, Decrees, and Orders of such other Person or Persons so appointed by Treaty shall be of the same Force and Effect of which they would respectively have been if this Act had not been passed.

Two Judges of the Court of Bankruptcy to sit on the Chief Judge of the Court of Review during his Absence at the said Judicial Committee.

Power of Act 50th extended to this Act.

Power of enforcing Decrees.

1833W 4. c.25.

Registrar of Courts of Admiralty may attend the said Judicial Committee.

British Judges attending the Judicial Committee to receive an Allowance.

Nothing here in shall prevent the King's acceding to Treaties depending on the Prizes in War Prize Appeals.

C A P. XLII.

An Act for the further Amendment of the Law, and the better Advancement of Justice.

[14th August 1833.]

WHEREAS it would greatly contribute to the diminishing of Expence in Suits in the Superior Courts of Common Law at Westminster if the Pleadings therein were in some respects altered, and the Questions to be tried by the Jury left less at large than they now are according to the Course and Usages of pleading in several Parts of Actions; but this cannot be conveniently done otherwise than by Rules or Orders of the Judges of the said Courts from Time to Time to be made, and Doubts may arise as to the Power of the said Judges to make such Alterations without the Authority of Parliament: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Judges of the said Superior Courts, or any Eight or more of them, of whom the Chief of each of the said Courts shall be Three, shall and may, by any Rule or Order to be from Time to Time by them made, in Term or Vacation, at any Time within Five Years from the Time when this Act shall take effect, make such Alterations in the Mode of pleading in the said Courts, and in the Mode of entering and answering Pleadings, Judgments, and other Proceedings in Actions at Law, and such Regulations as to the Payment of Costs, and otherwise for carrying into effect the said Alterations, as to them may seem expedient; and all such Rules, Orders, or Regulations shall be laid before both Houses of Parliament, if Parliament be then sitting, immediately upon the making of the same, or if Parliament be not sitting, then within Five Days after the next Meeting thereof, and no such Rule, Order, or Regulation shall have Effect until Six Weeks after the same shall have been so laid before both Houses of Parliament, and any Rule or Order so made shall, from and after such Time aforesaid, be binding and obligatory on the said Courts, and all other Courts of Common Law, and on all Courts of Error into which the Judgments of the said Courts or any of them shall be carried by any Writ of Error, and be of the like Force and Effect as if the Provisions contained therein had been expressly enacted by Parliament: Provided always, that no such Rule or Order shall have the Effect of depriving any Person of the Power of pleading the General Issue, and giving the special Matter in Evidence, in any Case wherein he is now or hereafter shall be entitled to do so by virtue of any Act of Parliament now or hereafter to be in force.

II. And whereas there is no Remedy provided by Law for Injuries to the Real Estate of any Person deceased, committed in his Lifetime, nor for certain Wrongs done by a Person deceased in his Lifetime to another in respect of his Property, Real or Personal: for Remedy thereof be it enacted, That an Action of Trespass, or Trespass on the Case, on the Case may be, may be maintained by the Executors or Administrators of any Person deceased for any Injury to the Real Estate of such Person, committed in his Lifetime, for which an Action might have been maintained by such Person, so as such Injury shall have been committed within Six Calendar Months before the Death of such deceased Person, and provided such Action shall be brought within One Year after the Death of such Person; and the Damages, when recovered, shall be Part of the Personal Estate of such Person: and further, that an Action of Trespass, or Trespass on the Case, as the Case may be, may be maintained against the Executors or Administrators of any Person deceased for any Wrong committed by him in his Lifetime to another in respect of his Property, Real or Personal, so as such Injury shall have been committed within Six Calendar Months before such Person's Death, and so as such Action shall be brought within Six Calendar Months after such Executors or Administrators shall have taken upon themselves the Administration of the Estate and Effects of such Person; and the Damages to be recovered in such Action shall be payable in like Order of Administration as the Simple Contract Debts of such Person.

III. And be it further enacted, That all Actions of Debt for Rent upon an Indenture of Demise, all Actions of Covenant or Debt upon any Bond or other Specialty, and all Actions of Debt or Scire facias upon any Recognizance, and also all Actions of Debt upon any Award where the Submission is not by Specialty, or for any Fine due in respect of any Copyhold Estate, or for an Escuage, or for Money lent on any Heri facias, and all Actions for Possibilities, Damages, or Sums of Money given to the Party grieved, by any Statute now or hereafter to be in Force, that shall be used or brought at any Time after the End of the present Session of Parliament, shall be commenced and used within the Time and Limitation hereafter expressed, and not after; that is to say, the said Actions of Debt for Rent upon an Indenture of Demise, or Covenant or Debt upon any Bond or other Specialty, Actions of Debt or Scire facias upon Recognizance, within Ten Years after the End of this present Session, or within Twenty Years after the Cause of such Actions or Suits, but not after; the said Actions by the Party grieved, One Year after the End of this present Session, or within Two Years after the Cause of such Actions or Suits, but not after; and the said other Actions within Three Years after the End of this present Session, or within Six Years after the Cause of such Actions or Suits, but not after; provided that nothing herein contained shall extend to any Action given by any Statute where the Time for bringing such Action is or shall be by any Statute specially limited.

IV. And be it further enacted, That if any Person or Persons that is or are or shall be entitled to any such Action or Suit, or to such Scire facias, is or are or shall be, at the Time of any such Cause of Action accrued, within the Age of Twenty-one Years, Pimpe Covert, Non compos mentis, or beyond the Seas, that such Person or Persons shall be liable to be appointed a Guardian of the Person and

Judges to have Power to make Alterations in the Mode of pleading in the Superior Courts, &c.

Not to deprive any Person of the Power of pleading the General Issue

Executors may bring Actions for Injuries to the Real Estate of the Deceased.

and Actions may be brought against Executors for any Injury to Property, Real or Personal, by their Testator

Limitation of Action of Debt on Specialties, &c.

Act of 1703, s. 4

Remedy to be taken, Pimpe Covert, &c.

*Act of 1833, s. 12*

Abatement of Debts beyond Seas provided for.

Provision in case of Acknowledgment in Writing, or by Part Payment.

The Limitation after Judgment or Order if reversed.

Writs shall not be allowed beyond the Seas within the Meaning of this Act.

Restriction as to Plea in Abatement for Non-Judgment of a Co-Defendant.

Reply of Plaintiff to the said Plea.

Provision in the Case of subsequent Proceedings against the Person named in a Plea in Abatement.

Manner not to be pleaded in Abatement.

Initials of Names not to be used as Signs.

Wager of Law. Simple Contract Debt.

mean the same within such Times after their coming to or being of full Age, Discretion, of sound Memory, or returned from beyond the Seas, as other Persons having no such Inconvenience should, according to the Provisions of this Act, have done; and that if any Person or Persons against whom there shall be any such Cause of Action is or are or shall be, at the Time such Cause of Action accrued, beyond the Seas, then the Person or Persons entitled to any such Cause of Action shall be at Liberty to bring the same against such Person or Persons within such Times as are before limited after the Return of such Person or Persons from beyond the Seas.

V. Provided always, That if any Acknowledgment shall have been made, either by Writing signed by the Party liable by virtue of such Indenture, Specialty, or Recognizance, or his Agent, or by Part Payment or Part Satisfaction on account of any Principal or Interest being then due thereon, it shall and may be lawful for the Person or Persons entitled to such Action to bring his or their Action for the Money remaining unpaid and so acknowledged to be due within Twenty Years after such Acknowledgment by Writing or Part Payment or Part Satisfaction as aforesaid, or in case the Person or Persons entitled to such Action shall at the Time of such Acknowledgment be under such Disability as aforesaid, or the Party making such Acknowledgment be, at the Time of making the same, beyond the Seas, then within Twenty Years after such Disability shall have ceased as aforesaid, or the Party shall have returned from beyond Seas, as the Case may be; and the Plaintiff or Plaintiffs in any such Action, on any Indenture, Specialty, or Recognizance, may, by way of Replication, state such Acknowledgment, and that such Action was brought within the Time aforesaid, in case or to a Plea of this Statute.

VI. And everwholen be it enacted, If in any of the said Actions Judgment be given for the Plaintiff, and the same be reversed by Error, or a Verdict given for the Plaintiff, and upon Matter alleged in Arrest of Judgment the Judgment be given against the Plaintiff, that he take nothing by his Plea, Writ, or Bill, or if in any of the said Actions the Defendant shall be outlawed, and shall after receive the Outlawry, that in all such Cases the Party Plaintiff, his Executors or Administrators, as the Case shall require, may commence a new Action or Suit from Time to Time within a Year after such Judgment reversed, or such Judgment given against the Plaintiff, or Outlawry returned, and not after.

VII. And be it further enacted, That no Part of the United Kingdom of Great Britain and Ireland, nor the Islands of Man, Guernsey, Jersey, Alderney, and Sark, nor any Islands adjacent to any of them, being Part of the Dominions of His Majesty, shall be deemed to be beyond the Seas within the Meaning of this Act, or of the Act passed in the Twenty-first Year of the Reign of King James the First, intituled *An Act for Limitation of Actions, and for avoiding of Statute in Law*.

VIII. And be it further enacted, That no Plea in Abatement for the Nonjoinder of any Person as a Co-defendant shall be allowed in any Court of Common Law unless it shall be stated in such Plea that such Person is resident within the Jurisdiction of the Court, and within the Place of Residence of such Person shall be stated with consistent Certainty in an Affidavit verifying such Plea.

IX. And be it further enacted, That in any Plea in Abatement in any Court of Law of the Nonjoinder of another Person, the Plaintiff may reply that such Person has been discharged by Bankruptcy and Certificate, or under an Act for the Relief of Insolvent Debtors.

X. And be it further enacted, That in all Cases in which after such Plea in Abatement the Plaintiff shall, without having proceeded to Trial upon an issue thereon, commence another Action against the Defendant or Defendants in the Action in which such Plea in Abatement shall have been pleaded, and the Person or Persons named in such Plea in Abatement as joint Contractors, if it shall appear by the Pleadings in such subsequent Action, or on the Evidence at the Trial thereof, that all the original Defendants are liable, but that One or more of the Persons named in such Plea in Abatement or any subsequent Plea in Abatement are not liable as a contracting Party or Parties, the Plaintiff shall nevertheless be entitled to Judgment, or to a Verdict and Judgment, as the Case may be, against the other Defendant or Defendants who shall appear to be liable; and every Defendant who is not so liable shall have Judgment, and shall be entitled to his Costs as against the Plaintiff, who shall be allowed the same as Costs in the Cause against the Defendant or Defendants who shall have so pleaded in Abatement the Nonjoinder of such Person; provided that any such Defendant who shall have so pleaded in Abatement shall be at Liberty on the Trial to adduce Evidence of the Liability of the Defendants named by him in such Plea in Abatement.

XI. And be it further enacted, That no Plea in Abatement for a Misnomer shall be allowed in any Personal Action, but that in all Cases in which a Misnomer would but for this Act have been by Law pleadable in Abatement in such Actions, the Defendant shall be at Liberty to cause the Declaration to be amended at the Costs of the Plaintiff, by inserting the right Name, upon a Judge's Summons founded on an Affidavit of the right Name, and in case such Summons shall be discharged, the Costs of such Application shall be paid by the Party applying, if the Judge shall think fit.

XII. And be it further enacted, That in all Actions upon Bills of Exchange or Promissory Notes, or other written Instruments, any of the Parties to which are designated by the initial Letter or Letters or some Contrivance of the Christian or first Name or Names, it shall be sufficient in every Affidavit to hold to Bail, and in the Process or Declaration to designate such Persons by the same initial Letter or Letters or Contrivance of the Christian or first Name or Names, instead of stating the Christian or first Name or Names in full.

XIII. And be it further enacted, That no Wager of Law shall be hereafter allowed.

XIV. And be it further enacted, That an Action of Debt on Simple Contract shall be maintainable in any Court of Common Law against any Person or Persons who shall be liable to pay the same.

XV. And whereas it is expedient to lessen the Expence of the Proof of written or printed Documents, or Copies thereof, on the Trial of Causes; be it further enacted, That it shall and may be lawful for the said Judges, or any such Eight or more of them as aforesaid, at any Time within Four Years after this Act shall take effect, to make Regulations by general Rules or Orders, from Time to Time, in Term or in Vacation, touching the voluntary Admission, upon an Application for that Purpose at a reasonable Time before the Trial, of one Party to the other of all such written or printed Documents or Copies of Documents as are intended to be offered in Evidence on the said Trial by the Party requiring such Admission, and touching the Inspection thereof before such Admission is made, and touching the Costs which may be incurred by the Proof of such Documents or Copies on the Trial of the Cause in case of the offering to apply for such Admission, or of the not producing of such Document or Copies for the Purpose of obtaining Admission thereof, or of the Refusal to make such Admission, as the Case may be, and as to the said Judges shall seem meet; and all such Rules and Orders shall be binding and obligatory in all Courts of Common Law, and of the like Force as if the Provisions therein contained had been expressly enacted by Parliament.

XVI. And whereas it would also lessen the Expence of Trials and prevent Delay if such Writs of Inquiry as hereto after mentioned were executed, and such Issues, as hereto after mentioned were tried, before the Sheriff of the County where the Venue is laid; be it therefore enacted, That all Writs issued under and by virtue of the Statute passed in the Session of Parliament hold in the Eighth and Ninth Years of the Reign of King William the Third, intituled *An Act for the better preventing frauds and evasions Saith*, shall, unless the Court where such Action is pending, or a Judge of one of the said Superior Courts, shall otherwise order, direct the Sheriff of the County where the Action shall be brought to summon a Jury to appear before such Sheriff, instead of the Justices or Justice of Assize or Nisi Prius of that County, to inquire of the Truth of the Breaches suggested, and among the Damages that the Plaintiff shall have sustained thereby, and shall command the said Sheriff to make Return thereof to the Court from whence the same shall issue at a Day certain, in Term or in Vacation, in each Writ to be mentioned; and such Proceedings shall be had after the Return of such Writ as are in the said Statute in that behalf mentioned, in like Manner as if such Writ had been executed before a Justice of Assize or Nisi Prius.

XVII. And be it further enacted, That in any Action depending in any of the said Superior Courts for any Debt or Demand in which the Sum sought to be recovered, and endorsed on the Writ of Summons, shall not exceed Twenty Pounds, it shall be lawful for the Court in which such Suit shall be depending, or any Judge of any of the said Courts, if such Court or Judge shall be satisfied that the Trial will not involve any difficult Question of Fact or Law, and such Court or Judge shall think fit so to do, to order and direct that the Issue or Issues joined shall be tried before the Sheriff of the County where the Action is brought, or any Judge of any Court of Record for the Recovery of Debt in such County, and for that Purpose a Writ shall issue directed to such Sheriff, commanding him to try such Issue or Issues, by a Jury to be summoned by him, and to return such Writ with the Finding of the Jury thereon indorsed, at a Day certain, in Term or in Vacation, to be named in such Writ; and thereupon such Sheriff or Judge shall summon a Jury, and shall proceed to try such Issue or Issues.

XVIII. And be it further enacted, That at the Return of any such Writ of Inquiry, or Writ for the Trial of such Issue or Issues as aforesaid, Costs shall be taxed, Judgment signed, and Execution issued forthwith, unless the Sheriff or his Deputy before whom such Writ of Inquiry may be executed, or such Sheriff, Deputy, or Judge before whom such Trial shall be had shall certify under his Hand upon such Writ that Judgment ought not to be signed until the Defendant shall have had an Opportunity to apply to the Court for a new Inquiry or Trial, or a Judge of any of the said Courts shall think fit to order that Judgment or Execution shall be stayed till a Day to be named in such Order; and the Verdict of such Jury on the Trial of such Issue or Issues shall be as valid and of the like Force as a Verdict of a Jury at Nisi Prius; and the Sheriff or his Deputy, or Judge, presiding at the Trial of such Issue or Issues, shall have the like Powers with respect to Assessment on such Trial as are heretofore given to Judges at Nisi Prius.

XIX. Provided also, That all and every the Provisions contained in the Statute made and passed in the First Year of the Reign of His present Majesty, intituled *An Act for the more speedy Judgment and Execution in Actions brought in His Majesty's Courts of Law at Westminster, and in the Court of Common Pleas of the County Palatine of Lancaster, and for extending the Law as to Judgment in a Copyhold collocation in Court of Bankruptcy*, shall, so far as the same are applicable thereto, be extended and applied to Judgments and Executions upon such Writs of Inquiry and Writs for the Trials of Issues, in like Manner as if the same were expressly re-enacted herein.

XX. And be it further enacted, That from and after the First Day of June One thousand eight hundred and thirty-three the Sheriff of each County in England and Wales shall severally name a sufficient Deputy, who shall be resident or have an Office within One Mile from the Inner Temple Hall, for the Receipt of Writs granting Warrantias thereon, making Returns thereon, and accepting of all Rules and Orders to be made on or touching the Execution of any Process or Writ to be directed to such Sheriff.

XXI. And be it further enacted, That it shall be lawful for the Defendant in all Personal Actions, (except Actions for Assault and Battery, Edge Imprisonment, Libel, Slander, malicious Arrest or Detention, Criminal Conversation or detaching of the Plaintiff's Daughters or Servants,) by Leave of any of the said Superior Courts where such Action is pending, or a Judge of any of the said Superior Courts in which such Action is pending, to cause the Defendant to be allowed in any Sherry and Court in which Actions be allowed by Judge's Order.

Power to the Judges to make Regulations to the Admission of written Documents

Writs of Inquiry under the Statute 3 & 4 Will. 3. c. 11, to be executed before the Sheriff, unless otherwise ordered

Power to direct Issues joined in certain Actions to be tried before the Sheriff or any Judge.

Upon the Return of a Writ of Inquiry or a Trial of Issues, Judgment to be signed, unless &c.

Process of Sheriff as to such Issues.

Provisions of 1 W. 1. c. 2, to extend to writs of writ Inquiry and Issues.

Sheriff to name Deputy to be resident in London.

Defendant to be allowed in any Sherry and Court in which Actions be allowed by Judge's Order.

Courts, to pay into Court a Sum of Money by way of Compensation or Amends, in such Manner and under such Regulations as to the Payment of Costs and the Form of Pleading as the said Judges, or such Eight or more of them as aforesaid, shall, by any Rules or Orders by them to be from Time to Time made, order and direct.

Power to direct local Actions to be tried in any County.

XXII. And whereas unnecessary Delay and Expence is sometimes occasioned by the Trial of local Actions in the County where the Cause of Action has arisen; be it therefore enacted, That in any Action depending in any of the said Superior Courts, the Verdict as to which is by Law local, the Court in which such Action shall be depending, or any Judge of any of the said Courts, may, on the Application of either Party, order the Issue to be tried, or Writ of Inquiry to be executed, in any other County or Place than that in which the Verdict is laid; and for that Purpose any such Court or Judge may order a Suggestion to be entered on the Record, that the Trial may be more conveniently had, or Writ of Inquiry executed, in the County or Place where the same is ordered to take place.

Allowing Amendments to be made on the Record in certain Cases.

XXIII. And whereas great Expence is often incurred, and Delay or Failure of Justice takes place, at Trials, by reason of Variance as to some Particular or Particulars between the Proof and the Record or setting forth, on the Record or Document on which the Trial is had, of Contracts, Customs, Prescriptions, Names, and other Matters or Circumstances not material to the Merits of the Case, and by the Mis-statement of which the opposite Party cannot have been prejudiced, and the same cannot in any Case be amended at the Trial, except where the Variance is between any Matter in Writing or in Print produced in Evidence and the Record: And whereas it is expedient to allow such Amendments as hereinafter mentioned to be made on the Trial of the Cause; be it therefore enacted, That it shall be lawful for any Court or Judge, holding Pleas in Civil Actions, and any Judge sitting at Nisi Prius, if such Court or Judge shall see fit so to do, to cause the Record, Writ, or Document on which any Trial may be pending before any such Court or Judge, in any Civil Action, or in any Information in the Nature of a Quo warranto, or Proceedings on a Mandamus, when any Variance shall appear between the Proof and the Record or setting forth, on the Record, Writ, or Document on which the Trial is proceeding, of any Contract, Custom, Prescription, Name, or other Matter, in any Particular or Particulars in the Judgment of such Court or Judge not material to the Merits of the Case, and by which the opposite Party cannot have been prejudiced in the Conduct of his Action, Prosecution, or Defence, to be forthwith amended by some Officer of the Court or otherwise, both in the Part of the Pleadings where such Variance occurs, and in every other Part of the Pleadings which it may become necessary to amend, on such Terms as to Payment of Costs to the other Party, or postponing the Trial to be had before the same or another Jury, or both Payment of Costs and Postponement, as such Court or Judge shall think reasonable; and in case such Variance shall be in some Particular or Particulars in the Judgment of such Court or Judge not material to the Merits of the Case, but such as that the opposite Party may have been prejudiced thereby in the Conduct of his Action, Prosecution, or Defence, then such Court or Judge shall have Power to cause the same to be amended upon Payment of Costs to the other Party, and withdrawing the Record or postponing the Trial as aforesaid, or such Court or Judge shall think reasonable; and after any such Amendment the Trial shall proceed, in case the same shall be proceeded with, or the same Matter in all respects, both with respect to the Liability of Witnesses to be indicted for Perjury, and otherwise, as if no such Variance had appeared; and in case such Trial shall be had at Nisi Prius or by writ of such Writ as aforesaid, the Order for the Amendment shall be entered on the Process or the Writ, as the Case may be, and returned together with the Record or Writ, and thereupon such Papers, Rolls, and other Records of the Court from which such Record or Writ issued, as it may be necessary to amend, shall be amended accordingly; and in case the Trial shall be had in any Court of Record, then the Order for Amendment shall be entered on the Roll or other Document upon which the Trial shall be had; provided that it shall be lawful for any Party who is dissatisfied with the Decision of such Judge at Nisi Prius, Sheriff, or other Officer, respecting his Allowance of any such Amendment, to apply to the Court from which such Record or Writ issued for a new Trial upon that Ground, and in case any such Court shall think such Amendment improper, a new Trial shall be granted accordingly, on such Terms as the Court shall think fit, or the Court shall make such other Order as to them may seem meet.

Power for the Court or Judge to direct the Issue to be tried specially.

XXIV. And be it further enacted, That the said Court or Judge shall and may, if they or he think fit, in all such Cases of Variance, instead of causing the Record or Document to be amended as aforesaid, direct the Jury to find the Facts or Facts according to the Evidence, and thereupon such Finding shall be stated on such Record or Document, and notwithstanding the Finding on the Issue joined, the said Court or the Court from which the Record has issued shall, if they shall think the said Variance immaterial to the Merits of the Case, and the Mis-statement such as could not have prejudiced the opposite Party in the Conduct of the Action or Defence, give Judgment according to the very Right and Justice of the Case.

Power to make a special Case without proceeding to Trial.

XXV. And be it further enacted, That it shall be lawful for the Parties in any Action or Information, after Issue joined, by Consent and by Order of any of the Judges of the said Superior Courts, to state the Facts of the Case, in the Form of a special Case, for the Opinion of the Court, and to agree that a Judgment shall be entered for the Plaintiff or Defendant, by Confession or of Nolle prosequi, immediately after the Decision of the Case, or otherwise as the Court may think fit; and Judgment shall be entered accordingly.

Witnesses introduced solely on account of the P

XXVI. And in order to render the Rejection of Witnesses on the Ground of Interest less frequent, be it further enacted, That if any Witness shall be objected to as incompetent on the Ground that the Verdict

fact or Judgment in the Action on which it shall be proposed to examine him would be admissible in Evidence for or against him, such Witness shall nevertheless be examined, but in that Case a Verdict or Judgment in that Action in favour of the Party on whose Behalf he shall have been examined shall not be admissible in Evidence for him or any one claiming under him, nor shall a Verdict or Judgment against the Party on whose Behalf he shall have been examined be admissible in Evidence against him or any one claiming under him.

Verdict to be admissible

XXVII. And be it further enacted, That the Name of every Witness objected to as incompetent on the Ground that such Verdict or Judgment would be admissible in Evidence for or against him shall at the Trial be indorsed on the Record or Document on which the Trial shall be had, together with the Name of the Party on whose Behalf he was examined, by some Officer of the Court, at the Request of either Party, and shall be afterwards entered on the Record of the Judgment; and such Indorsement or Entry shall be sufficient Evidence that such Witness was examined in any subsequent Proceeding in which the Verdict or Judgment shall be offered in Evidence.

Witness to indorse the Name of the Witness on the Record.

XXVIII. And be it further enacted, That upon all Debts or Sums certain, payable at a certain Time or otherwise, the Jury on the Trial of any Issue, or on any Inquisition of Damages, may, if they shall think fit, allow Interest to the Creditor at a Rate not exceeding the current Rate of Interest from the Time when such Debts or Sums certain were payable, if such Debts or Sums be payable by virtue of some written Instrument at a certain Time, or if payable otherwise, then from the Time when Demand of Payment shall have been made in Writing, so as such Demand shall give Notice to the Debtor that Interest will be claimed from the Date of such Demand until the Time of Payment; provided that Interest shall be payable in all Cases in which it is now payable by Law.

Jury empowered to allow Interest upon Debts

XXIX. And be it further enacted, That the Jury on the Trial of any Issue, or on any Inquisition of Damages, may, if they shall think fit, give Damages in the Nature of Interest, over and above the Value of the Goods at the Time of the Conversion or Seizure, in all Actions of Tresspass or Trespass de bonis antiquariis, and over and above the Money recoverable in all Actions on Policies of Assurance made after the passing of this Act.

In certain Actions the Jury may give Damages in the Nature of Interest

XXX. And be it further enacted, That if any Person shall sue out any Writ of Error upon any Judgment whatsoever given in any Court in any Action personal, and the Court of Error shall give Judgment for the Defendant thereon, then Interest shall be allowed by the Court of Error for such Time as Execution has been delayed by such Writ of Error, for the delaying thereof.

Interest on Writs of Error for the Delay of Execution.

XXXI. And be it further enacted, That in every Action brought by any Executor or Administrator on right of the Testator or Decedent, such Executor or Administrator shall, unless the Court in which such Action is brought, or a Judge of any of the said Superior Courts, shall otherwise order, be liable to pay Costs to the Defendant in case of being nonsuited or a Verdict passing against the Plaintiff, and in all other Cases in which he would be liable if such Plaintiff were suing in his own Right upon a Cause of Action accruing to himself, and the Defendant shall have Judgment for such Costs, and they shall be recovered in like Manner.

Executors and Administrators in right of the Testator to pay Costs.

XXXII. And be it further enacted, That where several Persons shall be made Defendants in any Personal Action, and any One or more of them shall have a Nolle prosequi entered as to him or them, or upon the Trial of such Action shall have a Verdict pass for him or them, every such Person shall have Judgment for and recover his reasonable Costs, unless, in the Case of a Trial, the Judge before whom such Cause shall be tried shall certify upon the Record, under his Hand, that there was a reasonable Cause for making such Person a Defendant in such Action.

Defendants having a Nolle prosequi or a Verdict in any Action shall have Costs.

XXXIII. And be it further enacted, That where any Nolle prosequi shall have been entered upon any Cause, or as to Part of any Declaration, the Defendant shall be entitled to, and have Judgment for, and recover his reasonable Costs in that Behalf.

Where Nolle prosequitur entered upon any Cause, &c.

XXXIV. And be it further enacted, That in all Writs of Scire facias the Plaintiff obtaining Judgment on an Award of Execution shall recover his Costs of Suit upon a Judgment by Default as well as upon a Judgment after Plea pleaded or Demurrer joined, and that where Judgment shall be given either for or against a Plaintiff or Defendant, or for or against a Defendant or Tenant, upon any Demurrer joined in any Action whatever, the Party on whose Favour such Judgment shall be given shall also have Judgment to recover his Costs in that Behalf.

Plaintiff on Scire facias, and Plaintiff or Defendant on Demurrer, to have Costs.

XXXV. And whereas it is provided in and by a Statute passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act for consolidating and amending the Laws relative to Juries and Jurors*, that the Person or Party who shall apply for a Special Jury shall pay the Fees for striking such Jury, and all the Expenses occasioned by the Trial of the Cause by the same, and shall not have any further or other Allowance for the same, upon Taxation of Costs, than such Person or Party would be entitled unto in case the Cause had been tried by a common Jury, unless the Judge before whom the Cause is tried shall, immediately after the Verdict, certify under his Hand, upon the Back of the Record, that the same was a Cause proper to be tried by a Special Jury: And whereas the said Provision does not apply to Cases in which the Plaintiff has been nonsuited, and it is expedient that the Judge should have such Power of certifying as well when a Plaintiff is nonsuited as when he has a Verdict against him: be it therefore enacted, That the said Provision of the said last-mentioned Act of Parliament, and every thing therein contained, shall apply to Cases in which the Plaintiff shall be nonsuited as well as to Cases in which a Verdict shall pass against him.

Costs of Special Juries in case of a Plaintiff.

XXXVI. And whereas it would tend to the better Dispatch of Business, and would be more agreeable, and better adapted to the Justice and Equity thereof, to give Allowance of Costs to the Officers

Power to make Regulations in the Officers

of each Court as  
Witnesses  
taking Oath.

Officers on the Plea Side of the Courts of King's Bench and Exchequer, and the Officers of the Court of Common Pleas at Westminster, who now perform the Duties of taking Oaths, were to be empowered to take Oaths which have arisen or may arise in each of the said Courts indiscriminately: he it therefore enacted, That it shall be lawful for the Judges of the said Courts, or such Right or more of them as aforesaid, by any Rule or Order to be from Time to Time made, in Term or Vacation, to make such Regulations for the Taking of Oaths by any of the said Officers of the said Courts indiscriminately as to them may seem expedient, although such Oaths may not have arisen in respect of Business done in the Court to which such Officer belongs, and to appoint some convenient Place in which the Business of Taking shall be transacted for all the said Courts, and to alter the same when and as it may seem to them expedient:

Executors of  
Lessor may file  
plea for Arrears  
to his Life-time.

XXXVII. And he it further enacted, That it shall be lawful for the Executors or Administrators of any Lessor or Landlord to distrain upon the Lands demised for any Term, or as Will, for the Arrears of Rent due to such Lessor or Landlord in his Lifetime, in like Manner as such Lessor or Landlord might have done in his Lifetime:

Arrears may be  
demanded for  
within Six  
Months after  
Determination  
of Term.

XXXVIII. And he it further enacted, That such Arrears may be distrained for after the End or Determination of such Term or Lease, as Will, in the same Manner as if such Term or Lease had not been ended or determined; provided that such Distress be made within the Space of Six Calendar Months, after the Determination of such Term or Lease, and during the Continuance of the Possession of the Tenant from whom such Arrears became due: Provided also, that all and every the Powers and Provisions in the several Statutes made relating to Distresses for Rent shall be applicable to the Distresses so made as aforesaid:

Submission to  
Arbitration by  
Rule of Court,  
&c. not to be  
revocable with-  
out Leave of  
the Court.

XXXIX. And whereas it is expedient to render References more effectual; he it further enacted, That the Power and Authority of any Arbitrator or Umpire appointed by or in pursuance of any Rule of Court, or Judge's Order, or Order of Nisi Prius, in any Action now brought or which shall be hereafter brought, or by or in pursuance of any Submission to Reference containing an Agreement that such Submission shall be made a Rule of any of His Majesty's Courts of Record, shall not be revocable by any Party to such Reference without the Leave of the Court by which such Rule or Order shall be made, or which shall be mentioned in such Submission, or by Leave of a Judge; and the Arbitrator or Umpire shall and may and is hereby required to proceed with the Reference notwithstanding any such Revocation, and to make such Award, although the Person making such Revocation shall not afterwards avoid the Reference; and that the Court or any Judge thereof may from Time to Time enlarge the Term for any such Arbitrator making his Award:

Power to compel  
the Appearance  
of Witnesses.

XL. And he it further enacted, That when any Reference shall have been made by any such Rule or Order as aforesaid, or by any Submission containing such Agreement as aforesaid, it shall be lawful for the Court by which such Rule or Order shall be made, or which shall be mentioned in such Agreement, or for any Judge, by Rule or Order to be made for that Purpose, to command the Attendance and Examination of any Person to be named, or the Production of any Documents to be mentioned in such Rule or Order, and the Disobedience to any such Rule or Order shall be deemed a Contempt of Court, if, in addition to the Service of such Rule or Order, an Appointment of the Time and Place of Attendance in obedience thereto, signed by One at least of the Arbitrators, or by the Umpire, before whom the Attendance is required, shall also be served, either together with or after the Service of such Rule or Order: Provided always, that every Person whose Attendance shall be so required shall be entitled to the like Conduct Money, and Payment of Expences, and for Loss of Time, as for and upon Appearance at any Trial: Provided also, that the Application made to such Court or Judge for such Rule or Order shall set forth the County where such Witness is residing at the Time, or county such Court or Judge that such Person cannot be found: Provided also, that no Person shall be compelled to produce, under any such Rule or Order, any Writing or other Document that he would not be compelled to produce at a Trial, or to attend at more than Two consecutive Days, to be named in such Order:

Power for the  
Arbitrators  
under a Rule of  
Court to administer  
Oath as Oath.

XLI. And he it further enacted, That when in any Rule or Order of Reference, or in any Submission to Arbitration containing an Agreement that the Submission shall be made a Rule of Court, it shall be ordered or agreed that the Witnesses upon such Reference shall be examined upon Oath, it shall be lawful for the Arbitrator or Umpire, or any One Arbitrator, and he or they are hereby authorized and required, to administer an Oath to such Witnesses, or to take their Affirmation in Cases where Affirmation is allowed by Law instead of Oath, and if upon such Oath or Affirmation any Person making the same shall wilfully and corruptly give any false Evidence, every Person so offending shall be deemed and taken to be guilty of Perjury, and shall be prosecuted and punished accordingly:

Power of granting  
Commissions  
to take  
Affidavits to be  
used in Scotland  
and Ireland.

XLII. And whereas it would be convenient for the Power of the Superior Courts of Common Law and Equity at Westminster to grant Commissions for taking Affidavits to be used in the said Courts respectively should be extended; he it further enacted by the Authority aforesaid, That the Lord High Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, the said Courts of Law, and the several Judges of the same, shall have each and the same Powers for granting Commissions for taking and receiving Affidavits in Scotland and Ireland, to be used and read in the said Courts respectively, as they now have in all and every the Shires and Counties within the Kingdom of England, and Dominions of Wales, and Town of Berwick-upon-Tweed, and in the Isle of Man, by virtue of the Statute now in force; and that all and every Person and Persons willfully swearing or affirming falsely in any Affidavit to be made before any Person or Persons who shall be so empowered to take Affidavits

shall be deemed and taken to be guilty of Perjury, and shall be prosecuted and punished accordingly: And he it further enacted, That the



same Fines and Penalties as if such Person had wilfully sworn or affirmed falsely in the open Court in which such Affidavit shall be certified, and be liable to be prosecuted for such Perjury in any Court of competent Jurisdiction in that Part of the United Kingdom in which such Offence shall have been committed, or in that Part of the United Kingdom in which such Person shall be apprehended on such a Charge.

XLIII. And whereas the Occurrence of Holidays in the said Courts of Common Law during Term Time, and in the Offices belonging to the same, on the several Days on which Holidays are now kept, is very inconvenient, and tends to Delay in the Administration of Justice; he it therefore enacted by the Authority aforesaid, That none of the several Days mentioned in the Statute passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of King Edward the Sixth, intituled *An Act for keeping Holydaies and Feasting Days*, shall be observed or kept in the said Courts, or in the several Offices belonging thereto except Sundays, the Day of the Nativity of our Lord and the Three following Days, and Monday and Tuesday in Easter Week.

XLIV. And he it further enacted, That this Statute shall commence and take effect on the First Day of June One thousand eight hundred and thirty-three.

XLV. And he it further enacted, That nothing in this Act shall extend to that Part of the United Kingdom called Ireland, or that Part of the United Kingdom called Scotland, except in the Cases herein-before specially mentioned.

## C A P. XLIII.

An Act for transferring to the Commissioners of His Majesty's Woods and Forests the several Powers now vested in the Holyhead Road Commissioners, and for discharging the last-mentioned Commissioners from the future Repairs and Maintenance of the Roads, Harbours, and Bridges now under their Care and Management. [14th August 1833.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for vesting in Commissioners the Bridges now building over the Mersey Straits and the River Conway, and the Harbours of Haverth and Holyhead, and the Road from Dublin to Haverth, and for the further Improvement of the Road from London to Holyhead*, by which said Act certain Commissioners were appointed for carrying the Powers of the said Act and of the several other Acts therein mentioned into execution: And whereas an Act was passed in the Sixth Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act to extend the Powers of an Act for vesting in Commissioners the Bridges building over the Mersey Straits and the River Conway, and the Harbours of Haverth and Holyhead, and the Road from Dublin to Haverth, and for the further Improvement of the Road from London to Holyhead*: And whereas an Act was passed in the Seventh Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act for further extending the Powers of an Act for vesting in Commissioners the Bridges building over the Mersey Straits and the River Conway, and the Harbours of Haverth and Holyhead, and the Road from Dublin to Haverth, and for the further Improvement of the Road from London to Holyhead*: And whereas an Act was passed in the Seventh and Eighth Years of the Reign of His said late Majesty King George the Fourth, intituled *An Act for the further Improvement of the Road from London to Holyhead, and of the Road from London to Liverpool*: And whereas an Act was passed in the Ninth Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act for the further Improvement of the Road from London to Holyhead, and of the Road from London to Liverpool*: And whereas an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act to alter and amend several Acts for the Improvement of the Roads from London to Holyhead, and from London to Liverpool*; and for the further Improvement of the said Roads: And whereas under and by virtue of the Powers and Authorities contained in the said several Acts herein-before mentioned large Sums of Money have been issued and applied in the building and completing the Bridges over the Mersey Straits and the River Conway, in repairing and improving the Harbours of Haverth and Holyhead, and in the making, repairing, and mending the several Roads, and in executing the several other Works in those Acts mentioned, under the Superintendance of the Commissioners appointed as and by the said recited Act of the Fourth Year of the Reign of His said late Majesty; and many important Improvements have been effected and are now carrying on on the said Roads, and further intended Improvements on the said several Roads will remain to be carried into effect: And whereas it is of great public Importance, towards the maintaining and facilitating the Intercourse between Great Britain and Ireland, that the said Bridges, Roads, Harbours, and other Improvements already created and made, and now making, should be preserved and maintained and kept in a proper and efficient State of Repair: And whereas the said several Improvements and Works may be more effectually preserved and performed and carried into effect if the several Powers and Authorities given by the said several Acts herein-before recited to the Commissioners appointed by the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid were transferred to the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and such other Person or Persons as may be nominated and appointed in manner herein-after mentioned: He it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said

For the Abolition of certain Holidays.

§ 4 G. 4. c. 13.

Commencement of Act.

Not to extend to Ireland or Scotland.

4 G. 4. c. 13.

5 G. 4. c. 100.

7 G. 4. c. 16.

1803 G. 4. c. 25.

1 G. 4. c. 13.

1 W. 4. c. 67.

Power of Commissioners under 4 G. 4. c. 13. in force.

the passing of this Act the Commissioners appointed is and by the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth shall be discharged from and shall cease to carry into execution all or any of the Powers and Provisions vested in them by the said recited Act of the Fourth Year of the Reign of His said late Majesty, and by the said several other Acts herein-before recited, or any of them.

Appointments of Commissioners.

II. And be it further enacted, That the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and such other Persons or Persons as shall be nominated and appointed in manner hereinafter mentioned, shall be Commissioners for carrying into execution the Powers and Provisions of the said several Acts herein-before recited Acts and this Act.

Power to appoint additional Commissioners.

III. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being, or any Three or more of them, by any Writing under their Hands, to elect and appoint any Number of Persons (not exceeding Four in the whole) to be Commissioners for the Execution of this Act, in addition to the Commissioners herein-before nominated and appointed; and such Commissioners so elected shall have and possess and are hereby declared to be invested with the same and like Powers and Authorities for the Execution of this Act as if they had been specially named and appointed in and by this Act.

Appointments of new Commissioners in Case of Death, Resignation, &c.

IV. And be it further enacted, That in case of a Vacancy by Death or Resignation of any of the Commissioners to be elected and appointed as last aforesaid it shall and may be lawful for the said Lord High Treasurer, or the Commissioners of the Treasury for the Time being, or any Three or more of them, and they are hereby required, from Time to Time, by Writing under their Hands, to nominate and appoint any Person or Persons that they think proper to supply such Vacancy or Vacancies: and every Person so nominated and appointed shall have and possess and is hereby declared to be invested with the same and the like Powers and Authorities for the Execution of this Act as the Commissioners in whose Room such Person shall be nominated and appointed.

Powers of the new Acts vested in the Commissioners.

V. And be it further enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act, and they are hereby authorized, empowered, and required, to execute and carry into effect all the Powers, Authorities, Chances, Emoluments, and Provisions contained in the said recited Act of the Fourth Year of the Reign of His said late Majesty King George the Fourth, and in the several other Acts herein-before recited, either expressly or by reference to any other Act or Acts, as fully, amply, and effectually as the same could have been carried into effect and executed by the Commissioners appointed by the said recited Act of the Fourth Year of the Reign of His late Majesty as aforesaid, or as if the Commissioners for the Execution of this Act had been named in the said last-mentioned Act instead of the Commissioners thereby appointed.

Meeting of Commissioners.

VI. And be it further enacted, That the Powers and Provisions of this Act shall be executed by the Commissioners for the Execution of this Act at Meetings to be held as herein-after mentioned; and that at any such Meeting it shall be sufficient if Three Commissioners shall be present; but no Act shall be done at any Meeting unless the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or for the Time being, or One of them, shall be present; and for the Purpose of executing the Powers and Provisions of this Act the said Commissioners shall and they are hereby required to meet from Time to Time as such Times and Places as shall be expedient.

Officers under former Acts to continue till removed.

VII. And be it further enacted, That the several Officers appointed by the Commissioners named in the said recited Act of the Fourth Year of the Reign of His said late Majesty King George the Fourth shall continue to act in the same Capacity, for the Purposes of this Act, until they shall be removed by the Commissioners for the Execution of this Act; and such several Officers shall account to the said Commissioners for the Execution of this Act in the same Manner as they would have done if they had been appointed by such last-mentioned Commissioners.

Roads, Harbours, and Bridges, described in Commissions are under this Act.

VIII. And be it further enacted, That the several Roads, Harbours, and Bridges which by the said herein-before recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth were vested in the Commissioners appointed by that Act, and all other Roads and Bridges, and all Turnpikes, Tolls, Toll Houses, Gates, Weighing Machines, and all Lads, Heaves, Quarries, and Gravel Pits, or other Hereditaments, Perpetuities, Rights, and Privileges whatsoever, vested in such Commissioners under the said recited Acts, shall from and after the passing of this Act be and become and shall remain vested in the Commissioners for the Time being for the Execution of this Act; and all Materials, Tools, Barrows, Furniture, and other Things which now belong to the Commissioners for the Execution of the said Act of the Fourth Year of the Reign of His said late Majesty shall from henceforth belong to and shall be and become the Property of the Commissioners for the Execution of this Act.

Interest for Loans borrowed under former Acts not to be paid, but the Loans and Commissions are otherwise valid.

IX. And be it further enacted, That all Loans or Sums of Money which have been borrowed or raised or which may be now due and owing by the Commissioners appointed by the said recited Act of the Fourth Year of the Reign of His said late Majesty King George the Fourth as aforesaid, under or by virtue of the Provisions of the herein-before recited Acts or any of them, and all Interest due and to grow due thereon respectively, shall be paid and discharged by the Commissioners for the Execution of this Act, as fully and effectually to all Interees and Purposes as if such Monies had become due and owing from the said last-mentioned Commissioners; and all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the said Commissioners (excepted by or derived from the Act of the Fourth Year of the Reign of His said late Majesty), as aforesaid.

or to any other Person or Persons for the Benefit of the said Commissioners, shall be liable to the Payment of all such Sums and Sums of Money to the Commissioners for the Execution of this Act; and all Leases, Deeds, Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons to or with the said Commissioners appointed by the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid, or to or with their Clerk, Treasurer, or other Officer, under or by virtue of the Powers or Directions of either of the said herein-before recited Acts, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, and the same are fully satisfied and performed on account and for the Benefit of the Commissioners for the Execution of this Act, and shall be voted as such last-mentioned Commissioners, and shall and may be enforced and recovered upon in any Action or Suit to be brought and carried on in the Name of the Clerk for the Time being to the said last-mentioned Commissioners; and all Leases, Deeds, Assignments, Securities, Contracts, or Agreements duly made or entered into by the said Commissioners appointed by the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid, or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the said Commissioners for the Execution of this Act, according to the Terms and stipulations thereof respectively, and shall and may be enforced and recovered upon in any Action or Suit to be brought against the Clerk for the Time being to the said last-mentioned Commissioners.

X. And be it further enacted, That all Moneys, Bills, or Drafts now in the Hands of the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth, or of their Treasurer or Secretary, or in any Bank placed to the Credit of any Account or Accounts under the Control of the said Commissioners or of their Treasurer or Secretary, shall immediately after the passing of this Act be paid into the Bank of England to the Account of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, intitled "The Woods and Forests Fund," or to such other Account with the said Bank of England as the said Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall direct; and all Sums of Money, Bills, and Drafts which shall hereafter be received by the Commissioners for the Execution of this Act, their Agents or Receivers, on account of Tolls, Rates, and Assessments, or from any other Sources whatsoever, under or by virtue of the herein-before recited Acts or this Act, or any of them, shall be paid by them into the Bank of England as soon as conveniently may be after the same shall have been received; and all Sums of Money, Bills, and Drafts which shall be received by the said Commissioners or any of the Accounts aforesaid at their Office in London shall be paid by them into the Bank of England within One Day after the same shall have been so received, or within One Day after any such Bill or Draft shall have been accepted, completed, and perfected, if the same be not accepted, completed, and perfected at the Time it shall be received; and all Moneys, Bills, and Drafts which shall be received by the Bank of England in pursuance of the Provisions of this Act shall be placed to the said Account intitled "The Woods and Forests Fund," or to such other Account as aforesaid; and the Drafts or Orders of the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, shall be sufficient Authority to the said Bank of England to pay, apply, and dispose of the said Moneys, Bills, and Drafts to the Person or Persons or in the Manner in such Drafts or Orders respectively mentioned or specified; and after Payment of such Moneys, Bills, and Drafts in manner herein-before directed, the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall be alone answerable and accountable for the future Application of such Moneys, Bills, and Drafts respectively.

XI. And be it further enacted, That the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall cause a separate and distinct Account to be kept in the Books of their Office of the Moneys received under the Powers and Provisions of this Act, and of the Payment and Application of the same.

All Moneys now in the Hands of the Commissioners under 4 G. 4. c. 73, or hereafter to be received by the Commissioners under this Act, to be paid into the Bank of England to the Account of the Commissioners of Woods, &c.

A separate Account to be kept of Moneys received and paid under this Act.

C A P. XLIV.

An Act to repeal so much of Two Acts of the Seventh and Eighth Years and the Ninth Year of King George the Fourth as inflicts the Punishment of Death upon Persons breaking, entering, and stealing in a Dwelling House; also for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases. [14th August 1833.]

WHEREAS by Two several Acts respectively passed in the Seventh and Eighth Years of the Reign of King George the Fourth and in the Ninth Year of the same Reign, the First of the said Acts intitled *An Act for amending and amending the Law in England relative to Burglary and other Offences connected therewith*; and the Second of the said Acts intitled *An Act for amending and amending the Law in Ireland relative to Burglary and other Offences connected therewith*; it is amongst other things by each of the said Acts enacted, that if any Person shall break and enter any Dwelling House, and steal therein any Chattel, Money, or valuable Security to any Value whatever, every such Offender being convicted thereof shall suffer Death as a Felon: And whereas by each of the said Acts it is further enacted, that in the Case of every Felony punishable under the said respective Acts of Burglary and Theft committed in England and every Offence committed in the

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II. And be it enacted, That for the Purposes of this Act the Boundaries of each of the said Burghs as aforesaid or to be added to said Members to Parliament shall be the same as the Boundaries which are fixed by an Act passed in the Second and Third Year of the Reign of His present Majesty King William the Fourth, intituled *An Act to amend the Representation of the People in Scotland*; and the Boundaries of all the other Royal Burghs, Burghs of Regality and of Barony, shall be such as are established by Charter, Grant, Prescription, Act of Parliament, or otherwise, and within a Distance not exceeding One thousand Yards from the Bounds of such last-mentioned Burghs; and such last-mentioned Burghs, and Liberties heretofore thereto attached, shall be deemed and taken to be Burghs within the Intent and Meaning of this Act.

Act/Boundaries of Parliamentary and other Burghs.

III. And be it enacted, That in the Absence of the Chief Magistrate of any Burgh directed or required to act in the Execution of any of the Powers or Provisions of this Act, the next senior Magistrate of such Burgh who shall be present shall officiate in the Place and Stead of such absent Chief Magistrate; and that where a Royal Burgh and a Burgh of Regality or Barony shall be united within the same Bounds of Police, the Chief Magistrate or other Magistrate so directed to preside in such Meetings shall be held to mean a Magistrate of such Royal Burgh.

In Absence of Chief Magistrate, the next in Seniority may act.

IV. And be it enacted, That such acting Chief Magistrate shall upon receiving such Application, accompanied, if he shall so require, with a satisfactory Undertaking to pay the Expenses after mentioned, appoint and direct a proper Person to make out and furnish, within Fourteen Days thereafter, Lists shewing, to the best of his Knowledge and Belief, the Amount of Population residing within such Burgh, and shall also direct the Assessors of the House Tax to furnish him, within the like Period, with a List of the Names of all Occupiers of Premises of the Value aforesaid situated within such Burgh; which List of the Occupiers of Premises so aforesaid, distinguishing the Amount of Rental at which such Premises are assessed, the said Assessors are hereby required to make and certify on Payment of a Fee of not more than One Shilling for each One hundred Names, and which List shall be sufficient Proof of the Qualification of Parties; and in case it shall be expedient to obtain such List otherwise than thro' the Assessor's Book, it shall be competent for such Chief Magistrate to cause accurate Lists to be made up and taken by Persons to be appointed for that Purpose.

List of the Population to be made out.

V. And be it enacted, That in case of any Dispute arising touching the Correctness of such Population Returns, or of any List of Occupiers of Houses or Premises to be made and furnished under the Provisions of this Act, or the Value of the same, or the Boundary of any Burgh not being a Burgh sending or contributing to send a Member or Members to Parliament, the same shall, for the Purposes of this Act, on the Application of either Party, after Six Days Notice given to the other Party, be settled by the Sheriff of the County, whose Determination therein shall be final.

In case of Dispute touching Returns, &c.

VI. And be it enacted, That if the Provisions of this Act shall be adopted in whole or in part, all the Expenses incurred in relation to the calling the first Meetings, making out the Population Returns of Occupiers of Houses, and otherwise in relation to carrying the Act into execution, shall be defrayed out of the Money assessed and levied under the Authority thereof; but in case the Provisions of this Act shall not be adopted by any such Meeting as aforesaid, or whole or in part, then the whole Expenses incurred in relation to the calling and holding such Meeting, making out Lists, taking Polls, and all other Expenses whatsoever thereto relating, shall be paid and borne by the Persons signing the Requisition for holding such Meeting; and the Chief Magistrate to whom such Requisition is addressed is hereby authorized to pursue for and recover the same, with Expenses of Process.

Expenses attending the calling such Meetings, &c. to be recovered.

VII. And be it enacted, That on Receipt of such Application the acting Chief Magistrate of such Burgh shall convene the Occupiers of Premises of the yearly Value aforesaid in the Town Hall or other convenient Place within such Burgh; and the said acting Chief Magistrate shall lay this Act before such Meeting, together with such Certificates, Requisition, and Lists aforesaid, and shall attend and shall preside at such Meeting and at each subsequent Meeting authorized by this Act, and shall appoint a Clerk to act thereat, who shall make regular Minutes of the Proceedings thereof; and such Magistrate shall in case of Equality of Votes, besides his deliberative Vote, have a casting or decisive Vote.

Mode of calling such Meeting.

VIII. And be it enacted, That such Meeting shall be held on a Day not less than Twenty-one Days or more than Thirty Days after such Magistrate shall have received such Requisition as aforesaid; and Intimation thereof shall be made by affixing such Notices upon the Doors of the Town House and of the several Parish Churches within such Burgh, Fourteen Days preceding the Day of the Meeting, so the Form of the Schedule marked (A.) hereto annexed, and by Tuck of Drum or other Mode of Intimation usually adopted in such Burgh Two Days in each Week for Two Weeks before such Meeting, or by open Proclamations at the Market cross of such Burgh, and also by an Advertisement in any Newspaper published in such Burgh, and if no Newspaper be published therein, then in a Newspaper circulating in such Burgh, at least Three clear Days before the Day appointed for such Meeting.

Meetings to be intimated.

IX. And be it enacted, That at all Meetings and Elections under this Act all Persons occupying Premises in any such Burgh of the Value of not less than Ten Pounds shall be entitled to vote; and Companies or Copartnerships occupying Premises of the Value aforesaid, or of greater Value, so as to afford more than One Qualification of Ten Pounds, shall be entitled to grant Authority in Writing to any One or more of the Partners of such Company or Copartnership to vote, and which Partner or Partners shall have vote accordingly: Provided always, that such Company or Copartnership shall not so authorize or have right to vote by more than One Partner in respect of each Qualification of Ten Pounds afforded by such Premises.

Qualification of Voters.

Power of Meeting to adopt this Act, or to decline to adopt it

Provision to declare the Determination of the Meeting.

Power to demand a Poll

Poll to be taken on a Saturday, or on the open day, or on any other Day.

Poll Books to be provided.

Poll may close before

State of Poll to be maintained and declared.

Magistrate necessary to adopt this Act.

If part adopted, to be set forth.

If not adopted, Original may be re-considered after Two Years

Particular Provisions which to be adopted.

Number of Commissioners

If Burgh divided into Wards.

Regulations as to Alteration of Wards.

X. And be it enacted, That such Meeting shall proceed to consider and determine whether the Provisions of this Act, or any of them, shall be adapted and carried into execution within such Burgh; or shall appoint a Committee of their own Number, not exceeding Nine, to inquire and report to some future Meeting to be held on such Day as shall be appointed; and such future Meeting shall, upon the Report of such Committee, proceed in all respects in the Manner herein directed for such Meeting.

XI. And be it enacted, That the Process of all Meetings shall ascertain the Determination thereof by a Show of Hands, or in such other Manner as shall appear to him expedient, and shall declare the same, which Declaration shall be final and conclusive, unless the same shall not be unanimous, and a Poll shall be demanded in Writing, within Twenty four Hours thereafter, by any Five Persons present, and qualified to vote at such Meeting.

XII. And be it enacted, That when such Poll shall be demanded as aforesaid, such Magistrate shall direct the same to be proceeded in within such Period as he shall determine, not exceeding Two clear Days from the Day of the Date of such Demand in Writing, exclusive of Saturdays and Sundays, and the polling shall commence at the Place directed at Nine of the Clock of the Forenoon of the Day that shall be named.

XIII. And be it enacted, That no Poll by this Act authorized to be taken shall be directed to begin on a Saturday, or shall be kept open for more than Two consecutive Days, and that only between the Hours of Nine in the Morning and Four in the Afternoon for the First Day, and between the Hours of Eight in the Morning and Four in the Afternoon for the Second Day.

XIV. And be it enacted, That the Chief Magistrate of such Burgh shall direct the necessary Number of Clerks to be appointed, and of Poll Books to be prepared in the Form of Schedule (B.) hereunto annexed, or which the Name of every Person qualified and requiring to vote, together with his Designation and the Manner in which he shall vote, shall be entered.

XV. And be it enacted, That the Poll shall close before, provided all Persons duly qualified and desirous to vote shall have voted, or at any Time after the Lapse of an Hour without any qualified Person offering to vote.

XVI. And be it enacted, That as soon after the Close of the Poll as may be, the Poll Clerks shall transmit to such Magistrate the State of the respective Polls, who shall read up the same, and openly declare the Result of the total Poll at an adjourned Meeting to be held on the next lawful Day.

XVII. And be it enacted, That no Resolution to adopt the Provisions of this Act, in whole or in part, shall be effectual, unless it shall be carried by at least Three Fourths of the Number of Persons voting and qualified as aforesaid.

XVIII. And be it enacted, That if such Resolution shall be to adopt the Act only in part, the Clauses so adopted shall be set forth and declared in the Minutes of such Meeting.

XIX. And be it enacted, That where such Burgh shall have resolved not to adopt the Provisions of this Act, or shall have adopted them only in part, the Inhabitants thereof, qualified as aforesaid, may, after the Expiration of Two Years from the Date of any preceding Meeting, but not sooner, by such and the like Proceedings, again take this Act into consideration, and adopt the same in whole or in part, or such Part thereof as may not have been formerly adopted, or determine not to adopt the same.

XX. And be it enacted, That where, by such Proceedings, the Act shall be adopted in such Burgh, in whole or in part, such Resolution as to adopt shall not be subject to any further Question; and the Inhabitants thereof, qualified as aforesaid, present at the Meeting adopting the same unanimously, or at some adjourned Meeting as aforesaid, shall then and there proceed to determine by a Majority of Votes, and shall set forth in their Minutes the Limits beyond the Boundary of such Burghs, not included in the said recited Act, to which the Provisions of this Act shall extend, and not exceeding the Distance of One thousand Yards as aforesaid, and also shall determine whether such Burgh shall be divided into Wards, and in that Case shall set forth and describe the Boundaries and Limits of such Wards, and shall specify the Number of Commissioners, to be elected by the Inhabitants, to carry this Act into operation, and shall also fix the maximum Rate of Assessment (which shall be no Case except One Shilling and Sixpence in the Pound of the Rent of Premises, to be assessed in manner hereinafter mentioned,) to be levied for the Purposes of this Act for the Three succeeding Years, and shall set forth and specify the Proportion of such Assessment which shall be made applicable to each of the several Purposes of this Act.

XXI. And be it enacted, That the Commissioners to be elected as herein-after provided shall not be, in any Case, fewer than Five or more than Twenty-one, including the Chief Magistrate of the Burgh, who shall be Commissioner ex officio, and shall, when present, preside at all Meetings of the Commissioners, and the said Commissioners, together with a further Number of Commissioners chosen by the Magistrates and Town Council of such Burgh from among themselves, amounting as near as may be to One Fifth Part of such elected Commissioners, shall be the Commissioners for carrying the Act into operation.

XXII. Provided always, That where such Burgh shall be divided into Wards, the Number thereof, and the Number of Commissioners to be elected, in manner herein after provided, shall be so settled and adjusted that there shall be One such Commissioner for each such Ward.

XXIII. And be it enacted, That it shall be lawful and competent for the Inhabitants of the said Burgh, qualified as aforesaid, at a Meeting or adjourned Meeting, called as aforesaid, to alter, vary, add to,

or divide such Wards or any of them in such Manner as the State of the Population thereof or other Circumstances shall in them appear from Time to Time to require; and in the Event of any Addition being made to the Number of Wards by the Subdivision thereof or otherwise, Commissioners shall be chosen for such additional Wards in manner and for the Purposes herein mentioned, but so as that the Number of Wards shall in no Case exceed Twenty.

XXIV. And be it enacted, That where, by reason of Contiguity of any Two or more Burghs, it shall be desirable and expedient for such contiguous Burghs jointly to adopt the Provisions of this Act, it shall and may be lawful for such Burghs intending so to unite, as if such Burghs were One Burgh, and so follow forth such and the like Statutes and Orders in all respects in which the same can be observed. For adopting the Provisions of this Act, as are directed and prescribed for One Burgh intending to adopt the same; and such united Burghs shall, in respect of Division into Wards, Election of Commissioners, Assessments for the Expenses of carrying this Act into execution, and every other Power, Privilege, Honor, or Thing granted, provided, or prescribed in relation to single Burghs adopting this Act, be and be taken to be as One Burgh; and the Chief Magistrate of each such Burgh shall, or shall be a Commissioner for such District of Burghs under this Act; and the Magistrate and Council of each such Burgh shall, in addition to the Chief Magistrate hereby appointed as an officer Commissioner, select One or more Members from among their own Body to be Commissioners, so as that the Number so elected shall, with such Chief Magistrate, make as nearly as may be One Fifth of the elected Commissioners of such united Burghs; and if the Number of Commissioners to be elected by the Magistrate and Council does not admit of each Burgh electing One Commissioner, or of each Burgh electing an equal Number, such Burghs, where all cannot elect, shall elect successively, and according to a Rotation to be established by such Burghs, and in like Manner where such Burgh cannot elect an equal Number, the Right of electing the greater Number shall be enjoyed in succession, according to such Rotation; and the Chief Magistrate of each such united Burgh shall respectively and successively, annually, be the Preses of the Commissioners of such united Burghs, according to such Rotation, and the Preses of all public Meetings to be held thereafter; and in case of any Difference as to such Rotation, Election, or Right of Election, it shall be competent to either Party to apply to the Sheriff of the County in which such Burghs are situated to determine the same, six Days previous Notice being given to the other Party of such Application; and the Determination of the Sheriff thereof shall be final and conclusive: Provided always, that nothing herein contained shall affect or be construed to affect the Rights, Powers, Privileges, or Jurisdictions of any Magistrate and Council within their own Burghs.

XXV. And be it enacted, That the Resolutions and whole Proceedings of such Meetings shall be reported to the Sheriff of the County within which such Burgh shall be situated by the Transmission to him of the Minutes of such Meetings and all Documents laid before the same, which Transmission the writing Chief Magistrate as aforesaid is hereby required to make within Forty-eight Hours after the Close of the Proceedings aforesaid; and the said Sheriff shall, within Forty-eight Hours after the Receipt thereof, affix a Deliberation thereon, finding and declaring, as the Case may be, either that this Act has not been adopted, or that the Powers and Provisions thereof (in so far as such Minutes shall show this to have been the Case) have been adopted, and that this Act shall apply to such Burgh in manner therein set forth, and shall forthwith cause such Minutes to be recorded in the Sheriff Court Books of the County, and in the Books of the Burgh to which they specially apply, and in the Books of the Commissioners of Police, hereinafter appointed to be kept, where such shall be the Case.

XXVI. And be it enacted, That on Receipt of such Deliberation, such Magistrate aforesaid shall convene a Meeting of Occupiers of Houses and Presides of each Burgh, qualified as aforesaid, and if the Burgh shall be divided into Wards, at some convenient Place to their respective Wards, to be specified in the Notice to be given of such Meeting, for the Election of Commissioners for the Purpose of executing this Act, all which Meetings shall be summoned in the same Way and Manner and at the same Distance of Time as is provided for the first Meeting to be held in virtue of this Act; and on all such Burghs as shall be divided into Wards in manner herein provided, the Ward Meetings shall elect their own Preses; and the Commissioners (except the Chief Magistrate of the Burgh, and the Commissioners to be elected by the Magistrate and Town Council of such Burghs,) shall be elected by such Meeting or by such Wards.

XXVII. And be it enacted, That such Elections shall be proceeded with in manner following: (that is to say) each Candidate who shall be qualified to vote as aforesaid, and residing within such Burgh, shall be eligible to be elected a Commissioner for the Purpose of this Act, and shall be proposed at the said Meeting by some Person duly qualified to vote thereat, and shall be seconded by some other Person in like Manner qualified, and the Preses of the Meeting shall ascertain and declare the Resolution thereof in manner aforesaid; and if such Election shall not be unanimous, and if a Poll shall be demanded in Writing, as the Manner and within the Time before provided, at such or any other Meeting for the Purpose of Election under this Act, such Chief Magistrate or such Preses of such Meeting shall open and proceed with such Poll in the Manner herein provided; and the said Chief Magistrate or Preses of Wards respectively shall for that Purpose appoint a Clerk, and shall provide a Book in the Form of Schedule (C.) hereto annexed, in which the Votes shall be entered, and shall declare the Result of such Poll, and the said Chief Magistrate or Preses shall be reintroduced, all such

Contiguous Burghs may unite, and adopt the Act as One Burgh.

Proceedings to be reported to the Sheriff.

Meeting for Election of Commissioners to be convened.

Election of Commissioners.

reasonable Charges or Expenses as may be incurred in providing Clerks and Books, and otherwise in the Performance of the Duties hereby required of them, out of the Rates and Duties to be collected in virtue of this Act.

Magistrates and Council to elect Commissioners to be appointed by them

XXVIII. And be it enacted, That the Magistrates and Council of each Borough shall, on or before the Day fixed for such Election, nominate and appoint the Commissioner or Commissioners, as the Case may be, who is or are to be elected by them under the Provisions of this Act; and the acting Chief Magistrate shall report such Nomination and Appointment to the First Meeting of Commissioners, to be held in manner herein-after provided.

First Meeting of Commissioners.

XXIX. And be it enacted, That the whole Commissioners shall, at Twelve of the Clock Noon on the first Monday after such Election, hold their First General Meeting in the Town Hall or other convenient Place within each Borough, with Power to adjourn to such other Place as they may think fit.

Commissioners to be elected annually.

XXX. And be it enacted, That One Third, or as nearly as may be One Third, of such elected Commissioners of each such Borough as aforesaid, who shall be the highest on the List of such Commissioners, to be arranged alphabetically according to their Surnames, and the One of the Commissioners elected by such Magistrate as aforesaid who shall be the highest of such non-nominated Commissioners on the List, to be also arranged alphabetically, shall go annually out of Office, *videlicet*, on the same Day at the Expiration of a Year on which they were elected into Office, or on the next lawful Day thereafter; and on the same or the next lawful Day, annually, the Places of such Commissioners going out of Office shall be supplied by an equal Number of new Commissioners to be chosen, *videlicet*, the Third Part of such elected Commissioners, or as nearly as may be the Third Part, from among the Candidates qualified as aforesaid, by the Electors of the Borough, or by the several Wards where such Borough shall be divided into Wards, and the Commissioners to be elected from among the Magistrates and Town Council of such Boroughs, by the Magistrates and Town Council of the Boroughs as aforesaid, under all the Rules, Regulations, and Provisions applicable to such First Meeting and Election; and the like Notice of such annual Meeting shall be given as is herein-before directed to be given of such First Meeting for electing Commissioners; and the Persons so elected shall be placed at the Foot of the List of Commissioners.

Notice to be given to the Electors of the Assessment.

XXXI. And be it enacted, That there shall be held in each such Borough adopting the Provisions of this Act, at the Expiration of the Third Year after the First Meeting held to determine the maximum Assessment, and at the Expiration of every Third Year thereafter, a Meeting of the Inhabitants thereof, qualified as aforesaid, in order to determine the Amount of the maximum Assessment for the Three Years next succeeding, and the Clerks to the said Commissioners shall give Notice thereof in the same Manner as by this Act the Chief Magistrate is required to give Notice with respect to the First Meeting to be held under this Act, that a Meeting will be holden on such Day for fixing the maximum Amount of the Assessment for the Three Years next succeeding; and previous to such Meeting the said Commissioners shall furnish to the acting Chief Magistrate of the Borough a List of the Names of the Occupiers of Premises, qualified as aforesaid, which List shall be sufficient Evidence and Proof of the Qualifications of the Parties to vote at such Meeting: Provided always, that in default of giving due Notice of such Meeting in manner above provided, the Clerk to the said Commissioners shall furnish and pay to the said Commissioners a Penalty of One hundred Pounds.

Provision to be made in respect of Meetings in the Assessment.

XXXII. And be it enacted, That the Person presiding shall at such Triennial Meetings proceed in the same Manner as at the First Meeting to be held under this Act in regard to the Assessment of the Sum agreed to be assessed: Provided always, that the Rate of Assessment shall not be diminished so long as any Money borrowed on the Security of such Assessment shall remain unpaid, and that the Rate of Assessment for any Three succeeding Years shall not be less than Two Thirds of the Rate agreed to at the last preceding Triennial Meeting held under the Provisions of this Act; and that if a larger Sum shall not be agreed to, the Commissioners shall have Power to levy such Two Thirds of the original Assessment, without any further Authority.

Outgoing Commissioners may be re-elected.

XXXIII. And be it enacted, That any of such outgoing Commissioners may be re-elected: Provided always, that no Person shall be eligible as a Commissioner, or entitled to vote at such Election, who shall have been relieved from the Assessment made or levied for the Purpose of this Act for the Year immediately preceding on the Ground of inability to pay the said Assessment, or by whom any Arrear of any Assessment due under this Act shall at the Time of the Election have been owing for the Space of a Month, and shall since it became due have been demanded, whether such Arrear shall be due by himself or by any Company or Copartnership by which he is authorized to vote; and a Certificate under the Hand of the Collector shall be deemed and taken to be a sufficient Evidence of such Arrears or Relief.

Provision how to be supplied.

XXXIV. And be it enacted, That in case the Place of any of the Commissioners elected as aforesaid shall become vacant by Death, Refusal to act, Inqualification, or Resignation, then and in such Cases it shall be lawful for the remaining Commissioners to nominate Persons duly qualified as supply such Vacancies, and the Person so nominated shall have and enjoy the same Powers and Privileges as the Person in whose Stead he is appointed, and shall remain in Office until the Period at which the Person in whose Stead he is nominated would have gone out by Rotation; and if the Electors shall refuse or neglect to meet, or if at such Meeting the Electors shall refuse or neglect to elect the Whole or any Part of the Number of Commissioners originally fixed and agreed to, it shall be lawful for the Commissioners who held Office immediately before the Time specified for such Election to supply the Deficiency.

Electors refusing to elect.



XXXV. And be it enacted, That instead of electing Commissioners it shall be competent and lawful to the Electors duly qualified as aforesaid to determine by a Majority of Three Fourths of the Votes of the Persons assembled as aforesaid at any Meeting called for such Purpose, that the Magistrates and Town Council of such Burgh for the Time being shall carry this Act, or such Part thereof as shall have been adopted, into execution; and such Magistrates and Town Council then shall have the same Rights, Powers, and Authorities, and be subject to the like Rules, Limitations, and Regulations, as are hereby conferred or imposed upon the Commissioners herein before authorized and directed to be elected, so far as the same are applicable and capable of taking effect, according to the true Intent and Meaning of this Act.

Magistrates and Town Council may be elected Commissioners.

XXXVI. And be it enacted, That none of the Commissioners for the Purposes of this Act shall, directly or indirectly, derive any Emolument or Profit for any Business or Work of any Description performed or to be performed by him under this Act; nor shall any Commissioner be capable of acting as such during the Time he shall enjoy any Office of Profit to be created or established by virtue of this Act, or while he has any Share or Interest in any Company relating to the Execution thereof; nor shall any such Commissioner be capable of standing as a Candidate for any such Office, or be a Candidate for any such Contract, save and except Contracts entered into with any Chartered or Joint Stock Company of which such Commissioner may be a Partner.

Commissioners not to hold Places of Profit.

XXXVII. And be it enacted, That the whole Commissioners shall be obliged to attend all Meetings, both special and statutory, (save only the First Meetings under this Act,) each Citation being given personally, or at their Dwelling Houses or Shops, by written or printed Summons issued by their Clerk, at least Twenty-four Hours before the Time of meeting; and in the Absence of the said acting Chief Magistrate such one of the said Commissioners as shall be chosen by the Meeting shall preside at all Meetings of the said Commissioners; and the Process of all Meetings of the Commissioners shall have both a deliberative and in case of Equality a casting Vote in all Matters which shall come before them: Provided always, that One Third of the said Commissioners must be present at all Meetings to constitute a Quorum.

Commissioners to be summoned to attend Meetings.

Quorum.

XXXVIII. And be it enacted, That Meetings of the said Commissioners shall be held, in such Places as they shall appoint, within each Burgh upon the Second Monday of the Months of May, August, November, and February in each Year, at Twelve of the Clock Noon.

Statutory Meetings of Commissioners.

XXXIX. And be it enacted, That the Clerk to the said Commissioners, on Requisition being made, stating the Object of the intended Meeting to Writing, and signed by Two of the said Commissioners, shall cause Special Meetings to be called within Forty-eight Hours, and to be held within Four Days after such Requisition, and shall cause the whole Commissioners to be summoned to attend such Meetings by printed or written Summons containing a Copy of such Requisition.

Special Meetings may be called on Requisition.

XL. And be it enacted, That no Rules or Regulations shall be adopted or carried into execution by any Special Meeting which shall tend to alter or amend any Rules or Regulations which may have been made and framed at any of the Four Meetings hereby appointed to be held annually.

Special Meetings not to amend Rules.

XLI. And be it enacted, That the said Commissioners may adjourn to any other Day, Hour, and Place within the Bounds before described.

Meetings may be adjourned.

XLII. And be it enacted, That at all and each of the Meetings to be held in virtue of this Act the Commissioners present shall defray their own Expenses.

Expenses of Commissioners, to be paid in special Commissions.

XLIII. And be it enacted, That the said Commissioners shall have Power to form Committees of their Number, under such Directions to report to the Commissioners, so far carrying the various Purposes of this Act into execution, and to delegate to such Committees the Powers competent to the said Commissioners under this Act, in whole or in part, with regard to the Subject which may be committed, to name the Commisars, and to fix the Number of such Commisars who shall form a Quorum; and the Commisars, who shall preside at such Committees, shall be entitled to a casting Vote in case of Equality, and to convene the Members by Notices in the Way he shall think most convenient.

Powers and Duties of Committees.

XLIV. And be it enacted, That the said Commissioners shall, in such Manner as to them shall seem best for the Purposes of this Act, estimate, assess, levy, and apply the Sums of Money hereby authorized to be raised for the Purposes of this Act, and shall have Power at such Times as they shall appoint, and from Time to Time, to order and direct Lists to be taken of the Inhabitants of such Burgh, and of the Value of Premises situate therein, and shall for such Purpose appoint, at such Salaries as they shall judge meet, Collectors, Clerks, Surveyors, Officers of Police, Watchmen, and all other Persons to be employed in the Execution of this Act, and to remove them at Pleasure, and to fix the Number and Descriptions of Officers to be employed, and the Wages to be paid to them respectively, and to increase or diminish their Numbers from Time to Time, as they shall see Cause, and to make Orders and Regulations for their Government; and the said Commissioners shall have Power also, with the Consent of the Proprietors, to purchase such Lands and Premises as shall be required for the Purposes of this Act, and shall also have full Power and Authority to make all necessary Rules, Orders, and Regulations relative to the watching, lighting with Gas or otherwise, paving and cleaning the Streets, Roads, Lanes, Passages, or public Ways or Places within any such Burgh, or to the Supply and Distribution of Water and Gas to the same, in so far as the Powers of this Act may apply to those Objects in any Burgh, and generally for the due and effectual Enforcement thereof, for the Preservation of the streets, Ditches, and gutters, and for putting down and repairing such Nuisances as may affect the Health of the Inhabitants, and for carrying into effect all the Objects and Purposes and Provisions of this Act.



such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands or Heritages which shall be so purchased, taken, or used as aforesaid stood settled or invested, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchases shall be made, the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Heritages so hereby directed to be purchased, in case such Purchases or Settlements were made.

LIII. And be it enacted, That if any Money so agreed to be paid for any Lands or Heritages purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands or Heritages so purchased, taken, or used, or of his, her, or their Guardian or Guardians in case of Infancy or Lunacy, to be signified in Writing under their respective Hands,) be paid into one of the said Banks, and shall be ordered to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners, (each Nominations and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money and the Interest arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

LIV. And be it enacted, That where such Money so agreed or ordered to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands or Heritages so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit, or in case of Infancy or Lunacy, them to his, her, or their Guardian or Guardians, to and for the Use and Benefit of such Person or Persons so entitled respectively.

LIV. And be it enacted, That in case the Person or Persons to whose any Sum or Sums of Money shall be payable as aforesaid shall refuse to accept the same, or shall not be able to make good a Title to the Premises, to the Satisfaction of the said Commissioners, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so payable as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Heritages be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Two or more of them, to pay the Sum and Sums of Money so payable as aforesaid into the Bank of Scotland, or Royal Bank of Scotland, or Bank of the British Linen Company, or Commercial Bank of Scotland, or National Bank of Scotland respectively, as the Case may be, to the Credit of the Parties interested in the said Lands or Heritages, describing them if they are known, and if they are not known, then generally to the Credits of the Parties interested in the said Lands or Heritages, without any Description of them, subject to the Order, Control, and Disposition of the said Court of Session; which said Court, or either of the Divisions thereof, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be and are hereby empowered, in a summary Way of proceeding, or otherwise, as to the said Court shall seem meet, to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashiers or Clerks of the Bank of Scotland, or Royal Bank of Scotland, or Bank of the British Linen Company, or Commercial Bank of Scotland, or National Bank of Scotland respectively, who shall receive such Sum or Sums of Money, in and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into such Bank or Banks as aforesaid.

LV. And be it enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into any such Bank as aforesaid, in pursuance of this Act, for the Purchase of any Lands or Heritages, or of any Estate, Right, or Interest in any Lands or Heritages, to be purchased in pursuance thereof, or to any Interest of such Money, the Person or Persons who shall have been in possession of the Lands or Heritages at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Heritages, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Session; and the Interest of such Money, and also the Principal Sums, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful one, and that some other Person or Persons was or were lawfully entitled to such Lands or Heritages, or to some Estate or Interest therein.

LVI. And be it enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands or Heritages to be purchased under the Authority of this Act, the Purchase Money of the same shall be required to be paid into any of the said Banks, and to be applied in the Purchase of the same Lands or Heritages to be settled on the like Persons or Persons as

Application when less than £200, and more than £200.

Application when less than £200.

In case of not making out Title, the Court may order Payment and Expenses.

Where Questions arise touching the Title to any Money

Court may order Payment of Expenses in certain Cases.

Act, shall be lawful for the said Court of Session to order the Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expenses as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Orders, to be paid by the said Commissioners, who shall from Time to Time pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

Right of Heir-able Property how regulated

LVI. And be it enacted, That the Rights of all Heir-able Property to be acquired in the Execution of this Act shall be taken in favour of the Clerk of the Commissioners for the Time, and his Successors in Office, and such Rights shall be sufficient for vesting the Subjunct in the Commissioners and their Successors in Office; and all Contracts, Agreements, Sales, and Conveyances, or other Deeds or Writings constituting such Rights, may be made according to the following Form:

Form of Conveyance

“ I, A. B. in consideration of \_\_\_\_\_ to me by hereafter paid by yearly or half-yearly Payments, as may be agreed on, by the Commissioners of Police for the Burgh of \_\_\_\_\_ do hereby grant, dispose, and convey to \_\_\_\_\_ as Clerk to and for behoof of the said Commissioners, and his Successors in Office, all (describing the Premises to be conveyed), and all my Right, Title, and Interest to the same, to be holden by the said Commissioners and their Successors for ever, by virtue of an Act of Parliament made in the Third and Fourth Year of the Days of His Majesty King William the Fourth, intitled *An Act (Here insert the Title of the Act)*, in witness whereof I have subscribed these Presents, written by \_\_\_\_\_ this \_\_\_\_\_ Day of \_\_\_\_\_ to the Year of our Lord \_\_\_\_\_ before these Witnesses (Here insert Witnesses Names and Descriptions).”

Which said Conveyance, being registered in the Register of Sasines of the Burgh or of the County respectively in which the Premises conveyed shall be situated, and which the respective Keepers of the Registers are hereby authorized and required to register, shall receive the same Effect and be as valid and effectual to all Intents and Purposes as if a formal Disposition had been executed, and followed by Sasnet recorded according to the Form of the Law of Scotland, any Law, Statute, or Practice to the contrary notwithstanding.

How the Com- missioners may sue and be sued

LVIII. And be it enacted, That the said Commissioners shall and may sue and be sued in the Name of any one of the said Commissioners or of their Clerk; and no Action or Suit which may be so brought, commenced, or prosecuted by or against the said Commissioners or any of them, by writ or on account of this Act, shall abate or be discontinued by the Death, Suspension, or Removal of such Commissioner or Clerk; Provided always, that every Commissioner or Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act shall be reimbursed, out of the Money to be raised by virtue of this Act, all such Damages, Charges, and Expenses as such Party shall be put to or become chargeable with by reason of his being so made Pursuer or Defender therein.

Treasurer and Collector to be appointed

LIX. And be it enacted, That the Commissioners shall in like Manner at their First Meeting elect and appoint a Treasurer and Collector to act during their Measure, and such Collector and Treasurer before they shall be permitted to take upon them the Execution of their Office shall respectively grant Bond, with sufficient Sureties, to the said Commissioners, for their Intimations, and for the just and faithful Execution of their Office, to such an Amount as the said Commissioners shall think reasonable; and any Collector and Treasurer who may be convicted of wilfully receiving or not accounting to the said Commissioners for any Sum of Money received by him as Collector or Treasurer for said shall forfeit Triple the Amount thereof to the said Commissioners.

Allowance to Collector.

LX. And be it enacted, That such Collector shall be allowed for his Trouble in collecting such Rates and Assessments a Sum not exceeding the Rate of Five Pounds per Centum upon all such Sums of Money as he shall collect and receive.

Collector to lodge all Money received by him in Bank.

LXI. And be it enacted, That such Collector shall be obliged to lodge all Money received by him in one or other of the Bank of Scotland, Royal Bank of Scotland, or Bank of the British Liners Company of Scotland, or Commercial Bank of Scotland, or National Bank of Scotland, or in one of the Branches thereof, and if there are no Branches of any of such Banks in such Town, then in some other Bank to be fixed by the said Commissioners, upon an Account to be opened in the Name of the Commissioners, and to be operated upon by the Treasurer for the Time; and such Treasurer shall make no Debits on the said Account for any private Purpose or any Purpose whatsoever, nor for any other Purpose than the Payments which shall from Time to Time be authorized by the said Commissioners of their Consents for the Purposes of this Act, on the same shall be certified to the said Treasurer by the Clerk to the said Commissioners, who shall countersign all such Debits.

On Insolvency of Treasurer or Collector, the Money may be raised

LXII. And be it enacted, That in case any such Treasurer or Collector shall become insolvent, and the Sums chargeable against him shall not have been paid by his Sureties, then and in every such Case the Sums deficient shall be assessed upon the Burgh at the next annual Assessment in the Manner herein prescribed with regard to annual Assessments, and shall be payable at such Time as the said Commissioners shall appoint; and in case of Failure in Payment, the same Proceedings shall be competent as are hereby directed in case of Failure in Payment of the annual Assessment.

Names of Occupiers to be furnished by Heirs in Assessments.

LXIII. And be it enacted, That the Assessors of the House Tax, or other Assessors so aforesaid, shall furnish the said Commissioners, as often as they shall require the same, with a List of the Names of all Occupiers of Premises as aforesaid, certified as aforesaid, and on Payment of a Fee in manner herein prescribed, and shall, in every Burgh, Town, or Village, and in every Ward, Precinct, or District, upon Requisition,

Requirement, furnish such Commissioners with a Copy of the List of the Persons qualified to vote in such Burgh for Members of Parliament.

LXIV. And be it enacted, That on or before the Second Meeting of November in each Year the said Commissioners (being assembled in manner herein-before directed by written or printed Notifications, which shall state that the Meeting is for the Purpose of laying on an Assessment,) shall assess all Tenants, Occupiers, and Possessors of Premises valued at Two Pounds or upwards of yearly Rent within such Burghs as shall adopt the Provisions of this Act, in the Same necessary to be levied for the Purpose of this Act; which Assessment shall be calculated from Whitsunday to Whitsunday, and shall be payable in the Months of October and November annually; the first Year's Assessment being for One whole Year from the Whitsunday preceding to the Whitsunday next ensuing; Provided always, that the said Assessment shall not in any Year exceed the maximum Rate of Assessment that shall be fixed for such Year above provided.

Commissioners  
to make Assess-  
ments.

LXV. And be it enacted, That the said Commissioners shall not assess any Premises which shall be unoccupied or unfurnished from one Term of Whitsunday to another Term of Whitsunday, nor the Town House of the Burgh, nor any Place used solely for public Worship, nor any Buildings which are solely occupied for the Purpose of Religion, or of public Charity, or of Science or Education; and no Person occupying Premises within the above-said Distance of One thousand Yards beyond the Boundary of any Burgh not comprehended within the said recited Act shall be assessed under or by virtue of this Act, unless he shall receive Benefit under the Provisions thereof; and if assessed, he shall only be assessed in respect of the House or other Premises which he may occupy, and not in respect of any Land held by him for agricultural Purposes, or as Nursery or Garden Ground, nor shall he be assessed in respect of such House or Premises excepting for and on account of such or such one of the Purposes of this Act as shall be extended and be beneficial to such House or Premises; and in case of any Dispute in relation to such Assessment, or the Benefit derived by the Person so assessed or sought to be assessed under the Provisions of this Act, the same shall, on the Application of the Party complaining, after Six Days Notice to the other Party, be heard and determined by the Sheriff of the Burgh, whose Determination shall be final.

Exemption from  
Assessment.

LXVI. And be it enacted, That when the Provisions of this Act shall have been adopted in any Burgh possessed of any Free Income arising from the Common Good of such Burgh, after Deduction of the Interest of any Debt which such Burgh may owe, and also the necessary annual Outgoings of such Burgh, there shall be annually contributed therefrom such a reasonable Proportion towards the Purpose of this Act as the Town Council and the said Commissioners shall consent and adjust: Provided always, that if these Parties shall not agree thereupon, either of them may require, by Notice in Writing, that the Amount of such Contribution shall be submitted to the Decision of the Sheriff of the County wherein such Burgh shall be situated, and such Sheriff is hereby required thereupon to enquire in such Burgh, and to inquire into all Facts and Circumstances which he may deem material, and to take in Writing the Statements of Parties, and such Evidence as he shall think necessary, and such Sheriff shall decide as to the Amount of such Contribution to be paid from the Common Good of such Burgh, and such Decision shall be recorded in the Books of the Burgh, and also in the Books of the said Commissioners: Provided nevertheless, that if either Party shall be dissatisfied with such Decision, such Party may, within Four Weeks, but not thereafter, require that such Statements and Evidence, together with the Detestations, shall be transmitted to the Court of Exchequer, which Court shall thereupon proceed in the Matter in such Way as may seem best to the said Court; and the Decision of the said Court shall be final: Provided always, that in the Event of any Change of Circumstances operating either towards the Increase or Diminution of the Free Income of such Burgh, it shall be competent either to the Magistrates and Town Council, or to the said Commissioners, after the Expiration of Three Years after the Date of any such Decision, or Three Years after the Date of any after Decision, to propose an Amendment or Rectification of the existing Contribution, and in case of Disagreement between the Magistrates and Commissioners, the Amount shall again be submitted to the Decision of the Sheriff, and in case of Dissatisfaction, to the Determination of the Court of Exchequer, as is herein provided in relation to the last Contribution.

Common Good  
to contribute.

LXVII. And be it enacted, That the Sum which such Burgh shall thus agree to, or shall be directed to contribute annually as aforesaid, shall be recoverable by such and the like Process as Debts due from the Common Good of Royal Burghs in Scotland may now by Law be recovered.

Contributions  
how to be re-  
covered.

LXVIII. And be it enacted, That the said Assessment shall be levied from the actual Possessors of all Premises (whether Proprietors or Tenants): but in the Cases of Premises let for a long Period then a whole Year, the Person by whom the Assessment shall be paid shall be entitled to deduct the same from the Rent payable to the Person by whom the said Premises shall be so let, who shall be liable for such Assessment, and from whom the same may be levied in case of the Removal or Default of the actual Possessor of any such Premises: and Deduction shall be allowed by the Commissioners of the Assessment for each entire Period of Six Months from Whitsunday to Whitsunday, or from Martinmas to Whitsunday, during which any such Premises shall be unoccupied or not furnished.

Premises and  
Tenants to pay  
Assessment.

LXIX. And be it enacted, That the Lists of Occupiers made up by Order of the Commissioners, as furnished by the Assessors for the House Tax as aforesaid, or a Copy thereof Assented and signed by the Process of any Meeting of the said Commissioners, shall forthwith be delivered over to the Collector of the said Assessment as his Rule for allocating the same, who shall forthwith make out a Roll or Book of Assessment: ~~Provided always, that the said Commissioners shall have Power to require any~~

Rolls shall  
to be delivered  
to the Collector

any such Valuation of Premises against which an Appeal may be taken by the Person liable to be assessed therefor by Letter to the Clerk, lodged with him on or before the first lawful Day in June in each Year.

Recovery of Rates.

LXX. And be it enacted, That the said Collector shall present the said List or Book of Assessment to any one of the Magistrates of such Burgh who is hereby authorized and required to grant such summary Warrants and Warrants as may be necessary for levying the same; and where any Person so rated and assessed as aforesaid shall refuse or neglect to pay the Rate or Assessment charged upon him for the Space of Ten Days next after the same shall be due and demanded by the Collector, it shall be lawful for the said Collector to apply to such Magistrate for a Warrant to any of the Officers of the said Burgh to enter the Premises rated or possessed, and to seize and take possession of the Goods and Effects of the Person assessed and refusing and neglecting as aforesaid; and which Warrant the said Magistrate is hereby authorized and required to grant, upon a Certificate, signed by the Collector or Person who made the Demand, of such Demand having been made, and of such Person being in arrear to the Amount to be stated in the Certificate; and if such Rate or Assessment shall not be paid within Three Days after such Seizure is made, together with Charges and Expenses thereby incurred, then the said Collector is hereby authorized to sell by public Auction, either on the Premises where the said Goods were seized, or any other Place, such Part of the said Goods or Effects as shall be sufficient to pay the said Rate, with the Expenses attending such Seizure and Sale, reserving the Surplus, if any be, to the Owner; and failing the Recovery of all or any Part of the Rate or Assessment in aforesaid manner before described, the said Collector shall be and he is hereby authorized and empowered to prosecute for and otherwise recover the same according to Law; and the Collector shall be bound to preserve the Warrants of such Seizure or Sales, and enter in a Book to be kept for that Purpose the Names of the Parties proceeded against, the Assessment due, the Expenses of the Proceedings, and the true Proceeds of each Sale, which Book shall be open to the Inspection (without any Fee) of all Parties interested for Three Months after the Date of each Sale respectively; and at any Time within that Period it shall be competent to any Party considering himself aggrieved to complain to the said Magistrate of any thing done aforesaid or apprehensively in regard to such Seizure or Sale, such Complaints being made in the Form of Petitions subscribed by the Complainer; and the Decision of the Magistrate shall be final, and not subject to Review in any Court by any Form whatsoever.

Refusal to give of Receipts.

LXXI. And be it enacted, That the said Commissioners may, upon the Petition of any Occupier of any Premises subject to the Payment of the said Rates or Assessments, on the Ground of Poverty or Inability to pay the same, to wit, in whole or in part, Payment of the said Rate or Assessment by such Occupier or Owner respectively, in such Manner as the said Commissioners shall in their Discretion think just and reasonable, but upon no other Account whatsoever.

Books to be kept.

LXXII. And be it enacted, That Accounts of all Property, heritable and moveable, vested in the said Commissioners, showing the Nature of such Property, and of all Money received and disbursed, and all Orders and Proceedings of the Commissioners, shall be kept in Books by their Clerks; and all Books of such Accounts and Proceedings whatsoever may at all reasonable Times be inspected and perused, without Fee or Reward, by any Person rated, and also by Persons who shall be entitled to any Money due and owing on the Credit of such Rates; and such Persons may take Copies of or Extracts from any of the said Books, Accounts, and Proceedings, and of the said respective Rates, without Fee or Reward; and any Person in whose Custody or Power any such Books, Accounts, and Proceedings are, who shall refuse Inspection thereof, or to permit Copies or Extracts to be taken as aforesaid, shall be liable to a Penalty not exceeding Ten Pounds; and in case any Person who shall be rated shall be dissatisfied with any Accounts which shall have been made up as aforesaid, or with any of the Items or Articles contained in any such Account, such Person may appeal against the same by Petition to the Magistrates of the Burgh, in which shall be specified the Grounds of Objection to such Accounts, Items, or Articles; and the said Magistrate shall proceed to hear and determine the Matter of such Appeal, and the Decision shall be final and not subject to Review.

Account of Applications of Money to be made out and distributed among Commissioners.

LXXIII. And be it enacted, That the said Commissioners shall yearly, between the last Monday in January and the Second Monday in February, cause to be made out a just and accurate Account of all the Monies received and expended in the Execution of this Act, showing from what Sources such Monies have been received, and to what Purposes the same have been laid out and applied; and which Account, signed by the Preses of the Meeting and Clerk, shall be deposited with the Clerk, who shall cause to be printed, and inserted in One or more of the Newspapers published or circulated in such Burgh, authenticated Abstracts of such yearly Accounts, and shall permit any Person interested under this Act to inspect and examine such Accounts or all reasonable Times, without Payment of any Fee or Reward for such Inspection.

Watchmen, &c. to become Constables.

LXXIV. And be it enacted, That the Watchmen and other Officers of Police appointed under the Authority of this Act shall, in virtue of their Appointment, and so long as they hold the same, and no longer, be subject to all the Regulations, and possess and exercise all the Powers applicable and belonging to the Office of Constable by the Law of Scotland, and shall, before acting, be respectively sworn in as Constables by the Chief Magistrate of the Burgh or Sheriff of the County.

Penalty for neglecting Watchmen or other Police Officers during their Hours of Duty.

LXXV. And be it enacted, That every Person who shall neglect, harbour, or entertain, or assist from their Duty, any such Watchmen or other Police Officer during their Hours of Duty, shall, on Conviction, forfeit and pay a Sum not exceeding One Pound for every such Offence.

LXXXVI. And be it enacted, That every Person who shall assault, strike, obstruct, hinder, or molest any Officer or other Person employed under this Act, in the Execution of his Duty, shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds Sterling, without Prejudice to the Officer or other Person to sue for and recover a Recompense, Damages, or Expenses for the Injury which he may sustain, and to have the same awarded in the due Course of Law.

Penalty for obstructing Officers.

LXXXVII. And be it enacted, That if any such Officer shall demand any Emolument whatsoever (other than such Salary or Allowance as shall be appointed and allowed by the said Commissioners) for or on account of any thing whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of this Act, every such Person so offending shall be incapable afterwards serving or being employed under the said Commissioners, and shall forfeit and pay a Sum not exceeding Twenty Pounds for every such Offence, together with full Expenses.

Penalty on Officers taking any other Emolument than their Salary.

LXXXVIII. And be it enacted, That it shall be in the Power of any Magistrate within any such Borough, on Complaint made to him, to suspend any of the said Watchmen for Neglect of Duty, declaring that any such Suspension shall be intimated to the next Meeting of the Commissioners, who shall have Power to do in the Matter as to them shall appear proper.

Magistrates empowered to suspend Watchmen.

LXXXIX. And be it enacted, That all Persons taken into Custody within any such Borough as shall have adopted the Provisions of this Act or any Part thereof, by the Officers of Police, shall be taken before one of the said Magistrates of such Borough as soon as may be, and in no Case later than in the Course of the first lawful Day after they shall be so taken into Custody, to be proceeded with as the said Magistrate shall direct.

Persons in Custody to be taken before a Magistrate.

LXXXX. And be it enacted, That the Officers aforesaid may apprehend and bring before any such Magistrate all Vagrants and common Beggars found within any such Borough, for Examination, who shall be sent to any Parish to which or in part within the Jurisdiction of the Court in which they shall have acquired a legal Residence, or otherwise shall be ordered to leave the Territory of the Jurisdiction in which they shall have been apprehended; and if after the Expiration of Forty-eight Hours they shall be again found idle or begging within such Borough, they may be apprehended and carried before the Magistrate, who may commit them, as disorderly Persons, to Prison or Bridewell for any Space not exceeding Thirty Days.

Vagrants, &c. to be apprehended.

LXXXXI. And be it enacted, That on a Complaint by the Procurator Fiscal, any such Magistrate may and is hereby authorized and empowered to appoint all Persons convicted of keeping Houses resorted to by ruffian or disorderly People, or who shall supply Spirituous Liquors to any Person under the Age of Fourteen Years, within any such Borough, to find Security, of not less than Ten Pounds and not exceeding Fifty Pounds, for their good Behaviour for any Period not exceeding Twelve Months, and on failure to do so to deprive them of their Certificates for selling Ale or Spirituous Liquors; and such Forfeiture shall forthwith be reported to the Collector of Excise within the District.

Keepers of Tying Houses to find Security.

LXXXXII. And be it enacted, That all Booksellers and Dealers in Second-hand Goods, other than licensed Pawnbrokers, resident within any such Borough, shall be bound under a Penalty for Failure of Twenty Shillings to register their Names and Place of Residence at the Office of the Clerk of Court, where they shall obtain a Certificate, under the Hands of the said Clerk, of such Registration, on Payment of a Fee of One Shilling; and all such Dealers in Second-hand Articles, as well as all Pawnbrokers, shall as all reasonable Times produce, on Demand, to the Fiscal of Court, or the Officers acting under his Orders, all Articles of whatsoever Description in their Possession which they may have purchased or received in pawn, and shall also keep Books, in which the Description of all such Articles shall be entered, and shall produce such Books when required; and such Persons are hereby required, on being informed that such Articles in their Possession were stolen or fraudulently obtained, to deposit the same with the Procurator Fiscal of the Court, who shall be bound to grant a Certificate of such Deposition, and to enter the same in a Book in manner after directed, in order that they may be produced in such Manner as may be necessary for the Ends of public Justice, or restored by Order of a Magistrate; and all Persons so dealing in Second-hand Articles without being first duly licensed as aforesaid, or who shall be found guilty of offending against the said Provisions and Enactments, shall for every such Offence forfeit a Sum not exceeding Five Pounds Sterling, without Prejudice to such Persons being also proceeded against as Receivers or Restorers of stolen Goods, according to Law; and in case of Refusal to produce such Articles in their Possession, or to deliver up any such Articles alleged to be stolen, any Magistrate of such Borough may grant a Warrant to search for and produce to the Procurator Fiscal such Articles: Provided always, that a Book shall be kept, by or under the Direction of the said Procurator Fiscal, in which Entries shall be made of all Property seized or detained by any of the Officers of Court, or lodged with them for Purposes of Evidence or otherwise, as well as of the Time and Manner in which such Goods shall have been afterwards disposed of.

Booksellers and other Dealers in Second-hand Goods to register their Names.

LXXXXIII. And be it enacted, That no Person shall drive Cattle or Bestial of any Description on Sunday through any Part of any such Borough for the Purpose of being slaughtered within the same, under a Penalty not exceeding One Pound Sterling for each Offence.

No Cattle to be driven on Sunday for Slaughter.

LXXXXIV. And be it enacted, That upon the Apprehension of any Person by the Officers of Police within any such Borough, under Circumstances entitling him by Law to be liberated upon Bail, it shall be lawful to such Officer as the said Commissioners shall appoint for that Purpose, and he is hereby empowered, to accept of such Bail, or of a Recognizance, and to liberate the Person upon Bail being so found to the Amount not exceeding Ten Pounds, or of a Recognizance in the Sum not exceeding Ten

Officers may liberate upon Bail.

Founds, it being expressly declared that the Refusal to accept of Bail or Confinement, and in consequence detaining the Prisoner until Recovery can be had to a Magistrate in the usual Form, shall not subject the said Officer to any Claim of Damages whatever.

Rules and Regulations to be printed and hung up

Penalty on Persons defacing Boards

Regulations as to Gunpowder.

LXXXV. And be it enacted, That all the Rules, Orders, Regulations, or Bye Laws to be made in virtue of this Act shall be legibly printed upon Boards, and hung up in such conspicuous Places as the Commissioners may appoint, and shall, when defaced or obliterated, be repaired and renewed.

LXXXVI. And be it enacted, That if any Person shall wilfully or maliciously pull down, deface or destroy any such Board, he shall, upon Conviction, for each Offence forfeit and pay to the said Commissioners a Sum not exceeding Five Pounds.

LXXXVII. And be it enacted, That no Gunpowder shall be sold within the Bounds of any such Borough as shall have adopted the Provisions of this Act or any Part thereof by Candle or other artificial Light, under a Penalty not exceeding One Pound Sterling, to be paid for each Offence by the Person so selling the same; and no Person shall keep at any Time in any Place more than Ten Pounds Weight of Gunpowder, under a Penalty for the first Offence of any Sum not exceeding One Pound Sterling, for the second Offence not exceeding Three Pounds Sterling, and for the third and any subsequent Offences not exceeding Five Pounds Sterling, besides Forfeitures of all the Gunpowder which shall be found in such Place exceeding the aforesaid Weight; and the aforesaid Quantity of Ten Pounds Weight of Gunpowder allowed to be kept as aforesaid shall be Deposited in a Place by itself, separate from all other Goods and Commodities, and shall be secured by Lock and Key, under a Penalty not exceeding One Pound Sterling to be paid for each Offence by the Occupier of the Premises in which such Quantity of Gunpowder not so kept and secured as aforesaid shall be found: Provided always, that the Commanding Officer of any of His Majesty's Military or Naval Forces, or of any Volunteer or Yeomanry Corps, may keep such a Quantity of Gunpowder as he may think necessary for Military Purposes.

Houses and Streets to be numbered and numbered

LXXXVIII. And be it enacted, That the Commissioners aforesaid may order and direct the Houses, Buildings, Shops, Cellars, or Warehouses within any such Borough to be numbered with Figures, to be placed or painted on the Doors or on such other conspicuous Part thereof as they shall think proper, and may likewise order to be painted or otherwise inscribed on a conspicuous Place at or near the Corner of each Street, Square, Lane, Passage, or Place, the Name thereof, and any Person who shall wilfully or maliciously injure or deface any such Number, Figure, Name, or Description, shall for every such Offence forfeit and pay a Sum not exceeding One Pound.

Regulating Foot Pavements and Streets

LXXXIX. And be it enacted, That if within any such Borough any Person or Persons shall carry, push, roll, drive, draw, or cause to be carried, pushed, rolled, driven, or drawn, on any of the Foot Pavements within the Bounds thereof, any Bar, Sledge, Cask, or Wheelbarrow, Wheel or Wheels, or any Coach, Wagon, Cart, or Carriage whatsoever (except directly across the same on necessary Occasions); or shall wilfully ride, lead, or drive any Horse, Ass, Mule, or Cattle (except when going directly across the Foot Pavements to or from Stables or Coachhouses) upon any Part of the said Foot Pavements; or shall, in any of the Streets, Squares, Lanes, or Passages, drive any Carriage or Carriages for the Purpose of breaking, exercising, or trying Horses, or shall ride any Horse for the Purpose of exercising, using, trying, showing, or exposing such Horse for Sale (otherwise than by passing through such Street or other public Places); or shall throw or cast any Dirt, Dung, Ashes, or Rubbish into or upon the same; or shall roll any Cask, empty or full, along the Foot Pavements, for any Distance whatever (except across them directly to or from a Cellar, Shop, or Warehouse); or shall roll any such Cask (except from a Shop, Cellar, Warehouse, or other Place directly to such Cart or Carriage as it is to be loaded upon, or from such Cart or Carriage as it has been loaded upon directly to the Shop, Cellar, Warehouse, or other Place in which it is to be deposited, not exceeding Thirty Yards in any Case); or shall drive any Cart or other Carriage on the Streets of any such Borough, or any of the Roads or Passages within the Limits thereof, loosely or improperly, or shall drive any Four-wheeled Cart commonly called a Wood Yarker without a Person in charge of each Pair of Wheels; or shall leave any Cart or Carriage standing on the Streets, Roads, or Passages thereof, yoked or unyoked, either during the Day or Night; or shall ride any Horse loosely or improperly, or drive any Horse or Cattle or Carriage of any kind in an improper Manner upon any of the said Streets, Roads, or Passages; or shall load or drive any Plank or Piece of Timber exceeding the Length of Twenty Feet upon or by the Means of any Machine or Carriage having less than Four Wheels, or suffer the same, if upon such Machine or Carriage, or not being of the Length of Twenty Feet or upon a common Cart or other Carriage, to project beyond the outer Part thereof, or occupy more of the Street or Road or Breadth than is occupied by such Machine, Cart, or other Carriage itself, or to touch or drag upon any Part of such Street or Road; then it shall and may be lawful for any Person who shall see such Offence committed to arrest such Offenders, and by Authority of this Act, without any other Warrant, to convey them to the Custody of any Officer of Police or other Peace Officer, in order to be secured or conveyed before any Magistrate of such Borough, or the Sheriff of the County within which such Borough is situated; and such Magistrate or Sheriff shall, upon the Complaint of the Person seeing such Offender, or of the Officer of Police or other Peace Officer into whose Custody he shall have been given, proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of riding, or breaking, exercising, or trying, or driving any Horse or Cattle,

Forfeit and pay to the Commissioners a Sum not exceeding Five



Five Pounds Sterling; and any Person convicted of any other of the above Offences shall forfeit and pay any Sum not exceeding Twenty Shillings Sterling: Provided always, that nothing herein contained shall prevent the holding of any legalised occasional Fair or Fairs within any such Burgh.

XI. And be it enacted, That it shall be lawful to the said Magistrates of any such Burgh, or the Dean of Guild, and to the Sheriff of the County in which such Burgh is situate, in their respective Burgh, Guild, and Sheriff Courts, and within their respective Jurisdictions, on an Application by the said Commissioners, or the Person to whom they may give Power to act for them in such Matter, in the Form used in such Courts, against the Proprietor or Proprietors of any Buildings fronting any of the Streets, Squares, Lanes, Roads, or Passages within such Burgh, having Stairs built upon the Streets or Foot Pavements, or projecting or encroaching in any Manner upon the Streets or Foot Pavements, or having any other Buildings or Things projecting therefrom, or connected therewith, which obstruct the free Passage, or occasion Inconvenience or Danger to Passengers on the Streets or Foot Pavements, or order such Stairs, Projections, Encroachments, or other Things to be removed by the Proprietor thereof, at the Sight of the Person presenting, or any other Person who may be named by such Magistrate, Dean of Guild, or Sheriff, within such reasonable Time and to such Manner as to such Magistrate, Dean of Guild, or Sheriff may appear suitable; and if the same be not removed within the Time fixed the Proprietor or other Person through whose Default the Decree or Order of Court has not been duly implemented shall forfeit and pay any Sum not exceeding Twenty Shillings for each Month after the Expiration of the Time allowed for removing during which the Obstructions remain; and in case such Obstructions shall not be removed within Six Months after the Time allowed for removing the same has expired, then such Magistrate, Dean of Guild, or Sheriff may and is hereby required to issue his Warrant for removing the same *vi vi* vi.

Buildings and other Encroachments on the Streets, &c. may be removed.

XII. And be it enacted, That in all Cases of Buildings already erected on the Sites of the Foot Pavements of any of the Streets, Squares, Lanes, Roads, or Passages of any such Burgh, which cannot have convenient Access made to them by any other Means than the Stairs or Projections or Encroachments already made, such Magistrate, Dean of Guild, or Sheriff shall not have Power to order such Stairs or Projections to be altogether removed, unless with the Consent of the Proprietor thereof; but it shall be lawful to such Magistrate, Dean of Guild, or Sheriff, and he is hereby authorized and empowered, to order such Stairs, Projections, or Encroachments to be removed or altered by the Proprietor thereof, at the Sight of such Person as may be named by the Magistrate, Dean of Guild, or Sheriff, and that to such Extent and in such Way as to him may appear proper, as so, without depriving such Buildings of a suitable Access, to abate the Danger or Inconvenience arising from such Stairs or Projections; and in case of Failure to execute the Operations ordained by such Magistrate, Dean of Guild, or Sheriff, within the Time allowed, the Penalties herein specified for a Failure to implement the Orders of such Magistrate, Dean of Guild, or Sheriff in the Case of a total Removal, shall in this Case also be incurred, and be recoverable in manner aforesaid; and in case the Order shall not be implemented within Six Months after the Time allowed for removing the same has expired, then such Magistrate, Dean of Guild, or Sheriff may and is hereby required to issue his Warrant for removing the same *vi vi* vi.

If convenient Access cannot be obtained except by such Stairs, &c. then he is partially removed.

XIII. And be it enacted, That in all such Cases of the Removal in whole or in part (or the Alteration) of such Stairs, Projections, Encroachments, or other Buildings or Things, in case the Proprietor of the House or other Building to which the same belongs shall be thereby injured, he or they shall be entitled to a Compensation from the said Commissioners for such Injury, according as the Amount thereof shall be agreed upon between him and them, or shall be ascertained by such Magistrate, Dean of Guild, or Sheriff by means of a Report to Persons of Skill, and a Report on Oath by them, or otherwise as such Magistrate, Dean of Guild, or Sheriff shall direct, in case the Parties shall consent to the Amount being so ascertained, or by a Jury, to be summoned in the same Manner as Jurors in Scotland are summoned.

Compensation for Injury.

XIV. And be it enacted, That the Proprietor, Lefe Renter, or any other Person entitled to the Reuse of any Premises which shall be insecure, ruinous, or otherwise dangerous to Passengers, shall be obliged and be hereby required forthwith, on the Requisition of such Magistrate, Dean of Guild, or Sheriff, on the Application to him of the Procurator Fiscal, having the Consent of the Commissioners therein, within a reasonable Time to be limited in such Requisition, to repair and secure or to pull down and remove such Premises; and in default thereof such Magistrate, Dean of Guild, or Sheriff is hereby authorized and empowered, on the Report of Workmen, to repair and secure or pull down and remove such Premises; and every such Person aforesaid neglecting or refusing to comply with such Requisition shall for every Day forfeit and pay any Sum not exceeding Five Pounds Sterling, besides defraying the whole Expence incurred in repairing and securing or pulling down and removing such Premises.

Dangerous Houses to be secured or taken down.

XV. And be it enacted, That in all such Cases of the Removal in whole or in part, of the Alteration, of such Obstructions, the Proprietor shall be relieved by the said Commissioners of all Expence which may be incurred in making Application to such Magistrate, Dean of Guild, or Sheriff as aforesaid, in implementing his Orders, or in any other Way in relation to the Premises, except only such Expences as may be incurred by or through the improper Opposition of such Proprietor to the Application to be made as aforesaid, or any of the Proceedings under the same, or by or through his improper Refusal or Delay to implement the Orders of such Magistrate, Dean of Guild, or Sheriff, all which Expences shall and may be paid by such Proprietor, and he is hereby required to pay the same

Expence to be paid by the Commissioners.

of Quilt, or Sheet may and shall give Deceit according to the usual Form and Practice of his Court, ordering such Proprietor to make Payment of such Expenses on the Amount thereof shall be ascertained by them.

Power given to  
Proprietors of  
Flats or House  
to erect, haul or  
make Water  
Pipes.

XV. And be it enacted, That in all Streets or other Places within any Borough which shall have adopted the Provisions of this Act, whose Common Sewers are now or may hereafter be constructed, it shall be lawful to the Proprietor of separate Floors or Flats, under the Direction of the Commissioners, to erect one waste or foul Water Pipe along the back Wall of the Tenement, or the Outside, to communicate with any Drain under Ground leading into a Common Sewer, where there is such Drain, and with Power to make such Drain if there is not one already, and afterwards to keep the same in good and sufficient Repair; provided that the Expense and Damage occasioned by the erecting and reconstructing such Pipe, Communication, and Drain, and the Expense of keeping the same clean and in good Repair, shall be defrayed by the Proprietors of the Flats or Floors making use of the same, in proportion to their respective Rents, to be ascertained by the Books of Assessment aforesaid.

Power to Com-  
missioners to  
construct Sewers  
and Drains.

XVI. And be it enacted, That the said Commissioners shall have Power from Time to Time to deepen and enlarge the same, and also to conduct Drains for leading Rain or other Water or Soil into such Main Drains: Provided nevertheless, that it shall not be lawful for the said Commissioners to cut off, divert, or alter any Stream or Watercourse, or diminish the ancient and accustomed Quantity of Rain or other Water or Soil flowing therein at the Period at which the Provisions of this Act may be adopted in any such Borough, without the Consent in Writing of the Persons severally interested in such Water, and of the respective Owners and Occupiers of the Land on either Side of such Stream or Watercourse throughout their respective Properties.

Power given to  
provide Fire  
Engines.

XVII. And be it enacted, That the said Commissioners may provide One or more Fire Engines and Fire Coaks or Plugs, on the said Commissioners may judge necessary, and also fit Persons for working the same, and apply to each of the Assessments hereby authorized to be levied as may be necessary for such Purpose.

Power granted  
to lay fire &  
to make the same,  
and also a  
Reward to  
Persons, &c.

XVIII. And be it enacted, That if any Chimney or Funnel for conveying Smoke within any such Borough be set on fire, or be suffered to be set on fire, or shall take fire, the Occupier of the Premises to which such Chimney or Funnel belongs shall be liable in a Penalty of Ten Shillings; and such Occupier shall moreover be liable in such further Sum, not exceeding Ten Shillings, as any Magistrate of such Borough shall award to be paid (in such Proportions, if there be more Chimneys than One, as the said Magistrate shall direct) to the Firemen or other Persons by whom such Fire is extinguished, or to the Person who shall account proceed to the Place to assist in extinguishing such Fire, or who shall first report such Fire at the Police Office.

Commissioners  
may erect  
Stoolyards.

XIX. And be it enacted, That the said Commissioners may erect and maintain Stoolyards or other Weighing Engines upon or adjacent to the different Roads leading to any such Borough, or at convenient Places within the same, for the Purpose of weighing such Articles as may be brought within such Borough, and may enact such Rules, Regulations, and Bye Laws for regulating the weighing thereof as they shall from Time to Time think necessary and expedient, and may enforce Obedience therein under such Penalty and Forfeiture as they shall think, not exceeding Twenty Shillings.

Notice to lay,  
&c. on persons  
to lay, maintain  
and lighted.

C. And be it enacted, That no Stores, Wood, Linn, Sand, or other Article shall be deposited, or any Sheds for Workmen or other Erection or Inclosure be placed upon or Opening made in any of the Streets or other public Places within any such Borough, without the Authority of the Magistrates first had and obtained; and the Persons making or causing such to be made shall at their own Expense cause a sufficient Rail or Fence, and (where necessary) a Footpath, sufficiently fenced, to be put round the same, and shall also cause a sufficient Number of Lamps or Lights to be affixed as or near the same, to be kept burning every Night, from Sunsetting to Sunrise, that such Depositions, Erections, and Inclosures shall remain, or such Holes or Openings shall be unfilled up, all to the Satisfaction of the said Commissioners: in failure whereof such Magistrate may, on Complaint, decree the Persons so offending to pay any Sum not exceeding Ten Pounds for each Day or Night the same may remain unfilled, and may also order such Depositions, Erections, Inclosures, Foundations, or Holes to be fenced, and Lamps or Lights to be affixed and kept burning, at the Expense of the Persons employed or concerned therein, saving always to any Person who may suffer Injury by such Operations, whether the Provisions above written be observed or not, to prosecute for Reparation and Damages according to Law.

Proviso under  
Regule to be  
bound.

CL. And be it enacted, That when it may become necessary to perform any Work upon Houses or Tenements within the Limits aforesaid, whereby Risk may arise of any Articles or Materials falling upon the Streets, or of other Injury to the Public, every Person carrying on or causing to be carried on such Works shall at his Expense sufficiently fence round the Parts of the said Foot Pavement opposite to such House, and shall uphold and keep in proper Repair the Fences aforesaid, during the whole Time the said Works are carrying on, to prevent Passengers from walking along these Parts of the said Foot Pavements, and, where necessary, shall also form a Footpath, sufficiently fenced, round or in front of such Works; and the Person neglecting or refusing so to do shall be liable in a Penalty not exceeding Ten Shillings for each Day's Failure, and any Magistrate of any Borough which shall have adopted the Provisions of this Act or any Part thereof may order the said Foot Pavements to be fenced

CII. And be it enacted, That all Cellars and other Places adjoining to the public Streets or Places, having an Entry by such Steps or other Openings to the Pavement beyond the Line of the Wall of the Building to which they belong, shall be protected by a sufficient Iron Grating or other sufficient Cover, in such Way as may be best suited for preventing Danger or Injury; and if any Proprietor or Occupier shall fail to maintain such Grating or Cover when required by any Magistrate of any Borough which shall have adopted the Provisions of this Act, or to keep it properly secured, he shall be liable to a Penalty not exceeding Twenty Shillings, and such Magistrate may order the Work to be executed at the Expence of the Party so offending.

Such Steps to be covered in

CIII. And be it enacted, That such Magistrate, upon Complaint, may order to be removed or to be repaired all Chimney Cans or Pots, Ticks, Saws, Shutters, or other Articles on the Roofs or any other Part of Houses, which may be dangerous to Passengers; and on Failure, such Magistrate may employ a Person to remove or repair the same; and the Proprietor shall in such Case, besides paying all Expences, forfeit and pay a Sum not exceeding One Pound Sterling.

Chimney Pots, &c. to be repaired or removed

CIV. And be it enacted, That where any Part of the Streets and other Ways aforesaid, or the Pavements or Footpaths, Squares, Shores, or Pipes, Drains or Common Sewers, or Water Pipes, within any such Borough, whether already made or hereafter to be made, shall get into Disrepair, an Intimation in Writing shall be given, by Order of the said Commissioners, to the Person liable to repair the same, requiring him to make such Repair within a Time to be specified in such written Intimation; and failing thereof, it shall be competent for any such Magistrate of any such Borough, on Complaint by the Proprietor thereof, to fine and sentence such Person in Double the Amount of the estimated Expence of such Repair, to be recovered in manner herein provided, and on Recovery thereof to authorize and direct such Repairs to be made by the said Commissioners, and the Expence to be defrayed out of the Sums to be so recovered; and the Remainder of such Sums, deducting the Costs of recovering the same, shall be applied as Fines and Penalties are by this Act directed to be applied.

Repairs to be directed

CV. And be it enacted, That the Proprietors of all Houses and other Buildings, or of Gardens, Yards, Grounds, and other Heritages on which Buildings are not erected, which are adjoining to or fronting any Street, Square, or other public or principal Place within any such Borough, shall, at their own Expence, when required by the said Commissioners, cause Footpaths before their Property respectively, on the Sides of the said Roads, Streets, Squares, or other public or principal Places, to be made, and to be well and sufficiently paved with Hat, hewn, or other Stones, or to be constructed in such other Manner and Form and of such Breadth as the said Commissioners shall direct; and in case such Proprietors shall refuse or neglect or delay so to do, the Magistrate before whom such Complaint shall be brought may fine and amerce such Proprietors in Double the Amount of the estimated Expence, to be recovered in manner herein provided, and on recovery thereof to authorize and direct such Foot Paths to be made by the said Commissioners.

Foot Paths

CVI. And be it enacted, That it shall be lawful to the said Commissioners to provide in any such Borough, a proper Police Office, if necessary, containing suitable Accommodation for the Meetings of the Commissioners, and for the several Officers of the Establishment, and for confining Prisoners, as provided for by this Act, and also proper Watch-houses in different Stations, and to contract with Proprietors of Buildings properly adapted or which may be capable of being adapted to the Purpose aforesaid, or with other Persons qualified and willing to enter into such Contracts, for the Purchase or Hire, or for the obtaining on Lease for a suitable Term of Years, of such Buildings; and in Case no such Buildings, to the Satisfaction of the said Commissioners, can be found at a suitable Price or Rate, then the said Commissioners are hereby authorized and empowered to purchase or for such convenient Sites as may here be fixed as aforesaid within any such Borough, upon which Buildings for the Purpose aforesaid may be erected, and to contract for the Erection thereof, and for fitting up and furnishing the same.

Property may be purchased for Police Office.

CVII. And be it enacted, That it shall be lawful to the Magistrates and Town Council of any such Borough, in conjunction with the Commissioners to be elected therein, to erect or cause to be erected in such Borough, if necessary, a Weigh-house for the Use of the Inhabitants thereof, and of Persons resorting thence, with the necessary Weights, Scales, and Measures, and other Conveniences requisite for the weighing or measuring any Articles of whatever Description which may be exposed to Sale in such Borough, and requiring or directed to be weighed or measured; and it shall be lawful to the said Commissioners to demand and take such reasonable Rate or Sum for the Use thereof as shall be settled and agreed on between them and the said Magistrates; and the Expences of such Weigh-house shall and may be borne and defrayed by the said Commissioners out of the Assessments to be levied under or in virtue of the Powers hereby granted; and in case of Difference between the said Magistrates and the said Commissioners as to the Erection or Expence of such Weigh-house, or the Amount of the Rate to be taken for the Use thereof, it shall be competent for either Party, after Six Days previous Notice given to the other Party, to apply to the Sheriff of the County, who shall determine the same, and whose Decree shall be final and conclusive.

Weigh-house may be erected.

CVIII. And be it enacted, That it shall be lawful for the said Commissioners to contract for lighting in a suitable Manner with Oil, Gas, or otherwise, the whole Roads, Streets, Lanes, Wynds, Closets, Passages, and other Places within any such Borough, or any Part thereof; and the said Commissioners shall from Time to Time think fit, and to erect the requisite Number of Lamps, Lamp Posts, Lamp Bases, and Gas Tubes, and to affix the same, where necessary, upon the Houses or other Buildings upon the Sides of the Streets; Provided always, that no Gas Pipe shall be affixed upon the Walls of any House without the Consent of the Proprietor thereof, or of the

Lamps to be erected

Penalty for  
Smoking  
Pipes.

CIX. And be it enacted, That if any Person shall wilfully take away, break, or throw down any Lamp or Lamps, Tube, or other Gas-fittings set up within the Bounds of any such Borough, or shall wilfully extinguish the Light within the same, or damage the hose or Apparatus thereof, such Offender shall forfeit and pay a Fine not exceeding Five Pounds Sterling for every such Offence, and shall moreover pay such Sum to the Magistrate before whom such Offender shall be brought shall find to be necessary for remedying the Damage done; and in case such Offender shall not immediately upon Conviction pay such Fine, such Magistrate is hereby empowered, to commit him to the Common Goal or Bridewell for a Space not exceeding Sixty Days; and such Offender shall not be discharged before the Expiration of that Time, unless such Fine shall be sooner paid; and in case of Neglect or Refusal to pay the Sum so awarded in Name of Damages within Forty eight Hours after it shall be demanded, the same may be recovered by Pleading and Sale of the Offender's Effects, or by other legal Means.

Power to open  
Streets.

CX. And be it enacted, That in case it shall be necessary for the conducting of Gas, or making Common Sewers or Drains, or for laying Pipes for the Supply of any such Borough with Water or Gas, or for any other Purpose, that the Streets within any such Borough shall be opened, it shall be in the Power of the said Commissioners, and they are hereby authorized to apply by Petition to the Magistrates and Council of each Borough, and to Road Trustees respectively, with regard to Streets and other Places under their respective Management and Superintendance, for Leave to open such Streets, Roads, and other Places; and such Magistrates and Council and Road Trustees respectively shall, on such Application, grant the necessary Warrant for that Purpose; the said Commissioners and those employed by them being always bound to carry on such Operations in the Manner least inconvenient for the Inhabitants, and with the least possible Delay, and at their own Expence to fence such Works while the same are going on, and to re-enclose the Streets and other Places so opened by them in the same Condition as before they shall have been opened.

Commissioners  
to appoint  
Scavengers.

CXI. And be it enacted, That the said Commissioners may appoint Scavengers and others for sweeping and cleaning the Streets, Roads, Lanes, and other Places in any such Borough, or contract with any Person for these Purposes, and to remove the Dung or Filth thereof to such Places as the said Commissioners shall deem most convenient to the Inhabitants; with Power to the said Commissioners to rent or purchase Depots for that Purpose, within or without any such Borough, from such Person as may be willing to contract and agree with them thereto; and all Duns, Ashes, Dung, or other Filth, excepting always Stable and Byre Dung, and the Refuse of Slaughter-houses, collected upon the Streets, Lanes, common Streets or Passages within each Borough, shall belong to the Commissioners.

If Magistrates  
provide Stables,  
Cattle not  
to be elsewhere  
slaughtered.

CXII. And be it enacted, That as soon as the Magistrates and Council, or other Persons duly authorized, shall provide in the Suburbs or other proper and convenient Place of any such Borough fit Stables or Slaughter-houses for the Purpose of slaughtering Cattle and other Beasts, and shall by Tack of Drains, or other usual Mode of Proclamation in each Borough, once a Day for Seven Days have declared the same to be open, it shall not thereafter be lawful for any Flesher or Butcher or other Person (private Persons in their own Provinces, for the Use of their own Families and Incorporations, who have erected Stables at the Sight and under the Authority of the Magistrates and Town Council, and their Tenants, close excepted,) to slaughter Cattle or other Beasts elsewhere than in the Stables or Slaughter-house so to be provided; and any Person thereto using any other Stables or Slaughter-house shall be liable to the said Commissioners to a Penalty not exceeding Twenty Pounds; and it shall and may be lawful for the said Commissioners to demand and take for the Use thereof such reasonable Hire or Sum as may be agreed on and fixed between them and the said Magistrate; and in case of Difference as to the Rate to be taken for the Use of such Slaughter-house or Stables, the same shall, upon the Application of either Party, and after Seven Days previous Notice to the other Party of such intended Application, be fixed and determined by the Sheriff of the County, whose Decision thereon shall be final and conclusive, and not subject to Review in any Court of Law or Equity.

Hackney  
Coaches, &c. to  
be regulated.

CXIII. And be it enacted, That the Magistrates and Council of any such Borough for the Time being shall have full Power and Authority, and they are hereby empowered and authorized, to license such Number of Hackney Coaches, Landaus, Chariots, or other Carriages for Hire, as they from Time to Time shall think proper; and the Town Clerk of each Borough shall be entitled to exact the Sum of One Shilling for each Licence, such Licence to continue for Two Years, and to prevent all others, not licensed, from plying for Hire, or occupying any Part of the Streets or Highways of each Borough, Suburbs or Liberties thereof; and if any Person or Persons who shall obtain such Licence shall use, within the Space of One Month after obtaining or receiving the same, keep and maintain such Coach or other Carriage for which such Licence shall be granted, for the Use and Convenience of the Public, and continue so to discharge the Continuance of his or her Licence, and shall, on the Complaint of the Prosecutor Fiscal or other public Prosecutor of each Borough, be convicted thereof before the said Magistrate, or any One of them, by the Oath or Oaths of One or more credible Witnesses or Witnesses, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds Sterling for each Offence, to be levied summarily, and the Licence thereafter shall be void; but in case the Person so offending shall surrender his Licence to the said Magistrate, such Fine or Penalty shall not be levied; and such Magistrates shall be and are hereby authorized and empowered to make such other Rules and Regulations as they shall think fit for licensing and regulating the said Hackney Coaches and other Carriages, and also for Sedan Chairs, Cabs, Waggones, and Porters in each Borough, and for trying and punishing the Habituality of Rogues, Drunken Drabmen, Vagrants, and Beggars, and for fixing and altering

along their Sides, and for ascertaining what Rates and Fines, both as to Distance and Time, shall be allowed to be taken by them, and as to what Distances, and under what Penalties, Coachmen, Drivers, Chaises, and Porters shall be obliged to drive or ply in and round each Borough, not exceeding Seven Miles for Coachmen, and Two Miles for Chaises and Porters; and the said Magistrates and Council are hereby authorized and empowered from Time to Time to repeal, add to, alter, or amend such Rules and Regulations, and to impose Fines and Penalties for the Breach or Nonperformance of such Rules and Regulations, which Fines and Penalties shall be recoverable on the Complaint of the Prosecutor Fiscal or other public Prosecutor of such Borough, or on the Complaint of the private Party aggrieved; declaring that no Penalty imposed by the said Magistrates and Council shall exceed One Pound Sterling; and all such Rules and Regulations made by such Magistrates and Council, specifying the Fines and Penalties for the Breach and Nonperformance thereof, shall from Time to Time, as often as they shall be made, altered, or varied, be put up, either in Print or in Writing, on such Place or Places as the said Magistrates and Council shall think proper, at all Times to remain and be in the said Place or Places.

CLIV. And be it enacted, That it shall be lawful for the said Commissioners to require that the Water from the Roofs and Cornices of all Houses or other Buildings fronting the public Streets, Lanes, Roads, Passages, Wynds, and Clozes, shall be conveyed by leaden or other proper Pipes or Bams, to be brought down the Walls of such Houses or other Buildings respectively to the Street, and shall be kept in repair, at the Expence of the Proprietors of such Houses or other Buildings respectively, but as in and that the same shall not discharge the Water thereby conveyed upon the Foot Pavements; and if any such Proprietor shall fail or neglect to convey such Roof Water in manner aforesaid, within Fourteen Days after being required to do so by such Commissioners, any Magistrate may, on Complaint as aforesaid, order the Works necessary for conveying the said Water in manner aforesaid to be done at the Expence of such Proprietors, to be recovered, along with the Expences of the Application, by Pleading and Sale as aforesaid.

CLV. And be it enacted, That it shall be lawful for the said Commissioners to dig Wells and, except to such Boroughs in which there shall be Wells already established by Act of Parliament for the supplying any such Borough with Water, to bring Water into such Borough for the Use of the Inhabitants, and for that Purpose to contract and agree with the Proprietors and all other Persons interested in any Springs, Streams, or River capable of supplying such Borough, and with the Owners and Occupiers of Ground situated between such Springs, Streams, or River and such Borough, for the Right and Privilege of collecting and conveying the Water of such Springs, Streams, or River into such Borough, and of erecting Cisterns and laying Pipes, and to construct all other necessary Works for conveying such Water into such Borough, in and through the Lands or Grounds lying between such Springs, Streams, or River and such Borough, and also through the Streets and Lanes thereof, and to open such Grounds from Time to Time in order to repair or replace such Pipes and Works, and from Time to Time to contract and agree with such Persons as they shall judge proper for laying such Pipes, and erecting, completing, and repairing such Works, as may be necessary for effecting the Purposes above mentioned.

CLVI. And be it enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, or across any Road, Street, Lane, or other public Passage or Place within such Borough, shall be so laid at the greatest practicable Distance, and, whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe, Gough, or Watercourse already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the Streets, Lanes, or other public Passages or Places within such Borough, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, Goughs, or Watercourses, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes, Goughs, and Watercourses at the greatest practicable Distance therefrom, and shall form therewith as near as possible a Right Angle; and in such Cases the said Gas Pipes so crossing the said Water Pipes, Goughs, and Watercourses shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes, Goughs, or Watercourses than Three Feet at least; and in laying down the said Gas Pipes the said Commissioners shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in each Trench form the Joints with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connecting or communicating therewith, and all the Screws, Joints, Islets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for any such Offence, if the said Commissioners shall neglect or refuse to make such Gas Pipes air-tight within Twenty-four Hours after Notice thereof given to them in Writing, the Sum of Fifty Pounds, to be recovered, at the Instance of any Person having Interest, by summary Complaint to the Sheriff of the County, in which such Borough is situate.

CLVII. And be it further enacted, That whenever the Water of any Owner or Company of Proprietors of Waterworks shall be contaminated or affected by the Gas to be supplied under the Authority of the Act, the said Commissioners shall reflect and pay for every such Offence a Sum not exceeding Twenty Pounds, to be used for and recovered as herein directed, and applied for the Use and Benefit of the Water Company; and if any of the said Waterworks situated in any Borough shall in any such Year shall

Water from  
Roofs, &c. shall  
conveyed to  
Pipes.

Power to Com-  
missioners to  
bring Water  
into the Borough.

For the Protec-  
tion of Water  
Pipes.

To prevent  
Contamination  
of Water by  
Gas.

be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Commissioners supplying such Gas shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Clerk or Surveyor to such Water Company, Owner, or Company of Proprietors, or by any Person concerning the Water, to be left with or at the Office of the Clerk of the said Commissioners, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of such Company or Owner of Waterworks; and in case the said Commissioners shall not, within Twenty-four Hours next after such and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Commissioners shall, so each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time of such Water Company, or to such Owner of Waterworks, for the Use and Benefit of such Company or Owner, over and above the herein-mentioned Penalty of Twenty Pounds, to be recovered as herein directed, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by various Complainants to the Sheriff of the County in which such Burgh is situate, with the Evidence on Oath of One credible Witness, by and in the Name of any One or more of the Directors of any such Water Company, or of such Owner, at the Option of the Party or Parties pursuing such Complaint against the said Commissioners; before the said Sheriff, with such Expenses therefor as shall be justified by him, and to be levied by Deceit and Process of Pointing the Goods and Effects of the said Commissioners, together with the Expenses of such Deceit and Process; and such Penalty or Penalties, when so levied, shall be paid to the Treasurer, or to One of the Directors for the Time being of the Company, or to the Owner of such Water contaminated or affected by such Gas.

Personneling  
if Water is  
contaminated.

CXVIII. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas supplied under the Authority of this Act? he it therefore enacted, That in every such Case it shall and may be lawful to and for the said Owner or Company of Proprietors of Waterworks to apply to the Sheriff of the County in which such Burgh is situated for a Warrant, and on obtaining the same to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, for the Purpose of ascertaining whether such Contamination proceeds or be occasioned by the Gas of the said Commissioners; and if it shall appear that the said Water has been contaminated by any Escape of such Gas, the Expenses of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners; which Expenses shall be ascertained and determined, if necessary, by the Sheriff of such County, to be recovered by Deceit and Process of Pointing, as herein-before directed: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, then the Company or Persons supplying such Water shall bear and pay all the Expenses of such Examination, Repair, and Search, and shall also make good to the said Commissioners any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search; the Amount of such Injury to be ascertained and determined, if necessary, by the Sheriff of such County, and recoverable in like Manner as the Penalties are herein-before directed to be recovered.

Persons making  
Wells and pro-  
vided from In-  
decisions for a  
Waterworks.

CXIX. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to prevent any Person or Persons from proceeding against the said Commissioners in respect of any such Gas Work, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Actions against the said Commissioners for any Injury sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting, or the Carelessness or Want of Skill of the Persons who may be employed thereon.

Management of  
Waterworks,  
where such  
Sublet, beyond the  
Commissioners.

CXX. And be it enacted, That it shall be lawful for the said Commissioners, except in such Burghs in which there shall be Works already established by Act of Parliament for the supplying any such Burgh with Water or Gas, to treat and agree for, and thereafter, with the Consent of the Proprietors or other Trustees or other Persons in Charge or Management thereof, to assume and take the Management of such Works and Establishments, and of the supplying of Water or Gas thereby, or otherwise, to such Burgh: Provided always, that the said Commissioners shall previously thereto satisfactorily undertake for all the Debts and Obligations legally due by and incumbent on such Waterworks or Establishment, and free and indemnify the Persons theretofore having the Management and Administration thereof.

Water not to be  
drawn from  
Borewells.

CXXI. And be it enacted, That if any Person shall take or cause to be taken or used any Water out of any Pond, Tank, Reservoir, or Aqueduct, or other Work belonging to the said Commissioners, whether the same be already made, or shall be made or acquired by virtue of this Act, without the previous Consent in Writing of the said Commissioners to give such Consent, then and in every such Case every Person so offending shall forfeit and pay a Sum not exceeding Fifty Pounds Sterling for

CCXII. And be it enacted, That if any Person shall wilfully or maliciously damage or destroy any Chimney, Pipe, or Apparatus, or other Work for supplying Water or Gas as aforesaid, or shall wantonly discharge or let off any Water or Gas from such Chimney, Pipe, Apparatus, or other Work, every such Person shall, besides the full Amount of the Damage done thereby, forfeit and pay to the said Commissioners any Sum not exceeding Fifty Pounds Sterling for every such Offence.

Penalty on Persons making any Injury to Works.

CCXIII. And be it enacted, That it shall be lawful for the said Commissioners to enter into Contracts with the Occupier or Proprietor of any House or Premises situated within any such Borough for the Supply of such Owner or Occupier with Water or Gas, and by such Contract such Proprietor or Occupier may, at his own Expence, be permitted to convey Water or Gas into such House or Premises, upon making such annual Payment to the said Commissioners, and on such Conditions, as may be agreed upon: Provided always, that if at any Time the Payment of such annual Sum shall fall into arrear, it shall be lawful for the said Commissioners to levy the same by Pounding and Sale of the Party's Effects in manner herein-before provided for the Recovery of Assessments due under the Provisions of this Act, and to stop the further Supply of Water and Gas to such Premises in such Manner as they shall direct; and provided also, that nothing herein contained shall be construed to prevent any Person from taking Water at any of the public Wells already made and erected, or to be made and erected within such Borough.

Supplying Premises with Water or Gas.

CCXIV. And be it enacted, That every Person so supplied with Water shall in every Receiptable for Water affix to the Pipe conveying Water into his Premises a Ball-cock or other self-acting Cock, in such Manner as the said Commissioners or their Officers shall direct, and shall keep the same in repair, and shall prevent the Water running to waste or being applied to the Use of any other Person or Persons than those resident on the Premises; and any Person so offending shall forfeit a Sum not exceeding Twenty Shillings Sterling for every such Offence, with Power to the said Commissioners on the Third Offence to stop the Supply of Water to such Party; and the Officers of such Commissioners shall have free Access at all reasonable Times to the Premises so to be supplied as aforesaid, to see that such Ball-cocks are kept in proper and sufficient Condition and Repair, and that such Waste or Misapplication does not occur.

Ball-cocks to be provided or repaired.

CCXV. And be it enacted, That it shall be lawful for the said Commissioners to borrow and take up, for the Purpose of procuring a Police Office, erecting a Slaughterhouse or Shambles, or Weigh-house, or for erecting Lamps, or for making and constructing Common Sewers, any Sum not exceeding Three Times Amount of the several Assessments fixed and determined as above provided in relation to these several Objects respectively, or for procuring Water any Sum not exceeding Six Times Amount of the Assessment fixed for that Object; that is to say, that a Sum may be borrowed and applied to the said Purpose, in so far as the same relate to the Watching Department, not exceeding Three Times the Amount of the Proportion of the Assessments specified as applicable for One Year to the Department of Watching, as herein-before provided; and in like Manner Sums may be borrowed for the Purpose of being applied to the aforesaid Purpose connected with the other Departments respectively, not exceeding Three Times the Amount of the Assessments specified as applicable for One Year to each of the said Departments respectively; and in like Manner a Sum may be borrowed for procuring Water or supplying Gas, or paying for any existing Water-works or Establishment or Gas-works as aforesaid, not exceeding Six Times Amount of the Yearly Assessment fixed on for bringing Water into such Borough.

Power to borrow Money.

CCXVI. Provided always, and be it enacted, That in all Cases in which it shall be necessary for the said Commissioners to borrow any Sum or Sums of Money for the Purposes of this Act, it shall be lawful for the said Commissioners, and they are hereby authorized and required, at their First Annual Meeting for Assessment after such borrowing, or at any subsequent annual Meeting not exceeding Twelve Months from the Date of any such borrowing, to cause all Tenants, Occupiers, and Possessors of Premises valued as aforesaid in such additional Assessment beyond the Sum necessary for the Purpose of this Act as will produce a Fund amounting to Five per Centum per Annum upon the Sum so borrowed by the said Commissioners, which Sum of Five per Centum per Annum the said Commissioners shall annually appropriate, set apart, and invest at the highest Rate of Interest which can be had for the same in the Public Funds, in any of the said Banks, or in Heritable Security, as a Sinking Fund, applicable and to be applied by them from Time to Time in the Repayment of the Money borrowed, until the Debt shall be extinguished: Provided always, that such additional Assessment shall not increase the whole Assessment leviable beyond the maximum Rate of Assessment, to be fixed at the first Meeting for fixing the maximum Rate of Assessment, or any subsequent Triennial Meeting as aforesaid.

Commissioners to establish a Sinking Fund.

CCXVII. And be it enacted, That no Commissioner, or Officer acting under them, shall be personally liable for the Repayment of any Money so borrowed, but all such Obligations shall be deemed and taken to be granted on the sole Security of the Rates and Assessments authorized to be assessed and levied as herein-before provided.

Commissioners not to be personally liable.

CCXVIII. And be it enacted, That all Bonds for the Money so to be borrowed as aforesaid shall be signed by the Treasurer or Collector of the said Commissioners in Presence of Two of the said Commissioners, who shall sign as Witnesses thereto, and shall be in the Form and Tenor following; *videlicet*,

As to Bonds to be granted.

<sup>a</sup> Number (here state the Number).

<sup>b</sup> BY virtue of an Act made in the Third and Fourth Year of the Reign of His Majesty King William the Fourth, intitled An Act to enable Burghs in Scotland to establish a general System of Police.

<sup>c</sup> L. A. B. (Where the Burghs, Towns, or Villages, or any of them, are the Commissioners of the Burgh, the

Barth of [insert the Name of the Barth], and by Authority of said Commissioners, in consideration of the Sum of [insert the Sum in Words] lawfully advanced and paid to me on account of the said Commissioners, and for the Purpose of the said Act, by G. D. of E., do hereby bind and oblige the said Commissioners for the Term aforesaid, out of the first and readiest of the Monies to be raised under the annual Assessments by the said Act authorized to be imposed and levied, to pay at the Term [insert Term of Payment] to the said G. D. his Executors or Assignees, the said Sum of [insert the Sum], with the Interest thereof at the Term of [insert Term of Payment of Interest], at the Rate of [insert the Rate of Interest] per Centum per Annum from the Date hereof, all the said Sum is paid; and for the further Security of the said G. D. I do hereby assign to him, his Executors or Assignees, such Proportion of the said Monies to be raised under the said annual Assessments as shall be equivalent to the said Sum so now paid to me, and the Interest to become due thereon as aforesaid from the Date hereof to the Term of Payment; and I consent to the Negotiation hereof in the Books of Council and Session, or other Books competent for Preservation, that all competent Diligence may pass and be directed hereon in form as officers, and therein consistent.

In witness whereof I have subscribed these Presents, written by

at this Day of in the Year

Before these Witnesses,

K. L. Commissioner.

M. N. Commissioner.

A. D.

And all Receipts such Bonds respectively shall form a Lien on the Rates and Monies granted by this Act, and assigned by such Bond, and shall enable the Creditor under the same to recover such Principal Sum from such Commissioners and their Officers, out of the first and readiest of the Rates and Monies assigned.

CXXXIX. And be it enacted, That such Bonds may be assigned by Indentation on the Back of such Bond, in the Form and Tenor following; *videlicet*,

I G. D. do transfer this Bond, with all Right, Title, or Interest which I have under the same, to E. F. his [or her or their, as the Case may be,] Executors and Assignees. In witness whereof I have subscribed these Presents, written by at the Day of

Before these Witnesses,

K. L. Witness.

M. N. Witness.

(Signed) G. D.

Bonds may be transferred by Indentation.

Bonds to be recorded, and Assignments to be registered.

Provision as regards Burghs possessed of Local Acts.

Where Two or more Burghs are locally situated under 1833 A. they are not to vote under the Act.

Contract under former Act void.

Officers under former Act.

CXXX. And be it enacted, That before such Bond shall be delivered to the Creditor, or shall form a valid Lien on the Rates and Monies as aforesaid, the same shall be recorded in the Register Book of the said Commissioners, and a Certificate of such Registration shall be indorsed on such Bond, and signed by the Clerk of the said Commissioners; and such Assignments shall be notified to the Treasurer of the said Commissioners, who shall enter in the said Register Book the Date of the said Assignment, the Names of the Parties thereto, the Number or Mark of such Bond, and the Interest due on the same; and a Certificate of such Entry shall be indorsed on the said Bond, and signed by the Treasurer; and thereafter the Assignee, his Executors and Assignees, shall be entitled to the full Benefit of such Bond.

CXXXI. And be it enacted, That this Act shall not extend or be deemed or construed to extend to any Burgh in possession of any Local Act for regulating the Police thereof, or any other of the Purposes of this Act, unless such Burgh shall adopt the same in whole or in part in manner herein provided; and upon such Adoption such Local Act, and all the Powers and Provisions thereof, shall thereupon cease and determine in so far as such Powers and Provisions regulate or relate to any of the Rates and Purposes provided for by this Act, and so adopted; saving always the Powers and Provisions in relation to Water hereto contained; and this Act, or so much thereof as shall be so adopted, shall thereupon come into full Force and Operation, and shall be executed in the Manner herein provided.

CXXXII. Provided always, and be it enacted, That where Two or more Burghs locally situated together, and described in the said recited Act of the First and Second Year of the Reign of His Majesty King William the Fourth as One Parliamentary Burgh, shall severally be possessed of Local Acts regulating the Police of each Burgh separately, it shall not be competent or lawful in such Case for the Indhabitants of any such Burgh to make any such Application as is herein-before authorized for adopting the Provisions of this Act, or to do so the same in whole or in part, unless the Persons in each such Burgh, qualified as aforesaid, shall unanimously agree so to do.

CXXXIII. And be it enacted, That where the Provisions of this Act shall be made to apply to any Burgh now having or which may hereafter have a Local Act, all Bonds, Contracts, Covenants, Agreements, and Securities made and entered into under and by virtue of any Local Act shall remain in full Force and Effect, and shall continue available and binding on all the Parties thereto in all Cases of Justice; and nothing herein contained shall be construed to extend or diminish or affect the Debt, Right, or Claims of any Creditor under any such Act, but all such Debts, Rights, or Claims shall continue Burdens under this Act to the same Extent and in the same Manner that they were Burdens under such Local Act, and in all Cases where the Provisions of this Act shall be made to apply, the Officers appointed under and employed in the Execution of any such Local Act shall respectively continue to exercise their Offices until they shall be respectively legally removed therefrom under the Authority of



CCXXXIV. And be it enacted, That all Offences specified in this Act may be tried either by the Sheriff of the County within which such Burgh shall be situated, according to the necessary Form prescribed in an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to enable additional Circuit Courts of Justice to be held, and to facilitate Criminal Trials, in Scotland*, or by the Magistrates of such Burgh in the Manner after provided: And it is hereby provided, that Prosecutions shall alone be raised and insisted in at the Instance of the Procurator Fiscal of Court; and all Penalties awarded and Sums recovered under the Authority of this Act, whereof the Application is not otherwise provided, after deducting Expenses (if any), shall be paid to the Commissioners of Police, and shall be applied by them to their respective Burghs for the Purpose of this Act, and be accounted for by them along with the Sums authorized to be assessed under the Provisions of this Act: And it is further provided, that such Sheriff and Magistrate may respectively appear as Procurator Fiscal, either jointly along with the ordinary Fiscal of Court, or in such other Way as they may respectively prefer, such Officer of Police as the said Commissioners may recommend for that Duty, to the Effect that such Officer may conduct, as Procurator Fiscal, Prosecutions under this Act before such Courts respectively.

Total of Offences.  
s. C. 4. c. 25.

Application of Penalties.

CCXXXV. And be it enacted, That the Magistrates of every Burgh whom shall have been adapted the Provisions of this Act in regard to Watching shall enjoy, hold, and possess, in so far as regards the Recovery of Rates, the Matter of Crises, and also of Offences specified in this Act, the same Jurisdiction over the whole Territory adjoining to such Burgh, comprehended within the Limits to which this Act shall extend, as that which such Magistrate may hold and possess within such Burgh itself.

Jurisdiction of Magistrates of Burghs.

CCXXXVI. And be it enacted, That the Chief Magistrate of such Burgh, and in the Case of United Burghs the Chief Magistrate acting as Peace officer, and their Successors in Office, or, in his unassailable Absence, the acting Chief Magistrate for the Time, shall within their respective Burghs (but for the Purposes of this Act only) possess such and the like Jurisdiction and Authority for the Trial of Crises and Offences specified in and cognizable under this Act as such Magistrates would possess if nominated and appointed Sheriff Substitutes within their respective Burghs, and shall try such Crimes and Offences according to the necessary Form and subject to the Appeal prescribed in and allowed by the said recited Act of the Ninth Year of the Reign of His said late Majesty King George the Fourth.

Jurisdiction conferred on Magistrates.

CCXXXVII. And be it enacted, That from and after the passing of this Act all the Enactments and Provisions in this Act contained shall extend and apply to all Acts of Parliament which shall hereafter be passed for the regulating the Police of any Royal Burgh, Burgh of Regality, or Burgh of Barony in Scotland, save and except in so far as such Enactments and Provisions may be expressly altered or excluded by any such Act.

Provisions of this Act to apply to all Police Acts.

CCXXXVIII. Saving and reserving always to all Sheriffs and their Substitutes, and to all Burghs, Provosts, Magistrates and Council, Deans of Guild, and to all Justices of the Peace, and to all other Magistrates, all Rights of Sovereignty, and all and every Jurisdiction, of whatever Kind or Nature, Civil as well as Criminal, and to all private Parties, all Rights of Markets which they are anyways used or entitled to exercise, in the same Manner as if this Act had never been passed: and saving and reserving always the whole Acts and Statutes now in force for regulating the Police, the Distribution of Water or of Gas and any Royal Burgh or any other Burgh in Scotland, and all Powers, Jurisdictions, Provisions, and Authorities thereby conferred, which are hereby declared to remain in full Force and unimpaird, excepting in so far as the same may be altered or abrogated under the Powers and Provisions of this Act.

Saving Clauses.

## SCHEDULES to which this Act refers.

### SCHEDULE (A).

Notice is hereby given, That in virtue of the Powers contained in an Act passed in the Third and Fourth Year of His Majesty King William the Fourth, intitled *An Act to enable Burghs in Scotland to establish a general System of Police*, the Occupiers of Premises in the Burgh of \_\_\_\_\_ and Places adjacent within One thousand Yards from the Bounds and Limits thereof (so far as the Case may be), of the real yearly Rent or Value of \_\_\_\_\_ and upwards, are hereby required to meet upon \_\_\_\_\_ the \_\_\_\_\_ Day of \_\_\_\_\_ next, at Ten o'clock of the Clock, within \_\_\_\_\_ in this Burgh, when the said Act shall be laid before the Meeting.

Dated \_\_\_\_\_

(Signed) E. F., Acting Chief Magistrate.

## SCHEDULE (B).

Form of the Book to be used at the MESSAGE for resolving whether this Act shall come into operation.

| Adopt, or not, the Provisions of Acts in so far as respects |           |           |          |        | Signature<br>of<br>Voters. | Designation<br>of<br>Voters. | Residence<br>of<br>Voters. |
|---|-----------|-----------|----------|--------|----------------------------|------------------------------|----------------------------|
| Perjury.  | Wrecking. | Lighting. | Choking. | Wages. |                            |                              |                            |
|   |           |           |          |        |                            |                              |                            |

## SCHEDULE (C).

Form of the Book to be used in the ELECTORS of COMMISSIONERS.

| Names and Designations of Commissioners voted for. |    | Signature<br>of<br>Electors. | Designation<br>of<br>Electors. | Residence<br>of<br>Electors. |
|--|----|------------------------------|--------------------------------|------------------------------|
| I.   | 2. |                              |                                |                              |
|  |    |                              |                                |                              |

## C A P. XLVII.

An Act to authorize His Majesty to give farther Powers to the Judges of the Court of Bankruptcy, and to direct the Times of sitting of the Judges and Commissioners of the said Court.

[10th August 1833.]

1 G. 4. c. 13.

1832 W. 4.  
c. 26.

WHEREAS by an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to amend and consolidate the Laws for the Relief of the Insolvent Debtors in England*, it is amongst other Things enacted, that the Court established for the Relief of Insolvent Debtors in England shall be continued, and that the several Persons appointed by His Majesty to be Chief and other Commissioners of the said Court shall continue to be the Chief and other Commissioners of the said Court, with all the Powers, Privileges, and Authorities in the said Act specified: And whereas by an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to establish a Court in Bankruptcy*, it is enacted, that it shall be lawful for His Majesty, His Heirs, and Executors, by a Commission under the Great Seal to appoint One Person to be the

Chief

Chief Judge and Three other Persons to be other Judges of the said first-mentioned Court: And whereas such Chief and other Judges have been fully appointed under and by virtue of the said Act: And whereas it has been found, that consistently with the Vacations necessarily allowed to the Commissioners of the first-mentioned Court, and with the Time occupied by them while they are on their several Circuits, Intervals occur in their Itinera during which Prisoners who would otherwise be entitled to their Discharge cannot obtain the same: And whereas there are not a sufficient Number of such Commissioners to enable them to extend their Circuits to the Principality of Wales: of all which Grievances repeated Complaints have been made: And whereas the Business of the said Court of Bankruptcy will allow Time for the Judges of the said Court, other than the Chief, some one or more of them, to discharge Part of the Duties vested in the Commissioners of the said first-mentioned Court: Be it enacted by His Majesty's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, His Heirs and Successors, from Time to Time, by Commission under the Great Seal of Great Britain, to authorize and direct the Judges of the said Court of Bankruptcy, other than the Chief Judge, any one or more of them, to act in the said first-mentioned Court as a Commissioner or Commissioners thereof, at such Times and for such Purposes as may in any such Commission be specified.

II. And be it further enacted, That the said Judge or Judges so to be named in the said Commission shall have and may exercise all the Powers, Authorities, and Privileges, whether in the Court House of the said first-mentioned Court, or upon the Circuit, or elsewhere, which by the said first-recited Act are given to or vested in the Commissioners of the said first-mentioned Court, or any one or more of them.

III. And be it further enacted, That it shall and may be lawful for the said first-mentioned Court forthwith, after such Petition and Schedule as may by Law required shall have been filed in the said Court by any Prisoner lawfully arrested so to do, being in any Gaol within the Principality of Wales, to order such Prisoner to be brought before One of the Commissioners of the said first-mentioned Court or Judges of the said Court of Bankruptcy (acting by virtue of this Act) proceeding on his Circuit at such Assize or other Town or Place within the County or County of a City or Town wherein such Gaol shall be situate, as may be directed by Order of the said first-mentioned Court in that behalf; and the Masters of the Petition of such Prisoner shall be heard by such Commissioners or Judge accordingly, who shall for that Purpose have and exercise all the Power, Authority, and Privileges which are by Law now vested in such Commissioners generally on Circuit in England: Provided always, that nothing herein contained shall be construed to prevent the said first-mentioned Court from ordering any such Prisoner to be brought before the Justices of the Peace in the said Act mentioned in Cases where the said Court may see fit so to do; and that the Matters of any such Petition may be heard by such Justices, and all other Proceedings had therein, in manner directed by the said first-recited Act.

IV. And be it further enacted, That the Clerks of the Peace for the several Counties within the Principality of Wales, or their Deputies, shall bring to the Place of hearing of any Petition of any such Prisoner before such Judge or Commissioner the Duplicate of Petition, and Schedule, Books, Papers, and Writings lodged with him, as by the said first-recited Act the Clerks of the Peace in England and their Deputies are required to do before the Commissioners going Circuit in England: and that such Clerks of the Peace in Wales, or their Deputies, shall do all such other Acts at the Times of such Hearings, and be entitled to such Fees and Allowances, as are required of or allowed to Clerks of the Peace in England and their Deputies.

V. And be it further enacted, That it shall and may be lawful for the Lord High Treasurer or Lords Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being to direct that such Sum or Sums shall be paid as may appear fit and necessary for the defraying the travelling Expences of such Judge or Judges, with their or his Registrar or Deputy Registrar, and other necessary Officers, in the Execution of their Duties under this Act.

VI. And be it enacted, That it shall and may be lawful for the Court of Review in Bankruptcy to order and direct any One or more of the Registrars or Deputy Registrars of the said Court of Bankruptcy to attend any One or more of the said Judges in the Discharge of their Duties under this Act, and to give such Attendance and perform such Duties as the said Court of Review may by any Order direct.

VII. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by Warrant under His Royal Sign Manual from Time to Time to authorize any One or more Judge or Judges of the said Court of Bankruptcy to exercise the same Jurisdiction and Powers in all respects as by the said secondly-recited Act is and are given to any Three of such Judges; and also by any such or the like Warrant to direct at what Times the said Court of Review, and the Judges or Commissioners of the said Court of Bankruptcy, and every of them, shall respectively hold their Sittings.

VIII. And be it further enacted, That it shall and may be lawful for the said Court of Review to order that any Costs, which by the said secondly-recited Act are directed to be taxed by one of the Masters of the High Court of Chancery, shall and may be taxed by one of the Registrars or Deputy Registrars of the said Court of Bankruptcy.

His Majesty may direct the Judges, other than the Chief of the Bankruptcy Court, to act in the said first-mentioned Court.

Power of such Judges.

Justices: Court empowered to order Prisoners to be brought before One of the Commissioners or Judge of the Court of Bankruptcy.

Clerks of the Peace of the Principality of Wales in bringing to the Place of hearing Petitions, in the presence of Registrars, &c.

Treasury may direct Payment of travelling Expences of Judges, &c.

Court of Review may direct Registrars or Deputy Registrars to attend.

Power given to His Majesty with respect to the Court of Bankruptcy.

Court of Review may make Orders as to taxing of Costs.

## CAP. XLVIII.

An Act to amend an Act of the Second and Third Years of His present Majesty relating to Stage Carriages in Great Britain, and also to explain and amend an Act of the First and Second Years of His present Majesty relating to Hackney Carriages used in the Metropolis.

[25th August 1833.]

WHEREAS an Act was passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to repeal the Duties under the Management of the Commissioners of Stages on Stage Carriages and on Horses let for Hire in Great Britain, and to grant other Duties in lieu thereof, and also to consolidate and amend the Laws relating thereto*, and it is expedient to alter and amend the said Act in the several Particulars herein-after mentioned: be it therefore enacted by His King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much and such Part and Parts of the said recited Act as in any Manner regulate or restrict the Number of Passengers allowed to be carried on the Outside of any Stage Carriage, or regulate or relate to the Distribution or placing of, or the Manner of carrying the Outside Passengers on any Stage Carriage, and also so much and such Part of the said recited Act as requires that a separate Division or Space shall be allotted for Luggage on the Top or Roof of any Stage Carriage, shall be and the same is and are hereby repealed: Provided always, that nothing herein contained shall extend or be construed to extend to repeal or alter any Clause of the said recited Act by which any Penalty is imposed for conveying a greater Number of Passengers on the Outside of any Staged Stage Carriage than is specified and allowed in and by the Licence granted in respect of such Carriage.

II. And be it enacted, That notwithstanding any thing in the said recited Act contained, any licensed Stage Carriage with four Wheels or more, the Top or Roof of which shall not be more than Eight Feet and Nine Inches from the Ground, and the Bearing of which on the Ground shall not be less than Four Feet Six Inches from the Centre of the Track of the Right or left Wheel to the Centre of the Track of the Left or rear Wheel, if such Carriage shall be licensed to carry any Number not more than Nine Passengers, shall be allowed to carry not more than Five of such Passengers outside; and if licensed to carry more than Nine and not more than Twelve Passengers, shall be allowed to carry not more than Eight of such Passengers outside; and if licensed to carry more than Twelve and not more than Fifteen Passengers, shall be allowed to carry not more than Eleven of such Passengers outside; and if licensed to carry more than Fifteen and not more than Eighteen Passengers, shall be allowed to carry not more than Twelve of such Passengers outside; and if licensed to carry any greater Number than Eighteen Passengers, shall be allowed to carry not more than Two additional Passengers outside for every Three additional Passengers which such Carriage shall be so licensed to carry in the whole: provided that in no Case a greater Number of Passengers shall be carried on the Outside of any Stage Carriage than the Licence relating thereto shall authorize to be carried on the Outside thereof; and if any greater Number of Outside Passengers shall be carried by any Stage Carriage than so herein-before specified and allowed, or if any Outside Passenger shall be carried by any Stage Carriage not expressly licensed to carry any Outside Passenger, the Driver of such Stage Carriage at the Time when such Offence shall be committed shall forfeit Five Pounds.

III. And be it enacted, That the several Numbers of Outside Passengers by this Act allowed to be carried by any such Stage Carriage as aforesaid shall be reckoned exclusive of the Driver and also of the Conductor or Guard, if there shall be a Conductor or Guard of such Stage Carriage; and that no Child or Children in the Lap shall be counted as a Passenger or Passengers; and that no Child set in the Lap, but under Seven Years of Age, shall be so counted, unless there shall be more than One such Child, and of there shall be more than One such Child set in the Lap, but under Seven Years of Age, then Two of such Children shall be accounted equal to One Adult Person, and considered as One Passenger, and so on in the same Proportion.

IV. And be it enacted, That no Person shall be allowed to sit or be carried upon any Luggage placed on the Roof of any Stage Carriage, and that not more than One Passenger or other Person shall be allowed to sit or be carried upon the Box with the Driver of any Stage Carriage; and that if any Person shall sit or be carried upon any Luggage placed as aforesaid, or if more than One Person besides the Driver shall sit or be carried upon the Box of any Stage Carriage, the Driver of such Stage Carriage at the Time when any such Offence shall be committed shall forfeit Five Pounds.

V. And be it enacted, That all Penalties which may be incurred under the Provisions of this Act may be prosecuted for and recovered by Information or Complaint before a Justice of the Peace in the Name of any Person who will inform or accept in that Behalf, by the same Ways and Means and in the same Manner and Form as are and is provided for the Recovery of any Penalty incurred under the said recited Act; and all Clauses, Regulations, and Provisions contained in the said recited Act relating to the recovering, levying, or mitigating of the Penalties thereby imposed, shall be of full Force and Effect, and shall be applied and put in execution for the recovering, levying, and mitigating of the Penalties by this Act imposed, as fully and effectually to all Intents and Purposes as if such Clauses, Regulations, and Provisions had been repeated and specially enacted in this Act with reference to the Penalties by this

VI. Provided always, and he it enacted, That all personal Penalties imposed by or incurred under this Act and under the said recited Act, or either of them, whether the same shall be sued or prosecuted for and recovered by or in the Name of His Majesty's Attorney General in England, or His Majesty's Advocate for Scotland, or the Solicitor of Stamps, or any other Officer of Stamp Duties in England or Scotland respectively, or for the Recovery of which any Information or Complaint shall be made or any Action or Suit commenced by any other Person or Persons whatsoever, shall go and be applied to the Use of His Majesty, any thing in the said recited Act to the contrary thereof notwithstanding; and all such Penalties shall be paid or remitted to the Solicitor of Stamps in the Manner directed by the said Act, and shall be deemed to be Part of His Majesty's Revenue arising from Stamp Duties, and shall accordingly be accounted for and paid by the said Solicitor to the Receiver General of Stamp Duties: Provided always, that it shall be lawful for the Commissioners of Stamps, at their Discretion, to give all or any Part of any such Penalties as Rewards to any Person or Persons who shall have detected the Offenders for or on respect of which such Penalties shall have been incurred, or who shall have given Information which may have led to the Discovery thereof or to the Conviction of the Offenders.

VII. And whereas an Act was passed in the First and Second Years of the Reign of His present Majesty, intitled *An Act to amend the Laws relating to Hackney Carriages, and to Waggons, Carts, and Drays, used in the Metropolis, and to place the Collection of the Duties on Hackney Carriages, and on Waggons and Profiers, in England, under the Commissioners of Stamps*; and Doubts have arisen whether Carriages drawn or impelled by the Power of Steam, and used for the Conveyance of Passengers for Hire, are Hackney Carriages, subject to the Duties and Regulations imposed and enacted by the said intitled Act; for removing such Doubts, be it enacted and declared, That nothing in the said last-recited Act shall extend or be deemed or construed to extend to any Carriage drawn or impelled by the Power of Steam, or otherwise than by Animal Power.

Application of Penalties.

The Act 3 G. 4. c. 122. not to extend to Waggons &c. 762<sup>o</sup>.

C. P. XLIX.

An Act to allow Quakers and Moravians to make Affirmation in all Cases where an Oath is or shall be required. [28th August 1833.]

WHEREAS it is expedient and reasonable that the solemn Affirmation of Persons of the Persuasion of the People called Quakers, and of Moravians, should be allowed in all Cases where an Oath is or shall be required: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person of the Persuasion of the People called Quakers, and every Moravian, be permitted to make his or her solemn Affirmation or Declaration, instead of taking an Oath, in all Places and for all Purposes whatsoever where an Oath is or shall be required either by the Common Law or by any Act of Parliament already made or hereafter to be made, which said Affirmation or Declaration shall be of the same Force and Effect as if he or she had taken an Oath in the usual Form; and if any such Person making such solemn Affirmation or Declaration shall be lawfully convicted wilfully, falsely, and corruptly to have affirmed or declared any Matter or Thing, which if the same had been in the usual Form would have amounted to wilful and corrupt Perjury, he or she shall incur the same Penalties and Forfeitures as by the Laws and Statutes of this Realm are enacted against Persons convicted of wilful and corrupt Perjury, any Law, Statute, or Custom to the contrary notwithstanding: Provided always, that every such Affirmation or Declaration shall be in the Words following, (that is to say),

I, A. B. being one of the People called Quakers [or one of the Persuasion of the People called Quakers, or of the United Brethren called Moravians, as the Case may be,] do solemnly, sincerely, and truly declare and affirm.

Quakers and Moravians permitted to make solemn Affirmation or Declaration instead of an Oath. Penalty on affirming or declaring falsely.

Form of Declaration.

And whereas some Doubts may arise as to the Form of the Affirmation to be taken in lieu of the Oath of Abjuration by Persons of the Persuasion of the People called Quakers; be it therefore enacted, That instead of the Form of Affirmation prescribed in lieu of the Abjuration Oath by an Act of the Eighth Year of the Reign of His late Majesty King George the First, intitled *An Act for granting the People called Quakers such Forms of Affirmation or Declaration as may remove the Difficulties which many of them are under, and instead of the Form of the Oath of Abjuration prescribed by an Act of the Sixth Year of the Reign of His late Majesty King George the Third, intitled An Act for allowing the Oath of Abjuration and the Assurance, and for amending as much of an Act of the Seventh Year of His late Majesty Queen Anne, intitled An Act for the Improvement of the Union of the Two Kingdoms, as after the Year therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons intitled of High Treason or Misprision of Treason, every Person of the Persuasion of the People called Quakers shall be permitted to make his or her solemn Affirmation in the following Words; (to-wit),*

I, A. B. being one of the People called Quakers, [or one of the Persuasion of the People called Quakers, or of the United Brethren called Moravians, as the Case may be,] do solemnly, sincerely, and truly acknowledge, profess, testify, and declare, That King William is lawful and rightful King of this Realm, and of all other His Dominions and Countries thereto belonging: And I do solemnly and sincerely declare, That I do believe that not any of the Descendants of the Person who pretended to be Prince of Wales, during the Life of the late King, shall succeed, or be able to succeed, in the

Form of Affirmation in lieu of Oath of Abjuration. 8 G. 1. c. 6.

g. 6. c. 2.

ended to be and took upon himself the Style and Title of King of England by the Name of James the Third, or of Scotland by the Name of James the Eighth, or the Style and Title of King of Great Britain, hath any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereunto belonging; and I do renounce and refuse any Allegiance or Obedience to any of them; And I do solemnly promise, That I will be true and faithful and bear true Allegiance to King William, and to His will be faithful against all traitorous Conspiracies and Attempts whatsoever which shall be made against His Person, Crown, or Dignity; and I will do my best Endeavour to disclose and make known to King William and His Successors all Traitors and traitorous Conspiracies which I shall know to be made against His or any of them; and I will be true and faithful to the Succession of the Crown against the Descendants of the said James, and against all other Persons whatsoever, which Succession, by an Act intituled *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, and stands limited to the Princess Sophia Electress and Duchess Dowager of Hanover, and the Heirs of her Body, being Protestants: And all these Things I do plainly and sincerely acknowledge, promise, and declare, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Excuse, mental Reservation, or secret Reservation whatsoever: And I do make this Recognition, Acknowledgment, Renunciation, and Promise heartily, willingly, and truly.

## C A P. L.

An Act to repeal the several Laws relating to the Customs.

[28th August 1833.]

**WHEREAS** several Acts were passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, for consolidating and amending the Laws relating to the Customs and Navigation: And whereas since the passing of the said Acts divers Acts for the further Amendment of the same have been found necessary; and it being expedient again to consolidate and farther to amend the said Laws, and it is necessary the said Acts should be repealed; he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty-three, except where any other Commencement is herein particularly directed.

It And be it further enacted, That the several Acts herein after mentioned and referred to shall be repealed; that is to say, an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the Management of the Customs*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the general Regulation of the Customs*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the Prevention of Smuggling*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the Encouragement of British Shipping and Navigation*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the registering of British Vessels*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for providing Offices of Customs*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the warehousing of Goods*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to grant certain Licences and Allowances of Customs*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to regulate the Trade of the British Possessions Abroad*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for regulating the Trade of the Isle of Man*; and also an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to alter and amend the several Laws relating to Customs*, except so much thereof as relates to the Distillation of Spirits in the Isle of Man; and also an Act passed in the Seventh and Eighth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to amend the Laws relating to the Customs*; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to amend the Laws relating to the Customs*, except so much thereof as relates to the Importation of Spirits into the Isle of Man; and also an Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to impose Duties on the Importation of Silken and Silk Goods, and to alter Duties on the Exportation thereof*; and also an Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to amend the Laws relating to the Customs*; and also an Act passed in the First Year of the Reign of His present Majesty King William the Fourth, intituled *An Act to impose an additional Duty of Customs on Spirits the Product of the British Possessions in America*; and also an Act passed in the First Year of the Reign of His present Majesty King William the Fourth, intituled *An Act to amend an Act of the Sixth Year of His late Majesty, to regulate the Trade of the British Possessions Abroad*; and also so much of an Act passed in the First and Second Year of the Reign of His present Majesty King William the Fourth, intituled *An Act to abolish certain Guilds and Apprentices taken and made in the Customs and Excise Departments of His Majesty's Revenue, and to substitute Disadvantages in their Stead*, as relates to the Department of Customs; and also an Act passed

Printed by R. G. and S. W. at the Rege of Colchester Street, King William the Fourth, intituled

*An Act to discharge or alter the Duties of Customs upon Coals, Staves, Wood, Bark, and Wax; and also an Act passed in the First and Second Year of the Reign of His present Majesty King William the Fourth, intitled An Act to equalise the Duties on Wine; and also an Act passed in the First and Second Year of the Reign of His present Majesty King William the Fourth, intitled An Act to repeal so much of an Act for the Management of the Customs as allows certain Fees to be taken by Officers of the Customs; and to make further Regulations in respect thereof; and also an Act passed in the Second and Third Year of the Reign of His present Majesty King William the Fourth, intitled An Act to amend the Laws relating to the Customs; and the said several Acts and Parts of Acts before mentioned, recited, and set forth, so far as the same shall be in force at the Commencement of this Act, are hereby accordingly repealed, except so far as the said Acts or any of them, or any thing therein contained, repeal any former Act or Acts or any Part thereof; and all and every such Act or Acts, or the Parts thereof so repealed, shall remain and continue repealed to all Intents and Purposes whatsoever; and except so far as relates to any Arrears or Drawbacks which shall have become due and payable, or any Penalty or Forfeiture which shall have been incurred.*

1 & 2 W. 4. c. 16.  
1 & 2 W. 4. c. 20.  
1 & 2 W. 4. c. 30.  
2 & 3 W. 4. c. 24.  
except as they repeal former Acts; and except so as to Drawbacks, &c. see Act.

*III. And in order that no Doubt should remain whether any, or what if any, former Act or Acts relating in any Way to the Customs continue in force, be it further enacted, That all Acts and Parts of Acts relating to the Revenue of Customs, to Navigation, or to the Prevention of Smuggling, in any Part of the British Dominions, so far as the same shall be in force at the Commencement of this Act, shall be and the same are hereby repealed, save and except such Acts and Parts of Acts as are herein-after mentioned and described; that is to say, an Act passed in the Eighteenth Year of the Reign of His Majesty King George the Third, intitled An Act for removing all Duties and Apprehensions concerning Taxation by the Parliament of Great Britain to any of the Colonies, Provinces, and Plantations in North America and the West Indies, and for repealing so much of an Act made in the Seventh Year of the Reign of His late Majesty as imposes a Duty on Tea imported from Great Britain into any Colony or Plantation in America as relates thereto; and also so much of any Act or Acts, or the Part of any Act or Acts, now in force, which was or were passed prior to the last-mentioned Act, and by which any Duties in any of the British Possessions in America were granted and still continue payable to the Crown, as relates to the Collection and Appropriation of such Duties, except as herein-after accepted; and also an Act passed in the Thirty-first Year of the Reign of His Majesty King George the Third, intitled An Act to repeal certain Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intitled 'An Act for making more effectual Provisions for the Government of the Province of Quebec in North America,' and to make further Provisions for the Government of the said Province; and also an Act passed in the Fifty-first Year of the Reign of His late Majesty King George the Third, intitled An Act for carrying into effect the Provisions of a Treaty of Amity, Commerce, and Navigation concluded between His Majesty and His Royal Highness the Prince Regent of Portugal; and also an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King George the Third, intitled An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of America, and a Treaty with the Prince Regent of Portugal; and also an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King George the Third, intitled An Act to amend the Statutes or Engagements of His Majesty's Subjects to serve in Foreign Service, and the fixing and equipping of His Majesty's Dominions French for warlike Purposes, without His Majesty's Licence; and also an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Trade, and to exempt certain Foreign Goods from Pilgrage, as the said Act is amended by an Act passed in the Fifth Year of the Reign of His present Majesty, for that Purpose; and also an Act passed in the Thirty-seventh Year of the Reign of His Majesty King George the Third, intitled An Act for regulating the Trade to be carried on with the British Possessions in India by the Ships of Nations in amity with His Majesty; and also an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the East India Company, and so much further Provisions with respect to such Trade; and to amend an Act of the present Session of Parliament, for the registering of Vessels, so far as relates to Vessels registered in India; and also an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled An Act for regulating French carrying Passengers between Great Britain and Ireland; and also an Act passed in the Fifty-fifth Year of the Reign of His Majesty King George the Third, intitled An Act to repeal the Provisions of former Acts granting exclusive Privileges of Trade to the South Sea Company, and the re-establishing the said Company, for the Loss of such Privilege; and also another Act passed in the said Fifty-fifth Year of the Reign of King George the Third, made for amending the said last-mentioned Act; and also an Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intitled An Act to amend the several Acts for the Encouragement and Improvement of the British and Irish Fisheries; and all other Acts and Parts of Acts relating to the said Fisheries which were in force upon the said Fifth Day of January One thousand eight hundred and twenty-six; and also an Act passed in the Sixth and Seventh Year of the Reign of King William the Third, and another Act passed in the Fifteenth Year of the Reign of His late Majesty King George the Third, and another Act passed in the Thirty-first Year of the Reign of His said Majesty, which several Acts relate to certain Ketch Boats and Carriages, and for loading Coals on Board Ships; and also an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled An Act for amending the several Laws relating to the Privileges of Quarantine, which relate*

all Acts relating to Revenue of Customs, Navigation, or Smuggling, repealed, except as herein-after accepted.  
16 G. 3. c. 12.  
31 G. 3. c. 26.  
25 G. 3. c. 43  
25 G. 3. c. 54  
25 G. 3. c. 55.  
4 G. 4. c. 75.  
4 G. 4. c. 1.  
37 G. 3. c. 112.  
4 G. 4. c. 23.  
4 G. 4. c. 22  
25 G. 3. c. 27.  
23 G. 3. c. 141  
2 G. 4. c. 21  
2 & 3 W. 4. c. 10.  
1 & 2 W. 4. c. 22.  
7 G. 3. c. 29  
6 G. 4. c. 75  
other

1803. c. 25. *other Provisions in this Sheriff*; and also an Act passed in the Forty-third Year of His late Majesty King George the Third, intitled *An Act for the better securing the Freedom of Elections of Members to serve in Parliament for any Place in Ireland, by disabling certain Officers employed in the Collection or Management of His Majesty's Revenue in Ireland, from giving their Votes at such Elections*; and also an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for regulating the Number of Apprentices to be taken on board British Merchant Vessels, and for preventing the Detraction of Seamen therefrom, and which Act it is hereby declared and enacted both and shall extend to Ireland*; and also an Act made in the Parliament of Ireland in the Twenty-first and Twenty-second Years of the Reign of His late Majesty King George the Third, for the Improvement of the City of Dublin by making wide and convenient Passages through the same, and for regulating the Coal Trade thereof, and any Act or Acts for amending or continuing the same; and also save and except all such Acts and Parts of Acts as relate to the maintaining or improving of any Bathouse, Harbours, Piers, Rivers, Piers, Lighthouses, Dock, Canals, Basins, or Warehouses; and also all Acts and Parts of Acts which are of a local or personal Nature, not being Public General Acts, although declared public; and also all Acts and Parts of Acts whereby any Duties are made applicable to any particular Purpose, or for the Use or Benefit of any particular Person or Persons, or Body or Bodies Corporate or Politic, or of any Society or Company; and also all Acts whereby any Drawback of Duty is granted in respect of Materials used in building of Churches and Chapels; and also all Acts and Parts of Acts relating to the Excise, so far only as the Provisions of any such Act might and are to be put in force by the Commissioners of the Excise or their Officers in the United Kingdom, or by the Commissioners of Customs or their Officers in Ireland; and also so much of an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to regulate the Importation of Salt Goods until the Twelfth Day of October One thousand eight hundred and twenty-eight, and to encourage the Salt Manufacturers by the Relief of certain Duties, as relates to the Revenue of Excise*; and also an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for Regulation of Alms; and also an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled An Act to repeal the Stamp Duties on Cards and Dice made in the United Kingdom, and to grant other Duties in lieu thereof*; and to amend and consolidate the Acts relating to such Cards and Dice, and the Importation thereof; and also an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to regulate the Carriage of Passengers in Merchant Vessels from the United Kingdom to the Continent and Islands of North America*; and also an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to provide for the Excise throughout the United Kingdom of the several Leases of Excise relating to Licences and Survey on Tea, Coffee, Cocoa, Pepper, Tobacco, Snuff, Foreign and Colonial Spirits and Wine, notwithstanding the Transfer to the Customs of the Import Duties on any of such Commodities*; and also an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to amend the Laws relating to the Importation of Cereals*; and also so much of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to allow Sugar to be delivered out of Warehouse to be refined, as relates to the ascertaining and publishing of the average Price of Sugar*; and also an Act passed in the First Year of the Reign of His present Majesty King William the Fourth, intitled *An Act to regulate for One Year the Importation of Arma, Gunpowder, and Ammunition into Ireland, and the making, receiving, selling, and keeping of Arma, Gunpowder, and Ammunition in Ireland*; and also an Act passed in the First Year of the Reign of His present Majesty King William the Fourth, intitled *An Act in relation to Duties of Customs Goods the Property of the Crown, in case of Sale after Importation*; and also so much of an Act passed in the First and Second Year of the Reign of His present Majesty King William the Fourth, intitled *An Act to abolish certain Duties and Approvements taken and made in the Customs and Excise Departments of His Majesty's Revenue, and to substitute Duties thereon in lieu thereof, as relates to the Department of Excise*; and also an Act passed in the First and Second Year of the Reign of His present Majesty King William the Fourth, intitled *An Act to repeal an Act of the Nineteenth Year of King George the Third, for repealing so much of several Acts as prohibit the Growth and Produce of Tobacco in Ireland, and to permit the Importation of Tobacco of the Growth and Produce of that Kingdom into Great Britain*; and also an Act passed in the Second and Third Year of the Reign of His present Majesty King William the Fourth, intitled *An Act to continue, for one Year, and from thence to the End of the then next Session of Parliament, several Acts relating to the Importation and keeping of Arma and Gunpowder in Ireland*; and also an Act passed in the Second and Third Year of the Reign of His present Majesty King William the Fourth, intitled *An Act to authorize the Local Commissioners of His Majesty's Treasury to grant Compensation to the Inspectors and Coal Movers of the City of Dublin, and to impose a Rate upon Coals imported into the Port of Dublin, to provide a Fund for such Compensation*; all which said several Acts and Parts of Acts as aforesaid and excepted shall continue in such Force and Effect as they would have been if this Act had not been passed, except as herein-after excepted.

18. Provided always, and be it further enacted, That from and after the First Day of January One thousand eight hundred and thirty-four so much of an Act passed in the Sixth Year of the Reign of King George the Third, intitled *An Act for repealing certain Duties in the British Colonies and Plantations granted by several Acts of Parliament, and also the Duties imposed by an Act made in the last Session of Parliament upon certain East India Goods imported from Great Britain, and for granting other Duties instead thereof*; and for further encouraging, regulating, and securing several Branches of the Trade of the Kingdom, and the British Colonies in America, as in and under the Title of *THE DUTIES ON COMMERCE* therein or therein

No credit of  
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lectible Coffee  
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sides; and if



any British Colony or Plantation in America or Importation thereof into any other such Colony or Plantation; and on each of another Act passed in the Fourteenth Year of the same Reign, intitled *An Act to establish a Fund towards further defraying the Charges of the Administration of Justice and Support of the Civil Government within the Province of Quebec in America, as imposed any Duties on Molasses and Syrups imported or brought into Canada, shall be and the same are hereby repealed, any thing in this Act or in any other Act or Acts to the contrary notwithstanding.*

V. Provided also, and he it enacted, That nothing in this Act shall extend to prevent any Foreign Seaman who shall have been employed in navigating any Vessel in the Southern Whale Fishery under the Authority of an Act passed in the Thirty-fifth Year of the Reign of King George the Third, intitled *An Act for further encouraging and regulating the Southern Whale Fishery, or of an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled An Act to alter and amend the several Laws relating to the Customs, from continuing in such Employment, with the Rights and Privileges of British Seamen, during their natural Lives.*

VI. And be it further enacted, That this Act may be altered, varied, or repealed by any Act to be passed in this present Session of Parliament.

C. A. P. LI.

An Act for the Management of the Customs.

[18th August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Management of the Customs, whereby the Laws in relation to the Management of the Customs were consolidated and amended: And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Acts should be consolidated into One Act; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty-three, except where any other Commencement is herein particularly directed.*

II. And be it further enacted, That it shall be lawful for His Majesty from Time to Time to appoint, under the Great Seal of the United Kingdom, any Number of Persons not exceeding Thirteen to be Commissioners of His Majesty's Customs for the Collection and for the Management of the Customs in and throughout the whole of the United Kingdom, and of any of His Majesty's Possessions Abroad; and that each of such Commissioners, when so appointed, shall have and hold his Office during His Majesty's Pleasure.

III. And be it further enacted, That the said Commissioners so appointed or to be appointed by His Majesty shall, in all Matters and Things relating to the Execution of their Duties, be subject to the Authority, Direction, and Control of the Commissioners of His Majesty's Treasury, and shall obey such Orders and Instructions as shall from Time to Time be issued to them by the said Commissioners of His Majesty's Treasury under the Hands of Three or more of them.

IV. And be it further enacted, That every Order, Document, Instrument, or Writing, not being for the Payment of Money, required by any Law at any Time in Force to be under the Hands or under the Hands and Seals of the Commissioners of His Majesty's Customs, being attested by the Hands or the Hands and Seals of Two or more of such Commissioners, and every such Order for the Payment of Money being attested by the Signatures of Three or more of such Commissioners, shall be deemed to be an Order, Document, Instrument, or Writing under the Hands or under the Hands and Seals, as the Case may be, of the Commissioners of His Majesty's Customs accordingly.

V. And be it further enacted, That any Appointment of Commissioners of His Majesty's Customs in Force at the Time of the Commencement of this Act shall continue in force as if the same had been afterwards made under and by virtue of the Authority of this Act.

VI. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury, or for the Commissioners of His Majesty's Customs under the Authority of the said Commissioners of His Majesty's Treasury, to appoint proper Persons to execute the Duties of the several Offices necessary to the Management and Collection of the Customs and all Matters connected therewith, under the Control and Direction of the Commissioners of His Majesty's Customs, granting or allowing to such Persons such Salaries or other Allowances, or permitting such Employments, for the Labour and Responsibility in executing the Duties of their respective Offices or Employments, and requiring of such Persons such Securities for their good Conduct therein, as the said Commissioners of His Majesty's Treasury shall deem to be reasonable and necessary; and such Persons shall hold their Offices during the Will and Pleasure of the said Commissioners of His Majesty's Treasury, or of the Commissioners of His Majesty's Customs, in such Cases and in such Manner as the said Commissioners of His Majesty's Treasury shall direct.

VII. And be it further enacted, That every Person employed on any Duty or Service relating to the Customs by the Orders or with the Concurrence of the Commissioners of His Majesty's Customs (whether previously or subsequently expressed) shall be deemed to be the Officer of the Customs for that Duty or Service (with this saving Act) Obligations being hereby imposed (in and to which) for to be done or performed by, or, or with any particular Officer nominated in such Law for such Purpose,

month of 14 G. 3. c. 20. as imposed a Duty on Molasses and Syrups imported into Canada, repealed.

Act not to affect Seamen engaged as Seamen in Southern Whale Fishery 32 G. 3. c. 25. 7 G. 4. c. 68. Act may be altered and repealed.

C. G. 4. c. 200

Commissioners of Act

Commissioners of Customs to be appointed by His Majesty.

Commissioners subject to the Control of the Treasury.

Orders under the Hands of Commissioners.

Persons Appointed to remain in Force.

Appointments of necessary Officers of Customs.

Salaries and Allowances and Securities.

Persons employed by Commissioners of Customs for such Services.

Duties of Officers pay for same and at Place appointed by Commissioners.

being done or performed by, to, or with any Person appointed by the Commissioners of His Majesty's Customs to act for or in behalf of such particular Office, the same shall be deemed to be done or performed by, to, or with such particular Office; and that every Act, Matter, or Thing required by any Law at any Time in force to be done or performed at any particular Place within any Part, being done or performed at any Place within such Part, appointed by the Commissioners of His Majesty's Customs for such Purpose, the same shall be deemed to be done or performed at the particular Place so required by Law.

Officers acting any Part or Reward not allowed shall be deemed.

VIII. And be it further enacted, That if any Officer, Clerk, or other Person acting in any Office or Employment in or belonging to the Customs, under the Control and Direction of the Commissioners of the Customs, in any Part of His Majesty's Dominions, shall take or receive any Fee, Perquisite, Gratuity, or Reward, whether pecuniary or of any other Sort or Description whatever, directly or indirectly, from any Person (not being a Person duly appointed to some Office in the Customs), as account of any thing done or to be done by him in or in any way relating to his said Office or Employment, except such as he shall receive under any Order or Permission of the said Commissioners of His Majesty's Treasury, every such Officer or so offending shall, on Proof thereof to the Commissioners of His Majesty's Customs, be dismissed from his Office; and if any Person (not being a Person duly appointed to some Office in the Customs) shall give, offer, or promise to give any such Fee, Perquisite, Gratuity, or Reward, such Person shall for every such Offence forfeit the Sum of One hundred Pounds: Provided always, that it shall be lawful for the Receiver of any Duties of Customs to receive for his own Use, if freely given, so much as, added to any Practice before Excise, shall make the same amount to Sixpence.

Penalty 100*l*. for offering Fee.

Persons Appointed and Rewards to remain in force.

IX. And be it further enacted, That all Commissions, Deputations, and Appointments granted to any Officers of the Customs in force at the Time of the Commencement of this Act shall continue in force as if the same had been afterwards granted under and by virtue of the Authority of this Act, and that all Bonds which shall have been given by any such Officers and their respective Sureties for good Conduct or otherwise shall remain in full Force and Effect.

Oath of Office.

X. And be it further enacted, That every Person who shall be appointed to any Office or Employment in the Service of the Customs under the Control and Direction of the Commissioners of the Customs in any Part of His Majesty's Dominions shall, at their respective Admissions thereto, take the following Oath: (that is to say.)

‘ I, A. B. do swear to be true and faithful in the Execution, to the best of my Knowledge and Power, of the Trust committed to my Charge and Inspection in the Service of His Majesty's Customs: and that I will not receive, take, or receive any Fee, Perquisite, Gratuity, or Reward, whether pecuniary or of any other Sort or Description whatever, either directly or indirectly, for any Service, Act, Duty, Matter, or Thing done or performed or to be done or performed in the Execution or Discharge of any of the Duties of my Office or Employment, on any Account whatever, other than my Salary, and what is or shall be allowed me by Law, or by any special Order of the Commissioners of His Majesty's Treasury or the Commissioners of His Majesty's Customs for the Time being.

‘ So help me GOD.’

Hours of Attendance, and Division of Service in these Hours.

XI. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury by their Warrant from Time to Time to appoint the Hours of general Attendance of the Commissioners and respective Officers of the Customs, and other Persons in the Service of the Customs, at their proper Offices and Places of Employment, and that it shall be lawful for the Commissioners of His Majesty's Customs in appoint the Times during such Hours at which any particular Parts of the Duties of such Officers and other Persons respectively shall be performed by them.

Officers of Customs not liable to serve particular and other local Offices.

XII. And be it further enacted, That no Commissioner of Customs, nor any Officer of Customs, or Person employed in the Collection or Management of or accounting for the Revenue of Customs or any Part thereof, nor any Clerk or other Person acting under them, shall, during the Time of his acting as such Commissioner or as such Officer, or of his being so employed as aforesaid, or of his acting as such Clerk or other Person as aforesaid, as the Case may be, be compelled to serve as a Mayor or Sheriff, or in any Corporate or Parochial or other public Office or Employment, or to serve on any Jury or Inquest, or in the Militia, any Law, Usage, or Custom to the contrary thereof notwithstanding.

Holidays.

XIII. And be it further enacted, That no Day shall be kept as a public Holiday by the Customs except Christmas Day and Good Friday in every Year, and any Days appointed by His Majesty's Proclamation for the Purpose of a General Fast or of a General Thanksgiving, and also, so far as regards Scotland, any Days appointed for such Purposes by Authority of the General Assembly, and also such Days as shall here be appointed for the Celebration of the Birthdays of Their Majesties and of Their Successors, and that such Days shall be kept as public Holidays by the Officers and Servants of the Dock Companies in the United Kingdom.

Collection in London to pay Duties due to Receiver General.

XIV. And be it further enacted, That the Collector of the Customs in the Port of London shall pay into the Hands of the Receiver General of the Customs the whole of the Money which he shall receive as account of the Duties of Customs on the Day on which he shall receive the same, or on near the whole as may be, save and except such Sum or Sums of Money as shall from Time to Time, by virtue of the special Order of the Commissioners of His Majesty's Customs, be directed to be deducted, paid, or allowed thereout.

In London Detainers

XV. And be it further enacted, That every Sum of Money which shall be due in the Port of London upon any Detention, Carriage, or other Detention or Detention whatever, by the Payment of any Money

Money out of the Duties of Customs, shall be paid by the Receiver General of the Customs out of any Money in his Hands arising from the Duties of Customs, and every such Payment shall be allowed by the Commissioners for the better examining and auditing the Public Accounts of this Kingdom in the settling or auditing of the Accounts of the Receiver General of the Customs; and when any such Payment shall become due at any other Port in the United Kingdom, the same may be paid by the Collector at such Port, the Controller being duly apprized thereof, out of any of the Moneys in his Hands arising from the Duties of Customs, and under such Directions and Instructions for the due Execution of their Offices as shall from Time to Time be given to them by the Commissioners of the Customs.

XVI. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Customs finally to settle and close the Accounts of any Collectors or Receivers of any Part of the Revenue of the Customs or other Duties under their Management, notwithstanding any erroneous Appropriation of any Duties of Customs received by such Collectors or Receivers; and the said Commissioners are hereby empowered to correct such Appropriations, in order to prevent the Accounts of any such Collectors or Receivers from being kept open; and all such Corrections shall be allowed by the Commissioners for auditing the Public Accounts in the passing the general Accounts of Customs, Subsidies, or Impostments.

XVII. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Customs to authorize the proper Officers to demand, on the passing of every Entry, the Sum of One Shilling; and upon the making of any Cocket, if such Cocket be

|  |                |   |   |
|--|----------------|---|---|
| For British Goods, the Sum of  | s <sup>d</sup> | s | s |
| Or if such Cocket be for Foreign Goods, or for Foreign Wines and Spirits contained<br>in Glass, the Sum of | 0              | 1 | 6 |
|  | 0              | 0 | 6 |

And that the Officers of His Majesty's Customs shall be authorized to refuse to pass any such Entry or to grant any such Cocket until such Charges shall be paid: Provided always, that all such Charges shall be carried and applied towards any Superannuation Fund for the Officers of the Customs, or applied, reduced, or satisfied as the Commissioners of His Majesty's Treasury may from Time to Time, by Warrant under their Hands or the Hands of any Two or more of them, be pleased to direct.

XVIII. And be it further enacted, That all Salaries, Allowances, or Commissions granted or allowed to any Officer, Clerk, or other Person in the Service of the Customs shall be paid without any Abatement or Deduction on account of any Duties imposed by any Act of Parliament, unless expressly charged thereon.

XIX. And whereas it is expedient that Regulations should be established by Law in the Office of the Receiver General of the Customs in England for depositing in the Bank of England all the Monies, Bills, Drafts, and Notes received by such Receiver General on account of the Revenue under the Management of the Commissioners of Customs, except as herein-after mentioned, until the same shall be paid into the Exchequer; be it therefore enacted, That all Monies, Bills, Notes, and Drafts received by or coming to the Hands of the Receiver General of the Customs in England on account of the Revenue of Customs in Great Britain shall be paid by him into the Hands of the Governor and Company of the Bank of England; (that is to say,) such Monies and Notes, and such of the Bills and Drafts as shall be already accepted, or shall not require Acceptance (having been first duly endorsed), shall be paid as aforesaid on the Day on which the same shall have been received, and such of the Bills and Drafts as shall require Acceptance, and not be already accepted when received, (the same having been first duly endorsed where necessary,) within Three Days after the same shall have been accepted, for which Monies, Bills, Notes, and Drafts the Entry in the Book herein-after mentioned shall be a sufficient Discharge; and all such Monies, Bills, Notes, and Drafts as to be paid to the Governor and Company of the Bank of England shall be placed to an Account to be raised in the Books of the said Governor and Company, and to be intitled "The Account of the Public Monies of the Receiver General of Customs," inserting the Name of such Receiver General for the Time being.

XX. Provided nevertheless, and be it further enacted, That it shall be lawful for such Receiver General to retain and Levy in his own Hands, for the Payment of casual and ordinary and daily Demands, out of the Moneys so received by him as such Receiver General, a Sum not exceeding One thousand Pounds at the Close of each Day, and also any further Sum which he shall be directed to retain by the said Commissioners, not exceeding Four thousand Pounds, and also any further Sum, with the Permission in Writing of any Three or more of the said Commissioners of His Majesty's Treasury.

XXI. And be it further enacted, That the Governor and Company of the Bank of England, or some Person duly authorized in that Behalf, shall daily, upon receiving any Money, Bills, Notes, or Drafts from such Receiver General of the Customs, make an Entry of the Money, Bills, Notes, and Drafts so received in a Book to be provided by the Governor and Company of the Bank of England, which Book shall be forthwith re-delivered to the Persons making the Payments for the Customs, and inspected daily after its Return by the Controller General of the Customs or his Clerk, (such Clerk being first duly authorized by him, and for whose Conduct he shall be answerable,) who shall compare the same with the Account of Monies, Bills, Notes, and Drafts received by the said Receiver General, for the Purpose of ascertaining that the Receiver General constantly pays into the Book all the Money, Bills, Notes, and Drafts which he is obliged to receive for the Customs, and that no Money, Bills, Notes, or Drafts, which the Controller General or his Clerk may discover in that Behalf shall be immediately reported by him to the

and Orders to be paid by the Receiver General.  
Payments at the Ports by Collectors.

Commissioners may close Accounts of Collectors.

Commissioners of Customs may direct the Rates thereof to be paid on passing Entries.

Application thereof.

Salaries not subject to Deduct.

All Monies received by the Receiver General of Customs in England shall be paid into the Bank of England.

Money for ordinary Payments may be retained.

Bank to keep an Account to be returned to the Customs for Inspection.

said Commissioners of His Majesty's Customs, who shall report the same, unless it shall appear to them to have happened by Mistake or Inadvertence, to the said Commissioners of His Majesty's Treasury.

Money carried to the Exchequer to be written off at the Bank.

**XXII.** And he it further enacted, That the Monies placed to the Account of the Receiver General as aforesaid in the Bank of England shall be paid into the Exchequer from Time to Time as by Law is directed in manner following; (that is to say) the Receiver General, or his Clerk duly authorized by him for that Purpose, and for whose Conduct therein he shall be answerable, shall make an Order weekly upon the Governor and Company of the Bank of England, which Order shall be countersigned by the Controller General or his Clerk, to write off from his Account the Sum specified, and the said Governor and Company, or some Person duly authorized on their Behalf, shall thereupon write of such Sum, and deliver a Note, drawn and cancelled in such Manner as shall be approved by the said Commissioners of His Majesty's Treasury, for the Amount, to the Receiver General or his Clerk, who shall pay the same into the Exchequer, and the Bank Clerks attending there shall receive it as so much Cash; and it shall not be lawful for the Governor and Company of the Bank of England to pay or transfer any Part of the Money so paid in and placed to the Account of such Receiver General from such Account otherwise than into the Exchequer in manner aforesaid, and except in the Manner hereinafter directed, or to deliver any Note or Note, Bill or Bills of Exchange, and except in the Solicitor of the Customs or his Clerk, upon his Application for the same, together with the Receiver General or his Clerk and the Controller General or his Clerk, for the sole Purpose of taking out an Receipt for the Security of the Money for which such Bill of Exchange or Draft shall have been given, or to the said Receiver General or his Clerk, any Bills, Notes, or Deeds, which may be presented for Payment, except as hereinafter is mentioned, in which Case the Commissioners of His Majesty's Customs shall be immediately acquainted therewith, if sent, by such Solicitor, Receiver General, or Controller General, or, if not sitting, at the Time of their assembling; and such Delivery shall be entered by the Bank in the Book to be kept as is herein directed.

Receiver General may draw on the Bank to pay Drafts, &c.

**XXIII.** And he it further enacted, That in order that the several Payments directed by Order of the Commissioners of His Majesty's Customs to be made by the said Receiver General to Merchants or any other Persons or account of Drawbacks or Bounties, or on any other Account whatsoever, may be made without Delay, and for the Payment of which the Money then in the Hands of the said Receiver General shall be insufficient, it shall be lawful for the said Receiver General, or his Clerk deputed and authorized by him for that Purpose, and for whose Conduct therein he shall be answerable, to draw out of the Bank of England, as Occasion may require, such Sum or Sums of Money as may be sufficient to answer the Purpose aforesaid; and that every Draft or Order on the Bank for Money for any of the said Purpose shall be countersigned by the Controller General, or his Clerk to be deputed and authorized by him for that Purpose, and for whose Conduct therein he shall be answerable; and that the said Receiver General shall from Time to Time account for the Monies so to be drawn by him or his Clerk out of the Bank.

Draws to be countersigned by Controller General

**XXIV.** And in order that separate Accounts may be kept at the Exchequer of the Monies paid in on various Branches of the Customs pursuant to Law, he it further enacted, That the said Receiver General of the Customs shall on every Monday Morning furnish the proper Officers of the Exchequer with an Appropriation Paper, stating the Heads under which the Receipts of the preceding Week are to be applied.

Officers of the Exchequer to be furnished with Appropriation Paper

**XXV.** And he it further enacted, That upon the Death, Resignation, or Removal of the present and of every other Receiver General of the Customs hereafter to be appointed, the Balance of Cash for which he shall at that Time have Credit on his Account as such Receiver General with the Governor and Company of the Bank of England shall, as soon as a Successor shall be appointed to the said Office, actually vest in such Successor, and until such Successor shall be appointed in such Person or Persons as shall for the Time being be duly authorized to execute the Duties of the said Office, be Trust for the Service of the Public, and be forthwith transferred, carried over, and placed to the Account of such Successor, or other Person or Persons as aforesaid, to be applied to the said Service in pursuance of the like Drafts and Orders as aforesaid.

On the Death or Removal of Receiver General, the Cash, &c. to vest in his Successor

**XXVI.** And he it further enacted, That the Receiver General of the Customs for the Time being shall keep the Account with the Bank of all Monies issued by and paid to the Bank on his Account for the Service of the Public, and the said Receiver General, observing the Rules and Regulations hereby prescribed, shall not be answerable for any Money, Bills, Notes, and Debits which he shall here or paid or caused to be paid into the Bank of England; and the Governor and Company of the Bank of England shall be answerable for all the Monies, Bills, Notes, and Debits which shall be actually received by them from and on account of such Receiver General as aforesaid, except such Bills as may have been returned in manner aforesaid.

Receiver General to keep Account

**XXVII.** And he it further enacted, That if any Person or Persons shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in forging or counterfeiting, the Name or Handwriting of any Receiver General of the Customs, or of any Controller General of the Customs, or of any Person acting for them respectively as aforesaid, in any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of England, on account of the Receiver General of the Customs; or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any Draft, Instrument, or Writing of or Part of a Draft made by such Receiver General or Person as aforesaid; or shall

Penalties for Forgery on Receiver General, &c.

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either to publish any such, knowing the same to be forged or counterfeited, with an Intention to defraud any Person whatsoever, every such Person or Persons so offending, being thereof lawfully convicted, shall be and is and are hereby declared and adjudged to be guilty of Felony, and shall be imprisoned beyond the Seas for Life.

XXVIII. And he it further enacted, That in all Cases wherein Proof on Oath shall be required by any Law, or shall be necessary for the Satisfaction or Consideration of the Commissioners of His Majesty's Customs, in any Matter relating to any Business under their Management, the same may be made before the Collector or Controller of the Customs at the Port where such Proof shall be required to be made, or before the Persons acting for them respectively, and who are hereby authorized and empowered to administer the same.

XXIX. And he it further enacted, That upon Examinations and Inquiries made by any Surveyor General of the Customs, or any Inspector General of the Customs, for ascertaining the Truth of Facts relative to the Customs, or the Conduct of Officers or Persons employed therein, and upon the like Examinations and Inquiries made by the Collector and Controller of any Outport in the United Kingdom, or of any Port on the Isle of Man, or made by any Person or Persons in any of the British Possessions Abroad appointed by the Commissioners of His Majesty's Customs to make such Examinations and Inquiries, any Person examined before him or them as a Witness shall deliver his Testimony on Oath, to be administered by such of the Surveyors General, or such of the Inspectors General, or such Collector and Controller, or such Person or Persons as shall examine him, and who are hereby authorized to administer such Oath: and if such Person shall be convicted of making a false Oath touching any of the Facts so testified on Oath, or of giving false Evidence on his Examinations on Oath, before any of the Surveyors General or Inspectors General of the Customs, or such Collector and Controller, or such Person or Persons, in conformity to the Directions of this Act, every such Person so convicted as aforesaid shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury.

XXX. And he it further enacted, That all Movers, Messages, Buildings, Lands, Tenements, and Hereditaments which have heretofore been purchased, acquired, or taken for the Use and Service of His Majesty's Customs, together with the Rights, Members, Easements, and Appurtenances in the same respectively belonging, (other than and except such Messages, Lands, Tenements, and Hereditaments as may be of Copyhold Tenure,) shall be and become and remain and continue vested in the Secretary for the Time being to the Commissioners of His Majesty's Customs, and respective Successors as Secretaries in such Service, according to the respective Nature and Quality of the said Movers, Messages, Buildings, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in Trust for His Majesty, His Heirs and Successors, for the Use and Service of His Majesty's Customs in the said United Kingdom.

XXXI. And he it further enacted, That all other Movers, Messages, Buildings, Lands, Tenements, and Hereditaments (other than and except as aforesaid) which shall at any Time or Times hereafter be purchased for the Use and Service of His Majesty's Customs, with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, shall in like Manner be and become and remain and continue vested in the Secretary for the Time being to the said Commissioners and his Successors, as Secretaries in such Service, according to the respective Nature and Quality of the said Movers, Messages, Buildings, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in Trust as aforesaid.

XXXII. And he it further enacted, That it shall and may be lawful for the said Secretary for the Time being, by and under the Authority and Direction of the said Commissioners (testified by Writing under their Hands and Seals), in sell, exchange, or in any Manner dispose of, or to let, out, or demise, or to sell any of the Freehold and Leasehold Messuages, Messages, Buildings, Lands, Tenements, and Hereditaments respectively which shall for the Time being be vested in them respectively under and by virtue of this present Act, with their respective Appurtenances, as also any of the Copyhold Messuages, Buildings, Lands, Tenements, and Hereditaments which shall have been surrendered to and vested in any Person or Persons, and his, her, or their Heirs and Assigns, in Trust for His Majesty or any of His Posteriors, His or Their Heirs or Successors, for the Use and Service of His Majesty's Customs in the said United Kingdom, or any of them, either by public Auction or private Contract; and so to the said Freehold and Leasehold Messuages, Messages, Lands, Tenements, and Hereditaments, that it shall and may be lawful to and for the said Secretary for the Time being, and so to the said Copyhold Messuages, Lands, Tenements, and Hereditaments, that it shall and may be lawful to and for the said Person or Persons in whom the same shall be vested as aforesaid, in due Form of Law, to convey, surrender, assign, make over, or to grant or demise the same respectively, or any of them, as the Case may require, to any Person or Persons who shall be willing to purchase or take the same respectively, and also to carry into execution any Contracts or Contracts already entered into for the Sale of any such Freehold, Copyhold, or Leasehold Messuages, Lands, Tenements, or Hereditaments as aforesaid, with such Alterations or Variations as the said Commissioners for the Time being, or any one Two or more of them, shall by Writing under their Hands direct, and for that Purpose to make and execute all such Conveyances, Assurances, and Agreements as may be thought proper, and also to do any other Act, Matter, or Thing in relation to any such Messuages, Messages, Buildings, Lands, Tenements, and Hereditaments which shall by the said Commissioners be deemed beneficial for the Public Service: which said Statute or for the better Management thereof and what rights and duties

Collector or Controller of the Customs may exercise His power in that

Surveyor General, or any Inspector General, or such Collector and Controller, or such Person or Persons, in conformity to the Directions of this Act, every such Person so convicted as aforesaid shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury.

Secretary for the Time being to the said Commissioners and his Successors, as Secretaries in such Service, according to the respective Nature and Quality of the said Movers, Messages, Buildings, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in Trust as aforesaid.

Lands and Buildings already taken for the Service of His Majesty's Customs to be vested in the Secretary of the Customs for the Time being,

and all Lands, &c. as he (and after purchase) for the Use of the Customs.

Secretary, under the Authority of Commissioners, may sell or let Lands vested in them.



be, to put His Majesty's Officers in possession of such Lands, Messuages, Tenements, Hereditaments, or Premises, and for that Purpose to issue a Warrant under their Hands and Seals, requiring Possession to be delivered to such of His Majesty's Officers as shall be named in the said Warrant: and it shall also be lawful for such Person or Persons so authorized as aforesaid to require the said Justice, Deputy Lieutenant or Deputy Governors of such County, Riding, Stewartry, City, Liberty, or Place, to issue their Warrant to the Sheriff or Sheriffs of the County, Riding, Stewartry, City, or Place wherein such Lands, Messuages, Tenements, Hereditaments, or Premises shall be situate, to summon a Jury, and every such Sheriff or Sheriffs is and are hereby authorized and required to summon and return a Jury, properly qualified, of the Number of Twenty-four, and in the Manner required by the Laws of England, Ireland, and Scotland respectively, who shall meet at some convenient Time and Place to be mentioned in such Summons, out of whom a Jury of Twelve shall be drawn in such Manner as Justice for the Trial of Issues joined in His Majesty's Courts at Westminster and Dublin are drawn by Law in England or Ireland respectively, and in such Manner as Justice are drawn by Law for the Trial of Offences in Scotland; and in case a sufficient Number shall not appear, the Sheriff or Sheriffs shall choose others of the By-standers, or that can speedily be procured, being qualified as aforesaid, and the said Jurymen may be challenged by the Parties on either Side, but not the Jury, and the said Justice, Deputy Lieutenant, or Deputy Governors respectively, on the Application of the said Persons so authorized, or of any Parties concerned, may and shall summon Witnesses, and adjourn any such Meeting if Jurymen or Witnesses do not attend; and the Jury, on hearing any Witnesses and Evidence that may be produced, shall on their Oaths (which Oaths, as also the Oaths of such Witnesses, the said Justice, Deputy Lieutenant, or Deputy Governors respectively are hereby empowered and required to administer,) find the Compensation to be paid for the Possession or Use of such Lands, as the Case may be.

XXXVIII. Provided always, and be it further enacted, That if the Owner or Owners of any Lands, Messuages, Tenements, Hereditaments, or Premises so required, or any Person or Persons interested therein, shall at any Time before the summoning of such Jury as aforesaid give Notice in Writing of any other Lands situate as aforesaid, and of any other Messuages, Tenements, Hereditaments, or Premises so required as aforesaid, and suited to the Purpose for which such Lands are required, and which the Owner or Owners thereof or Persons interested therein are willing to treat and agree for, then and in such Case the Jury so to be summoned shall previously find the Facts, whether the Lands as indicated in such Notice are situate within the Distances aforesaid, and are suited to the Purpose for which such Lands, Tenements, Messuages, Hereditaments, or Premises may be required, and whether the Owner or Owners thereof or Persons interested therein are willing to treat and agree for the same; and if they shall so find, the Owner or Owners of or Persons interested in the Lands so surveyed or marked out as aforesaid, or of the Messuages, Tenements, Hereditaments, or Premises so required, shall not be compellable by virtue of this Act to sell or dispose of the same: Provided always, that where the Owner or Owners of or Persons interested in any Lands, Messuages, Tenements, Hereditaments, or Premises required by virtue of this Act to be given up for the Purpose aforesaid, shall prefer to sell the same outright, and shall be able to make a good Title to the Fee Simple thereof, it shall be lawful for them to insist on so doing; and in such Case the Jury so summoned as aforesaid shall find the Value of the Fee Simple of such Lands, Tenements, Messuages, Hereditaments, or Premises, and the same shall be paid to the Owner or Owners thereof or Persons interested therein in the Manner directed by this Act.

XXXIX. Provided always, and be it further enacted, That if the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury, or any Person interested therein, shall be dissatisfied with the Verdict of any such Jury, it shall be lawful for them or their Attorneys in England and Ireland to apply to the Court of Exchequer at Westminster or Dublin respectively in the next Term, and in Scotland to apply within Fourteen Days after the finding any such Verdict to the Court of Session in Scotland in Time of Session, or Lord Ordinary on the Rile in Time of Vacation, and to suggest to the said Courts or Lord Ordinary respectively that they have reason to be dissatisfied with such Verdict, and forthwith to give Notice thereof to the said Lord High Treasurer or Commissioners, or Party (as the Case may be); and thereupon in England and Ireland the Proceedings that shall have been had, and the Verdict of such Jury, shall be returned into the said Courts of Exchequer respectively; and if it shall appear to the said Courts to be proper, a Suggestion shall be entered on such Proceedings as aforesaid, and a Writ shall thereupon, by Rule of such Court, or Order of any Judge of such Court, be directed to the Sheriff of such County where the Lands shall lie, or the Messuages, Tenements, Hereditaments, or Premises shall be, or if the same shall lie or be in Two Counties, to the Sheriff of either of such Counties, to summon either a Common or Special Jury according to the Application that shall have been made on that Behalf, and as the Court or such Judge shall allow, and who shall respectively be qualified according to Law, to appear before the said Justice of Assize or Nisi Prius of that County at the next Assize or Sitting of Nisi Prius if the same shall not happen sooner than Twenty-one Days after such Suggestion, otherwise at the next succeeding Assize or Sitting; and the Compensation to be paid for the Possession or Use of such Lands, Messuages, Tenements, Hereditaments, or Premises shall at such Assize or Sitting be ascertained by such Jury in like Manner as any Damages may be required of upon any Inquisition or Inquiry of Damages by any Jury before any Judge of Assize or Nisi Prius; and the Verdict of such Jury shall be returned to the said Courts of Exchequer, and shall be final and conclusive; and in Scotland, if it shall appear proper to the said Court of Session or Lord Ordinary, upon such Application as to do, the said Court or Ordinary shall order and direct the Sheriff of the County where such Lands, Messuages, Tenements, Hereditaments, or Premises shall lie

Lands that are suitable may be taken in lieu of such as have been marked out.

If any Person be dissatisfied with Verdict, Appeal may be made to the Court of Exchequer in England or Ireland, or to the Court of Session, &c. in Scotland.

or if the same shall lie or be in Two Counties, the Sheriff of either of such Counties, to summon another Jury in the Manner in which Juries are summoned in Scotland, properly qualified according to Law, so appear before the Lords or Lord of Justiciary at the next Circuit of the same shall not happen sooner than Twenty-one Days after such Application, otherwise at the next succeeding Circuit; and the Compensation as aforesaid for the Land, Messuages, Tenements, Hereditaments, and Premises shall at each Circuit be ascertained by a Jury drawn from the Jury summoned as aforesaid in such Manner as Juries are drawn in Scotland under the Direction of the said Lords or Lord of Justiciary as aforesaid; and the Verdict of such last-mentioned Juries shall be final and conclusive, without being subject to Review or Challenge of any Kind, unless the Court that shall have allowed such Inquiry shall think fit, on any Application made within Four Days after the Commencement of the succeeding Term or Session, if in Scotland, to order any new Trial in relation thereto.

Jury, in executing Compensation for Premises, can be paid London, &c.

XI. Provided always, and be it further enacted, That it shall be lawful for any Jury empanelled before any Justice of the Peace, Magistrate, Deputy Lieutenant, or Deputy Governor, or before any Judge of Assize or Nisi Prius, or to ascertain the Compensation to be paid for any Lands under this Act, and they are hereby required to ascertain and settle the Proportion to be paid out of such Compensation to any Person or Persons having any Interest as Lessee, or Tenant at Will, or otherwise, in any such Lands, and the Proportion to be paid out of such Compensation shall be returned on the Verdict: Provided also, that where any such Inquiry before any Judge of Assize or Nisi Prius, or Lords or Lord of Justiciary, shall be had on the Application of any such Lessee or Tenant at Will, or other Person having any inferior Interest in any such Lands, Messuages, Tenements, Hereditaments, or Premises, who may have been dissatisfied with the Proportion of Compensation settled by the Jury to be paid in respect of such Interest, it shall not be lawful for the Jury in any such Case to alter the Amount of the entire Compensation awarded by any former Verdict to be paid for such Lands, Messuages, Tenements, Hereditaments, or Premises, but only the Proportion thereof to be paid to the Person or Persons having separate hereditaments; and it shall not be lawful for any Jury, on any Inquiry had before any Judge of Assize or Nisi Prius, or Lords or Lord of Justiciary, as to any Compensation on the Application of the said Lord High Treasurer or Commissioners of His Majesty's Treasury in any Case in which the whole Compensation awarded by the former Jury is confirmed by the Jury on such Inquiry, to alter the Proportion that shall have been settled by any such former Jury as to any separate Interest in any such Lands, Tenements, Messuages, Hereditaments, or Premises.

Security to be given for Costs.

XII. Provided also, and be it further enacted, That it shall be lawful for the Court or Judge or Lord Ordinary, making any such Rule or Order, to require that the Party on whose Application the same shall be made shall give such Security as shall to such Court, Judge, or Lord Ordinary seem proper, for Payment of Costs under such Circumstances as shall be specified in any Rule or Order made for that Purpose.

Lands belonging to the Owners, all Decisions for the Public Service to be removed, making Compensation to the Owners.

XIII. And be it further enacted, That in all Cases where any Lands shall be taken under the Provisions of this Act for any Term of Years or for such Period only as the Public Service shall require, it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury, or any other Person or Persons so authorized as aforesaid, at any Time before the Possession of any Lands which shall have been taken for the Purpose aforesaid shall be delivered up to the Owner or Owners thereof, or other Person or Persons acting on his, her, or their Behalf, to take down and remove all such Buildings or other Erections which shall or may have been built or erected thereon for the Public Service, and to carry away the Materials thereof, making such Compensation to the Owner or Owners of such Lands, or other Person or Persons acting on his, her, or their Behalf, for the Damage or Injury which may have been done thereto or to the Soil thereof by the Erection of any such Buildings, or removing and carrying away the same, or otherwise in consequence of the same having been occupied for the Public Service, as the said Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or such other Person or Persons authorized as aforesaid shall think reasonable, and as shall be agreed upon in that Behalf; and if such Owner or Owners, or other Person or Persons acting on his, her, or their Behalf, shall not be willing to accept the Compensation so offered, it shall be lawful for the said Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or other Person or Persons so authorized as aforesaid, to apply to and require Two Justices of the Peace of the County, Riding, Stewary, Cop, or Place to settle and ascertain the Compensation which ought to be made for such Damage or Injury as aforesaid; and such Justice shall settle and ascertain the same accordingly, and shall grant a Certificate thereof; and the Amount of such Compensation, so settled and ascertained and certified, shall forthwith be paid by Warrant of the Commissioners of His Majesty's Treasury, or any Three or more of them, to the Person or Persons entitled thereto: Provided always, that nothing in this Act shall extend or be construed to extend to alter, prejudice, or affect any Agreement which hath been or shall or may be entered into by any such Person or Persons authorized as aforesaid with any Owner or Owners of any such Lands, or other Person or Persons acting on his, her, or their Behalf, in relation to any such Buildings or Erections, but every such Agreement shall remain valid and effectual in like Manner as if this Act had not passed.

Parties belonging to incorporated Persons, &c. to be paid in the proper

XIV. And be it further enacted, That in all Cases where any Money shall have been or shall be agreed, or shall have been or shall be found by the Verdict of any Jury, to be paid or given for the Use or Possession of any Lands, Messuages, Tenements, Hereditaments, or Premises taken by virtue of this Act, belonging to any Person or Persons under any Disability or Incapacity, or not having the absolute Possession thereof, the same shall be paid by Warrant of the Commissioners of His Majesty's Treasury, or



227 Three of them, into the Hands of the proper Officer of His Majesty's Court of Exchequer at Westminster, Edinburgh, or Dublin respectively for the Time being for receiving the Moneys belonging to the Sums of the said Court respectively, for the Use and Benefit of such Person or Persons; and such Officer is hereby authorized and required to receive or accept and to give a Discharge for such Money, and upon the Acceptation or Receipt thereof to sign a Certificate to the Barons or Judges of the said Court of Exchequer respectively, under his Hand, purporting and signifying that such Money or other Consideration was received or accepted by and paid to him in pursuance of this Act, for the Use and Benefit of such Person or Persons who shall be named and described in such Certificate; and the said Certificate shall be filed or deposited in the said Court of Exchequer at Westminster, Edinburgh, or Dublin respectively, and a true Copy thereof, signed by such Officer of such Court, shall and may be read and allowed in Evidence for the Purposes herein-before mentioned; and such Officer of such Court is hereby required, upon Receipt of any such Sum or Sums of Money as aforesaid, to pay the same into the Bank of England, or Bank of Scotland, or Royal Bank of Scotland, or Bank of Ireland, as the Case may require; and immediately upon the filing or depositing of such Certificate, the said Lands, Messuages, Tenements, Hereditaments, or Premises shall be vested in or to the Use of His Majesty, His Heirs and Successors.

XLIV. And be it further enacted, That the Barons or Judges of His Majesty's Court of Exchequer at Westminster, and the Barons or Judges of His Majesty's Court of Exchequer at Edinburgh or Dublin for the Time being respectively, or any Two or more of them, shall be and they are hereby authorized and empowered, in a summary Way, upon Motion or by Petition for and on Behalf of any Person or Persons interested in or entitled to the Benefit of the Money so paid to and received by the proper Officer of the said Courts respectively, or the Interest or Produce thereof, and upon reading the Certificate directed to be signed by the said Officer concerning the same as aforesaid, and receiving such further Satisfaction as they shall think necessary, to make and procure such Ordered Directions for paying the said Money, or any Part of the same, or for placing out such Part thereof as shall be Principal in the Public Funds or upon Government or Real Securities, and for Payment of the Dividends or Interest thereof, or any Part thereof, in the respective Persons entitled to receive the same, or for laying out the Principal, or any Part thereof, in the Purchase of other Lands to be conveyed and settled to, for, and upon the same Uses, Tenants, Intents, and Purposes as the said Lands so taken stood settled at the Time of the Payment of such Money as aforesaid, as near as the same can be done, or otherwise concerning the disposing of the said Money, or any Part thereof, and the Interest of the same, or any Part thereof, for the Benefit of the Person or Persons respectively, or for appointing any Person or Persons to be Trustee or Trustees for all or any of such Purposes, as the said Courts respectively shall think just and reasonable.

XLV. And be it further enacted, That upon the Death, Removal, or Resignation of any such Officer of the said Courts of Exchequer all Stocks and Securities vested in him by virtue of this Act shall vest in the succeeding Officer of the Exchequer, for the Purposes herein-before mentioned, without any Assignment or Transfer; and all Moneys paid in the said Banks respectively in pursuance of the Act, or remaining in the Hands of any such Officer at his Death, Resignation, or Removal, and not vested in the Funds or placed out on Securities as aforesaid, shall be paid over to the succeeding Officer for the like Purpose for the Time being.

XLVI. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to extend to any Garden or Pleasure Ground, or to any Land immediately contiguous to and used as the Carriage or Enclosure of any Dwelling House.

XLVII. And be it further enacted, That every Order, Decree, Instrument, or Writing relating to the Customs or to the Law of Navigation, required by any Law at any Time in force to be under the Hands of the Commissioners of His Majesty's Treasury, being signed by Three or more of such Commissioners, shall be deemed to be an Order, Decree, Instrument, or Writing under the Hands of the Commissioners of His Majesty's Treasury accordingly.

XLVIII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act to be passed in the present Session of Parliament.

## C A P. LII.

An Act for the General Regulation of the Customs.

[18th August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the general Regulation of the Customs*, whereby the Laws of Customs, in relation to the general Regulation of the Customs, were consolidated and amended: And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have been found necessary, and it will be of advantage in the Trade and Commerce of the Country that the said Acts should be consolidated into One Act: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty-three, except where any other Commencement is therein particularly directed.

II. And whereas it is expedient that the Officers of Customs should have full Cognizance of all Ships coming into any Port in the United Kingdom or in the Isle of Man, or approaching the Coasts thereof, and of all Goods on board, or which may have been on board such Ships, and also of all Goods unloaded from any Ship, and

Officer of the Exchequer for this Use.

Money to be paid into the Bank.

Barons of the Exchequer, or any Part of them authorized, to order the Application of Money

On the Death, Removal, or Resignation of Officer of Exchequer, Stocks and Securities shall vest in Successor.

Garden not to be affected.

Documents signed by Three Commissioners of the Treasury to be deemed the Act of the whole Commissions.

Act may be altered the Session.

C. G. 4. c. 122.

Commencement of Act.

General Provisions.

## INWARDS.

Account  
Provisions.

No Goods to be landed nor Bulk broken before Report and Entry.  
Times and Places of landing, and Care of Officers.

Goods not imported or re-ported, forfeited.

If Bulk illegally landed, Shores to be taken back.

Certain Articles may be landed without Entry.

## Manifest.

All British Ships, and all Ships with Tobacco, or less Manifests.  
Particulars of Manifest.

To be produced to Officers in Custom, &c.

To be produced to Customs.

If landing, Master to Report for 1833.

Manifest to be produced within Four Leagues; and Copies delivered to Officers.

Copies to be transmitted to Port of Destination.

Master not permitting to land 1833.

## Report.

That no Goods shall be unladed from any Ship arriving from Parts beyond the Seas at any Port or Place in the United Kingdom or in the *Isle of Man*, nor shall Bulk be broken after the Arrival of such Ship within Four Leagues of the Coast thereof respectively, before due Report of such Ship and due Entry of such Goods shall have been made, and Warrant granted, in manner herein-after directed; and that no Goods shall be so unladed except at such Times and Places, and in such Manner, and by such Persons, and under the Care of such Officers, as is and are herein-after directed; and that all Goods not duly reported, or which shall be unladed contrary hereto, shall be forfeited; and if Bulk be broken contrary hereto, the Master of such Ship shall forfeit the Sum of One hundred Pounds; and if, after the Arrival of any Ship within Four Leagues of the Coast of the United Kingdom or of the *Isle of Man*, any Unlading be made in the Stowage of the Cargo of such Ship, so as to facilitate the unlading of any Part of such Cargo, or if any Part be stowed, destroyed, or thrown overboard, or any Package be opened, such Ship shall be deemed to have broken Bulk: Provided always, that the several Articles herein-after enumerated may be landed in the United Kingdom without Report, Entry, or Warrant; (that is to say,) Diamonds and Ballion, fresh Fish of British taking, and reported in British Ships, Turbets and Lobsters fresh, however taken or imported.

III. And be it further enacted, That no Goods shall be imported into the United Kingdom or into the *Isle of Man* from Parts beyond the Seas in any British Ship, nor any Tobacco in any Ship, unless the Master shall have on board a Manifest of such Goods or of such Tobacco, made out and dated and signed by him at the Place or respective Places where the same or the different Parts of the same were or were taken on board, and authenticated in the Manner herein-after provided, and every such Manifest shall set forth the Name and the Tonnage of the Ship, the Name of the Master and of the Place to which the Ship belongs, and of the Place or Places where the Goods were taken on board respectively, and of the Place or Places for which they are destined respectively, and shall contain a particular Account and Description of all the Packages on board, with the Marks and Numbers thereon, and the Sorts of Goods and different Kinds of each Sort contained therein, to the best of the Master's Knowledge, and of the Particulars of such Goods as are stowed loose, and the Names of the respective Shippers and Consignees, so far as the same can be known to the Master; and to such particular Account shall be subjected a general Account or Recapitulation of the total Number of the Packages of each Sort, describing the same by their usual Names, or by such Descriptions as the same can best be known by, and the different Goods therein, and also the total Quantities of the different Goods stowed loose: Provided always, that every Manifest for Tobacco shall be a separate Manifest, distinct from any Manifest for any other Goods, and shall, without fail, contain the particular Weight of Tobacco in each Hogshead, Cask, Chest, or Case, with the Tare of the same; and if such Tobacco be the Produce of the Possessions of the Grand Signior, then the Number of his Parcels or Bundles within any such Hogshead, Cask, Chest, or Case shall be stated in such Manifest.

IV. And be it further enacted, That before any Ship shall be cleared out or depart from any Place in any of the British Possessions Abroad, or from any Place in China, with any Goods for the United Kingdom or for the *Isle of Man*, the Master of such Ship shall produce the Manifest to the Collector or Controller of the Customs, or other proper Officer, who shall certify upon the same the Date of the Production thereof to him: Provided always, that in all Places within the Territorial Possessions of the East India Company the Servant of the said Company by whom the last Dispatches of such Ship shall be delivered shall be the proper Officer to authenticate the Manifest as aforesaid; and in all Places in China the Chief Supercargo of the said Company shall be the proper Officer for such Purpose.

V. And be it further enacted, That before the Departure of any Ship from any Place beyond the Seas not under the British Dominions, where any Tobacco has been taken on board such Ship for the United Kingdom or for the *Isle of Man*, the Master of such Ship shall produce the Manifest of such Tobacco to the British Consul or other Chief British Officer, if there be any such resident at or near such Place, and such Consul or other Officer shall certify upon the same the Date of the Production thereof to him.

VI. And be it further enacted, That if any Goods shall be imported into the United Kingdom or into the *Isle of Man*, in any British Ship, or any Tobacco in any Ship, without such Manifest, or if any Goods contained in such Manifest be not on board, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

VII. And be it further enacted, That the Master of every Ship required to have a Manifest on board shall produce such Manifest to any Officer of the Customs who shall come on board his Ship after her Arrival within Four Leagues of the Coast of the United Kingdom or of the Coast of the *Isle of Man*, and who shall demand the same, for his Inspection; and such Master shall also deliver to any such Officer who shall be the first to demand it, a true Copy of such Manifest agreed by the Master; and shall also deliver another Copy to any other Officer of the Customs who shall be the first to demand the same within the Limits of the Port to which such Ship is bound; and thereupon such Officers respectively shall notify on such Manifest and on such Copies the Date of the Production of such Manifest and of the Receipt of such Copies, and shall transmit such Copies to the Collector and Controller of the Port to which such Vessel is first bound, and shall return such Manifest to the Master; and if such Master shall not in any Case produce such Manifest, or deliver such Copy, he shall forfeit the Sum of One hundred Pounds.

VIII. And be it further enacted, That the Master of every Ship arriving from Parts beyond the Seas at any Port in the United Kingdom or in the *Isle of Man*, whether laden or in ballast, shall, within Four Leagues of the Coast thereof, produce the Manifest of such Goods or of such Tobacco, and before such Production shall produce the same to the Collector or Controller of the Customs, or other proper Officer, who shall certify upon the same the Date of the Production thereof to him: Provided always, that in all Places within the Territorial Possessions of the East India Company the Servant of the said Company by whom the last Dispatches of such Ship shall be delivered shall be the proper Officer to authenticate the Manifest as aforesaid; and in all Places in China the Chief Supercargo of the said Company shall be the proper Officer for such Purpose.



Officers on board Ships to receive from Owners or all Ports.

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Officers on board Ships to receive from Owners or all Ports.

shall be received in each Place, the Master shall in either Case forfeit and pay the Sum of Twenty Pounds.

XIV. And be it further enacted, That it shall be lawful for the proper Officers of the Customs to board any Ship arriving at any Port in the United Kingdom or in the *Life of Man*, and freely to may so board until all the Goods laden therein shall have been duly delivered from the same; and such Officers shall have free Access to every Part of the Ship, with Power to take down Headways, and to mark any Goods before landing, and to lock up, seal, mark, or otherwise secure any Goods on board such Ship; and if any Plans, or any Box or Chest, be locked, and the Keys be withheld, such Officers, if they be of a Degree superior to Tidewater or Waterman, may open any such Place, Box, or Chest in the best Manner in his Power; and if they be Tidewater or Waterman, or only of that Degree, they shall send for their superior Officer, who may open or cause to be opened any such Place, Box, or Chest in the best Manner in his Power; and if any Goods be found concealed on board any such Ship, they shall be forfeited; and if the Officers shall place any Lock, Mark, or Seal upon any Goods on board, and such Lock, Mark, or Seal be wilfully opened, altered, or broken before due Delivery of such Goods, or if any of such Goods be wilfully conveyed away, or if the Headways, after having been forced down by the Officer, be opened, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

XV. Provided always, and be it further enacted, That if any Ship (having Commission from his Majesty, or from any Foreign Prince or State) arriving as aforesaid at any Port in the United Kingdom or in the *Life of Man* shall have on board any Goods laden in Parts beyond the Seas, the Captain, Master, Purser, or other Person having the Charge of such Ship or of such Goods for that Voyage shall, before any Part of such Goods be taken out of such Ship, or when called upon so to do by any Officer of the Customs, deliver an Account in Writing under his Hand, to the best of his Knowledge, of the Quality and Quantity of every Package or Parcel of such Goods, and of the Marks and Numbers thereof, and of the Names of the respective Shippers and Consignees of the same, and shall make and subscribe a Declaration at the Foot of such Account, declaring to the Truth thereof, and shall also truly answer to the Collector or Controller such Questions concerning such Goods as shall be required of him; and on Failure thereof such Captain, Master, Purser, or other Person shall forfeit the Sum of One hundred Pounds; and all such Ships shall be liable to such Searches as Merchant Ships are liable to; and the Officers of the Customs may freely enter and go on board all such Ships, and bring from thence on shore into the King's Warehouse any Goods found on board any such Ship as aforesaid; subject nevertheless to such Regulations in respect of Ships of War belonging to His Majesty as shall from Time to Time be directed in that respect by the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland.

XVI. And be it further enacted, That the Master of every British Ship arriving at any Port in the United Kingdom, on her Return from any Foreign Possessions in the West Indies, shall, within Two Days of such Arrival, deliver to the Collector or Controller a List containing the Names and Descriptions of the Crew which was on board at the Time of clearing from the United Kingdom, and of the Crew so board at the Time of Arrival in any of the said Possessions, and of every Seaman who has deserted or died during the Voyage, and also the Amount of Wages due at the Time of his Death to each Seaman so dying, and shall make and subscribe a Declaration at the Foot of such List, declaring to the Truth thereof; and every Master refusing so to do shall forfeit the Sum of Fifty Pounds; and such List shall be kept by the Collector for the Inspection of all Persons interested therein.

XVII. And be it further enacted, That every Importer of any Goods shall, within Fourteen Days after the Arrival of the Ship respecting the same, make perfect Entry inwards of such Goods, or Entry by Bill of Lading, in manner hereinafter provided, and shall within such Time (and the same) and in default of such Entry and Lading it shall be lawful for the Officers of the Customs to convey such Goods to the King's Warehouse; and whenever the Cargo of any Ship shall have been discharged, with the Exception only of a small Quantity of Goods, it shall be lawful for the Officers of the Customs to convey such remaining Goods, and at any Time to convey any small Packages or Parcels of Goods, to the King's Warehouse, although such Fourteen Days shall not have expired, there to be kept until the due Entry thereof during the Remission of such Fourteen Days; and if the Duties due upon any Goods so conveyed to the King's Warehouse shall not be paid within Three Months after such Fourteen Days shall have expired, together with all Charges of Remission Warehouse Rent, the same shall be sold, and the Produce thereof shall be applied, first to the Payment of Freight and Charges, next of Duties, and the Overplus, if any, shall be paid to the Proprietor of the Goods.

XVIII. And be it further enacted, That the Person entering any Goods inwards (whether for Payment of Duty, or to be warehoused upon the first perfect Entry thereof, or for Payment of Duty upon the taking out of the Warehouse, or whether such Goods be free of Duty) shall deliver to the Collector or Controller a Bill of the Entry of such Goods, fairly written in Words at Length, expressing the Name of the Ship, and of the Master of the Ship in which the Goods were imported, and of the Place from whence they were brought, and the Description and Situation of the Warehouse, if they are to be warehoused, and the Name of the Person in whose Name the Goods are to be entered, and the Quantity and Description of the Goods, and the Number and Denomination or Description of the respective Packages, containing the Goods, and in the Margin of such Bill shall delineate the respective Marks and Numbers of such Packages, and shall pay down any Duties which may be payable upon the Goods

as the Case may require, of such Bill, in which all Sums and Numbers may be expressed in Figures, and the Particulars to be contained in such Bill shall be written and arranged in such Form and Manner, and the Number of such Duplicates shall be such as the Collector and Controller shall require; and such Bill being duly signed by the Collector and Controller, and transmitted to the Landing Water, shall be the Warrant to him for the Landing or delivering of such Goods.

XIX. And be it further enacted, That every Person who shall make or cause to be made any such Entry inwards of any Goods, not being duly authorized thereto by the Proprietor or Consignor of such Goods, shall for every such Offence forfeit the Sum of One hundred Pounds: Provided always, that no such Personally shall extend or be deemed to extend to any Person acting under the Directions of the several Dock Companies or other Corporate Bodies authorized by Law to pass Entries.

XX. And be it further enacted, That no Entry nor any Warrant for the landing of any Goods, or for the taking of any Goods out of any Warehouse, shall be deemed valid, unless the Particulars of the Goods and Packages in such Entry shall correspond with the Particulars of the Goods and Packages, purporting to be the same, in the Report of the Ship, and as the Manifest, where a Manifest is required, and in the Certificate or other Document, where any is required, by which the Importation or Entry of such Goods is authorized, nor unless the Goods shall have been properly described in such Entry by the Denominations, and with the Characters and Circumstances according to which such Goods are charged with Duty or may be imported, either to be used in the United Kingdom, or to be warehoused for Exportation only; and any Goods taken out of any Shop, or out of any Warehouse, or for the Delivery of which, or for any Order for the Delivery of which, from any Warehouse, Demand shall have been made, not having been duly entered, shall be forfeited.

XXI. And be it further enacted, That if the Goods in such Entry be charged to pay Duty according to the Number, Measure, or Weight thereof, such Number, Measure, or Weight shall be stated in the Entry: and if the Goods in such Entry be charged to pay Duty according to the Value thereof, such Value shall be stated in the Entry, and shall be attested by the Declaration of the Inspector or his lawful Agent, written upon the Entry, and attested by his Signature; and if the Goods in such Entry be chargeable at the Option of the Officers of Customs, either according to the Number, Measure, or Weight thereof, or according to the Value thereof, then as well such Number, Measure, or Weight, as also such Value, shall be in like Manner stated in the Entry, and attested; and if any Person make such Declaration, not being the Inspector or Proprietor of such Goods, nor his Agent duly authorized by him, such Person shall forfeit the Sum of One hundred Pounds; and his Declaration shall be made in Manner and Form following, and shall be binding upon the Person by or in behalf of whom the same shall be made, (that is to say.)

I, *A. B.* of [*Place of Abode*] do hereby declare, That I am [*the Inspector, or authorized by the Inspector*] of the Goods contained in this Entry, and that I enter the same [*stating which, if Part only*] at the Sum of \_\_\_\_\_ Witness my Hand the \_\_\_\_\_ Day of \_\_\_\_\_

*A. B.*

XXII. And be it further enacted, That if upon Examination it shall appear to the Officers of the Customs that such Goods are not valued according to the true Value thereof, it shall be lawful for such Officers to detain and secure such Goods, and (within Five Days from the Landing thereof if it be in the Ports of London, Leith, or Dublin, or within Seven Days if in any other Port in the United Kingdom, or if in any Port in the Isle of Man,) to take such Goods for the Use of the Crown; and if a different Rate of Duty shall be charged upon any Goods according as the Value of the same shall be described in the Entry to be above or to be below any particular Price or Sum, and such Goods shall be valued in the Entry so as to be liable to the lower Rate of Duty, and it shall appear to the Officers of the Customs that such Goods, by reason of their real Value, are properly liable to the higher Rate of Duty, it shall be lawful for such Officers in like Manner to take such Goods for the Use of the Crown; and the Commissioners of His Majesty's Customs shall thereupon in any of such Cases cause the Amount of such Valuation, together with an Addition of Ten Pounds per Centum thereon, and also the Duties paid upon such Entry, to be paid to the Importer or Proprietor of such Goods in full Satisfaction for the same, and shall dispose of such Goods for the Benefit of the Crown; and if the Proceeds of such Sale shall exceed the Sums so paid and all Charges incurred by the Crown, One Moiety of the Overplus shall be given to the Officer or Officers who had detained and taken the Goods; and the Money retained for the Benefit of the Crown shall be paid into the Hands of the Collector of the Customs, with the Knowledge of the Controller, and entered in Account as Duties of Customs.

XXIII. Provided always, and be it further enacted, That the Value of Goods imported by the East India Company shall be ascertained by the Gross Price at which the same shall have been sold by Auction at the public Sales of the said Company; and that the said Company shall fairly and openly expose for Sale and cause to be sold all such Goods as charged to pay Duty according to the Value thereof by way of public Auction in the City of London, within Three Years from the Importation thereof, and shall give due Notice at the Custom House in London to the Officers appointed to attend such Sales of the Time and Place thereof.

XXIV. And be it further enacted, That if the Importer of any Goods, or his Agent after full Conference with him, shall declare before the Collector or Controller that he cannot for Want of full Information make a full or perfect Entry of such Goods, and shall make and subscribe a Declaration to that Effect, that he shall duly and fully file the said Declaration and Certificate in a Registry by Bill of Sight for:

FORMS.

Entry.

Unauthorized Persons may be prevented to make Entries.

Not valid unless agreeing with Manifest, Report, and other Documents, and Identification of Goods.

Goods not properly entered, forfeited.

Goods by Number, Measure, or Weight.

Goods not entered.

Declaration of Value.

Persons not authorized to make same.

Form of Declaration.

Goods undervalued, Officers may detain.

Valuation and 10 per Cent. to be paid Importer.

Goods to be sold for the Benefit of the Crown.

East India Company to sell Goods.

Bill of Sight of Goods to not be made.

WARRANT,  
—  
Entry  
—  
Importation  
—  
of Goods,  
and  
perfect  
Entry in Three  
Days.

the Packages or Parcels of such Goods by the best Description which can be given, and to grant a Warrant thereupon, in order that the same may be provisionally landed, and may be seen and examined by such Importer, in Presence of the proper Officers; and within Three Days after any Goods shall have been so landed, the Importer shall make a full or perfect Entry thereof, and shall either pay down all Duties which shall be due and payable upon such Goods, or shall duly warehouse the same, according to the Purport of the full or perfect Entry or Entries so made for such Goods, or for the several Parts or Sorts thereof: Provided always, that if when full or perfect Entry be at any Time made for any Goods provisionally landed as aforesaid by Bill of Sight, such Entry shall not be made in manner herein-before required for the due landing of Goods, such Goods shall be deemed to be Goods landed without due Entry thereof, and shall be subject to the like Forfeiture accordingly: Provided also, that if any Sum of Money shall have been deposited upon any Entry by Bill of Sight, on account of the Duties which may be found to be payable on the Goods intended therein, it shall be lawful for the Officers of the Customs to deliver, in virtue of the Warrant for landing the same, any Quantity of Goods the Duty on which shall not exceed the Sum so deposited.

or Goods to  
be taken in  
King's Ware-  
house,  
—  
and in One  
Month may be  
sold.

XXV. And be it further enacted, That in default of perfect Entry within such Three Days, such Goods shall be taken to the King's Warehouse by the Officers of the Customs; and if the Importer shall not, within One Month after such landing, make perfect Entry or Entries of such Goods, and pay the Duties thereon, or on such Parts as can be entered for Home Use, together with Charges of Removal and of Warehouse Rent, such Goods shall be sold for the Payment of such Duties (or for Exportation, if they be such as cannot be entered for Home Use, or shall not be worth the Duties and Charges,) and for the Payment of such Charges; and the Overplus, if any, shall be paid to the Importer or Proprietor thereof.

East India  
Company may  
enter by Bill of  
Sight, and  
make perfect  
Entry within  
Three Months.

XXVI. Provided always, and be it further enacted, That it shall be lawful for the East India Company, without making the Proof herein-before required, to enter by Bill of Sight, to be landed and secured in such Manner as the Commissioners of His Majesty's Customs shall require, any Goods imported by them, and also any Goods imported by any other Person from Places within the Limits of the Charter of the said Company, with the Consent of such Person, upon Condition to cause perfect Entry to be made of such Goods within Three Months from the Date of the Importation thereof, either to warehouse the same or to pay the Duties thereon within the Times and in the Manner herein-after mentioned; (that is to say,) if such Goods be charged to pay Duty according to the Value, then to pay such Duty within Four Months from the Sale of the Goods; and if such Goods be charged to pay Duty according to the Number, Measure, or Weight thereof, then to pay One Moiety of such Duties within Six Calendar Months from the Time of the Importation of such Goods, and the other Moiety within Twelve Calendar Months from such Time; and such Goods shall be secured in such Places and in such Manner as the Commissioners of His Majesty's Customs shall require, until the same shall have been duly entered, and the Duties thereon shall have been duly paid, or until the same shall have been duly exported: Provided also, that it shall be lawful for any other Person who shall have imported any Goods from Places within the said Limits into the Port of London in like Manner to enter such Goods by Bill of Sight in his own Name, upon giving sufficient Security by Bond, to the Satisfaction of the Commissioners of His Majesty's Customs, with the like Conditions as are required of the said Company for making perfect Entries, and for the securing and the paying of Duties, provided such Goods be entered by such Bill of Sight to be warehoused in some Warehouse under the Superintendance of the said Company, and in which Goods imported by the said Company may be secured in Manner herein-before mentioned.

All values  
Duties.

Rated Duties.

Private Im-  
portation may  
enter to the  
Company may,  
on Bond, pro-  
vide Goods  
to be secured  
in Company's  
Warehouses.

XXVII. And be it further enacted, That in default of perfect Entry within Three Months as aforesaid, or of due Entry and Payment of Duty within the Times and in the Manners herein-before respectively required, it shall be lawful for the Commissioners of His Majesty's Customs to cause any such Goods in respect of which such Default shall have been made to be sold for the Payment of such Duties, (or for Exportation, if they be such as cannot be entered for Home Use,) and for the Payment of all Charges incurred by the Crown in respect of such Goods; and the Overplus, if any, shall be paid to the Proprietor thereof.

In Default of  
Payment of  
Duties, Goods  
to be sold.

XXVIII. And be it further enacted, That where any Package or Parcel shall have been landed by Bill of Sight, and any Goods or other Things shall be found in such Package or Parcel concealed in any way, or packed with intent to deceive the Officers of His Majesty's Customs, as well as all such Goods and other Things as the Package or Parcel in which they are found, and all other Things contained in such Package or Parcel, shall be forfeited.

Goods landed  
by Bill of  
Sight shall be  
fully exam-  
ined, for-  
feited.

XXIX. And be it further enacted, That the East India Company shall pay into the Hands of the Receiver General of the Customs every Sum of Money due from the said Company on account of the Duties of Customs at the respective Times when the same shall become due; and that the said Receiver General shall give to the said Company a Receipt for the Monies so paid, on the Account of the Collector of the Customs, which Receipt, when delivered to such Collector, shall be received by him as Cash.

East India  
Company to  
pay Duties in  
Receiver Gen-  
eral.

XXX. And be it further enacted, That if any Goods which are rated to pay Duty according to the Number, Measure, or Weight thereof (except certain Goods herein-after mentioned) shall receive Damage during the Voyage, or Abatement of such Duties shall be allowed in proportion to the Damage so received, provided Proof be made to the Satisfaction of the Commissioners of His Majesty's Customs, of the said Damage, and that the said Goods shall be sold for the Payment of such Duties, (or for Exportation, if they be such as cannot be entered for Home Use,) and for the Payment of all Charges incurred by the Crown in respect of such Goods; and the Overplus, if any, shall be paid to the Proprietor thereof.

Goods damaged  
on Voyage,  
Abatement of  
Duties.  
Proof by  
Master and  
Importers.

XXXI. And be it further enacted, That if any Goods which are rated to pay Duty according to the Number, Measure, or Weight thereof (except certain Goods herein-after mentioned) shall receive Damage during the Voyage, or Abatement of such Duties shall be allowed in proportion to the Damage so received, provided Proof be made to the Satisfaction of the Commissioners of His Majesty's Customs, of the said Damage, and that the said Goods shall be sold for the Payment of such Duties, (or for Exportation, if they be such as cannot be entered for Home Use,) and for the Payment of all Charges incurred by the Crown in respect of such Goods; and the Overplus, if any, shall be paid to the Proprietor thereof.

the Goods were shipped Abroad in the Ship importing the same, and before they were landed in the United Kingdom; and provided Claim to such Abatement of Duties be made at the Time of the first Examination of such Goods.

XXXI. And be it further enacted, That the Officers of the Customs shall thereupon examine such Goods with reference to such Damage, and may state the Proportion of Damage which, in their Opinion, such Goods have so received, and may make a proportionate Abatement of Duties; but if the Officers of Customs be incompetent to estimate such Damage, or if the Importer be not satisfied with the Abatement made by them, the Collector and Controller shall choose Two indifferent Merchants experienced in the Nature and Value of such Goods, who shall examine the same, and shall make and subscribe a Declaration, stating in what Proportion, according to their Judgments, such Goods are lessened in their Value by reason of such Damage, and thereupon the Officers of Customs may make an Abatement of the Duties according to the Proportion of Damage so declared by such Merchants.

XXXII. Provided always, and be it further enacted, That no Abatement of Duties shall be made on account of any Damage received by any of the Sorts of Goods herein after enumerated; (that is to say)

|          |          |          |           |
|----------|----------|----------|-----------|
| Cocoa,   | Pepper,  | Figs,    | Lessons,  |
| Coffee,  | Curcuma, | Tobacco, | and Wine. |
| Oranges, | Raisins, |          |           |

XXXIII. And be it further enacted, That it shall be lawful to re-import into the United Kingdom from any Place, in a Ship of any Country, any Goods (except as herein-after excepted) which shall have been legally exported from the United Kingdom, and to enter the same by Bill of Store, referring to the Entry Outwards, and Exportation thereof, provided the Property in such Goods continue in the Person by whom or to whose Account the same have been exported, and that such Re-importation take place within Six Years from the Date of the Exportation; and if the Goods so returned be Foreign Goods, which had before been legally imported into the United Kingdom, the same Duties shall be payable thereon as would, at the Time of such Re-importation, be payable on the like Goods under the same Circumstances of Importation as those under which such Goods had been originally imported, or such Goods may be warehoused as the like Goods might be warehoused upon a first Exportation thereof: Provided always, that the several Sorts of Goods enumerated or described in the Table following shall not be re-exported into the United Kingdom for Home Use upon the Ground that the same had been legally exported from thence, but that the same shall be deemed to be Foreign Goods, whether originally such or not, and shall also be deemed to be imported for the first Time into the United Kingdom; (that is to say)

When Claim to be made  
Officers in cases of Damage and such Proportion, or choose Two Merchants.  
No Abatement for certain Goods.

Returned Goods; entered by Bill of Store, if Property be not changed; if Foreign Goods, Duties to be paid upon, or Goods may be warehoused; Certain Goods may not be returned for Home Use.

A TABLE OF GOODS EXPORTED WHICH MAY NOT BE RE IMPORTED FOR HOME USE.

- Corn, Grain, Meal, Flour, and Malt.
- Hops.
- Tobacco.
- Tea.

Goods for which any Bounty or any Drawback of Excise had been received on Exportation, unless by special Permission of the Commissioners of His Majesty's Customs, and an Re-shipment of such Bounty or such Drawback.

All Goods for which Bill of Store cannot be issued in manner herein-after directed, except small Remnants of *British* Goods by special Permission of the Commissioners of His Majesty's Customs, upon Proof to their Satisfaction that the same are *British*, and had not been sold.

XXXIV. And be it further enacted, That the Person in whose Name any Goods so re-imported were entered for Exportation shall deliver to the Searcher at the Port of Exportation an exact Account, signed by him, of the Particulars of such Goods, referring to the Entry and Clearance Outwards and to the Entries Inwards of the same, with the Marks and Numbers of the Packages, both Inwards and Outwards; and thereupon the Searcher, finding that such Goods had been legally exported, shall grant a Bill of Store for the same; and if the Person in whose Name such Goods were entered for Exportation was not the Proprietor thereof, but his Agent, he shall declare upon Oath on such Bill of Store the Name of the Person by whom he was employed as such Agent; and if the Person to whom such returned Goods are re-transported shall not be such Proprietor and Exporter, he shall make and subscribe a Declaration on such Bill of Store, of the Name of the Person for whose Use such Goods have been consigned to him; and the said Proprietor, ascertained to be such, shall make and subscribe a Declaration upon such Bill of Store, to the Identity of the Goods so exported and so returned, and that he was at the Time of Exportation and of Re-importation the Proprietor of such Goods, and that the same had not during such Time been sold or disposed of to any other Person; and such Declaration shall be made before the Collectors or Controllers at the Ports of Exportation and of Re-transportation respectively; and thereupon the Collector and Controller shall admit such Goods to Entry by Bill of Store, and grant their Warrant accordingly.

Bill of Store, by whom may be taken out, to be issued by Searcher, Agent to declare Name of his Employer, Proprietor to declare who is Proprietor, Proprietor to declare to Identity, and Property unchanged, then Entry by Bill of Store to be granted, Searcher there subject as Goods.

XXXV. And be it further enacted, That the manifest Scores of every Ship arriving from Paris beyond the Seas, in the United Kingdom or in the Isle of Man, shall be subject to the same Duties, and the same Prohibitions, Restrictions, and Regulations, as the like Sorts of Goods shall be subject to when imported by way of Mercantile; but if it shall appear to the Collector and Controller that the Quantity or Description of such Goods is not, or is not likely to be, of any considerable Value, then the same may, at the Discretion of the Collector and Controller, be subject to the same Duties, and the same Prohibitions, Restrictions, and Regulations, as the like Sorts of Goods shall be subject to when imported by way of Mercantile; but if it shall appear to the Collector and Controller that the Quantity or Description of such Goods is not, or is not likely to be, of any considerable Value, then the same may, at the Discretion of the Collector and Controller, be subject to the same Duties, and the same Prohibitions, Restrictions, and Regulations, as the like Sorts of Goods shall be subject to when imported by way of Mercantile.

Imports.

Sugar.

And vessels may be entered for private trade, or be employed for the use of the Ship.

Goods from Plantations.

Master to deliver Manifests of Contents.

Certificate of Growth of Sugar, Coffee, Cocoa, Spices, from Plantations.

Master to declare in Certificate.

Certificate of Sugar from Letters of Charter.

Master to declare in Certificate.

Certificate of Wine, Produce of Cape of Good Hope.

Master to declare in Certificate.

Goods of Guernsey, Jersey, &c. Duty free, with Exemption.

Master to deliver Certificate of Produce, and declare in Certificate.

Imports may permit Vessels of Colonial Produce to be imported from Guernsey, &c.

Vessels with Bount from Guernsey, &c. not to be granted.

Fish, British taking and

shall be lawful for them to permit such surplus Stores as be entered for the private Use of the Master, Purser, or Officer of such Ship, or of any Passenger of such Ship to whom any such surplus Stores may belong, on Payment of the proper Duties, or to be warehoused for the future Use of such Ship, although the same could not be legally imported by way of Merchandise.

XXXVI. And be it further enacted, That no Goods shall be received as being of or from any British Possession in Answer (if any Benefit attach to such Distinction) unless the Master of the Ship importing the same shall have delivered to the Collector or Controller a Certificate, under the Hand of the proper Officer of the Place where such Goods were taken on board, of the due Clearance of such Ship from Tonnage, containing an Account of such Goods.

XXXVII. And be it further enacted, That before any Sugar, Coffee, Cocoa, or Spices shall be received as being of the Produce of some British Possession in America, or the Island of Mauritius, the Master of the Ship importing the same shall deliver to the Collector or Controller a Certificate, under the Hand of the proper Officer of the Place where such Goods were taken on board, testifying that Proof had been made in manner required by Law that such Goods are of the Produce of some British Possession in America, or of the Island of Mauritius, stating the Name of the Place where such Goods were produced, and the Quantity and Quality of the Goods, and the Number and Designation of the Packages containing the same, and the Name of the Ship in which they are laden, and of the Master thereof; and such Master shall also make and subscribe a Declaration before the Collector or Controller, that such Certificate was received by him at the Place where such Goods were taken on board, and that the Goods so imported are the same as are mentioned therein.

XXXVIII. And be it further enacted, That before any Sugar shall be entered as being the Produce of any British Possession within the Limits of the East India Company's Charter, the Master of the Ship importing the same shall deliver to the Collector or Controller a Certificate under the Hand and Seal of the proper Officer at the Place where such Sugar was taken on board, testifying that Oath had been made before him, by the Skipper of such Sugar, that the same was really and lawfully the Produce of such British Possession; and such Master shall also make and subscribe a Declaration before the Collector or Controller, that such Certificate was received by him at the Place where such Sugar was taken on board, and that the Sugar so imported is the same as is mentioned therein.

XXXIX. And be it further enacted, That before any Wine shall be entered as being the Produce of the Cape of Good Hope, the Master of the Ship importing the same shall deliver to the Collector or Controller a Certificate under the Hand of the proper Officer of the Cape of Good Hope, testifying that Proof had been made, in manner required by Law, that such Wine is of the Produce of the Cape of Good Hope or the Dependencies thereof, stating the Quantity and Sort of such Wine, and the Number and Designation of the Packages containing the same; and such Master shall also make and subscribe a Declaration before the Collector or Controller, that such Certificate was received by him at the Cape of Good Hope, and that the Wine so imported is the same as is mentioned therein.

XL. And be it further enacted, That it shall be lawful to import into the United Kingdom any Goods of the Produce or Manufacture of the Islands of Guernsey, Jersey, Alderney, Sark, or Man, from the said Islands respectively, without Payment of any Duty (except in the Cases herein-after mentioned); and that such Goods shall not be deemed to be included in any Charge of Duties imposed by any Act hereafter to be made on the Importation of Goods generally from Parts beyond the Seas: Provided always, that such Goods may nevertheless be charged with any Proportions of such Duties as shall lawfully counter-void any Duties of Excise, or any Coast Duty, payable on the like Goods the Produce of the Part of the United Kingdom into which they shall be imported: Provided also, that such Exemption from Duty shall not extend to any Manufactures of the said Islands made from Materials the Produce of any Foreign Country, except Manufactures of Linen and Cotton made in and imported from the Isle of Man.

XLI. And be it further enacted, That before any Goods shall be entered as being the Produce of the said Islands (if any Benefit attach to such Distinction), the Master of the Ship or Vessel importing the same shall deliver to the Collector or Controller a Certificate from the Governor, Lieutenant Governor, or Commander in Chief of the Island from whence such Goods were imported, that Proof had been made, in Manner required by Law, that such Goods were of the Produce of such Island, stating the Quantity and Quality of the Goods, and the Number and Designation of the Packages containing the same; and such Master shall also make and subscribe a Declaration before the Collector or Controller, that such Certificate was received by him at the Place where such Goods were taken on board, and that the Goods so imported are the same as are mentioned therein.

XLII. And be it further enacted, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury, when and so long as they shall see fit, to permit any Goods the Produce of the British Possessions or Colonies in North America, which shall have been legally imported into the Islands of Guernsey or Jersey direct from such Possessions, to be imported into the United Kingdom for Home Use direct from those Islands, under such Regulations as the said Commissioners shall direct, any thing in the Law of Navigation to the contrary notwithstanding.

XLIII. And be it further enacted, That no Vessel arriving on the Coast of England from Guernsey, Jersey, Alderney, Sark, or Man, wholly laden with Stores the Productions thereof, shall be liable to be requisited or visited by Pilots appointed and licensed by the Corporation of the Trinity House of Deptford Strand, any Law, Custom, or Usage to the contrary notwithstanding.

XLIV. And be it further enacted, That fresh Fish of every Kind, of British taking and imported in British Ships, and of every Kind, of Foreign taking and imported in Foreign Ships, shall be



Fish of every Kind, of British taking and curing, imported in British Ships, shall be imported free of all Duties, and shall not be deemed to be included in any Charge of Duty imposed by any Act hereafter to be made on the Importation of Goods generally: Provided always, that before any cured Fish shall be entered free of Duty, as being of such taking and curing, the Master of the Ship importing the same shall make and subscribe a Declaration before the Collector or Controller, that such Fish was actually caught and taken in British Ships, and cured by the Crews of such Ships, or by His Majesty's Subjects.

XLV. And be it further enacted, That before any Blubber, Train Oil, Sperm-catch Oil, Head Matter, or Whale Fin shall be entered as being the Produce of Fish or Creatures living in the Sea taken and caught wholly by His Majesty's Subjects usually residing in some Port of His Majesty's Dominions, and imported from some British Possession, the Master of the Ship importing the same shall deliver to the Collector or Controller a Certificate under the Hand of the proper Officer of such British Possession where such Goods were taken on board, (or if no such Office be residing there, then a Certificate under the Hands of Two principal Inhabitants on the Place of Shipment,) certifying that Oath had been made before him or them, by the Shipper of such Goods, that the same were the Produce of Fish or Creatures living in the Sea taken wholly by British Vessels owned and navigated according to Law; and such Master shall also make and subscribe a Declaration before the Collector or Controller, that such Certificate was received by him at the Place where such Goods were taken on board, and that the Goods so imported are the same as mentioned therein; and the Importer of such Goods shall also make and subscribe a Declaration before the Collector or Controller, at the Time of Entry, that to the best of his Knowledge and Belief the same were the Produce of Fish or Creatures living in the Sea taken wholly by British Vessels in manner aforesaid.

XLVI. And be it further enacted, That before any Blubber, Train Oil, Sperm-catch Oil, Head Matter, or Whale Fin, imported direct from the Fishery, shall be entered as being the Produce of Fish or Creatures living in the Sea taken and caught wholly by the Crews of Ships cleared out from the United Kingdom, or from one of the Islands of Guernsey, Jersey, Alderney, Sark, or Man, the Master of the Ship importing such Goods shall make and subscribe a Declaration, and the Importer of such Goods (to the best of his Knowledge and Belief) shall make and subscribe a Declaration, that the same are the Produce of Fish or Creatures living in the Sea taken and caught wholly by the Crew of such Ship, or by the Crew of some other Ship (naming the Ship) cleared out from the United Kingdom, or from one of the Islands of Guernsey, Jersey, Alderney, Sark, or Man (naming which).

XLVII. And be it further enacted, That it shall be lawful upon the Return of any Ship from the Greenland Seas or Davis's Straits to the United Kingdom with any Blubber, being the Produce of Whales or other Creatures living in the Sea, for the Importers thereof to cause the same to be landed into Oil at the Port of Importation, under the Care and Inspection of the proper Officers of the Customs; and the Oil so produced shall be admitted to Entry, and the Duties be paid thereon, as if imported in that State, and such Oil shall not afterwards, if the same come to be exported, be subject to Duty of Exportation as a Manufacture of the United Kingdom.

XLVIII. And be it further enacted, That no Goods shall be deemed to be imported from any particular Place, unless they be imported direct from such Place, and shall have been there laden on board the importing Ship, either as the first Shipment of such Goods, or after the same shall have been actually landed at such Place.

XLIX. And be it further enacted, That it shall be lawful for the Owner or Salvor of any Property liable to the Payment of Duty saved from Sea, and in respect of which any Sum shall have been awarded under any Law at the Time in force, or in respect of which any Sum shall have been paid or agreed to be paid, by the Owner thereof or his Agent, to the Salvors, to defray the Salvage of the same, to sell so much of the Property so saved as will be sufficient to defray the Salvage so awarded, or such other Sum so paid or agreed to be paid; and that upon the Production of an Award made in execution of any such Law to the Commissioners of His Majesty's Customs, or upon Proof to the Satisfaction of the said Commissioners that such Sum of Money has been paid, or has been agreed to be paid, the said Commissioners are hereby empowered and required to allow the Sale of such Property aforesaid, free from the Payment of all Duties to the Amount of such Sum as awarded, paid, or agreed to be paid, or to the Amount of such other Sum as to the said Commissioners shall seem just and reasonable: Provided always, that if such Owner or Salvor shall be dissatisfied with any Determination of the said Commissioners as to the Amount of such Property to be sold Duty-free, it shall be lawful for such Owner or Salvor to refer any such Determination of the said Commissioners to the Judgment and Review of the High Court of Admiralty; and in that Case such Sale shall be suspended until the Decision of such Court shall have been had thereon.

L. And be it further enacted, That all Foreign Goods, dutiable, (jetans, Botans, and wreck, brought or coming into the United Kingdom or into the Isle of Man, shall at all Times be subject to the same Duties as Goods of the like Kind imported into the United Kingdom respectively are subject to: Provided always, that if, for ascertaining the proper Amount of Duty so payable, any Question shall arise as to the Origin of any such Goods, the same shall be deemed to be of the Growth, Produce, or Manufacture of such Country or Place as the Commissioners of His Majesty's Customs shall upon Investigation by them determine: Provided also, that if any such Goods be of such Sorts as are entitled to Allowance for Damage, such Allowance shall be made under such Regulations and Conditions as the said Commissioners shall from Time to Time direct: Provided also, that all such Goods as cannot be sold for the Amount of Duty due thereon shall be delivered over to the Ward of the High Court of Admiralty.

arrows.

Entry.

curing, and  
Lobsters and  
Turbot, free  
of Duty on  
Exportation.Declaration of  
Master.Certificate of  
Inhabitants, Train  
Oil, &c. Bri-  
tish Colonial  
taking.Declaration of  
Master and  
Importer.Before Entry  
of Blubber,  
&c. of British  
Ships, Master  
and Importer  
to make Decla-  
ration of the  
same.Blubber from  
Greenland may  
be landed, and  
entered as Oil  
imported, and  
be exported as  
such.Importation  
direct.Salvage may not  
be paid, unless  
direct to Salvors.  
Salvage.Foreign Goods,  
dutiable, &c.  
to be subject to  
same Duties as  
on Importation.If not worth  
their Duty,  
they to be  
granted.

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Entry

Persons having  
such Goods in  
Possession,  
within the  
United Kingdom,  
shall be liable to a Pen-  
alty of 100*l.*

Lord of Manor  
or Tenant may  
sell such  
Goods on  
being Bound  
for Payment of  
Duties.

Goods under  
Letters Patent  
Infringed.

Officers of Ex-  
cise may attend  
Delivery.

Commissioners  
of Customs  
may direct  
certain Goods  
to be stamped.

Orders for  
stamping  
Goods to be  
published.

Penalty 200*l.*  
on forging such  
Stamps.

Fines and  
Penalty for  
loading Goods.

the same, and shall be deemed to be unsecuritized Goods, and shall be liable to and be charged with Duty accordingly.

LII. And be it further enacted, That if any Person shall have Possession of any such Goods, either on Land or within any Port in the United Kingdom, and shall not give Notice thereof to the proper Officer of the Customs within Twenty-four Hours after such Possession, or shall not on Demand pay the Duties due thereon, or deliver the same into the Custody of the proper Officer of the Customs, such Person shall forfeit the Sum of One hundred Pounds; and if any Person shall remove or alter in Quantity or Quality any such Goods, or shall open or alter any Package containing any such Goods, or shall cause any such Act to be done, or assist therein, before such Goods shall be deposited in a Warehouse in the Custody of the Officers of the Customs, every such Person shall forfeit the Sum of One hundred Pounds; and in default of the Payment of the Duties on such Goods within Eighteen Months from the Time when the same were so deposited, the same may be sold in like Manner and for the like Purposes as Goods imported may in such Default be sold: Provided always, that any Lord of the Manor having by Law just Claim to such Goods, or if there be no such Lord of the Manor, then the Person having Possession of the same, shall be at liberty to retain the same in his own Custody, giving Bond, with Two sufficient Sureties, to be approved by the proper Officer of the Customs, to Treble the Value of such Goods, for the Payment of the Duties thereon at the End of One Year and One Day, or to deliver such Goods to the proper Officer of the Customs in the same State and Condition as the same were in at the Time of taking possession thereof.

LIII. And whereas it may be expedient to subject some Sorts of Goods imported into the United Kingdom to certain internal Regulations and Restraints after the full Duties of Customs have been paid thereon, and to place such Regulations and Restraints under the Management of the Commissioners of Excise; be it therefore enacted, That no Goods which are subject to any Regulations of Excise shall be taken or delivered out of the Charge of the Officers of Customs (although the same may have been duly entered with them, and the full Duties thereon may have been paid,) until such Goods shall also have been duly entered with the Officers of Excise, and Permit granted by them for Delivery of the same, nor unless such Permit shall correspond in all Particulars with the Warrant of the Officers of the Customs: Provided always, that such Entry shall not be required by the Officers of the Excise, nor such Permit granted by them, until a Certificate shall have been produced to them of the Particulars of the Goods, and of the Warrant for the same, under the Hand of the Officers of the Customs who shall have the Charge of the Goods: Provided also, that if upon any Occasion it shall appear necessary, it shall be lawful for the proper Officers of Excise to attend the Delivery of such Goods by the Officers of the Customs, and to require that such Goods shall be delivered only in their Presence; and it shall be lawful for such Officers of Excise to count, measure, gauge, or weigh any such Goods, and fully to examine the same, and to proceed in all respects relating to such Goods in such Manner as they shall be authorized or required by any Act for the Time being in force relating to the Excise.

LIV. And whereas by the Laws now in force certain Articles subject to an Inland Duty of Excise are required to be stamped, to denote the Payment of such Duty; and to prevent Fraud in the Excise of such Duty, it is expedient that Foreign Articles of a similar Description, when imported into the United Kingdom, should be stamped with such Mark or Stamp as the Commissioners of His Majesty's Customs may deem necessary, in order to distinguish the Foreign from the British Article; be it therefore enacted, That it shall and may be lawful for the Commissioners of His Majesty's Customs, and they are hereby authorized, after any Goods have been entered at the Custom House, and before the same shall be discharged by the Officers, and delivered into the Custody of the Importer or his Agent, to mark or stamp such Goods in such Manner and Form as they may deem fit and proper for the Security of the Revenue, and by such Officer as they shall direct and appoint for that Purpose.

LV. And be it further enacted, That every Order made by the said Commissioners of His Majesty's Customs in respect of marking or stamping any Goods shall be published in the London Gazette and Dublin Gazette.

LV. And be it further enacted, That if any Person or Persons shall at any Time forge or counterfeit any Mark or Stamp to resemble any Mark or Stamp which shall be provided and used for the Purposes of this Act, or shall forge or counterfeit the Impression of any such Mark or Stamp, or shall aid or expose to Sale, or have in his, her, or their Custody or Possession, any Goods with a counterfeit Mark or Stamp, knowing the same to be counterfeit, or shall use or affix any such Mark or Stamp to any other Goods required to be stamped as aforesaid other than that to which the same was originally affixed, all and every such Offender or Offenders, and his, her, or their Aiders, Abettors, and Associates, shall for every such Offence forfeit and pay the Sum of Two hundred Pounds.

LVI. And be it further enacted, That no Goods whatever (except Diamonds, Beiloes, Fresh Fish of British taking and imported in British Ships, and Turbot and Lobsters,) shall be unshipped from any Ship arriving from Ports beyond the Seas, or landed or put on shore, but only on Days not being Sundays or Holydays, and in the Day-time, (that is to say,) from the First Day of September until the last Day of March between Sun-setting and Sun-setting, and from the last Day of March to the First Day of September between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; nor shall any Goods, except as aforesaid, be so unshipped or landed unless in the Presence or with the Authority of the proper Officer of the Customs; and such Goods, except as aforesaid, shall be landed at one of the legal Quays appointed by His Majesty for the landing of Goods, or at some

Succession, and that no Goods, except as aforesaid, after having been unshipped shall be re-shipped, or after having been put into any Boat or Craft to be landed shall be removed into any other Boat or Craft previously to their being duly landed, without the Permission or Authority of the proper Officer of the Customs.

LXVII. And be it further enacted, That the unshipping, carrying, and landing of all Goods, and the bringing of the same to the proper Place after landing, for Examination or for weighing, and the putting of the same into the Scales, and the taking of the same out of and from the Scales after weighing, shall be performed by or at the Expence of the Importer.

LXVIII. And be it further enacted, That the several Sorts of Goods enumerated or described in the Table following, denominated "A Table of Prohibitions and Restrictions Inwards," shall unless be absolutely prohibited to be imported into the United Kingdom, or shall be imported only under the Restrictions mentioned in such Table, according as the several Sorts of such Goods are respectively set forth therein; (That is to say)

TABLE.

Entry.

Goods to be unshipped, &c. at the Expence of Importer.

Prohibitions and Restrictions therein therein, as modified.

### A TABLE OF PROHIBITIONS AND RESTRICTIONS INWARDS.

A LIST OF GOODS ABSOLUTELY PROHIBITED TO BE IMPORTED.

Arms, Ammunition, and Utensils of War, by way of Merchandise, except by License from His Majesty for furnishing His Majesty's public Stores only.

Beef, fresh or cured or slightly salted.

Books, &c.

—, not composed or written or printed in the United Kingdom, and printed or reprinted in any other Country, imported for Sale, except Books not reprinted in the United Kingdom within Twenty Years; or being Parts of Collections, the greater Parts of which had been composed or written Abroad.

Cattle, great.

Clocks and Watches of any Metal, impressed with any Mark or Stamp appearing to be or to represent any legal British Assay, Mark or Stamp, or purporting by any Mark or Appearance to be of the Manufacture of the United Kingdom, or not having the Name and Place of Abode of some Foreign Maker Abroad visible on the Frame and also on the Face, or not being in a complete State, with all the Parts properly fixed in the Case.

Coin; &c.

—, Gold Money, or Counterfeit Sterling.

—, Silver, of the Realm, or any Money purporting to be such, not being of the established Standard in Weight or Fineness.

Fish of Foreign taking or curing, or in Foreign Vessels; except Turbots and Lobsters, Stock Fish, Herring, Eels, Anchovies, Sturgeon, Demers, and Carides.

Gunpowder: except by License from His Majesty, such License to be granted for the furnishing His Majesty's Stores only.

Lamb.

Milk.

Hutton.

Pork, fresh or cured or slightly salted.

Sheep.

Stall-mark.

Spirits from the *Jiv* of Mas.

Swiss.

Tobacco Stalks stripped from the Leaf, whether manufactured or not.

Tobacco Stalk Flour.

### LIST OF GOODS SUBJECT TO CERTAIN RESTRICTIONS ON IMPORTATION.

China, Goods from, unless by the *East India Company*, and into the Port of London, during the Continuance of their exclusive Privileges of Trade. (c)

East India; Goods of Places within the Limits of the *East India Company's* Charter, unless into such Ports as shall be approved of by the Lords of the Treasury, and declared by Order in Council to be fit and proper for such Importation.

Gloves of Leather, unless in Ships of 70 Tons or upwards, and in Packages containing 100 Dozen Pairs of such Gloves.

Hides, Skins, Horns, or Hoofs, or any other Part of Cattle or Beast His Majesty may by Order in Council prohibit, in order to prevent any contagious Distemper.

Parts of Articles; &c.

—, Any distinct or separate Part of any Article not accompanied by the other Part or all the other Parts of such Article, so as to be complete and perfect, if such Article be subject to Duty according to the Value thereof.

Silk; Manufactures of Silk, being the Manufactures of Europe, unless from the Port of London, or into the Port of Dublin direct from Sweden, or into the Port of Dover direct from Calcutta, and unless in a Ship or Vessel of 70 Tons or upwards, or into the Port of Dover in a Vessel of the Burthen of 60 Tons or more; (That is to say) of the

Spirits,

COGNAC.  
 ————  
 Prohibitions  
 and  
 Restrictions.  
 ————

Spirits, not being perfumed or medicinal Spirits; viz.

———— All Spirits, unless in Ships of 70 Tons or upwards.

———— Rum of and from the British Plantations, if in Casks, unless in Casks containing not less than 20 Gallons.

———— All other Spirits, if in Casks, unless in Casks containing not less than 40 Gallons.

Yes; unless from the Place of its Growth, and by the East India Company, and into the Port of London, during the Continuance of their exclusive Privileges of Trade. (s)

Tobacco and Staff, viz.

———— unless in a Ship of the Burthen of 150 Tons or upwards.

———— Tobacco of and imported from the State of Colombia, and made up in Bolls unless in Packages containing at least 550 lbs. Weight of such Bolls.

———— Segars, unless in Packages containing 100 lbs. Weight of Segars.

———— All other Tobacco and Staff, unless in Hogsheads, Casks, Chests, or Cases, each of which shall consist of set Tobacco or Staff at least 100 lbs. Weight if from the East Indies, or 450 lbs. Weight if from any other Place, and not packed in Bags or Packages within any such Hogshead, Cask, Chest, or Case, nor separated nor divided in any Manner whatsoever, except Tobacco if the Directions of the Turkish Empire, which may be packed in inward Bags or Packages, or separated or divided in any Manner within the outward Package, provided each outward Package be a Hogshead, Cask, Chest or Case, and contain 420 lbs. Net or less.

———— and unless the particular Weight of Tobacco or Staff in each Hogshead, Cask, Chest, or Case, with the Tare of the same, be marked thereon.

———— and unless into the Ports of London, Liverpool, Bristol, Lancaster, Covent, Falmouth, Whitehaven, Hull, Port Glasgow, Greenock, Leith, Newcastle-upon-Tyne, Plymouth, Belfast, Cork, Drogheda, Dublin, Galway, Limerick, Londonderry, Newry, Sligo, Waterford, and Wexford.

———— or into some other Port or Ports which may hereafter be appointed for such Purpose by the Lords Commissioners of His Majesty's Treasury; such Appointments in Great Britain being published in the London Gazette, and such Appointments in Ireland being published in the Dublin Gazette.

———— but any Ship wholly laden with Tobacco may come into the Ports of Dover or Falmouth to wait for Orders, and there remain Fourteen Days, provided due Report of such Ship be made by the Master with the Collector or Controller of such Port.

And all Goods from the Isle of Man, except such as be of the Growth, Produce, or Manufacture thereof. And if any Goods shall be imported into the United Kingdom contrary to any of the Prohibitions or Restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited.

Forfeiture.

Not Goods  
 may be ware-  
 housed for Ex-  
 portation only,  
 although pro-  
 hibited.  
 Exceptions.

LIX. Provided always, and be it further enacted, That any Goods, of whatsoever Sort, may be imported into the United Kingdom to be warehoused under the Regulations of any Act in force for the Time being for the warehousing of Goods, without Payment of Duty at the Time of the first Entry thereof, or notwithstanding that such Goods may be prohibited to be imported into the United Kingdom to be used therein, except the several Sorts of Goods enumerated or described in manner following; (that is to say,) Goods prohibited on account of the Package in which they are contained, or the Tonnage of the Ship in which they are laden; Tea and Goods from China in other than British Ships, or by other Persons than the East India Company during the Continuance of their exclusive Privileges of Trade; Gunpowder, Arms, Ammunition, or Ordnance of War; dried or salted Fish, not being Stock Fish; infected Hides, Skins, Horns, Hoofs, or any other Part of any Cattle or Beast; counterfeit Coin or Tokens; Books first composed or written or printed and published in the United Kingdom, and reprinted in any other Country or Place; Copies of Prints first engraved, etched, drawn, or designed in the United Kingdom; Copies of Casts of Sculptures or Models first made in the United Kingdom; Clocks or Watches, being such as are prohibited to be imported for Home Use.

Goods to be  
 entered to be  
 warehoused for  
 Exportation  
 only.

General  
 Provisions.

LX. And be it further enacted, That if by reason of the Sort of any Goods, or of the Place from whence, or the Country, or Navigation of the Ship in which any Goods have been imported, they be such or be so imported as that they may not be used in the United Kingdom, they shall not be entered except to be warehoused, and it shall be declared upon the Entry of such Goods that they are entered to be warehoused for Exportation only.

Goods not to  
 be shipped till  
 Entry of Ship  
 and Entry of  
 Goods and  
 Cargo  
 granted;  
 nor till cleared  
 the Stores  
 without Wit-  
 nesses Hill  
 From Time  
 and Place,  
 and Officers; if  
 forfeited.

LXI. And whereas it is Expedient that the Officers of Customs should have full Cognizance of all Ships departing from any Port or Place in the United Kingdom or in the Isle of Man for Parts beyond the Seas, and of all Goods taken out of the United Kingdom or out of the Isle of Man; and it is therefore necessary to make Regulations for the entering and clearing outwards of all such Ships, and for the securing, clearing, and shipping of all such Goods; be it therefore enacted, That no Goods shall be shipped, or waterborne to be shipped, on board any Ship in any Port or Place in the United Kingdom or in the Isle of Man, to be carried to Parts beyond the Seas, before due Entry Outwards of such Ship and due Entry of such Goods shall have been made, and Cocket granted, nor before such Goods shall have been duly cleared the Shipments in manner hereinafter directed; and that no Stores shall be shipped for the Use of any such Ship bound to Parts beyond the Seas, nor shall any Goods be deemed or admitted to be such Stores, except such as shall be borne upon the Varmintling Bill duly granted for such Ship; and that no Goods shall be so shipped, or waterborne to be so shipped, except at such Times and Places, and in such Manner, and by such Persons, and under the Care of such Officers, as is and are herein-after directed; and that no Goods and Stores which shall be shipped, or waterborne to be so shipped, contrary hereto shall be forfeited.



STAVELAND  
*Entry of Goods.*  
 For Drawback,  
 or from Warehouse,  
 or Duties to be first paid.  
 Number of Entry.  
 Certificate hereunto.  
 Particulars

LXVIII. And be it further enacted, That the Person intending to enter Outwards any Foreign Goods for Drawback, at any other Port than that at which the Duties hereunto on such Goods had been paid, shall first deliver to the Collector or Comptroller of the Port where the Duties on such Goods were paid Two or more Bills, as the Case may require, of the Particulars of the Importation of such Goods, and of the Entry Outwards intended to be made; and thereupon such Collector and Comptroller, sending such Bills to agree with the Entry Inwards, shall write off such Goods from the same, and shall issue a Certificate of such Entry, with such Particulars thereof as shall be necessary for the Computation of the Drawback allowable on such Goods, and setting forth in such Certificate the Destination of the Goods, and the Person in whose Name they are to be entered for Exportation, and also the Name of each other Port; and such Certificate, together with Two or more Bills of the same, as the Case may require, so which all Names and Numbers may be expressed in Figures, being delivered to the Collector or Comptroller of the Port from which the Goods are to be exported, shall be the Entry Outwards of such Goods; and such Collector and Comptroller shall thereupon cause a Cocket to be written and delivered for such Goods, in manner herein-before directed.

Export Bond to be given for Coals shipped by Bill of Lading and Wharfedale Passengers.

LXIX. And be it further enacted, That no Cocket shall be granted for the Exportation of any Coals to the Isle of Man, or to any British Possession, until the Exporter thereof shall have given Security by Bond to a parcel Sum of Forty Shillings the Chaldron, with Condition that the same shall be landed at the Place for which they shall be exported, or otherwise accounted for to the Satisfaction of the Commissioners of the Customs; and also with Condition to produce (within such Time as the said Commissioners shall require, to be expressed in such Bond) a Certificate of the landing of such Coals at such Place, under the Hand of the Collector or Comptroller or other proper Officer at such Place: Provided always, that the Bond so to be given in respect of Coals shall not be liable to any Duty of Stamp.

Clearance of Goods.

LXX. And be it further enacted, That before any Port of the Goods for which any Cocket shall have been granted shall be shipped or waterborne, to be shipped, the same shall be duly cleared for Shipment with the Searcher; and before any Goods be cleared for Shipment, the Particulars of the Goods for such Clearance shall be indorsed on such Cocket, together with the Number and Denomination or Description of the respective Packages containing the same; and in the Margin of each such Indorsement shall be delineated the respective Marks and Numbers of such Packages; and to each such Indorsement shall be subjected, in Words at Length, an Account of the total Quantities of each Sort of Goods intended in such Indorsement, and the total Number of each Sort of Package in which such Goods are contained, distinguishing such Goods, if any, as are to be cleared for any Heavy or Drawback of Excise or Customs, and also such Goods, if any, as are subject to any Duty on Exportation, or entitled to any Exemption from such Duty, and also such Goods, if any, as can only be exported by virtue of some particular Order or Authority, or under some particular Homage or Condition, or for some particular Purpose or Destination; and all Goods shipped or waterborne to be shipped, not being duly cleared as aforesaid, shall be forfeited.

Packages to be indorsed on Cocket.  
 Marks and Numbers and total Quantities.

LXXI. And be it further enacted, That the Person clearing such Goods for Shipment shall upon each Occasion produce the Cocket so indorsed to the Searcher, and shall also deliver a Shipping Bill or Copy of such Indorsement, referring by Name and Date to the Cocket upon which such Indorsement is made, and shall obtain the Order of the Searcher for the Shipment of such Goods; and the Particulars to be contained in such Indorsement and in such Shipping Bill shall be written and arranged in such Form and Manner as the Collector and Comptroller shall require.

Heavy, Drawback, or Duty Goods, or Goods under particular Conditions.

LXXII. And be it further enacted, That if any Coals shall have been brought Coastwise from one Port of the United Kingdom to another, and the Master shall be minded to proceed with such Coals or any Part of them to Ports beyond the Seas, it shall be lawful for such Master to enter such Ship and such Coals Outwards for the intended Voyage without first landing the Coals intended for Exportation, provided the Officers of the Customs shall be satisfied that the Quantity of Coals left on board does not exceed the Quantity so entered Outwards.

Goods not cleared for Export.  
 Cocket to be sealed.  
 Shipping Bill.  
 Order of Searcher for Shipment.

LXXIII. And in order that correct Accounts may be taken of the Value of the Exports of Free Goods; be it further enacted, That upon the Clearance for Shipment of any Goods the Produce or Manufacture of the United Kingdom, not liable to any Export Duty, an Account, containing an accurate Specification of the Quantity, Quality, and Value of such Goods, together with a Declaration to the Truth of the same, signed by the Exporter or his known Agent, shall be delivered to the Searcher by the Person clearing such Goods, and if such Declaration be false, the Person signing the same shall forfeit the Sum of Twenty Pounds; and that it shall be lawful for the Searcher to call for the Invoices, Bills of Parcels, and such other Documents relating to the Goods as he may think necessary for ascertaining the true Value of the same: Provided always, that if such Exporter or Agent shall make and subscribe a Declaration before the Collector or Comptroller, that the Value of the Goods cannot be ascertained in Time for the Shipment of the same, and such Declaration shall be delivered to the Searcher at the Time of Clearance, a further Time of Three Months shall be allowed for the Delivery of such separate Shipping Bill, so failure whereof such Exporter or Agent shall forfeit the Sum of Twenty Pounds.

Goods brought Coastwise may be exported without landing.

LXXIV. And be it further enacted, That no Drawback of Excise shall be allowed upon any Goods so cleared, unless the Person intending to obtain such Drawback shall have given due Notice to the Officer of Excise, in Form and Manner required by any Law in force relating to the Excise, and shall have obtained and have produced to the Searcher at the Time of clearing such Goods a proper Document under the Hand of the Officer of Excise, containing the necessary Description of the Goods for which

Export of Free Goods.  
 Account of Value to be delivered to the Searcher.

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Goods for Heavy Drawback.  
 Notice to Officer of Excise.  
 Excise Order to Searcher.

such







the Collector or Controller; and if any such Goods be exported by any Corporation or Company trading by a Joint Stock, it shall be lawful for them to appoint any Person to be their Agent for the like Purpose and with the like Powers to act in their Behalf.

LXXXIX. And be it further enacted, That if any Goods which are to be exported for Drawback be the Property of any Person residing Abroad, having been conveyed by the Owner thereof to some Person as his Agent residing in the United Kingdom, to be exported through the same to Paris beyond the Seas, by such Agent, upon account of such Owner, it shall be lawful for such Person, (being the Consignor by whom and in whose Name the Duties Inwards on such Goods had been paid, or his legal Representative,) in like Manner, as Agent for such Owner, to enter, clear, and ship such Goods for him, and upon like Conditions to receive for him the Drawback payable thereon.

XC. And be it further enacted, That no Drawback shall be allowed upon the Exportation of any Goods unless such Goods be shipped within Three Years after the Payment of the Duties Inwards thereon, and that no Debitum for any Drawback or Bounty allowed upon the Exportation of any Goods shall be paid after the Expiration of Two Years from the Date of the Shipment of such Goods, and that no Drawback shall be allowed upon any Goods which by reason of Damage or Decay shall have become of less Value for Home Use than the Amount of such Drawback; and all Goods so damaged which shall be cleared for any Drawback shall be forfeited, and the Person who caused such Goods to be so cleared shall forfeit the Sum of Two hundred Pounds, or Treble the Amount of the Drawback in such Case, at the Discretion of the Commissioners of the Customs.

XCI. And be it further enacted, That for the Purpose of computing and paying any Drawback or Bounty payable upon any Goods duly entered, shipped, and exported, a Debitum shall, in due Time after such Entry, be prepared by the Collector and Controller, certifying in the first Instance the Entry Outwards of such Goods, and so soon as the same shall have been duly reported, and a Notice containing the Particulars of the Goods shall have been delivered by the Reporter to the Searcher, the Shipment and Exportation thereof shall be certified to the Collector and Controller, upon such Debitum, by the Searcher, and the Debitum shall thenceupon be computed and passed with all convenient Dispatch, and be delivered to the Person entitled to receive the same.

XCV. And be it further enacted, That no Drawback or Bounty shall be allowed for any Goods exported from the United Kingdom to the *Ile of Man* until a Certificate shall be produced from the Collector and Controller of the Customs of the *Ile of Man* of the due landing of such Goods.

XCVI. And be it further enacted, That no Drawback or Bounty shall be allowed for any Goods exported from the United Kingdom in Bales cleared as being press-packed, unless the Quantities and Qualities of the Goods in each of such Bales shall be verified by the Master Packet thereof, or, in case of unavoidable Absence, by the Foreman of such Packet, having Knowledge of the Contents of the Bales, by Declaration made and subscribed upon the Cocket before the Collector or Controller; or if such Packet exceeds more than Ten Miles from the Port, then by Declaration made and subscribed, upon an Account of such Goods, before a Magistrate or Justice of the Peace for the County or Place where such Packet shall reside; and if such Bales be not cleared as being press-packed, then the Searcher, having opened any such Bales, shall not be required to repack the same at his Charge.

XCVII. And be it further enacted, That no Goods cleared for Drawback or Bounty, or from the Warehouse, shall be carried unthence, or to be put on board any Ship for Exportation from the United Kingdom, by any Person, unless such Person shall be authorized for that Purpose by Licence under the Hands of the Commissioners of the Customs; and that, before granting such Licence, it shall be lawful for the said Commissioners to require such Security by Bond for the faithful and incorrupt Conduct of such Person as they shall deem necessary; and that after granting such Licence it shall be lawful for the said Commissioners to revoke the same, if the Person to whom the same shall have been granted shall be convicted of any Offence against the Laws relating to the Customs or Excise: Provided always, that all such Licences which shall be in Force at the Time of the Commencement of this Act shall continue in Force as if the same had been afterwards granted under the Authority of this Act.

XCVIII. And be it further enacted, That if any Goods which have been taken from the Warehouse to be exported from the same, or any Goods which have been cleared to be exported for any Drawback or Bounty, shall not be duly exported to Paris beyond the Seas, or shall be re-landed in any Part of the United Kingdom (such Goods not having been duly re-landed or discharged as short-shipped under the Care of the proper Officers), or shall be landed in the Islands of *Feroe* or *Ferroe*, or shall be carried to any of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, (not having been duly entered, cleared, and shipped to be exported directly to such Island, the same shall be forfeited, together with the Ship from or by which the same had been so re-landed, landed, or carried, and any other Ship, Vessel, Boat, or Craft which may have been used in so re-landing, landing, or carrying such Goods; and any Person by whom or by whose Orders or Means such Goods shall have been so taken or cleared, or so re-landed, landed, or carried, shall forfeit a Sum equal to Treble the Value of such Goods.

XCVI. And be it further enacted, That a Drawback of the whole of the Duties of Customs shall be allowed for Wine intended for the Consumption of Officers of His Majesty's Navy, on board such of His Majesty's Ships in actual Service as they shall serve in, not exceeding the Quantities of Wine, in any One Year, for the Use of such Officers herein-after respectively mentioned; (that is to say.)

Joint Stock Company.

Property of Person Abroad consigned here to an Agent, and exported by him.

Shipment within Three Years, and Payment within Two Years.

Damaged Goods no Drawback.

Entry and passing Debitum.

Certificate of landing to *Ile of Man*.

Press-packing, and Declaration of Packets.

Licensed Lightermen only to ship warehouse Goods.

Commissioners may grant Licence and require Bond.

Warehouses or Colonies Goods not exported, or if landed, or carried to Guernsey, &c. without Entry, forfeited.

Drawback of Duties on Wine allowed to the Officers in the Navy.

## RETURNS.

Admiral  
Vice-Admiral  
Rear-Admiral  
—  
—  
—  
—  
—  
—  
—  
—

| For every Admiral  | Oftens. |
|--|---------|
| — Vice-Admiral   | 1,000   |
| — Rear-Admiral   | 1,000   |
| — Captain of the First and Second Rate                                   | 840     |
| — Captain of the Third, Fourth, and Fifth Rate                           | 680     |
| — Captain of an inferior Rate  | 480     |
| — Lieutenant, and other Commanding Officer, and for every Marine Officer | 240     |
|  | 100     |

Provided always, that such Wines be shipped only at one of the Ports hereinafter mentioned; (that is to say,) London, Rochester, Deal, Dover, Portsmouth, Plymouth, Yarmouth, Falmouth, Belfast, Dublin, Cork, Lough, or Glasgow.

XCVII. And he it further enacted, That the Person entering such Wine, and claiming the Drawback for the same, shall state to the Entry and declare on the Debenture the Name of the Officer for whom the said Wine is intended, and of the Ship in which he serves; and such Wine shall be delivered into the Charge of the Officers of the Customs at the Port of Shipment, to be received in the King's Warehouse until the same shall be shipped under their Care; and such Officers having certified upon the Debenture the Receipt of the Wine into their Charge, the Debenture shall be copied and passed, and be delivered to the Person entitled to receive the same.

XCVIII. And he it further enacted, That if any such Officer shall leave the Service or be removed to another Ship, it shall be lawful for the Officers of the Customs at any of the Ports before mentioned to permit the Transfer of any such Wine from one Officer to another, as Part of his Property, whether on board the same Ship or another, or the Transshipment from one Ship to another for the same Officer, or the re-landing and warehousing for future Reshipment; and it shall also be lawful for the Officers of Customs at any Port to receive back the Duties for any of such Wine, and deliver the same for Home Use. Provided always, that if any of such Wine be not laden on board the Ship for which the same was intended, or be unladed from such Ship without Permission of the proper Officer of the Customs, the same shall be forfeited.

XCIX. And whereas it is expedient to make Provisions for supplying the Crews of His Majesty's Ships of War with Tobacco for their Use without Payment of any Duty; be it therefore enacted, That it shall be lawful for the Purser of any of His Majesty's Ships of War in actual Service to enter and ship at the Ports of Rochester, Portsmouth, or Plymouth, in the Proportions hereinafter mentioned, any Tobacco there warehoused in his Name or transferred into his Name, for the Use of the Ship in which he shall serve; provided such Purser shall deliver to the Collector or Controller of such Port a Certificate from the Captain of such Ship, stating the Name of the Purser and the Number of Men belonging to the Ship, and shall also give Bond, with One sufficient Surety, in Tenable the Duties payable on the Tobacco, that no Part thereof shall be re-landed in the United Kingdom without Leave of the Officers of the Customs, or be landed in either of the Islands of Guernsey, Jersey, Alderney, Sark, or Man.

C. And he it further enacted, That if any Purser shall be removed from one Ship to another, it shall be lawful for the Collector and Controller of the Port where such Ships shall be to permit the Transshipment of the Remains of any such Tobacco for the Use of such other Ship, upon due Entry of such Tobacco by such Purser, within four the Time when and the Port at which such Tobacco was first shipped; and if any such Ship shall be paid off, it shall be lawful for the Collector and Controller of any Port where such Ship shall be paid off to permit the Remains of any such Tobacco to be landed, and to be entered by the Purser of such Ship, either for Payment of Duties, or to be warehoused for the Term of Six Months, for the Supply of some other such Ship, in like Manner as any Tobacco may be warehoused and supplied at either of the Ports before mentioned, or for Payment of all Duties within such Six Months: Provided always, that all Tobacco warehoused for the Purpose of so supplying His Majesty's Ships of War shall be subject to the Provisions of the Act made for the warehousing of Tobacco generally, so far as the same are applicable, and are not expressly altered by any of the Provisions herein particularly made.

CI. And he it further enacted, That no greater Quantity of such Tobacco shall be allowed to any Ship of War than Two Tons by the Lower Month for each of the Crew of such Ship, nor shall any greater Quantity be shipped at any One Time than sufficient to serve the Crew of such Ship for Six Months after such Rate of Allowance; and the Collector and Controller of the Port at or from which any such Tobacco shall be supplied to any such Ship, or landed from any such Ship, or transferred from One such Ship to another, shall transmit a particular Account thereof to the Commissioners of His Majesty's Customs, in order that a general Account may be kept of all the Quantities supplied to and consumed on board each of such Ships under the Allowances before granted.

CH. And he it further enacted, That no Goods shall be put off from any Wharf, Quay, or other Place, or shall be waterborne in order to be exported, but only on Days not being Sabbaths or Holidays, and on the Daylight; (that is to say,) from the First Day of September until the last Day of March beyond Sun-rising and Sun-setting, and from the last Day of March until the First Day of September between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; nor shall any such Goods be then put off or waterborne for Exportation unless in the Presence or with the Authority

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some Wharf, Quay, or Place appointed by the Commissioners of His Majesty's Customs for the shipping of such Goods by Suffrage.

CIII. And be it further enacted, That if any Goods liable to Forfeiture for being shipped for Exportation shall be shipped and exported without Discovery by the Officers of the Customs, the Person or Persons who shall have caused such Goods to be exported shall forfeit Double the Value of such Goods.

CIV. And be it further enacted, That the several Sorts of Goods enumerated or described in the Table following (denominated "A Table of Prohibitions and Restrictions Outwards") shall be either absolutely prohibited to be exported from the United Kingdom, or shall be exported only under the Restrictions mentioned in such Table, according to the several Sorts of such Goods and respectively set forth therein; (that is to say.)

A TABLE OF PROHIBITIONS AND RESTRICTIONS OUTWARDS.

Clocks and Watches: viz.

— any outward or inward Box, Case, or Dial Plate, of any Metal, without the Movement in or with every such Box, Case, or Dial Plate, made up fit for Use, with the Clock or Watch-maker's Name engraven thereon.

Lace: viz.

— any Metal inferior to Silver which shall be spun, mixed, wrought, or set upon Silk, or which shall be gilt, or drawn into Wire, or fitted into Plate, and spun or woven, or wrought into or spun, or mixed with Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons, made in the Gold or Silver Lace Manufactory, or set upon Silk, or made into Ballion Spangles, or Pearl or any other Materials made in the Gold or Silver Lace Manufactory, or which shall imitate or be meant to imitate such Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons: nor shall any Person export any Copper, Brass, or other Metal which shall be altered or drawn into Wire, or fitted into Plate, or made into Ballion Spangles, or Pearl or any other Materials used in the Gold or Silver Lace Manufactory, or in imitation of such Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons, or of any of the Materials used in making the same, and which shall hold more or bear a greater Proportion than Three Pennyweights of fine Silver to the Pound Avoirdupois of such Copper, Brass, or other Metals.

— any Metal inferior to Silver, whether gilt, silvered, stained, or coloured, or otherwise, which shall be worked up or mixed with Gold or Silver in any Manufactory of Lace, Fringe, Cord, Embroidery, Tambour Work, or Buttons.

Tools and Utensils: viz.

— any Machine, Engine, Tool, Press, Paper, Utensil, or Instrument used in or proper for the preparing, working, pressing, or finishing of the Woollen, Cotton, Linen, or Silk Manufactures of this Kingdom, or any other Goods wherein Wood, Cotton, Linnen, or Silk is used, or any Part of such Machine, Engine, Tool, Press, Paper, Utensil, or Instrument, or any Model or Plan thereof, or any Part thereof; except Wool Cards or Stock Cards not worth above Four Halfpence per Pair, and Spinning Cards not worth above One Shilling and Sixpence per Pair, used in the Woollen Manufactures.

— Blocks, Plates, Engines, Tools, or Utensils, commonly used in or proper for the preparing, working up, or finishing of the Cotton, Cotton, Mangle, or Linen Printing Manufactures, or any Part of such Blocks, Plates, Engines, Tools, or Utensils.

— Rollers, either plain, grooved, or of any other Form or Denomination, of Cast Iron, Wrought Iron, or Steel, for the rolling of Iron or any Sort of Metals, and Frames, Beds, Pillars, Screws, Presses, and such and every Implement, Tool, or Utensil thereto belonging: Rollers, Slitters, Frames, Beds, Pillars, and Screws for Slitting Mills, Presses of all Sorts, in Iron and Steel, or other Metals, which are used with a Screw exceeding One Inch and a Half in Diameter, or any Parts of these several Articles, or any Model of the before-mentioned Utensils, or any Part thereof; all Sorts of Utensils, Engines, or Machines used in the casting or boring of Cannon, or any Sort of Artillery, or any Parts thereof; or any Models of Tools, Utensils, Engines, or Machines used in such casting or boring, or any Parts thereof; Hand Stamps, Dughead Stamps, Pulley Stamps, Hammer and Anvil Ice Stamps: Presses of all Sorts called Cutting-out Presses; Beds or Punches to be used therewith, either in Parts or Pieces, or fitted together; Scouring or Shading Engines; Presses for Horn Buttons; Dies for Horn Buttons; rolled Metal, with Silver thereon; Parts of Buttons are fitted up into Buttons, or in an unfinished State; Engines for cutting, Stocks for cutting Buckles, Buttons, and Rings; Die-striking Tools of all Sorts; Engines for making Button-shanks; Laps of all Sorts; Tools for pinching of Glass; Engines for covering of Whips; Bars of Metal covered with Gold or Silver, and Bunching Stones commonly called Blood Stones, either in the rough State or finished for Use; Wire Moulds for making Paper; Wheels of Metal, Stone, or Wood, for cutting, roughing, smoothing, polishing, or engraving Glass; Parachols, Pinners, Sizers, and Presses used in blowing Glass; Potter Wheels and Lathes, for plain, round, and Engine turning; Tools used by Saddlers, Harness-makers, and Bridle-makers, viz. Cordle Sizers, Side Sizers, Pitt Sizers, Creasing Irons, Screw Creasers, Wheel Irons, Seat Irons, Pricking Irons, Belting Irons, Claws, and Head Knives.

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Revised  
Code

Provision for  
exporting to  
British Colonies.

REVISED.  
PROVISIONS.

And there-  
fore absolute  
of nullity.

OFFICIAL  
REGISTRATION

A LIST OF WHICH THINGS MAY BE PROHIBITED TO BE EXPORTED BY PROCLAMATION OR ORDER IN COUNCIL.

Arms, Ammunition, and Gunpowder.

Alcohol, Pot and Pearl.

Military Stores and Naval Stores, and any Articles (except Copper) which His Majesty shall judge capable of being converted into or made useful in increasing the Quantity of Military or Naval Stores.

Provisions, or any Sort of Victual which may be used as Food by Man.

Forfeiture.

And if any Goods shall be exported, or be waterborne to be exported, from the United Kingdom, contrary to any of the Prohibitions or Restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited.

General

Regulations.

All Trade by Sea from one Part of the United Kingdom to another Coastwise.

CV. And whereas it is necessary to make Regulations for the Coasting Trade of the United Kingdom and of the *Isle of Man*, and that the Officers of the Customs should have Cognizance of all Ships carrying any Goods Coastwise from one Part of the United Kingdom or of the *Isle of Man* to another of the same, and of all Goods so carried, in order that such Trade may be confined to British Ships, and that all Duties levied Coastwise may be duly collected, and that the Laws for regulating the Importation and Exportation of Goods from and to Parts beyond the Seas may not be evaded; be it therefore enacted, That all Trade by Sea from any one Part of the United Kingdom to any other Part thereof, or from one Part of the *Isle of Man* to another thereof, shall be deemed to be a Coasting Trade, and all Ships wholly employed therein shall be deemed to be Coasting Ships; and that no Part of the United Kingdom, however situated with regard to any other Part thereof, shall be deemed in Law, with reference to each other, to be Parts beyond the Seas in any Matter relating to the Trade or Navigation or Revenue of this Realm.

Imports of Machinery to register when shall be deemed and regulated by Sea under this Act.

CVI. And whereas some Parts of the Coast of the United Kingdom may be so situated with regard to other neighbouring Parts thereof that Doubts may arise in some Cases whether the Passage between them by Water shall be deemed to be a Passage by Sea within the Meaning of this Act: and that in other Cases, although such Passage be by Sea, it may be unnecessary for the Purpose of this Act or of any Act relating to the Customs, to subject Ships passing between such Places to the Restraints of Coast Regulations; be it therefore enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury to determine and direct in what Cases the Trade by Water from any Place on the Coast of the United Kingdom to another of the same shall or shall not be deemed a Trade by Sea within the Meaning of this Act or of any Act relating to the Customs.

Coasting Ship used and to carrying Voyages.

CVII. And be it further enacted, That no Goods shall be carried in any Coasting Ship except such as shall be laden to be so carried at some Port or Place in the United Kingdom, or at some Port or Place in the *Isle of Man* respectively; and that no Goods shall be laden on board any Ship to be carried Coastwise until all Goods brought in such Ship from Parts beyond the Seas shall have been unladen; and that if any Goods shall be taken into or put out of any Coasting Ship at Sea or over the Sea, or if any Coasting Ship shall touch at any Place over the Sea, or deviate from her Voyage, unless forced by unavoidable Circumstances, or if the Master of any Coasting Ship which shall have touched at any Place over the Sea shall not declare the same in Writing under his Hand to the Collector or Controller at the Port in the United Kingdom or in the *Isle of Man* where such Ship shall afterwards first arrive, the Master of such Ship shall forfeit the Sum of Two hundred Pounds.

Penalty on Offenders.

Before Goods be laden or unladen, Names of Inhabitants or of Arrival to be given and proper Documents to issue.

CVIII. And be it further enacted, That no Goods shall be laden on board any Ship in any Port or Place in the United Kingdom or in the *Isle of Man* to be carried Coastwise, nor having been brought Coastwise shall be unladen in any such Port or Place from any Ship, until due Notice in Writing, signed by the Master, shall have been given to the Collector or Controller, by the Master, Owner, Wharfinger, or Agent of such Ship, of the Intention to laden Goods on board the same to be so carried, or of the Arrival of such Ship with Goods so brought, as the Case may be, nor until proper Documents shall have been granted as hereinafter directed for the lading or for the unloading of such Goods; and such Goods shall not be laden or unladen except at such Taxes and Places, and in such Manner, and by such Persons, and under the Care of such Officers, as is and are hereinafter directed; and all Goods laden to be so carried, or brought to be so unladen, contrary hereto, shall be forfeited.

Particulars in Notice.

Notice to be kept by Collector, for the Information of all Parties interested; and every such Notice for the unloading of any Ship or Vessel shall be delivered within Twenty-four Hours after the Arrival of such Ship or Vessel, under a Penalty of Twenty Pounds, to be paid by the Master of such Ship or Vessel; and to every such Notice for the lading of any Ship or Vessel shall be added the last Voyage on which such Ship or Vessel shall have arrived at such Port; and of each Voyage shall have been from Parts beyond the Seas there shall be produced with such Notice a Certificate from the proper Officer of the Discharge of all Goods, if any, brought in such Ship, and of the due Clearance of such Ship or Vessel towards of such Voyage.

Penalty on Offenders.

Penalty on Offenders.

CIX. And be it further enacted, That in such Notice shall be stated the Name and Tonnage of the Ship, and the Name of the Port to which she belongs, and the Name of the Master, and the Name of the Port to which she is bound or from which she has arrived, and the Name or Description of the Wharf or Place at which her Lading is to be taken or discharged, as the Case may be; and such Notice shall be signed by the Master, Owner, Wharfinger, or Agent of such Ship, and shall be covered in a Book to be kept by the Collector, for the Information of all Parties interested; and every such Notice for the unloading of any Ship or Vessel shall be delivered within Twenty-four Hours after the Arrival of such Ship or Vessel, under a Penalty of Twenty Pounds, to be paid by the Master of such Ship or Vessel; and to every such Notice for the lading of any Ship or Vessel shall be added the last Voyage on which such Ship or Vessel shall have arrived at such Port; and of each Voyage shall have been from Parts beyond the Seas there shall be produced with such Notice a Certificate from the proper Officer of the Discharge of all Goods, if any, brought in such Ship, and of the due Clearance of such Ship or Vessel towards of such Voyage.

CX. And be it further enacted, That upon the Arrival of any Coasting Ship at any Port in Great Britain from abroad, that any Part or Parts thereof shall be liable to the Charge of such Ship shall within

Twenty-four Hours after such Arrival attend and deliver such Notice, signed by him, to the Collector or Controller; and if such Ship shall have on board any Goods subject on Arrival to any Duty of Excise, or any Goods which had been imported from Ports beyond the Seas, the Particulars of such Goods, with the Marks and Numbers of the Packages containing the same, shall be set forth in such Notice; and if there shall be no such Goods on board, then it shall be declared in such Notice that no such Goods are on board; and the Master shall also answer any Questions relating to the Voyage as shall be demanded of him by the Collector or Controller; and every Master who shall fail in due Time to deliver such Notice, and truly to answer such Questions, shall forfeit the sum of One hundred Pounds.

CXL And be it further enacted, That when due Notice shall have been given to the Collector or Controller at the Port of lading of the Intention to land Goods on board any Coasting Ship, such Collector or Controller shall grant a general Allowance for the lading of Goods (without specifying the same) on board such Ship, at the Wharf or Place which shall be expressed in such Allowance; and such Allowance shall be a sufficient Authority for the lading of any Sort of Goods, except such, if any, as shall be expressly excepted therein: Provided always, that before any Allowance be granted for any Goods prohibited to be exported, or subject to any Export Duty other than any of reference Duty, the Master or Owner of any such Ship, or the Skipper of such Goods, shall give Bond, with One sufficient Surety, in Tender the Value of the Goods, that the same shall be landed at the Port for which such Allowance is required, or shall be otherwise accounted for to the Satisfaction of the Commissioners of His Majesty's Customs.

CXLI And be it further enacted, That the Master of every Coasting Ship shall keep or cause to be kept a Cargo Book of the same, stating the Names of the Ship and of the Master, and of the Port to which she belongs, and of the Port to which bound on each Voyage; and in which Book shall be entered, at the Port of lading, an Account of all Goods taken on board such Ship, stating the Descriptions of the Packages, and the Quantities and Descriptions of the Goods therein, and the Quantities and Descriptions of any Goods stowed loose, and the Names of the respective Shippers and Consignees, as far as any of such Particulars shall be known to him; and in which Book, at the Port of Discharge, shall be noted the respective Days upon which any of such Goods be delivered out of such Ship, and also the respective Tons of Departure from the Port of lading, and of Arrival at any Port of unloading; and such Master shall produce such Book for the Inspection of the Coast-writer or other proper Officer, so often as the same shall be demanded, and who shall be at liberty to make any Note or Remark therein; and if such Master shall fail correctly to keep such Book, or to produce the same, or if at any Time there be found on board such Ship any Goods not entered in the Cargo Book as laden, or any Goods noted as delivered, or if at any Time it be found that any Goods entered as laden, or any Goods not noted as delivered, be not on board, the Master of such Ship shall forfeit the Sum of Fifty Pounds; and if, upon Examination at the Port of lading, any Package entered in the Cargo Book as containing any Foreign Goods shall be found not to contain such Goods, such Package, with its Contents, shall be forfeited; and if at the Port of Discharge any Package shall be found to contain any Foreign Goods which are not entered in such Book, such Goods shall be forfeited.

CXLII And be it further enacted, That before any Coasting Ship shall depart from the Port of lading, an Account, together with a Duplicate of the same, all fairly written, and signed by the Master, shall be delivered to the Collector or Controller; and on each Account shall be set forth such Particulars as are required to be entered in the Cargo Book of all Foreign Goods, and of all Goods subject to Export Duty (other than any of reference Duty), and of all Corn, Grain, Meat, Flour, or Malt, laden on board, and generally, whether any other British Goods or no other British Goods be laden on board, as the Case may be, or whether such Ship be wholly laden with British Goods not being of any of the Descriptions before mentioned, as the Case may be; and the Collector or Controller shall select and retain one of such Accounts, and shall return the other, dated and signed by him, and noting the Clearance of the Ship thereon; and such Account shall be the Clearance of the Ship for the Voyage, and the Transcript of the Goods expressed therein; and if any such Account be false, or shall not correspond with the Cargo Book, the Master shall forfeit the Sum of Fifty Pounds.

CXLIII And be it further enacted, That before any Goods be unladen from any Coasting Ship at the Port of Discharge, the Master, Owner, Wharfinger, or Agent of such Ship shall deliver the Transcript to the Collector or Controller of such Port, who shall thereupon grant an Order for the unloading of such Ship at the Wharf or Place specified in such Order: Provided always, that if any of the Goods on board such Ship be subject to any Duty of Customs or Excise payable on Arrival (otherwise at such Port, the Master, Owner, Wharfinger, or Agent of such Ship, or the Consignor of such Goods, shall also deliver to the Collector or Controller a Bill of the Entry of the Particulars of such Goods, expressed in Words at Length, together with a Copy thereof in which all Tuns and Numbers may be expressed in Figures, and shall pay down all Duties of Customs, or produce a Permit in respect of all Duties of Excise, which shall be due and payable on any of such Goods, as the Case may be; and thereupon the Collector and Controller shall grant an Order for the lading of such Goods, in the Presence or by the Authority of the Coast-writer.

CXLIV. Provided always, and be it further enacted, That it shall be lawful for the Collector and Controller, in the Cases herein-after mentioned, to grant for any Coasting Ship a general Transcript, so necessary in Force for any Time not exceeding One Year from the Date thereof, for the lading of any Goods, (except such Goods, if any, which shall be expressly excepted therefrom) both for Her Majesty's

STATUTES.

After Notice given of lading Goods on board Coasting Ships, Collector may grant a general Allowance.

Master of Coasting Ship to keep a Cargo Book

Tender to be delivered to Collector before Goods be laden

Accounts of Particulars Goods, and of Goods subject to Export Duty or Excise Duty, to be delivered to Collector

Transcript to be delivered to Collector before Goods be unladen

Collector is to receive Transcripts granted generally for Coasting Ships

## COASTING.

the Ship in which the Goods shall be laden, and for the unloading of the Goods at the Place of Discharge; (that is to say.)

For any Ship regularly trading between Places in the River Severn Eastward of the Malver;

For any Ship regularly trading between Places in the River Humber;

For any Ship regularly trading between Places in the Firth of Forth;

For any Ship regularly trading between Places to be named in the Transire, and carrying only Meats, Linn, Chalk, Street, Gravel, Sand, or any Earth, not being Fatless Earth:

Provided always, that such Transire shall be written in the Cargo Book here-before required to be kept by the Masters of Coasting Ships; provided also, that if the Collector and Controller shall in any Time revoke such Transire, and Notice thereof shall be given to the Master or Owner of the Ship, or shall be given to any of the Crew when on board the Ship, or shall be entered in the Cargo Book, by any Officer of the Customs, such Transire shall become void, and shall be delivered up by the Master or Owner to the Collector or Controller.

CXVI. And be it further enacted, That it shall be lawful in any Case, and in all legal Times, for the Coast-writer, and also for the Landing-writer, and for the Searcher, and for any other proper Officer of the Customs, to go on board any Coasting Ship in any Port or Place in the United Kingdom or in the Isle of Man, or at any Period of her Voyage, and directly to search such Ship, and to examine all Goods on board, and all Goods being laden or unladen, and to demand all Documents which ought to be on board such Ship.

CXVII. And be it further enacted, That no Goods shall be unshipped from any Ship arriving Coastwise in the United Kingdom or in the Isle of Man, and also that no Goods shall be shipped, or waterborne to be shipped, in the United Kingdom, or in the Isle of Man, to be carried Coastwise, but only on Days not being Sundays or Holydays, and in the Daytime, (that is to say,) from the first Day of September until the last Day of March between Sun-rising and Sun-setting, and from the last Day of March until the first Day of September between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; nor shall any such Goods be so unshipped, shipped, or waterborne unless in the Presence or with the Authority of the proper Officer of the Customs, nor unless at Places which shall be appointed or approved by the proper Officer of the Customs.

CXVIII. And be it further enacted, That whenever any Goods which may be prohibited to be exported by Proclamation or by Order in Council under the Authority of this Act shall be so prohibited, it shall be lawful in such Proclamation or Order in Council to prohibit or restrict the carrying of such Goods Coastwise; and if any such Goods shall be carried Coastwise, or shall be shipped or waterborne to be carried Coastwise, contrary to any such Prohibition or Restriction, the same shall be forfeited.

CXIX. And in order to avoid the frequent Use of numerous Terms and Expressions in this Act, and in other Acts relating to the Customs, and to prevent any Misconstruction of the Terms and Expressions used therein; be it further enacted, That whenever the several Terms or Expressions following shall occur in this Act, or in any other Act relating to the Customs or to Trade and Navigation, the same shall be construed respectively in the Manner here-after directed; (that is to say,) that the Term "Ship" shall be construed to mean Ship or Vessel generally, unless such Term shall be used to distinguish a Ship from Schoops, Brigantines, and other Classes of Vessels; that the Term "Master" of any Ship shall be construed to mean the Person having or taking the Charge or Command of such Ship; that the Term "Owners" and the Term "Owner" of any Ship shall be construed alike to mean One Owner, if there be only One, and any or all the Owners, if there be more than One; that the Term "Mast" of any Ship shall be construed to mean the Mast or Mast in Command of such Ship to the Mast thereof; that the Term "Seaman" shall be construed to mean either Seaman, Mariner, Sailor, or Landman, being one of the Crew of any Ship; that the Term "British Possession" shall be construed to mean Colony, Plantation, Island, Territory, or Settlement belonging to His Majesty; that the Term "His Majesty" shall be construed to mean His Majesty, His Heirs and Successors; that the Term "East India Company" shall be construed to mean the United Company of Merchants of England trading to the East Indies; that the Term "Letters of the East India Company's Charter" shall be construed to mean all Places and Seas Eastward of the Cape of Good Hope to the Straits of Magellan; that the Terms "Collector and Controller" shall be construed to mean the Collector and Controller of the Customs of the Port mentioned in the Statute; that wherever mention is made of any public Office, the Officer mentioned shall be deemed to be such Officer for the Time being; that the Term "Warehouse" shall be construed to mean any Place, whether House, Shed, Yard, Timber Pond, or other Place in which Goods entered to be warehoused upon Importation, may be lodged, kept, and secured without Payment of Duty, or although prohibited to be used in the United Kingdom; that the Term "King's Warehouse" shall be construed to mean any Place provided by the Crown for lodging Goods therein for Security of the Customs.

CXX. And be it further enacted, That the Island of Malta and its Dependencies shall be deemed to be in Europe.

CXXI. And be it further enacted, That all Duties, Bounties, and Drawbacks of Customs shall be paid and received in every Part of the United Kingdom and of the Isle of Man in British Currency, and according to Imperial Weights and Measures, and that in all Cases where such Duties, Bounties, and Drawbacks are imposed and allowed according to any specific Quantity or any specific Value, the same shall be deemed to apply to the same Proportion to any other given Quantity or Value; and

COASTING SHIPS.  
REGULATIONS  
RESPECTING  
THEIR  
TRADE.  
SECTION 167. SHIP  
GO ON BOARD  
AND EXAMINE  
COASTING SHIPS.  
TERMS AND  
PLACES FOR  
LANDING AND  
SHIPPING.

WORDS PRO-  
HIBITED OR RE-  
STRICTED.

CONSTRUCTION  
OF WORDS.

TERMS USED  
IN THIS  
ACT.

SHIP  
MASTERS.

OWNER OR  
OWNERS.

MAST.

SEAMAN.

BRITISH POSSESSIONS.

HIS MAJESTY.

EAST INDIA COMPANY.

CHARTER.

COLLECTOR AND CONTROLLER.

OFFICE.

WAREHOUSE.

KING'S WAREHOUSE.

MALE IN EUROPE.

CONSTRUCTION OF WORDS.

TERMS USED IN THIS ACT.

SHIP.

MASTERS.

OWNER OR OWNERS.

MAST.

SEAMAN.

BRITISH POSSESSIONS.

HIS MAJESTY.

EAST INDIA COMPANY.

CHARTER.

COLLECTOR AND CONTROLLER.

OFFICE.

WAREHOUSE.

KING'S WAREHOUSE.

MALE IN EUROPE.

CONSTRUCTION OF WORDS.

TERMS USED IN THIS ACT.

all such Duties, Bounties, and Drawbacks shall be under the Management of the Commissioners of the Customs.

CXXII. And be it further enacted, That all Bonds relating to the Customs required to be given in respect of Goods or Ships shall be taken by the Collector and Comptroller for the Use of His Majesty; and after the Expiration of Three Years from the Date thereof, or from the Time, if any, limited therein for the Performance of the Condition thereof, every such Bond upon which no Prosecution or Suit shall have been commenced shall be void, and may be cancelled and destroyed.

CXXIII. And whereas it is expedient that the Mode of ascertaining the Strengths and Quantities of Foreign Spirits imported into the United Kingdom should at all Times be exactly similar to the Mode so practised for ascertaining the Strengths and Quantities of Spirits made within the United Kingdom; be it therefore enacted, That the same Instruments, and the same Tables and Scales of Graduation, and the same Rules and Methods, as the Officers of Excise shall by any Law in Force for the Time being be directed to use, adopt, and employ in trying and ascertaining the Strengths and Quantities of Spirits made within the United Kingdom, for the Purpose of computing and collecting the Duties of Excise payable thereon, shall be used, adopted, and employed by the Officers of the Customs in trying and ascertaining the Strengths and Quantities of Spirits imported into the United Kingdom, for the Purpose of computing and collecting the Duties of Customs payable thereon.

CXXIV. And be it further enacted, That it shall be lawful for the Officers of the Customs to take such Samples of any Goods as shall be necessary for ascertaining the Amount of any Duties payable on the same; and all such Samples shall be disposed of and accounted for in such Manner as the Commissioners of His Majesty's Customs shall direct.

CXXV. And be it further enacted, That if upon the first levying or repealing of any Duty, or upon the first granting or repealing of any Drawback or Bounty, or upon the first permitting or prohibiting of any Importation or Exportation, whether Inwards, Outwards, or Casuarine, in the United Kingdom or in the Isle of Man, it shall become necessary to determine the precise Time at which an Importation or Exportation of any Goods made and completed shall be deemed to have had effect, such Time, in respect of Importation, shall be deemed to be the Time at which the Ship reporting such Goods had actually come within the Limits of the Port at which such Ship shall in due Course be reported, and such Goods be discharged; and that such Time, in respect of Exportation, shall be deemed to be the Time at which the Goods had been shipped on board the Ship in which they had been exported; and that if such Question shall arise upon the Arrival or Departure of any Ship, in respect of any Charge or Allowance upon such Ship, exclusive of any Cargo, the Time of such Arrival shall be deemed to be the Time at which the Report of such Ship shall have been or ought to have been made; and the Time of such Departure shall be deemed to be the Time of the last Clearance of such Ship with the Collector and Comptroller for the Voyage upon which she had departed.

CXXVI. And be it further enacted, That although any Duty of Customs shall have been overpaid, or although after any Duty of Customs shall have been charged and paid it shall appear or be judicially established that the same had been charged under an erroneous Construction of the Law, it shall not be lawful to return any such Overcharge after the Expiration of Three Years from the Date of such Payment.

CXXVII. And be it further enacted, That the Tonnage or Burthen of every British Ship within the Meaning of this Act shall be the Tonnage set forth in the Certificate of Registry of such Ship, and that the Tonnage or Burthen of every other Ship shall, for the Purposes of this Act, be ascertained in the same Manner as the Tonnage of British Ships is ascertained.

CXXVIII. And be it further enacted, That it shall be lawful for the Officers of Customs at any Port under British Dominion where there shall be a Collector and Comptroller of the Customs to refuse to admit any Person to do any Act at such Port as Master of any British Ship, unless his Name shall be inserted in or have been intimated upon the Certificate of Registry of such Ship as being the Master thereof, or until his Name shall have been so intimated by such Collector and Comptroller.

CXXIX. And be it further enacted, That if any Person shall counterfeit or falsify, or wilfully use when counterfeited or falsified, any Entry, Warrant, Choke, or Transfer, or other Document for the Loading, lading, unloading, reporting, or clearing of any Ship or Vessel, or for the loading or shipping of any Goods, Stores, Baggage, or Article whatever, or shall by any false Statement procure any Writing or Document to be made for any of such Purposes, every Person so offending shall for every such Offence forfeit the Sum of Two hundred Pounds: Provided always, that this Penalty shall not attach to any particular Offence for which any other Penalty shall be expressly imposed by any Law in Force for the Time being.

CXXX. And be it further enacted, That whenever any Person shall make any Application to any Officer of the Customs to transact any Business on Behalf of any other Person, it shall be lawful for such Officer to require of the Person so applying to produce a written Authority from the Person on whose Behalf such Application shall be made, and in default of the Production of such Authority to refuse to transact such Business.

CXXXI. And be it further enacted, That if any Declaration required to be made by this Act or by any other Act relating to the Customs (except Declarations to the Value of Goods) be untrue in any Particular, or if any Person required by this Act or by any other Act relating to the Customs to answer Questions put to him by the Officers of the Customs, making certain Matters, shall not truly answer such Questions, his Person, and the Goods, and the Ship, shall be liable to be seized, and

GENERAL

REGULATION.

Customs to take Bonds in respect of Goods relating to the Customs.

Mode of ascertaining Strengths of Foreign Spirits.

Officers of Customs to take Samples of Goods.

Time of an Importation and of an Exportation defined.

Arrival and Departure of a Ship defined.

Return of Duty overpaid.

Tonnage or Burthen of Ships defined.

Officers may refuse Master of British Ship unless intimated as Englishman.

Falsifying Documents.

A Authority of an Agent may be required.

Penalty falsifying Declaration liable to be seized.

GENERAL  
REGULATIONS.

## SEIZURES.

Ship to include  
Tackle, &c.Prohibition of  
seized Goods,  
Ships, Vessels,  
or Boats to lie  
in the Custom-  
houses of  
Customs.Remission of  
Penalties and  
Fines by  
Commissioners,  
on Proof of  
Innocence, of  
Owner and  
Master.Ships not  
belonging to an  
Her Majesty's  
Masters to for-  
feit load.Officers may  
be detained in  
Ships in the  
Limits of any  
Port.  
Accommoda-  
tion of Officers.Power to  
charge Rent in  
the King's Ware-  
house.Power to sell  
Goods not  
cleared from  
King's Ware-  
house.Power for His  
Majesty to ap-  
point Ports and  
legal Quays.

and above any other Penalty to which he may become subject, forfeit the Sum of One hundred Pounds.

CXXXII. And be it further enacted, That all Goods, and all Ships, Vessels, and Boats, which by this Act or any Act at any Time in force relating to the Customs shall be declared to be forfeited, shall and may be seized by any Officer of the Customs; and such Forfeiture of any Ship, Vessel, or Boat shall be deemed to include the Guns, Tackle, Apparel, and Furniture of the same; and such Forfeiture of any Goods shall be deemed to include the proper Package in which the same are contained.

CXXXIII. And be it further enacted, That in case any Goods, Ships, Vessels, or Boats shall be seized as forfeited, or detained as under-valued, by virtue of any Act of Parliament relating to the Customs, it shall be lawful for the Commissioners of His Majesty's Customs to order the same to be restored in such Manner and on such Terms and Conditions as they shall think fit to direct; and if the Proprietor of the same shall accept the Terms and Conditions prescribed by the said Commissioners, he shall not have or maintain any Action for Incompleteness or Damage on account of such Seizure or Detention; and the Person making such Seizure shall not proceed in any Manner for Contumacious.

CXXXIV. And be it further enacted, That if any Ship shall have become liable to Forfeiture on account of any Goods laden therein or unladen therefrom, or if the Master of any Ship shall have become liable to any Penalty on account of any Goods laden in such Ship or unladen therefrom, and such Goods shall be small in Quantity or of trifling Value, and it shall be made appear to the Satisfaction of the Commissioners of His Majesty's Customs that such Goods had been laden or unladen contrary to the Intention of the Owners of such Ship, or without the Privy of the Master thereof, as the Case may be, it shall be lawful for the said Commissioners to remit such Forfeiture, and also to remit or mitigate such Penalty, as they shall see reason to acquit such Master of all Blame in respect of such Offence, or more or less to attribute the Commission of such Offence to Neglect of Duty on his Part as Master of such Ship; and every Forfeiture and every Penalty or Part thereof, so remitted, shall be null and void, and no Suit or Action shall be brought or maintained by any Person whatever on account thereof.

CXXXV. And be it further enacted, That if any Ship coming up or departing out of any Port in the United Kingdom or in the Isle of Man shall not bring to or the proper Stations in such Port appointed by the Commissioners of His Majesty's Customs for the boarding or landing of Officers of the Customs, the Master of such Ship shall for every such Offence forfeit the Sum of One hundred Pounds.

CXXXVI. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Customs, and for the Collector and Controller of any Port under their Directions, to station Officers on board any Ship while within the Limits of any Port in the United Kingdom or in the Isle of Man, and the Master of every Ship on board of which any Officer so stationed shall provide every such Officer sufficient Room under the Deck, in some Part of the Forecastle or Stowage, for his Bed or Hammock, and in case of Neglect or Refusal so to do shall forfeit the Sum of One hundred Pounds.

CXXXVII. And be it further enacted, That whenever any Goods shall be taken in and secured in any of the King's Warehouses in the United Kingdom or in the Isle of Man, for Security of the Duties thereon, or to prevent the same from coming into Home Use, it shall and may be lawful for the Commissioners of His Majesty's Customs to charge and demand and receive Warehouse Rent for such Goods for all such Time as the same shall remain in such Warehouse, at the same Rate as may be payable for like Goods when warehoused in any Warehouse in which such Goods may be warehoused without Payment of Duty: Provided always, that it shall be lawful for the Lords Commissioners of His Majesty's Treasury, or the Commissioners of His Majesty's Customs, by Warrant or Order under their Hands respectively, from Time to Time to fix the Amount of Rent which shall be payable for any Goods secured in any of the King's Warehouses as aforesaid.

CXXXVIII. And be it further enacted, That in case such Goods shall not be duly cleared from the King's Warehouse within Three Calendar Months, (or sooner, if they be of a perishable Nature), it shall be lawful for the Commissioners of His Majesty's Customs to cause such Goods to be publicly sold by Auction, for Home Use or for Exportation, as the Case may be; and the Produce of such Sale shall be applied towards the Payment of the Duties, if sold for Home Use, and of the Warehouse Rent and all other Charges; and the Overplus (if any) shall be paid to the Person authorized to receive the same: Provided always, that it shall be lawful for the said Commissioners to cause any of such Goods to be destroyed as account be sold for a Sum sufficient to pay such Duties and Charges, if sold for Home Use, or sufficient to pay such Charges, if sold for Exportation: Provided also, that if such Goods shall have been loaded by the Officers of the Customs, and the Freight of the same shall not have been paid, the Produce of such Sale shall be first applied to the Payment of such Freight.

CXXXIX. And be it further enacted, That it shall be lawful for His Majesty, by His Commission out of the Court of Exchequer, from Time to Time to appoint any Port, Haven, or Creek in the United Kingdom or in the Isle of Man, and to set out the Limits thereof, and to appoint the proper Places within the same to be legal Quays for the lading and unloading of Goods, and to declare that any Place which had been set out as a legal Quay by such Authority shall be no longer a legal Quay, and to appoint any new Place within any Port to be a legal Quay for the lading and unloading of Goods: Provided always, that all Ports, Havens, and Creeks, and the respective Limits thereof, and all legal Quays, appointed and set out and existing as such at the Commencement of this Act under any Law till then





ment is hereto particularly directed; and that all the Provisions of it shall extend to any Law in force or hereafter to be made relating to the Customs.

II. And be it further enacted, That if any Vessel not being square-rigged, or any Boat, either belonging to the whole or in part to His Majesty's Subjects, or having Half the Persons on Board Subjects of His Majesty, shall be found or discovered to have been within One hundred Leagues of the Coast of the United Kingdom; or if any Vessel either belonging in the whole or in part to His Majesty's Subjects, or having Half the Persons on Board Subjects of His Majesty, or any Foreign Vessel not being square-rigged, or any Foreign Boat, in which there shall be One or more Subjects of His Majesty, shall be found or discovered to have been within Four Leagues of that Part of the United Kingdom which is between the North Foreland on the Coast of East, and Steady Head on the Coast of Sussex, or within Eight Leagues of any other Part of the Coast of the United Kingdom; or if any Foreign Vessel or Boat shall be found or discovered to have been within one League of the Coast of the United Kingdom; or if any Vessel or Boat shall be found or discovered to have been within One League of the Islands of Guernsey, Jersey, Alderney, Sark, or Man respectively, or within any Bay, Harbour, River, or Creek of or belonging to any one of the said Islands; any such Vessel or Boat, so found or discovered, having on board or in any Manner attached thereto, or having laid on board, or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits not being in a Cask or Package containing Forty Gallons at the least, or any Tea exceeding Six Pounds Weight in the whole, or any Tobacco or Snuff not being in a Cask or Package containing Four hundred and fifty Pounds Weight at the least, or being packed separately in any Manner within any Cask or Package, or any Carriage or other Articles adapted and prepared for stowing or stinking small Casks or any Casks or other Vessels whatsoever of less Size or Content than Forty Gallons, of the Description used for the smuggling of Spirits, then and in every such Case the said Spirits, Tea, Tobacco, or Snuff, together with the Casks or Packages containing the same, and the Carriage or other Articles, Casks, and other Vessels of the Description aforesaid, and also the Vessel or Boat, shall be forfeited.

III. And be it further enacted, That if any Vessel or Boat whatsoever shall arrive, or shall be found or discovered to have been within any Port, Harbour, River, or Creek of the United Kingdom, not being driven thither by Storm of Weather or other unavoidable Accident, having on board or in any Manner attached thereto, or having laid on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, within any such Port, Harbour, River, or Creek, any Spirits not being in a Cask or Package containing Forty Gallons at the least, or any Tobacco or Snuff not being in a Cask or Package containing Four hundred and fifty Pounds Weight at the least, or being packed separately in any Manner within any Cask or Package, every such Vessel or Boat, together with such Spirits or Tobacco or Snuff, shall be forfeited: Provided always, that if it shall be made appear to the Satisfaction of the Commissioners of His Majesty's Customs that the said Spirits, Tobacco, or Snuff were on board without the Knowledge or Privy of the Owner or Master of such Vessel or Boat, and without any wilful Neglect or Want of reasonable Care on their or either of their Behalfes, that then and in such Case the said Commissioners shall and they are hereby authorized and required to deliver up the said Vessel or Boat to the Owner or Master of the same.

IV. And be it further enacted, That nothing herein contained shall extend to render any Vessel liable to Forfeiture on account of any Tobacco or Snuff from the East Indies being in Packages of One hundred Pounds Weight each at the least, or on account of any Tobacco made up in Balls, being the Produce of and imported from the State of Colombia, and in Packages containing Three hundred and twenty Pounds Weight each at the least, or on account of any Tobacco of the Dominions of the Turkish Empire which may be separated or divided in any Manner within the outward Passage, provided such Package be a Hogshead, Cask, Chest, or Case containing Four hundred and fifty Pounds Weight Net at the least, or on account of any Box or of and from the British Plantations in Casks containing Twenty Gallons at the least, or on account of any Spirits, Tea, or Tobacco really intended for the Consumption of the Seamen and Passengers on board during their Voyage, and not being more in Quantity than is necessary for that Purpose, or to render any square-rigged Vessel liable to Forfeiture on account of any Tea, or of any Spirits in Glass Bottles, being really Part of the Cargo of such Ship, and included in the Manifest of such Ship, or to render any Vessel liable to Forfeiture if really bound from one Foreign Port to another Foreign Port, and pursuing such Voyage, Wind and Weather permitting.

V. And be it further enacted, That when any Vessel or Boat belonging in the whole or in part to His Majesty's Subjects, or having One Half of the Persons on Board Subjects of His Majesty, shall be found within One hundred Leagues of the Coast of the Kingdom, and shall not bring to upon Signal made by any Vessel or Boat in His Majesty's Service, or in the Service of the Revenue, hoisting the proper Pendant and Ensign, in order to bring such Vessel or Boat to, and thereupon Chase shall be given, if any Person or Persons on board such Vessel or Boat so chased shall, during the Chase or before such Vessel or Boat shall bring to, throw overboard any Part of the Lading of such Vessel or Boat, or shall stave or destroy any Part of such Lading, to prevent Seizure thereof, then and in such Case the said Vessel or Boat shall be forfeited; and all Persons escaping from such Vessels or Boats, or from any Foreign Vessel or Boat, during any Chase made thereof by any Vessel or Boat in His Majesty's Service or in the Service of the Revenue, shall be deemed and taken to be Subjects of His Majesty, unless it shall be proved to the contrary.

VI. And be it further enacted, That if any Vessel or Boat whatsoever shall be found, within the Limits of any Part of the United Kingdom with a Cargo on board, and such Vessel or Boat shall afterwards be

Vessels not  
boats.

Certain Vessels  
belonging to  
His Majesty's  
Subjects, or  
whereof Half  
the Persons  
on board are  
Subjects of His  
Majesty, and  
Foreign Vessels,  
found within certain  
Distances of  
the Coast of  
the United  
Kingdom, or  
of the Islands  
of Guernsey,  
Jersey, Alderney,  
Sark, or Man,  
with certain  
Goods on  
board, &c.

Any Vessel or  
Boat arriving  
within any  
Port of the  
United Kingdom,  
having on  
board or attached  
thereto, or  
having laid on  
board, or in any  
Manner attached  
thereto, or  
conveyed in any  
Manner, within  
any such Port,  
Harbour, River,  
or Creek, any  
Spirits not being  
in a Cask or  
Package containing  
Forty Gallons  
at the least, or  
any Tobacco or  
Snuff not being  
in a Cask or  
Package containing  
Four hundred  
and fifty Pounds  
Weight at the  
least, or being  
packed separately  
in any Manner  
within any Cask  
or Package, every  
such Vessel or  
Boat, together  
with such Spirits  
or Tobacco or  
Snuff, shall be  
forfeited.

Certain Cases  
in which Vessels  
shall not be  
liable to Forfeiture  
for having on  
board Tobacco,  
Snuff, Tea, or  
Spirits.

Vessels belonging  
to His Majesty's  
Subjects, or  
whereof One  
Half the Persons  
on board are  
Subjects of His  
Majesty, shall  
be liable to  
Forfeiture if  
found within  
One hundred  
Leagues of the  
Coast of the  
United Kingdom,  
and shall not  
bring to upon  
Signal made by  
any Vessel or  
Boat in His  
Majesty's  
Service, or in  
the Service of  
the Revenue,  
hoisting the  
proper Pendant  
and Ensign, in  
order to bring  
such Vessel or  
Boat to, and  
thereupon Chase  
shall be given,  
if any Person  
or Persons on  
board such  
Vessel or Boat  
so chased shall,  
during the Chase  
or before such  
Vessel or Boat  
shall bring to,  
throw overboard  
any Part of the  
Lading of such  
Vessel or Boat,  
or shall stave  
or destroy any  
Part of such  
Lading, to prevent  
Seizure thereof,  
then and in  
such Case the  
said Vessel or  
Boat shall be  
forfeited; and  
all Persons  
escaping from  
such Vessels  
or Boats, or  
from any  
Foreign Vessel  
or Boat, during  
any Chase made  
thereof by any  
Vessel or Boat  
in His Majesty's  
Service or in  
the Service of  
the Revenue,  
shall be deemed  
and taken to be  
Subjects of His  
Majesty, unless  
it shall be  
proved to the  
contrary.

Vessels, or Boats,  
with a Cargo,

found light) or in Belfast, and the Master is unable to give a due Account of the Port or Place within the United Kingdom where such Vessel or Boat shall have legally discharged her Cargo, such Vessel or Boat shall be forfeited.

VII. And be it further enacted, That no Vessel or Boat belonging wholly or in part to His Majesty's Subjects shall sail from Germany, Jersey, Alderney, Sark, or Man without a Clearance, whether in Ballast or having a Cargo; and if with a Cargo, the Master shall give Bond to His Majesty, in Double the Value of the Vessel or Boat and of the Cargo, for duly landing the same at the Port for which the Vessel clears; and every such Vessel or Boat not having such Clearance, or which, having a Clearance for a Cargo, shall be found light or with any Part of the Cargo discharged before Delivery thereof at the Port specified in the Clearance, (unless through Necessity or for Preservation of the Vessel or Boat, to be proved to the Satisfaction of the Commissioners of His Majesty's Customs,) shall be forfeited.

VIII. And be it further enacted, That in case any Vessel or Boat liable to Seizure or Examination under any Act or Law for the Prevention of Smuggling shall not bring to or be required so to do, on being chased by any Vessel or Boat in His Majesty's Navy having the proper Pendant and Ensign of His Majesty's Ships hoisted, or by any Vessel or Boat duly employed for the Prevention of Smuggling, having a proper Pendant and Ensign hoisted, it shall be lawful for the Captain, Master, or other Person having the Charge or Command of such Vessel or Boat in His Majesty's Navy, or employed as aforesaid (first causing a Gun to be fired as a Signal), to fire at or into such Vessel or Boat; and such Captain, Master, or other Person acting in his Aid or Assistance, or by his Direction, shall be and he is hereby indemnified and discharged from any Indemnity, Pardon, Actien, or other Proceeding for so doing.

IX. And be it further enacted, That if any Person or Persons shall from and after the passing of this Act wear, carry, or hold in or on board any Vessel or Boat whatever belonging to any of His Majesty's Subjects, whether the same be Merchant or otherwise, without particular Warrant for so doing from His Majesty, or His High Admiral of Great Britain, or the Commissioners for executing the Office of High Admiral of Great Britain, His Majesty's Jack, commonly called the Union Jack, or any Pendant, Ensign, or Colours usually worn by His Majesty's Ships, or any Flag, Jack, Pendant, Ensign, or Colours resembling those of His Majesty, or those used on board His Majesty's Ships, or any other Ensign or Colours than the Ensign or Colours by any Proclamation of His Majesty now in force or hereafter to be issued prescribed to be worn, then and in every such Case the Master or other Person having the Charge or Command thereof, or the Owner or Owners being on board the same, and every other Person so offending, shall forfeit and pay the Sum of Fifty Pounds; and that it shall be lawful for any Officer or Officers of His Majesty's Navy on Full Pay, or for any Officer or Officers of Customs or Excise, to enter on board any such Vessel or Boat, and to seize any such Flag, Jack, Pendant, Ensign, or Colours, and the same shall thereupon be forfeited.

X. And be it further enacted, That all Vessels and Boats made use of in the Removal, Carriage, or Conveyance of any Goods liable to Forfeiture under this or any other Act relating to the Revenue of Customs shall be forfeited.

XI. And be it further enacted, That the Owner of every Vessel belonging in the whole or in part to any of His Majesty's Subjects shall paint or cause to be painted upon the Outside of the Stern of every Boat belonging to such Vessel the Name of such Vessel, and the Port or Place to which she belongs, and the Master's Name within-side the Transom, in White or Yellow Roman Letters, not less than Two Inches in Length, on a Black Ground, on pain of the Forfeiture of such Boat not so marked, wherever the same shall be found.

XII. And be it further enacted, That the Owner of every Boat not belonging to any Vessel shall paint or cause to be painted upon the Stern of such Boat, in White or Yellow Roman Letters of Two Inches in Length, on a Black Ground, the Name of the Owner or Owners of the Boat, and the Port or Place to which she belongs, on pain of the Forfeiture of such Boat not so marked, wherever the same shall be found.

XIII. And be it further enacted, That the Owner or Owners of every Vessel or Boat employed on the Coast of the United Kingdom in piloting or taking shall paint or use every such Vessel or Boat, or cause the same to be painted or tarred, entirely Black, except the Name or other Description now required by Law to be painted on such Vessel or Boat; and every such Vessel or Boat found not so painted or tarred, and every Boat so painted as to resemble any Boat usually employed for the Prevention of Smuggling or in any other Employment in His Majesty's Service, shall be forfeited: Provided always, that nothing herein contained shall extend to prevent any distinguishing Mark from being placed on any such Vessel or Boat, or to be otherwise painted if the Commissioners of His Majesty's Customs shall think proper to allow the same, and which shall be so expressed in the License of the said Vessel or Boat.

XIV. And be it further enacted, That all Vessels and Boats belonging in the whole or in part to His Majesty's Subjects, having false Bulbheads, false Bows, double Sides or Bottoms, or any secret or disguised Place whatsoever in the Construction of the said Vessel or Boat adapted for the Purpose of concealing Goods, or having any Hole, Pipe, or other Device in or about the Vessel or Boat adapted for the Purpose of raising Goods, shall be forfeited, with all the Guns, Furniture, Ammunition, Tackle, and Apparel, belonging to such Vessel or Boat; and that all Foreign Vessels or Boats, not being registered, coming to or arriving at any Port of the United Kingdom, having on board any Goods liable to the Payment of Duties, or prohibited to be imported into the United Kingdom, concealed in false Bulbheads,

and afterwards found in Ballast, forfeited.

Regulations as to Vessels sailing from Germany, Jersey, &c.

Vessels to bring to or being chased by Vessels or Boats of the Navy, &c., not belonging to, may be fired into.

Vessels belonging to His Majesty's Subjects not to hoist any Pendant, Ensign, or Colours usually worn by His Majesty's Ships.

Boats used in Removal of Gun Goods.

Boats to have Name of Vessel, Port, &c. Transom.

Boats not belonging to Ships.

Vessels and Boats used in piloting or taking to be painted Black, and not to be painted like the Privateers' Boats.

British Vessels having secret Places for concealing, or Devices for raising Goods, and Foreign Vessels not registered having Goods

in secret  
Plans, In-  
stru-  
ments.

Goods re-  
ceived on board  
defined, and  
all packed  
therein.

Letters.

Vessels of cer-  
tain Propor-  
tion not being  
equipped, or  
armed for  
War, to be  
licensed.

Vessels and  
Boats belong-  
ing to His  
Majesty's Sub-  
jects, not to  
be equipped  
with a greater  
Number of  
Persons than  
before men-  
tioned, unless  
licensed.

Certain Partic-  
ulars to be re-  
corded in Li-  
cences for  
Vessels and  
Boats.

Licences may  
be restricted.

The Owners  
to give Secu-  
rity by Bond,  
with the Con-  
ditions here-  
in mentioned.

Treasury not to  
exceed £5000,  
or single Value  
of the Vessel.

Licence Bonds  
given by Owners  
to be valid.

Vessels not to  
be used in any  
Manner not  
mentioned in  
the Licence.

heads, false Beams, Joist Sides or Bottoms, or any secret or disguised Place whatsoever in the Construction of the said Vessel or Boat, shall be forfeited.

XV. And be it further enacted, That if any Goods which are subject to any Duty or Restriction in respect of Importation, or which are prohibited to be imported into the United Kingdom, shall be found concealed in any Manner on board any Vessel, or shall be found, either before or after landing, to have been concealed in any Manner, that then and in such Case all such Goods, and all other Goods which shall be packed with them, shall be forfeited.

XVI. And be it further enacted, That all Vessels belonging in the whole or in part to His Majesty's Subjects, not being square-rigged or propelled by Steam, and all Vessels belonging as aforesaid, a Letter propelled by Steam or otherwise, being of less Burthen than Two hundred Tons, or which the Length is to the Breadth in a greater Proportion than Three Feet Six Inches to One Foot, and all such last-mentioned Vessels carrying Arms for Resistance, and all Vessels of more than Two hundred Tons Burthen, belonging as aforesaid, armed with more than Two Carriage Guns of a Calibre exceeding Four Pounds, and with more than Two Muskets for every Ten Men, and all Boats belonging as aforesaid, which shall be found within One hundred Leagues of the Coast of the United Kingdom, shall be forfeited, unless the Owners thereof shall have obtained a Licence from the Commissioners of His Majesty's Customs in the Manner therein after directed.

XVII. And be it further enacted, That every Vessel or Boat belonging in the whole or in part to His Majesty's Subjects, or whereof One Half of the Persons on board shall be Subjects of His Majesty, (not being a Luggers, and at the Time fitted and rigged as such,) which shall be navigated by a greater Number of Men (Officers and Boys included) than in the following Proportions; (that is to say,) of Thirty Tons or under, and above Five Tons, Four Men; if of Sixty Tons or under, and above Thirty Tons, Five Men; if of Eighty Tons or under, and above Sixty Tons, Six Men; if of One hundred Tons or under, and above Eighty Tons, Seven Men; and above that Tonnage, One Man for every Fifteen Tons of such additional Tonnage; or if a Luggers, then in the following Proportions; (that is to say,) if of Thirty Tons or under, Eight Men; if of Fifty Tons or under and above Thirty Tons, Nine Men; if of Sixty Tons or under, and above Fifty Tons, Ten Men; if of Eighty Tons or under, and above Sixty Tons, Eleven Men; if of One hundred Tons or under, and above Eighty Tons, Twelve Men; and if above One hundred Tons, One Man for every Ten Tons of such additional Tonnage, which shall be found within One hundred Leagues of the Coast of the United Kingdom, shall be forfeited, unless such Vessel, Boat, or Luggers shall be especially licensed for that Purpose by the Commissioners of His Majesty's Customs.

XVIII. And be it further enacted, That every Licence granted by the Commissioners of His Majesty's Customs for any Vessel or Boat requiring Licence under this Act shall contain the proper Description of such Vessel or Boat, the Name or Names of the Owner or Owners, with his or their Place or Places of Abode, and the Manner and the Limits in which the same is to be employed, and, if armed, the Numbers and Description of Arms, and the Quantity of Ammunition, together with any other Particulars which the said Commissioners may require and direct; and that it shall be lawful for the Commissioners of His Majesty's Customs to restrict the granting of a Licence for any Vessel or Boat in any Way that they may deem expedient for the Security of the Revenue.

XIX. And be it further enacted, That before any such Licence shall be issued or delivered, or shall have effect for the Use of such Vessel or Boat, the Owner or Owners of every such Vessel or Boat shall give Security by Bond in the single Value of such Vessel or Boat, with Condition as follows; (that is to say,) that the Vessel or Boat shall not be employed in the Importation, landing, or removing of any prohibited or unlicensed Goods, contrary to the true Intend and Meaning of this Act or any other Act relating to the Revenue of Customs or Excise, nor in the Exportation of any Goods which are or may be prohibited to be exported, nor in the re-landing of any Goods contrary to Law, nor shall receive or take on board or be found at Sea or in Port with any Goods subject to Forfeiture, nor shall do any Act contrary to this Act, or any Act hereafter to be made relating to the Revenue of Customs or Excise, or for the Protection of the Trade and Commerce of the United Kingdom, nor shall be employed otherwise than mentioned in the Licence and within the Limits therein mentioned; and in case of Loss, breaking up, or Disposal of the Vessel or Boat, that the Licence shall be delivered, within Six Months from the Date of such Loss, breaking up, or Disposal of such Vessel or Boat, to the Collector or principal Officer of Customs at the Port to which such Vessel or Boat shall belong; and that no such Bond given in respect of any Boat shall be liable to any Stamp Duty.

XX. And be it further enacted, That nothing herein contained shall authorize the requiring any Bond in any higher Sum than One thousand Pounds, although the single Value of the Vessel or Boat, for which such Licence is to be issued may be more than One thousand Pounds.

XXI. And be it further enacted, That all Bonds given by Persons under the Age of Twenty-one Years, in pursuance of the Directions herein contained, shall be void and effectual to all Intents and Purposes, any thing in any Act, or any Law or Custom, to the contrary, in anywise notwithstanding.

XXII. And be it further enacted, That when any Vessel or Boat shall be found or discovered to have been used or employed in any Manner or in any Limits other than such as shall be specified in the Licence hereby required, or if such Licence shall not be on board such Vessel or Boat, or shall not at any Time be produced and delivered for Examination to any Officer or Officers of the Army, Navy, or Marines duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs

or Excise, demanding the same, that then and in every such Case such Vessel or Boat, and all the Goods laden on board, shall be forfeited.

XXIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or taken to extend to any Vessel, Boat, or Luggie belonging to any of the Royal Family, or being in the Service of the Navy, Yachtclub, Ordnance, Customs, Excise, or Post Office, nor to any Whale Boat or Boat solely employed in the Fisheries, nor to any Boat belonging to any square-rigged Vessel in the Merchant Service, nor to any Life Boat or Tug Boat used in towing Vessels belonging to licensed Pilots, nor to any Boat used solely in Rivers or inland Navigations, nor to any Boat solely used in fishing on the Coasts of the North and West Highlands of Scotland, nor to any Boats so used in the Coast of Ireland.

XXIV. And be it further enacted, That if any Person or Persons shall counterfeit, reuse, alter, or falsify, or cause to be counterfeited, created, altered, or falsified, any License so to be granted as aforesaid, or shall knowingly make use of any License so counterfeited, reused, altered, or falsified, such Person or Persons shall for every such Offence forfeit the Sum of Five hundred Pounds.

XXV. And be it further enacted, That no Bond given in pursuance of any Vessel or Boat under the said Act for the Prevention of Smuggling shall be cancelled until the Space of Twelve Months after the License for which such Bond had been entered into shall have been delivered up to the proper Officer of the Customs, and such Bond shall remain in full Force and Effect for Twelve Months after the delivering up of the License as aforesaid.

XXVI. And be it further enacted, That all Licenses for any Vessels or Boats granted in pursuance of any Act relating to the Customs shall continue valid for all the Purposes for which such Licenses were required, and all Bonds given in pursuance of any such Act shall continue valid and may be enforced, any thing herein contained notwithstanding.

XXVII. And be it further enacted, That all the Provisions herein contained relating to the Seizing of Vessels and Boats shall extend to the Islands of Guernsey, Jersey, Alderney, Sark, and Man.

XXVIII. And be it further enacted, That if any Goods liable to the Payment of Duties shall be unshipped from any Vessel or Boat in the United Kingdom or the Isle of Man (Customs or other Duties not being first paid or secured), or if any prohibited Goods whatsoever shall be imported into any Port of the United Kingdom or of the Isle of Man, or if any Goods whatsoever which shall have been warehoused or otherwise secured in the United Kingdom, either for Home Consumption or Exportation, shall be clandestinely or illegally removed from or out of any Warehouse or Place of Security, that then and in such Case all such Goods as aforesaid shall be forfeited, together with all Horses and other Animals, and all Carriages and other Things, made use of in the Removal of such Goods.

XXIX. And be it further enacted, That all Spirits or Tobacco which shall be found removing without a legal Permit for the same shall be deemed to be Spirits or Tobacco respectively liable to and unshipped without Payment of Duty, unless the Party in whose Possession the same shall be found or seized shall prove to the contrary.

XXX. And be it further enacted, That all Goods the Importation of which is in any Way restricted, which are of a Description admissible to Duty, and which shall be found and seized in the United Kingdom under any Law relating to the Customs or Excise, shall for the Purpose of proceeding for the Forfeiture of them, or for any Penalty incurred in respect of them, be described in any Information exhibited on account of such Forfeiture or Penalty as Goods liable to and unshipped without Payment of Duty.

XXXI. And be it further enacted, That if any Goods which are prohibited to be exported shall be put on board any Vessel or Boat with Intent to be laden or shipped for Exportation, or shall be brought to any Quay, Wharf, or other Place in the United Kingdom in order to be put on board any Vessel or Boat for the Purpose of being exported, or if any Goods which are prohibited to be exported shall be found in any Package produced to the Officer or Officers of the Customs or containing Goods not so prohibited, that then and in every such Case, not only all such prohibited Goods, but also all other Goods packed therewith, shall be forfeited.

XXXII. And be it further enacted, That all Vessels and Boats, and all Goods whatsoever, liable to Forfeiture under this or any other Act relating to the Revenue of Customs, shall and may be seized in any Place, either upon Land or Water, by any Officer or Officers of His Majesty's Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer or Officers of Customs or Excise, or by any Person having Authority to seize from the Commissioners of His Majesty's Customs or Excise; and all Vessels, Boats, and Goods so seized shall, as soon as conveniently may be, be delivered into the Care of the proper Officer appointed to receive the same.

XXXIII. And be it further enacted, That if any Officer or Officers of the Customs or Excise, or any Officer or Officers of the Army, Navy, or Marines, duly employed for the Prevention of Smuggling, on Full Pay, or any other Person or Persons whatsoever duly employed for the Prevention of Smuggling, shall make any collusive Seizure, or deliver up, or make any Agreement to deliver up or not to seize, any Vessel or Boat or any Goods liable to Forfeiture, or shall take any Bribe, Gratuity, Recompense, or Reward for the Neglect or Nonperformance of his Duty, every such Officer or other Person shall forfeit for every such Offence the Sum of Five hundred Pounds, and be rendered incapable of serving His Majesty in any Office whatever, either Civil or Military; and every Person who shall give or offer, or promise to give or procure to be given, any Bribe, Recompense, or Reward in, or shall make any collusive Agreement with, any such Officer or Person as aforesaid, to induce him in any Way to neglect his Duty,

Licenses.

Green Vessels, Boats, and Luggies not required to be licensed.

Penalty for counterfeiting or falsifying Licenses.

How long Bonds are to be in force.

Licenses and Bonds granted previous to the Act valid.

Guernsey, &c.

Penalty and Goods.

Goods unshipped without Payment of Duty liable to Forfeiture, with the Boats, &c. used.

Spirits and Tobacco found without a Permit.

Forfeited Goods to be deemed such Goods for the Purpose of Proceedings.

Prohibited Goods shipped or warehoused with Intent to be exported, &c. forfeited.

Vessels, &c. may be seized by Persons lawfully authorized, and may be delivered to the proper Officers.

Penalty for collusive Seizures or Offers.

*Search and Seizure.*

Search may be executed within the Limits of the Ports, or other Persons on board, if the Officers have reason to suspect Goods are concealed about their Persons.

Before Persons are searched, they may require to be taken before a Justice or a superior Officer of the Customs, who shall determine whether there are reasonable Grounds of Suspicion.

Search by an Officer for Misconduct with respect to Search.

Search by Persons carrying foreign Goods about their Persons.

Officers, authorized by Writ of Assistance, and having a Power of Search, may search Houses for prohibited Goods, and break open Doors and Packages.

Duration of Writ of Assistance.

Officers of Customs or Excise may, on probable Cause, stop Carts, Waggons, and search for Goods.

Police Officers seizing Goods.

as to do, conceal, or commit in any Act whereby any of the Provisions of any Act of Parliament relating to the Revenue of Customs may be evaded, shall forfeit the Sum of Two hundred Pounds.

XXXIV. And be it further enacted, That it shall and may be lawful to and for any Officer or Officers of the Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and an Full Pay, or for any Officer or Officers of Customs, producing his or their Warrant or Deputation (if required), to go on board any Vessel which shall be within the Limits of any of the Ports of this Kingdom, and to manœuvre and to search the Cabin and all other Parts of such Vessel for prohibited and uncustomed Goods, and to remain on board such Vessel during the whole Time that the same shall continue within the Limits of such Port, and also to search any Person or Persons either on board or who shall have landed from any Vessel, provided such Officer or Officers shall have good Reason to suppose that such Person or Persons hath or have any uncustomed or prohibited Goods secreted about his, her, or their Person or Persons: and if any Person shall obstruct any such Officer or Officers in going or remaining on board, or in entering or searching such Vessel or Person, every such Person shall forfeit and lose the Sum of One hundred Pounds.

XXXV. And be it further enacted, That before any Person shall be searched by any such Officer or Officers as aforesaid it shall be lawful for such Person to require such Officer or Officers to take him or her before any Justice of the Peace, or before the Collector, Comptroller, or other superior Officer of the Customs, who shall determine whether there is reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person, and if it shall appear to such Justice, Collector, Comptroller, or other superior Officer of Customs, that there is reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person, that then such Justice, Collector, Comptroller, or other superior Officer of Customs shall direct such Person to be searched in such Manner as he shall think fit; but if it shall appear to such Justice, Collector, Comptroller, or other superior Officer of Customs that there is not reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person, that then such Justice, Collector, Comptroller, or other superior Officer of Customs shall forthwith discharge such Person, who shall not in such Case be liable to be searched: and every such Officer or Officers as aforesaid is and are hereby authorized and required to take such Person, upon Demand, before any such Justice, Collector, Comptroller, or other superior Officer of Customs, detaining him or her in the meantime: Provided always, that no Person being a Female shall be searched by any other Person than a Female duly authorized for that Purpose by the Commissioners of His Majesty's Customs.

XXXVI. And be it further enacted, That if any such Officer or Officers shall not take such Person with reasonable Dispatch before such Justice, Collector, Comptroller, or other superior Officer of Customs, when so required, or shall require any Person to be searched by him, not having reasonable Ground to suppose that such Person has any uncustomed or prohibited Goods about his or her Person, that such Officer shall forfeit and pay the Sum of Ten Pounds.

XXXVII. And be it further enacted, That if any Passenger or other Person on board any Vessel or Boat shall, upon being questioned by any Officer or Officers of His Majesty's Customs, whether he or she has any Foreign Goods upon his or her Person, or in his or her Possession, deny the same, and any such Goods shall, after such Denial, be discovered upon his or her Person, or in his or her Possession, such Goods shall be forfeited, and such Person shall forfeit Treble the Value of such Goods.

XXXVIII. And be it further enacted, That it shall and may be lawful for any Officer or Officers of Customs, or Person acting under the Direction of the Commissioners of His Majesty's Customs, having a Writ of Assistance under the Seal of His Majesty's Court of Exchequer, to take a Constable, Headborough, or other public Officer inhabiting near the Place, and in the Daytime to enter into and search any House, Shop, Cellar, Warehouse, Room, or other Place, and in case of Resistance to break open Doors, Chests, Trunks, and other Packages, there to seize and from thence to bring any uncustomed or prohibited Goods, and to put and secure the same in the Custom House Warehouse in the Port next to the Place from whence such Goods shall be so taken as aforesaid: Provided always, that for the Purposes of this Act any such Constable, Headborough, or other public Officer, duly sworn as such, may act as well within the Limits of any Parish, Ville, or other Place for which he shall be so sworn as within such Limits.

XXXIX. And be it further enacted, That all Writs of Assistance so issued from the Court of Exchequer as aforesaid shall continue and be in force during the whole of the Reign in which such Writ shall have been granted, and for ten Months from the Conclusion of each Reign.

XL. And be it further enacted, That it shall be lawful for any Officer of Customs or Excise, or other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, upon reasonable Suspicion, to stop and examine any Cart, Waggon, or other Means of Conveyance, for the Purpose of ascertaining whether any smuggled Goods are contained therein: and if no such Goods shall be found, then and in such Case the Officer or other Person so stopping and examining such Cart, Waggon, or other Conveyance, having had probable Cause to suspect that such Cart, Waggon, or other Conveyance had smuggled Goods contained therein, shall not, on account of such Stoppage and Search, be liable to any Prosecution or Action at Law on account thereof; and all Persons driving or conducting such Cart, Waggon, or other Conveyance, refusing to stop when required so to do in the King's Name, shall forfeit the Sum of One hundred Pounds.

XLI. And be it further enacted, That if any Goods subject or liable to Forfeiture under this or any other Act relating to the Customs shall be stopped or taken by any Police Officer or other Person acting

by virtue of any Act of Parliament, or otherwise duly authorized, such Goods shall be carried to the Custom House Warehouse next to the Place where the Goods were stopped or taken, and there delivered to the proper Officer appointed to receive the same, within Forty-eight Hours after the said Goods were stopped and taken.

XLII. And be it further enacted, That if any such Goods shall be stopped or taken by such Police Officer or Magistrate that the same have been feloniously stolen, it shall be lawful for the said Officer to carry the same to the Police Office to which the Offender is taken, there to remain until and in order to be produced at the Trial of the said Offender; and in such Case the Officer is required to give Notice in Writing to the Commissioners of His Majesty's Customs of his having so detained the said Goods, with the Particulars of the same; and immediately after the Trial all such Goods are to be conveyed and deposited in the Custom House Warehouse as aforesaid, to be proceeded against according to Law; and in case any Police Officer making Detention of any such Goods shall neglect to convey the same to such Warehouse, or to give the Notice of having stopped the same as before described, such Officer shall forfeit the Sum of Twenty Pounds.

XLIII. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, or for the Commissioners of His Majesty's Customs or Excise, by any Order made for that Purpose under their Hands, to direct any Vessel, Boat, Goods, or Commodities whenever seized as aforesaid under this or any Act relating to the Customs or Excise, or to the Trade or Navigation of the United Kingdom, or to any of His Majesty's Possessions Abroad, to be delivered to the Proprietor or Proprietors, whether Commissioners shall have taken place or not, upon such Terms and Conditions as they may deem expedient, and which shall be mentioned in the said Order; and it shall be also lawful for the said Commissioners of His Majesty's Treasury and the said Commissioners of His Majesty's Customs or Excise to mitigate or remit any Penalty or Fine which shall have been incurred, or any Part of such Penalty or Fine incurred under any such Act as last aforesaid: Provided always, that no Person shall be entitled to the Benefit of any Order for Delivery or Mitigation unless the Terms and Conditions expressed in the said Order are fully and effectually complied with.

XLIV. And be it further enacted, That every Person who shall, either in the United Kingdom or the Isle of Man, assist or be otherwise concerned in the unshipping of any Goods which are prohibited to be imported into the United Kingdom or into the Isle of Man, or the Duties for which have not been paid or secured, or who shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, any Goods which shall have been illegally unshipped without Payment of Duties, or which shall have been illegally removed, without Payment of the same, from any Warehouse or Place of Security in which they may have been deposited, or any Goods prohibited to be imported or to be used or consumed in the United Kingdom or in the Isle of Man, and every Person, either in the United Kingdom or the Isle of Man, to whose Hands and Possessions any such unimported or prohibited Goods shall knowingly come, or who shall assist or be in anywise concerned in the illegal Removal of any Goods from any Warehouse or Place of Security in which they shall have been deposited as aforesaid, shall forfeit either the Treble Value thereof, or the Penalty of One hundred Pounds, at the Election of the Commissioners of His Majesty's Customs.

XLV. And be it further enacted and declared, That in all Cases where any Penalty the Amount of which is at any Time to be determined by the Value of any Goods is directed to be used for under any Law now in force or hereafter to be made for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise such Value shall be deemed and taken to be according to the Rate and Price which Goods of the like Sort or Description and of the best Quality bear at such Time, and upon which the Duties due upon Importation have been paid.

XLVI. And be it further enacted, That every Person who by way of Insurance or otherwise shall undertake or agree to deliver any Goods to be imported from beyond the Seas into any Port or Place in the United Kingdom without paying the Duties due on such Importation, or any prohibited Goods, or who in pursuance of such Insurance or otherwise shall deliver or cause to be delivered any unimported or prohibited Goods, and every Asser or Abettor of such Person, shall for every such Offence forfeit the Sum of Five hundred Pounds, over and above any other Penalty to which by Law he may be liable; and every Person who shall agree to pay any Money for the Insurance or Conveyance of such Goods, or shall receive or take such Goods into his Custody or Possession, or suffer the same to be so received or taken, shall also forfeit Five hundred Pounds, over and above any Penalty to which by Law he may be liable on account of such Goods.

XLVII. And be it further enacted, That if any Person or Persons shall offer for Sale any Goods under Pretence that the same are prohibited, or have been unshipped and run on shore without Payment of Duties, that then and in such Case all such Goods (although not liable to any Duties or prohibited) shall be forfeited, and the Person or Persons, and every of them, offering the same for Sale shall forfeit the Treble Value of such Goods, or the Penalty of One hundred Pounds, at the Election of the Commissioners of His Majesty's Customs.

XLVIII. And be it further enacted, That every Person, being a Subject of His Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture under this or any other Act relating to the Customs for being found or discovered to have been within any of the Dismissed Ports, or Places in this Act mentioned, from or in the United Kingdom, or from or in the Isle of Man, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveyed or carried on board or on any Vessel, such Goods as, if they were subject to such Forfeiture

as a cargo  
them in the  
Custom House  
Warehouses.

Goods stopped  
by Police Offi-  
cers may be  
produced and  
Trial of Per-  
sons charged  
with stealing  
them.

Commissioners  
of Treasury,  
or Commissioners  
of Customs  
or Excise, may  
remit Penalties,  
and mitigate or  
remitt Penalties.

Persons  
concerned  
in  
Persons un-  
shipping, har-  
bouring, or  
having Goods  
of any prohi-  
bited or un-  
imported  
Goods, to for-  
feit Treble the  
Value, or 100<sup>l</sup>

How Value is  
to be ascer-  
tained.

Persons insur-  
ing the Unim-  
port of prohi-  
bited or un-  
imported  
Goods to for-  
feit 500<sup>l</sup>

Penalty on  
Persons offer-  
ing Goods for  
Sale under  
Pretence of  
being rep

Persons found  
or discovered  
to have been  
on board Ves-  
sels liable to  
Forfeiture for  
bringing in  
Foreign Goods

*Persons on board*  
—  
which contain  
Limits of the  
Coast, subject to  
the Penalty of  
100*l.*, and  
may be de-  
tained.

or Boat to Forfeiture, or who shall be found or discovered to have been, within any such Distance as aforesaid, on board any Vessel or Boat from which any Part of the Cargo or Lading of such Vessel or Boat shall have been thrown overboard, or stored or destroyed, to prevent Seizure, shall forfeit the Sum of One hundred Pounds; and that every Person, not being a Subject of His Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture for any of the Causes aforesaid, within One League of the Coast of the United Kingdom or of the *Ile of Man*, or within any Bay, Harbour, River, or Creek of the said Island, shall forfeit for such Offence the Sum of One hundred Pounds; and it shall be lawful for any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer or Officers of Customs or Excise, or other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, and he and they is and are hereby authorized, empowered, and required, to detain every such Person, and to carry and convey such Person before any Justice of the Peace in the United Kingdom, to be dealt with as herein-after directed: Provided always, that any such Person proving, to the Satisfaction of any Justice or Justices before whom he may be brought, that he was only a Passenger in such Vessel or Boat, and had no Interest whatever either in the Vessel or Boat, or in the Cargo or any Goods on board the same, shall be forthwith discharged by such Justices.

*Persons carrying*  
—  
ship, or  
concerned in  
the carrying  
away of con-  
cealing, Spirit  
or Tobacco, in  
British Vessels,  
and may be de-  
tained.

XLIX. And be it further enacted, That every Person whatsoever who shall unship, or be aiding, assisting, or concerned in the unshipping of any Spirit or Tobacco liable to Forfeiture under this or any other Act relating to the Customs or Excise, either in the United Kingdom or the *Ile of Man*, or who shall carry, convey, or conceal, or be aiding, assisting, or concerned in the carrying, conveying, or concealing of any such Spirit or Tobacco, shall forfeit for such Offence the Sum of One hundred Pounds; and every such Person may be detained by any Officer or Officers of His Majesty's Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer or Officers of Customs or Excise, or other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, and taken before any Justice of the Peace in the United Kingdom, to be dealt with as herein-after directed.

*Persons carrying*  
—  
Tea, or Manu-  
factured Silk in  
British Vessels,  
and may be liable to  
Detention.

L. And be it further enacted, That every Person whatsoever who shall unship, or be aiding, assisting, or otherwise concerned in the unshipping of any Tea or Foreign Manufactured Silk of the Value of Twenty Pounds, liable to Forfeiture under any Act relating to the Customs or Excise, or who shall carry, convey, or conceal, or be aiding, assisting, or concerned in the carrying, conveying, or concealing of such Tea or Silk, shall forfeit for every such Offence Treble the Value thereof; and every such Person shall and may be detained by any Officer or Officers of His Majesty's Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer or Officers of Customs or Excise, or by any other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, and taken before any Justice of the Peace in the United Kingdom, to be dealt with as herein-after directed: Provided always, that a shall not be lawful for such Person so detained to give Security in Treble the Amount of the Goods seized, by Recognizance or otherwise, to the Satisfaction of such Justice of the Peace, to appear at a Time and Place to be appointed; and that no such Person shall be liable to serve His Majesty in His Naval Service.

*Where Persons*  
—  
are taken by  
a Justice  
for any Offence  
under any Act  
relating to the  
Customs, such  
Justice may  
order them to  
be detained a  
reasonable  
Time.

LI. And whereas it is expedient that Time should be allowed to prepare Informations, Convictions, and Warrants of Commitment; be it declared and enacted, That where any Person or Persons shall have been detained by any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer of Customs or Excise, or any Person or Persons acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, for any Offence under this or any other Act relating to the Customs, and shall have been taken and carried before any Justice of the Peace, if it shall appear to such Justice that there is reasonable Cause to detain such Person or Persons, such Justice may and he is hereby authorized and required to order such Person or Persons to be detained a reasonable Time, and at the Expiration of such Time to be brought before any Two Justices of the Peace, who are hereby authorized and required finally to hear and determine the Matter.

*Any Person*  
—  
liable to be ar-  
rested, making  
his Escape,  
may afterwards  
be detained by  
any Officer of  
the Customs.

LII. And be it further enacted, That if any Person or Persons liable to be detained under the Provisions of this or any other Act relating to the Customs shall not be detained at the Time of so committing the Offence for which he or they is or are so liable, or after Detention shall make his or their Escape, it shall and may be lawful for any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or for any Officer of Customs or Excise, or any other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, to detain such Person so liable to Detention as aforesaid at any Time afterwards, and to carry him before any Justice of the Peace, to be dealt with as if detained at the Time of committing the said Offence.

*Persons making*  
—  
Signals by  
Smuggling Vessels  
at Sea may be  
detained, and  
an Conviction  
thereon may be  
had before  
any Two Justices  
of the Peace.

LIII. And be it further enacted, That no Person shall, after Sunset, and before Sunrise between the Twenty-first Day of September and the First Day of April, or after the Hour of Eight in the Evening and before the Hour of Six in the Morning at any other Time in the Year, make, aid, or assist in making, any Signal in or on board or from any Vessel or Boat, or on or from any Part of the Coast or Shore of the United Kingdom, or within Six Miles of any Part of such Coast or Shore, for the Purpose of giving any Notice to any Person so liable any Smuggling Vessel or Boat, whether any Person as on board of such Vessel or Boat be or be not within Distance to notice any such Signal; and if any Person, contrary to the true Intent and Meaning of this Act, make or cause to be made, or aid or assist in making, any such Signal, such Person, as aforesaid, shall be guilty of an Offence against the Statute in that behalf made, and shall be liable to be



Persons to stop, arrest, and detain the Person or Persons who shall so offend, and to carry and convey such Person or Persons an offending before any One or more of His Majesty's Justices of the Peace residing near the Place where such Offence shall be committed, who, if he sees Cause, shall commit the Offender to the next County Gaol, there to remain until the next Court of Oyer and Terminer, Great Sessions, or Goal Delivery, or until such Person or Persons shall be delivered by due Course of Law; and it shall not be necessary to prove an any Indictment or Information that any Vessel or Boat was actually on the Coast; and the Offender or Offenders being duly convicted thereof shall, by Order of the Court before where such Offender or Offenders shall be convicted, either forfeit and pay the Penalty or Forfeiture of One hundred Pounds, or, at the Discretion of such Court, be sentenced or committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Term not exceeding One Year.

LIV. Provided always, and be it further enacted, That in case any Person be charged with or indicted for having made or caused to be made, or been aiding or assisting in making, any such Signal as aforesaid, the Burthen of Proof that such Signal so charged as having been made with Intent and for the Purpose of giving such Notice as aforesaid was not made with such Intent and for such Purpose shall be upon the Defendant against whom such Charge is made or such Indictment is found.

LV. And be it further enacted, That it shall be lawful for any Person whatsoever to prevent any Signal being made as aforesaid, and to enter and go into and upon any Lands for that Purpose, without being liable or subject to any Indictment, Suit, or Action for the same.

LVI. And be it further enacted, That if any Person whatsoever shall abstract any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and so Full Pay, or any Officer or Officers of Customs or Excise, or any Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, in the Execution of his or their Duty, or in the discharge of any Goods liable to Forfeiture by this or any other Act relating to the Customs, or shall receive or cause to be received any Goods which have been seized, or shall attempt or endeavour to do so, or shall, before or at or after any Seizure, steal, break, or otherwise destroy any Goods, to prevent the Seizure thereof or the securing the same, then and in such Case the Party or Parties offending shall forfeit for every such Offence the Sum of One hundred Pounds.

LVII. And be it further enacted, That any Person or Persons who shall by any Means procure or hire any Person or Persons, or who shall depose, authorize, or direct any Person or Persons to procure or hire any Person or Persons, to assemble for the Purpose of being concerned in the landing or unshipping or carrying or conveying any Goods which are prohibited to be imported, or the Duties for which have not been paid or secured, shall for every Person so procured or hired forfeit the Sum of One hundred Pounds.

LVIII. And be it further enacted, That if any Persons to the Number of Three or more, armed with Fire-arms or other offensive Weapons, shall, within the Licensed Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be assembled in order to be aiding and assisting in the illegal landing, raising, or carrying away of any prohibited Goods, or any Goods liable in any Duties which have not been paid or secured, or in receiving or taking away any such Goods as aforesaid, after Seizure, from the Officer of the Customs or other Officer authorized to seize the same, or from any Person or Persons employed by them or assisting them, or from the Place where the same shall have been lodged by them, or in receiving any Person who shall have been apprehended for any of the Offences made Felony by this or any Act relating to the Customs, or in the preventing the Apprehension of any Person who shall have been guilty of such Offence, or in case any Persons to the Number of Three or more, so armed as aforesaid, shall, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be aiding or assisting, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, being thereof convicted, be adjudged guilty of Felony, and suffer Death as a Felon.

LIX. And be it further enacted, That if any Person shall maliciously shoot at any Vessel or Boat belonging to His Majesty's Navy, or in the Service of the Revenue, within One hundred Leagues of any Part of the Coast of the United Kingdom, or shall maliciously shoot at, maim, or dangerously wound any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and so Full Pay, or any Officer of Customs or Excise, or any Person acting in his Aid or Assistance, or duly employed for the Prevention of Smuggling, in the due Execution of his Office or Duty, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, being lawfully convicted, be adjudged guilty of Felony, and suffer Death as a Felon.

LX. And be it further enacted, That if any Person being in company with more than Four other Persons be found with any Goods liable to Forfeiture under this or any other Act relating to the Revenue of Customs or Excise, or in company with One other Person, within Five Miles of the Sea Coast or of any navigable River leading therefrom, with such Goods, and carrying offensive Arms or Weapons, or disguised in any Way, every such Person shall be adjudged guilty of Felony, and shall, on Conviction of such Offence, be transported as a Felon for the Space of Seven Years.

LXI. And be it further enacted, That if any Person shall by Force or Violence assault, resist, oppose, molest, hinder, or obstruct any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and so Full Pay, or any Officer of Customs or Excise, or other Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, in the due Execution of his or their Office or Duty, such Person, being thereof convicted, shall be transported for Seven Years, or sentenced to be kept to hard Labour for any Term not exceeding One Year, or

Penalty

—

Proof of a Signal not being intended to be on the Detention.

Any Person may prevent Signals.

Persons assisting Officers, or receiving or conveying Goods in prohibited Ports, to forfeit 100*l*.

Penalty on Persons procuring others to assemble for assisting in unshipping prohibited Goods.

Felonies

Three or more armed Persons assembled so as to prevent the illegal landing of any Goods, or in the receiving of Goods seized, to be deemed guilty of Felony.

Persons shooting at any Boat belonging to the Navy, or in the Service of the Revenue, &c. deemed guilty of Felony.

Penalty on those in company with a Person having prohibited Goods or with One armed.

Offences

—

Persons assisting Officers may be transported.

*Officers.*

Commanding Officers of Vessels in the Service may land their Vessels on the Shore, or elsewhere being liable to any Action for so doing.

Officers, if wounded in the Service of the Customs, to be provided for, &c.

Vessels and Goods seized to be disposed of.

*Rewards.*

Rewards to Officers for detaining Smugglers.

Rewards to Officers whose personal Property is recovered.

Rewards to Officers making seizures.

Labour, for any Term not exceeding Three Years, at the Discretion of the Court before whom the Offender shall be tried and convicted as aforesaid.

LXII. And be it further enacted, That it shall and may be lawful to and for the Commanding Officer for the Time being of any Vessel or Boat employed for the Prevention of Smuggling to land any such Vessel or Boat upon any Part of the Coasts of the United Kingdom, or the Shores, Banks, or Beaches of any River, Creek, or Inlet of the same, (not being a Garden or Pleasure Ground, or Place ordinarily used for any Fishing Netting or Machines,) which shall be deemed most convenient for that Purpose, and to moor any such Vessel or Boat on such Part of the aforesaid Coasts, Shores, Banks, and Beaches below High-water Mark, and over which the Tide flows on ordinary Tides, and to continue such Vessel or Boat so moored as aforesaid for such Time as the said Commanding Officer shall deem necessary and proper; and such Commanding Officer, or Person or Persons acting under his Direction, shall not be liable to any Indictment, Action, or Suit for so doing, any Law, Statute, Custom, or Usage to the contrary notwithstanding.

LXIII. And be it further enacted, That in all Cases where any Officer or Seaman employed in the Service of the Customs or Excise shall be killed, maimed, wounded, or in any way injured in the due Execution of his Office, or if any Person acting in his Aid, or duly employed for the Prevention of Smuggling, shall be so killed, maimed, wounded, or in any way injured while in aiding such Officer or Seaman, or so employed, it shall and may be lawful for the Commissioners of His Majesty's Customs and Excise respectively to make such Provision for the Officer or Person so maimed, wounded, or injured as aforesaid, or for the Widows and Families of such as shall be killed, as they shall be authorized and empowered to do by Warrant from the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being.

LXIV. And be it further enacted, That all Vessels and Boats and all Goods whatsoever which shall have been seized and condemned for Breach of any Law relating to the Customs shall be disposed of as soon as conveniently may be after the Condemnation thereof, in such Manner as the Commissioners of His Majesty's Customs shall direct.

LXV. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Customs, and they are hereby authorized and empowered, to award to any Officer or other Person detaining any Person liable to Detention under this or any other Act relating to the Revenue of Customs, to be paid upon the Conviction of such Person, any Reward they may think fit to direct, not exceeding the Sum of Twenty Pounds for each Person.

LXVI. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Customs, and they are hereby authorized, to order the following Reward to be paid to any Officer or Officers or Persons as aforesaid by whose Means any pecuniary Penalty or Composition is recovered; (that is to say,) One Third Part of the Penalty or Sum recovered, except in Seizures of Silk Goods, in which Case the Officers may receive One Half the Penalty or Sum recovered.

LXVII. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Customs, and they are hereby authorized, to order to be paid, in respect of any Seizure made under this or any Act relating to the Customs or to Trade and Navigation, to the Person or Persons making the same, the following Rewards; (that is to say,)

In the Case of Seizures of Spirits or Tobacco:—

If all the Parties concerned in the Act which occasions the Seizure, being above the Age of Sixteen Years, are detained and convicted, the whole Value thereof, such Value to be fixed and settled by the Lords of the Treasury, or by the Commissioners of His Majesty's Customs, as aforesaid after directed:

If Two or more of such Parties, not being the whole, are so detained and convicted, Seven Eighths of such Value;

If One such Party, not being the whole of them, but being a Seafaring Man, is so detained and convicted, Three Fourths of such Value;

If One such Party, not being the whole of them, is detained and convicted, and the Vessel or Means of Conveyance is so seized and condemned, Three Fourths of such Value;

If One such Party, not being the whole of them, nor being a Seafaring Man, is so detained and convicted, Five Eighths of such Value;

If the Vessel or Means of Conveyance is seized and condemned without any Person being detained, One Third of such Value;

If all the Goods are seized, and all the Parties concerned as aforesaid are subsequently convicted in consequence of such Seizure and by the Execution of the Seizure, One Half of such Value;

If the Goods only are seized, One Eighth, or such other Part as the Commissioners of the Customs shall think proper, not exceeding One Fourth of such Value:

In the Case of Seizures of other Goods, not Silks:—

If the Vessel or other Means of Conveyance is so seized and condemned, or if any Person is prosecuted to Conviction on account of the same, One Half of the Produce, exclusive of the Duties;

If the Goods only, One Fourth of such Produce:

In the Case of damaged Tobacco, Snuff, or other Goods destroyed, such Reward as the Lords of the Treasury or the Commissioners of His Majesty's Customs may think proper to direct, not exceeding a Moiety of the Duty payable on such Goods in case the same had been sold for Home Consumption;

In the Case of Seizures of Salt Goods, the whole Value of such Goods, exclusive of the Duty thereon;

In the Case of Seizures of Vessels and Boats:—

If sold, a Moiety of the Produce;

If taken into the Public Service or broken up, a Moiety of the Value;

In the Case of Seizures of Cattle and Carriages:—

In all Cases, Three Fourths of the Produce of the Sale.

LXVIII. Provided always, and be it further enacted, That the Value of Spirits and Tobacco seized as aforesaid shall in all Cases be deemed and taken to be such as the Lords of the Treasury or the Commissioners of His Majesty's Customs may think fit to fix the same at per Gallon or per Pound Weight, for the Purpose of awarding the said Officer as aforesaid; and that all the before-mentioned Rewards shall be paid subject to a Deduction of Ten Pence per Cwt. on account of Law Charges and other Expenses.

LXIX. And be it further enacted, That every such Reward, or Part or Share of any such Seizure or of the Value thereof, as shall be payable to any Officer or Officers, Non-commissioned Officers, Petty Officers, Seamen, or Privates of His Majesty's Army, Navy, or Marines, or acting under the Orders of the Lord High Admiral or Commissioners of the Admiralty, shall be divided and distributed in such Proportions, and according to such Rules, Regulations, and Orders, as His Majesty shall, by His Order or Order in Council, or by His Royal Proclamation in that Behalf, be pleased to direct and appoint.

LXX. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Customs or Excise respectively, and they are hereby authorized, in case of any Seizure of Vessels, Boats, or Goods, or of the Apprehension of any Person, under this or any other Act relating to the Customs, to direct the Distribution of the Seizure's Share of such Vessels, Boats, or Goods, or of any Penalties or Rewards that may be recovered on account of any Seizure, in such Manner as to enable any Officer or Officers or other Person or Persons through whose Information or Means such Seizure shall have been made, or Person recovered, or Party apprehended, and who may by them be deemed to be so entitled, to participate in such Proportions as the said Commissioners shall respectively deem expedient.

LXXI. And be it further enacted, That upon Proof being made to the Satisfaction of the Commissioners of His Majesty's Customs or Excise that any Officer or Officers or Person or Persons as aforesaid shall have acted collusively or negligently in the making of any Seizure, it shall be lawful for the said Commissioners to direct that the Whole or any Part of the Proportions of such Seizure be applied to the Use of His Majesty.

LXXII. And be it further enacted, That no Person or Persons whatsoever, being a Subject or Subjects of His Majesty, other than an Officer or Officers of the Navy, Customs, or Excise, or some Person or Persons authorized in that Behalf, shall intermeddle with or take up any Spirit, being in Casks of less Content than Forty Gallons, which may be found floating upon or sunk in the Sea within One hundred Leagues of the United Kingdom; and that if any Spirit shall be so intermeddled with or taken up, the same shall be forfeited, together with any Vessel or Boat in which they are found.

LXXIII. Provided always, and be it further enacted, That if any Person or Persons shall discover any Spirit, being in Casks of less Content than Forty Gallons, which may be found floating upon or sunk in the Sea, and shall give Information to any Officer of the Customs, or other Person or Persons duly authorized to make Seizure of such Spirit, so that Seizure shall be made of the same, the Person or Persons giving such Information shall be entitled to and shall receive such Reward as the Commissioners of His Majesty's Customs may deem it expedient to direct.

LXXIV. And be it further enacted, That for the necessary Subsistence of any poor Person confined in the United Kingdom or in the Isle of Man, under or by virtue of any Warrant or other Process for the Breach of any Duties or Penalties, either upon Bond or otherwise, under this or any other Act relating to the Customs or Excise, and for under or by virtue of any Order of the Commissioners of His Majesty's Customs or Excise, a stall and may be lawful to and for the said Commissioners respectively to cause an Allowance, not exceeding the Sum of Seven-pence Halfpenny and not less than Four-pence Halfpenny per Day, to be made to any such poor Person, out of any Money in their Hands arising from the Duties of Customs or Excise, as the Case may require.

LXXV. And be it further enacted, That all Penalties and Forfeitures incurred or imposed by this or any other Act relating to the Customs, or to Trade or Navigation, shall and may be sued for, prosecuted, recovered by Action of Debt, Bill, Plea, or Information in any of His Majesty's Courts of Record at Westminster, or at Balaio, or at Edinburg, or in the Royal Courts of the Islands of Guernsey, Jersey, Alderney, Sark, or Man, in the Name of His Majesty's Attorney General, or of the Lord Advocate of Scotland, or in the Name or Names of some Officer or Officers of His Majesty's Customs, or by Information before any Two or more of His Majesty's Justices of the Peace in the United Kingdom, or before any Governor, Deputy Governor, or Deputee in the Isle of Man.

LXXVI. And be it further enacted, That all Vessels, Boats, and Goods which shall have been or shall be lawfully seized as forfeited under any Law relating to the Customs, and which shall have been or shall hereafter be ordered to be prosecuted by the Commissioners of His Majesty's Customs, shall be deemed and be taken to be condemned, and may be sold in the Manner directed by Law in respect to Vessels, Boats, and Goods so seized and condemned by Breach of any Law relating to the Customs, either

Reward.

—

The Treasury or Commissioners to fix the Value of Spirits and Tobacco.

All Rewards payable in Offices of Arrivals, to be regulated by His Majesty's Orders in Council.

Commissioners may distribute Office's Share of Seizures in certain Cases, or as directed by Act not actually present.

In case Officers act negligently or collusively.

No Subject of His Majesty, except Officers, to take up Spirits in small Casks such as float upon the Sea.

Rewards to Persons giving Information of Goods floating or sunk.

Allowance to poor Persons confined for Officers.

Penalties and Forfeitures may be sued for.

All Vessels, &c. seized and ordered to be prosecuted, shall be deemed to be so.

*Articles of War.*  
 General.—  
 From the Treasurer  
 gives Notice  
 of Claim.

*Offences on  
 the High Seas*  
 deemed to have  
 been committed  
 at the Place  
 into which the  
 Offender is  
 brought, or in  
 which he is  
 found.

*Justice may  
 examine Off-  
 fences, and the  
 Sentence may  
 be left to his  
 Resolutes, or  
 on board any  
 Ship to which  
 he belongs.*

*Two Justices  
 may, upon  
 Appearance or  
 Default of the  
 Party, proceed  
 to the hearing.*

*Warrant.*

*Justice may  
 proceed to  
 seize any  
 Penalty in  
 certain  
 Cases.*

*As in Persons  
 committed the  
 Penalty under  
 100s.*

*Married Wom-  
 en may be  
 committed to  
 Prison.*

*Made of Pro-  
 ceedings before  
 Justice for the  
 Commencement  
 of seized  
 Goods.*

*Persons de-  
 tained for the  
 Offences herein  
 mentioned, on  
 Commitment to  
 Her Majesty's  
 Fleet, 100s.,  
 or of Suffering  
 Men to be sent*

the Person from whom such Vessels, Boats, and Goods shall have been seized, or the Owner of them, or some Person authorized by him, shall, within One Calendar Month from the Day of seizing the same, give Notice in Writing, if in London to the Person seizing the same, or to the Secretary or Solicitor for the Customs, and if elsewhere to the Person among the same or to the Collector and Comptroller or other Chief Officer of the Customs at the nearest Port, that he claims the Vessel, Boat, or Goods, or intends to claim them.

LXXVII. And be it further enacted, That in case any Offence shall be committed upon the High Seas against this or any other Act relating to the Customs, or any Penalty or Forfeiture shall be incurred upon the High Seas for any Breach of such Act, such Offence shall, for the Purpose of Prosecution, be deemed and taken to have been committed, and such Penalties and Forfeitures to have been incurred, at the Place or Land in the United Kingdom or the Isle of Man into which the Person committing such Offence or incurring such Penalty or Forfeiture shall be taken, brought, or carried, or in which such Person shall be found; and in case such Place or Land is situated within any City, Borough, Liberty, Division, Franchise, or Town Corporate, as well any Justice of the Peace for such City, Borough, Liberty, Division, Franchise, or Town Corporate, as any Justice of the Peace of the County within which such City, Borough, Liberty, Division, Franchise, or Town Corporate is situated, shall have Jurisdiction to hear and determine all Cases of Offences against such Act so committed upon the High Seas, any Charter or Act of Parliament to the contrary notwithstanding: Provided always, that where any Offence shall be committed in any Place upon the Water not being within any County of the United Kingdom, or where any Doubt arises as to the same being within any County, such Offence shall, for the Purpose of this Act, be deemed and taken to be an Offence committed upon the High Seas.

LXXVIII. And be it further enacted, That upon the exhibiting any Information before any Justice of the Peace for any Offence against this or any Act relating to the Customs or to Trade or Navigation, for which Offence the Party charged is not liable to be detained in manner herein-before mentioned, such Justice is hereby required to issue a Summons for the Appearance of the Party against whom such Information is exhibited before Two Justices of the Peace; and such Summons, directed to such Party, being left either at his or her last known Place of Residence or on board any Ship or Vessel to which such Party may belong, shall be deemed to have been sufficiently served.

LXXIX. And be it further enacted, That upon the Appearance or Default of any Party so summoned, it shall be lawful for any Two Justices of the Peace to proceed to the Examination of the Matter contained in such Information, and upon due Proof thereof, either upon the Confession of such Party or upon the Oath of One or more credible Witnesses or Witnesses, to commit such Party to the Penalty or Penalties due for by such Information; and in case of Nonpayment thereof, such Justice, or One of them, or some other Justices or Justice of the Peace, are hereby authorized and required, by Warrant under Hand and Seal, to commit such Party to any of His Majesty's Goals within their or his Jurisdiction, there to remain until the Penalty or Penalties shall be paid.

LXXX. And be it further enacted, That such Warrant shall and may be executed in any Port of the United Kingdom.

LXXXI. And be it further enacted, That where any Party shall or may be convicted before any Two or more of His Majesty's Justices of the Peace as aforesaid in any Penalty or Penalties incurred as aforesaid, except as is herein-after provided, it shall and may be lawful for the said Justice, in Cases where upon Consideration of the Circumstances they shall deem it expedient so to do, to mitigate the Payment of the said Penalty or Penalties, so as the Sum to be paid by such Party be not less than One Fourth of the Amount of the Penalty in which such Party shall have been convicted.

LXXXII. And be it further enacted, That where any Person shall have been so committed by any Justice or Justice of the Peace to any Prison for Nonpayment of any Penalty less than One hundred Pounds the Gaoler or Keeper of such Prison is hereby authorized and required to discharge such Person at the End of Six Calendar Months from the Commencement of such Imprisonment.

LXXXIII. And be it further enacted and declared, That where any Party so convicted before Two Justices of the Peace shall be a married Woman, such Party shall be liable to be committed to Prison in manner herein-before mentioned, notwithstanding her Coverture.

LXXXIV. And be it further enacted, That when any Information shall have been exhibited before any Justice of the Peace for the Forfeiture of any Goods whatsoever seized under this or any Act relating to the Customs, it shall be lawful for the said Justice, and he is hereby authorized and required, to summon the Party to whom such Goods belonged, or from whom they were seized, to appear before any Two Justices of the Peace; and such Summons, directed to such Party, being left either at his or her last known Place of Residence or on board any Ship to which such Party may belong, shall be deemed to have been sufficiently served; and upon law, law, or their Appearance or Default, any Two Justices may proceed to the Examination of the Matter, and, upon due Proof that the said Goods are liable to Forfeiture under this or any Act relating to the Customs, may condemn the said Goods.

LXXXV. And be it further enacted, That it shall and may be lawful for any Two or more Justices of the Peace before whom any Person liable to be detained, and who shall have been detained, for any Offence against this or any other Act relating to the Customs, shall be brought, either on the Confession of such Person of such Offence, or on Proof thereof upon the Oaths of One or more credible Witnesses or Witnesses, to commit such Person of any such Offence; and every such Person so convicted as aforesaid shall, immediately upon such Conviction, pay into the Hands of such Justice, for the Use of His Majesty, the Penalty of One Hundred Pounds, to be paid by such Person to the several Officers of

which shall be so convicted as aforesaid; or in default thereof the said Justice shall and they are hereby respectively authorized and required, by Warrant under their Hands and Seals, to commit such Person so convicted as aforesaid, and making such Default as aforesaid, to any Gaol or Prison, there to remain until such Penalty shall be paid; provided that if the Person convicted of any such Offence or Offences shall be a Seafaring Man, and fit and able to serve His Majesty in His Naval Service, and shall not prove that he is not a Subject of His Majesty, it shall and may be lawful for any such Justice, and they are hereby required, in lieu of such Penalty, by Warrant under their Hands and Seals, to order any Officer of the Army, Navy, or Marine, duly employed for the Prevention of Smuggling, and on full Pay, or any Officer of Customs or Excise, to carry or convey, or cause to be carried or conveyed, such Person on board of any of His Majesty's Ships, in order to his serving His Majesty in His Naval Service for the Term of Five Years; and if such Person shall at any Time within that Period by any Means escape or desert from such Custody or Service respectively, he shall be liable at any Time or Times afterwards to be again arrested and detained by any Officer of the Customs, or any other Person, and delivered over as aforesaid to complete his Service of Five Years; provided also, that if it shall be made to appear to any such Justice that convenient Arrangement cannot be made at the Time of the Conviction of the said Party for immediately carrying or conveying such Seafaring Man so convicted as aforesaid on board any of His Majesty's Ships, in order to serve His Majesty, it shall and may be lawful for any such Justice to commit any such Seafaring Man so convicted as aforesaid to any Prison or Gaol, there to remain in safe Custody for any Period not exceeding One Month, in order that Time may be given to make Arrangements for so conveying such Seafaring Man on board any of His Majesty's Ships as aforesaid; provided also, that the Commissioners of His Majesty's Treasury, or any Three or more of them, shall have full Power and Authority to treat or mitigate any such Penalty, Forfeiture, or Service as aforesaid, whether the Parties shall be Seafaring Men or otherwise.

LXXXV. And be it further enacted, That if any Person shall be proceeded against under this or any other Act relating to the Customs or Excise, and the Information exhibited against such Person shall charge him as being a Seafaring Man, and fit and able to serve His Majesty in His Naval Service, and it shall appear to the Justice before whom such Person is brought that he is guilty of the Offence with which he is charged, but that he is not fit for His Majesty's Naval Service, that then and in such Case it shall be lawful for such Justice, and they are hereby required, to amend such Information accordingly, and to commit such Person in the Penalty of One hundred Pounds, as if proceeded against as being a Seafaring Man or fit for His Majesty's Naval Service.

LXXXVI. And be it further enacted, That if any Person so convicted as a Seafaring Man, and carried on board any of His Majesty's Ships of War, shall on Examination by any Surgeon or Surgeons of His Majesty's Navy, within One Month after being so carried on board, be deemed to be unfit, and shall be refused so that Account to be received into His Majesty's Service, such Person shall, as soon as convenient, be conveyed before any Justice of the Peace, and upon Proof that he has been refused to be received on board any of His Majesty's Ships as unfit for His Majesty's Service, such Justice shall and he is hereby authorized and required to call upon the said Person to pay the Penalty of One hundred Pounds, without hearing any Evidence other than such Proof as last aforesaid; and in default of immediate Payment of the same into the Hands of the said Justice, for the Use of His Majesty, to commit the said Person to any Gaol or Prison, there to remain until such Penalty shall be paid: Provided always, that no Person so convicted as aforesaid, and ordered to serve on board any of His Majesty's Ships, shall be sent away from the United Kingdom on board of any such Ship in a less Time than One Month from the Date of such Conviction.

LXXXVII. And be it further enacted, That where any Offence against this or any other Act relating to the Customs shall be committed in any City, Borough, Liberty, Division, Franchise, or Town Corporate, as well as any Justice of the said City, Borough, Liberty, Division, Franchise, or Town Corporate, as any Justice of any County in which such City, Borough, Liberty, Division, Franchise, or Town Corporate is situated, shall have Jurisdiction to hear and determine upon the same.

LXXXIX. And be it further enacted, That where the Attendance of Two Magistrates having Jurisdiction in the County where the Offence is committed cannot be conveniently obtained, it shall be lawful for a Magistrate of any adjoining County, with One Magistrate of the County in which the Offence was committed, to hear and determine any Information exhibited before them, and to have the same Powers and Authorities in all respects, as if any Proceeding had under this or any other Act relating to the Customs, as if they were both Magistrates for the County in which the Offence was committed.

XI. And be it further enacted, That no Writ of Certiorari shall issue from His Majesty's Court of King's Bench to remove any Proceedings before any Justice or Justice of the Peace under any Act for the Prevention of Smuggling or relating to the Customs, nor shall any Writ of Habeas Corpus issue to bring up the Body of any Person who shall have been convicted before any Justice or Justice of the Peace under any such Act, unless the Party against whom such Proceeding shall have been directed, or who shall have been so convicted, or his Attorney or Agent, shall state in an Affidavit in Writing, to be duly sworn, the Grounds of Objection to such Proceedings or Conviction, and that upon the Return to such Writ of Certiorari or Habeas Corpus an Objection shall be taken or considered other than such as shall have been stated in such Affidavit; and that it shall be lawful for any Justice or Justice of the Peace, and they are hereby required, to amend any Information, Conviction, or Warrant of Commitment for any Offence under any such Act at any Time, whether before or after Conviction.

Articles.  
into the Navy  
for Five Years.

Offenders  
escaping may  
be again re-  
mitted.

If Offender  
cannot be im-  
mediately con-  
veyed on board  
Ship, he may be  
committed for  
One Month.

Treasury may  
treat or miti-  
gate Penalty.

Justice may  
amend Infor-  
mation where  
Offenders are  
not fit for  
Service.

If an Exam-  
ination of Per-  
sons convicted  
they shall be  
dealt with  
such Persons  
to be again  
committed before  
Magistrate,  
and committed  
to the Penalty  
of 100*l*. and in  
default of Pay-  
ment sent to  
Gaol.

As to Jurisdic-  
tion in the  
County.

A Magistrate  
of an adjoining  
County with  
One of the  
County may  
hear Infor-  
mations.

Writs of Cer-  
torari and of  
Habeas Corpus  
to be is-  
sued except on  
an Affidavit,  
and Justice  
may amend In-  
formation, &c.

## Judgments.

As to Form of  
Information in  
Commissions.

Validity of  
them.

Process of Jus-  
tices, used in  
Governors or  
Deputies of  
Isle of Man.

Penalties and  
Forfeitures to  
be paid to  
Commissioners  
of Customs or  
Excise, and  
applied to the  
Law thereof.

§ 6. 4. 5. 6.

Copies may  
beve signed  
Persons need  
under this Act,  
who are to give  
Bail.

Persons in  
Dial not ap-  
pearing or  
standing in the  
Information.  
Judgments may  
be entered by  
Default.

Persons not  
with it, may  
defend their  
Goods papers.

Sherrif to grant  
warrant Writ-  
tans on Writ  
of Capias being  
indorsed by the  
Commissioners  
of the Customs.

XCI. And be it further enacted, That all Informations before Justices of the Peace for any Offences committed against this or any other Act relating to the Customs, and all Commissions for such Offences, and Warrants of Justices of the Peace founded upon such Commissions, shall be drawn respectively in the Form or to the Effect in the Schedule to this Act annexed.

XCII. Provided always, and be it declared and enacted, That every Information for any Penalty or Forfeiture, and every Citation or Warrant of Commitment for any Penalty, shall be deemed valid and sufficient in which the Offence for which such Penalty shall have been inflicted, or the Cause of such Forfeiture, is set forth in the Words of this Act.

XCIII. And be it further enacted, That all the Powers vested in any Justices or Justice of the Peace by virtue of this Act shall be and the same are hereby vested in and may be exercised, in the Isle of Man, by any Governor, Deputy Governor, or Deemster of the Isle of Man, so far as regards Offences committed against or Penalties or Forfeitures incurred by this or any other Act relating to the Customs.

XCIV. And be it further enacted, That all Penalties and Forfeitures which may be recovered before any Justices of the Peace under this or any other Act relating to the Customs or Excise, or any Proceedings by Order of the Commissioners of Customs, shall be paid to the Commissioners of His Majesty's Customs, and on any Prosecution by Order of the Commissioners of Excise shall be paid to the Commissioners of His Majesty's Excise, or to the Person appointed by them respectively to receive the same; and such Penalties and Forfeitures shall be applied by the said Commissioners respectively in such Manner as the Law directs, anything contained in an Act passed in the Third Year of the Reign of King George the Fourth, intitled *An Act for the more effectual Administration of the Office of a Justice of the Peace in and near the Metropolis, and for the more effectual Prevention of Depredations on the River Thames and its Tributaries, for seven Years, or any other Act now in force or hereafter to be made, to the contrary in anywise notwithstanding.*

XCV. And be it further enacted, That whenever any Penalty shall be used for as aforesaid by Information against any Person in any of His Majesty's Courts of Record at Westminster, or at Dublin, or at Edinburgh, a Copy may thereupon issue in the first Process, specifying the Amount of the Penalty due and for what Person against whom such Copy shall issue shall be obliged to give sufficient Bail or Security, by natural-born Subjects or Deemsters, to the Person or Persons to whom such Copy shall be directed, to appear in the Court out of which such Copy shall issue at the Day of the Return of such Writ, to answer such Suit and Prosecution, and shall likewise at the Time of such appearing give sufficient Bail or Security, by such Persons as aforesaid, in the said Court, to answer and pay all the Forfeitures and Penalties incurred for such Offences or Offences in case he, she, or they shall be convicted thereof, or to yield his, her, or their Body or Bodies to Prison.

XCVI. And be it further enacted, That if any Person against whom a Copy shall issue out of any of His Majesty's Courts of Record as aforesaid shall be convicted upon such Copy, and taken to Prison for Want of sufficient Bail, a Copy of the Information exhibited against such Person shall be served upon him or her in Goal, or delivered to the Gaoler, Keeper, or Tolerary of the Prison in which such Person shall be confined; and if such Person shall neglect or refuse to appear or plead to the said Information for the Space of Twenty Days, Judgment shall be entered by Default; and in case Judgment shall be obtained against any such Person or Persons by Default, Verdict, or otherwise, and such Person or Persons shall not pay the Sum recovered against him, her, or them for his, her, or their Offence, Execution shall be thereupon arrested and issued, not only against the Body or Bodies of the Person or Persons so in Prison as aforesaid, but against all the Real and Personal Estates of such Person or Persons, for such Sum or Sums of Money as so aforesaid recovered against him, her, or them.

XCVII. And be it further enacted, That in case any Person arrested and imprisoned by virtue of any Writ of Capias as aforesaid shall make Affidavit before the Judge or Judges of the Court where the Information shall be brought, or before any other Person authorised to take Affidavits in such Court, that he or she is not worth, over and above his or her Wearing Apparel, the Sum of Five Pounds, (which said Affidavit the said Judge or Judges of such Court, and such Person so commissioned, is and are hereby authorized and required so to take,) and such Person shall thereupon petition such Court to defend himself or herself against such Informations in form process, that then the Judge or Judges of such Court shall, according to their Discretion, admit such Person to defend himself or himself against such Information in the same Manner and with the same Privileges as the Judges of such Court are by Law directed and authorized to admit poor Subjects to commence Actions for the Recovery of their Rights; and for this End and Purpose it shall be lawful for the Judges of such Courts to assign Counsel learned in the Law, and to appoint an Attorney and Clerk of such Court, to advise and carry on any legal Defence that such Person can make against such Action or Information, and which said Counsel, Attorney, and Clerk, so assigned and appointed, is and are hereby required to give his and their Advice and Assistance to such Person, and to do their Duties, without Fee or Reward.

XCVIII. And be it further enacted, That where any Writ of Capias or other Process shall issue out of any Court, directed to any Sheriff, Mayor, Bailiff, or other Person having the Execution of Process in any County, City, or Liberty, against any Person who shall be guilty of any Offence whatsoever against this or any Act relating to the Customs, every such Sheriff, Mayor, or Bailiff, and other Person having Execution of Process as aforesaid, and their and every of them Under Sheriff, Deputee, and other Persons acting for them in the said Office and Offices respectively, shall and are hereby required and required, upon the Request or Application of the Solicitor for the Customs, (such Request to be in Writing, and indorsed upon the Back of the said Process, and signed by such Solicitor, with his Name, and

and Addition of Solicitor for the Customs,) to grant a special Warrant or Warrants, to such Person or Persons as shall be named in them by such Solicitor, for the apprehending such Offender or Offenders; or in default thereof every such Sheriff, Mayor, Bailiff, Under Sheriff, and other Person acting in the said Office or Offices respectively shall be subject and liable to such Process of Contempt, Fine, Amercement, Imprisonment, and Forfeiture as they or any of them are now by any Law, Custom, or Usage liable to in case of refusing or neglecting to execute the like Process where the Defendant might have been taken thereupon in the common and usual Method of proceeding.

**XXIX.** And be it further enacted, That all and every such Sheriff, Mayor, Bailiff, Under Sheriff, and other Person so granting or making out such special Warrant as aforesaid, shall be and they are hereby sworn harmless and indemnified against His Majesty, His Heirs and Successors, and against all and every other Person or Persons whatsoever, if and from all Exceptions of any Person or Persons who shall or may be taken by virtue of any such Warrant as aforesaid, which shall or may happen from the Time of making such Offender or Offenders till he, she, or they shall be committed to the proper Gaol or Prison, or offered and tendered to the Gaol-keeper or other Person having Charge of such Gaol or Prison, (who is hereby enjoined and required to receive every such Person or Persons so apprehended as aforesaid, and give a Receipt for his, her, or their Body or Bodies,) and of and from all Actions, Prosecutions, Process of Contempt, and other Proceedings for or by reason of such Escape, any Law, Custom, or Usage to the contrary notwithstanding.

**C.** And be it further enacted, That no Claim shall be permitted to be entered in, and no Appearance shall be permitted to be entered in, any Information filed for the Forfeiture of any Vessel, Boat, or Goods seized for any Cause of Forfeiture, and returned into any of His Majesty's Courts of Record in the United Kingdom, unless such Claim or Appearance is entered in the true and real Name or Names of the Owner or Owners, Proprietor or Proprietors, of such Vessel, Boat, or Goods, describing the Place of Residence and the Business or Profession of such Person or Persons; and if such Person or Persons shall reside at London, Edinburgh, or Dublin, or within the Liberties thereof, Oath shall be made by him, her, or them before One of the Judges of the Court into which the said Vessel, Boat, or Goods are returned, or in which such Information is filed, that the said Vessel, Boat, or Goods was or were really and truly the Property of him, her, or them at the Time of such Seizure; but if such Person or Persons shall not be resident in London, Edinburgh, or Dublin, or the Liberties thereof, then and in such Case Oath shall be made in like Manner by the Agent or Attorney or Solicitor by whom such Claim or Appearance shall be entered, that he has full Power and legal Authority and Directions from such Owner or Proprietor to enter such Claim or Appearance, and that to the best of his Knowledge and Belief such Vessel, Boat, or Goods were, at the Time of the Seizure thereof, *bona fide* and truly the real Property of the Person or Persons in whose Name or Names such Claim or Appearance is entered; and on Failure thereof, the Vessel, Boat, or Goods shall be absolutely condemned, and Judgment shall be entered thereon by Default, according to the usual Method of Proceedings of the Court, in the same Manner as if no Claim or Appearance had been entered thereon; and every Person who shall be convicted of making or taking a false Oath to any of the Facts herein-before directed or required to be sworn shall be deemed guilty of Perjury, and shall be liable to the Fine and Imprisonment to which Persons are liable for wilful and corrupt Perjury.

**CI.** And be it further enacted, That upon the Entry of any Claim to any Boat or Vessel, or to any Goods, seized for any Cause of Forfeiture, or of any Appearance in any Information filed for such Forfeiture, the Person or Persons who shall enter the Claim or Appearance to the Owner or Proprietor thereof (in case such Claimant shall reside in the United Kingdom) shall be bound, with Two other sufficient Sureties, in the Penalty of One hundred Pounds, to answer and pay the Costs occasioned by such Claim or Appearance; and if such Owner or Proprietor shall not reside in the United Kingdom, then and in such Case the Attorney or Solicitor by whose Direction such Claim or Appearance shall be entered shall in like Manner be bound, with Two other sufficient Sureties, in the like Penalty, to answer and pay the Costs occasioned by such Claim or Appearance.

**CI.** And be it further enacted, That in case any Information or Suit shall be commenced or brought to Trial on account of the Seizure of any Vessel, Boat, or Goods, Merchandise, or Commodities whatsoever, or any Horses or other Animals, or any Carriage, seized as forfeited by this or any Act relating to the Customs, wherein a Verdict shall be found for the Claimant thereof, and it shall appear to the Judge or Court before whom the same shall have been tried that there was a probable Cause of Seizure, such Judge or Court shall certify in the Record that there was such probable Cause, and in such Case the Person who made such Seizure shall not be liable to any Action, Indemnity, or other Suit or Prosecution on account of such Seizure; and in case any Action, Indemnity, or other Suit or Prosecution shall be commenced and brought to Trial against any Person or Persons whatsoever on account of any such Seizure as aforesaid, wherein a Verdict shall be given against the Defendant or Defendants, if the Court or Judge before whom such Information or Suit shall have been tried shall have certified in the said Record that there was a probable Cause for such Seizure, then the Plaintiff, besides the Things demanded, or the Value thereof, shall not be entitled to receive Two-pence Damages, nor to any Costs of Suit, nor shall the Defendant in such Prosecution be fined above One Shilling.

**CI.** And be it further enacted, That no Writ shall be sued out against, nor a Copy of any Process served upon any Officer of the Army, Navy, Marines, Customs, or Excise, or against any Person acting under the Direction of the Commissioners of His Majesty's Customs, for any thing done in the Execution of or by reason of his Office, until One Calendar Month next after Notice in Writing shall have been

*Arrestation.*

*Special In-*  
*formation from*  
*Escapes in*  
*Cases where*  
*Warrants are*  
*granted at the*  
*Request of a*  
*Solicitor for the*  
*Customs, and*  
*Quines re-*  
*quired to re-*  
*ceive Offenders.*

No Claim or Appearance to be entered in any Information for the Forfeiture of seized Goods, unless in the Name of the Owner, and Oath made by the Property.

Owners to give Security for Costs occasioned by the Claim or Appearance.

If Suit brought on account of Return, and the Judge shall certify that there was probable Cause, Plaintiff to have Two-pence Damages, and Defendants not more than One Shilling.

No Process to be sued out against any Officer making Seizure, until

**Forfeiture.**

One Calendar Month next after Notice given.

No Evidence to be allowed but what is contained in the Notice.

Officer may tender Amends.

delivered to him at left at his usual Place of Abode, by the Attorney or Agent for the Party who intends to sue out such Writ or Process as aforesaid, in which Notice shall be clearly and explicitly contained the Cause of Action, the Name and Place of Abode of the Person who is to bring such Action, and the Name and Place of Abode of the Attorney or Agent; and that a Fee of Twenty Shillings shall be paid for the preparing or serving of every such Notice, and no more.

CIV. Provided always, and be it further enacted, That no Plaintiff in any Cause where an Action shall be grounded on any such Act done by the Defendant shall be permitted to produce any Evidence of the Cause of such Action, except such as shall be contained in the Notice to be given as aforesaid, or shall receive any Verdict against such Officer or Person, unless he shall prove on the Trial of such Action that such Notice was given, and in default of such Proof, the Defendant in such Action shall receive a Verdict and Costs as aforesaid.

CV. And be it further enacted, That it shall and may be lawful to and for any such Officer or other Person to whom such Notice shall have been given as aforesaid, at any Time within One Calendar Month after such Notice shall have been given, to tender Amends to the Party complaining, or to his, her, or their Agent or Attorney, and in case the same is not accepted or plead such Tender is bar to any Action to be brought against him grounded on such Writ or Process, together with the Fine of Not Guilty, and other Pleas, with Leave of the Court; and if, upon Issue joined thereon, the Jury shall find the Amends as tendered to have been sufficient, that then they shall give a Verdict for the Defendant; and in such Case, or in case the Plaintiff shall become assessed, or default his, her, or their Action, or in case Judgment shall be given for such Defendant upon Demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to in case he had pleaded the General Issue only: but if, upon Issue joined, the Jury shall find that no Amends were tendered, or that the same were not sufficient, or shall find against the Defendant in such other Plea or Pleas, then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, together with his, her, or their Costs of Suit.

Neglecting to tender Amends, may pay Money into Court.

CVI. And be it further enacted, That in case such Officer or other Person as aforesaid shall neglect to tender any Amends, or shall have tendered insufficient Amends, before the Action brought, it shall and may be lawful for him, by Leave of the Court where such Action shall be brought, at any Time before the Trial of the said Action, to pay into Court such Sum of Money as he shall see fit, whereupon such Proceedings, Orders, and Judgments shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Action to be commenced within Six Months next after Cause of Action has arisen.

CVII. And be it further enacted, That if any Action or Suit shall be brought or commenced as aforesaid, such Action or Suit shall be brought or commenced within Six Months next after the Cause of Action shall have arisen, and not afterwards, and shall be laid and tried in the County or Place where the Facts were committed, and not in any other County or Place, and the Defendant or Defendants shall and may plead the General Issue, and give the special Matter in Evidence, at any Trial had thereupon; and if the Plaintiff or Plaintiffs shall become assessed, or default his, her, or their Action or Suit, or if, upon a Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall or may receive Treble Costs, and have such Remedy for the same as any Defendant or Defendants can or may have in other Cases where Costs are given by Law.

Judges of the King's Bench may issue Warrants for apprehending Offenders prosecuted by Indictment or Informations.

CVIII. And be it further enacted, That wherever any Person shall be charged with any Offence against this or any Act relating to the Customs, or for which he or she may be prosecuted by Indictment or Information in His Majesty's Court of King's Bench, and the same shall be made appear to any Judge of the same Court, by Affidavit or by Certificate of an Information or Indictment being filed against such Person in the said Court for such Offence, it shall and may be lawful for such Judge to issue his Warrant under his Hand and Seal, and thereby to cause such Person to be apprehended, and brought before him or some other Judge of the same Court, or before some one of His Majesty's Justices of the Peace, in order to his or her being bound to the King's Majesty, with Two sufficient Sureties, in such Sum as in the said Warrant shall be expressed, with Condition to appear in the said Court at the Time mentioned in such Warrant, and to answer to all and singular Indictments or Informations for any such Offence; and in case any such Person shall neglect or refuse to become bound as aforesaid, it shall be lawful for such Judge or Justice respectively to commit such Person to the Common Gaol of the County, City, or Place where the Offence shall have been committed, or where he or she shall have been apprehended, there to remain until he or she shall become bound as aforesaid, or shall be discharged by Order of the Court in Term Time, or of One of the Judges of the said Court in Vacation; and the Recognizance to be thereupon taken shall be returned and filed in the said Court, and shall continue in force until such Person shall have been acquitted of such Offence, or in Case of Conviction shall have received Judgment for the same, unless sooner ordered by the Court to be discharged, and that where any Person, either by virtue of such Warrant of Commitment aforesaid, or by virtue of any Writ of Capias ad respondentiam issued out of the said Court, a new detained or shall hereafter be committed to and detained in any Gaol for Want of Bail, it shall be lawful for the Prosecutor of such Indictment or Information to cause a Copy thereof to be delivered to such Person, or to the Gaoler, Keeper, or Turnkey of the Gaol wherein such Person is or shall be so detained, with a Notice therein indorsed, that unless such Person shall, within Eight Days from the Time of such Delivery of a Copy of the Indictment or Information as aforesaid, cause an Appearance and also a Plea or Demurrer to be entered in the said Court to such Indictment or Information, as Appearance and the Plea of Not Guilty will be entered thereto in the Name of such Person; and in case he or she shall thereafter, for the Space of Eight Days after the Delivery of a Copy of such Indictment or Information as aforesaid,

Neglecting to give Bail, may be committed to Gaol.

Indictment or Informations may be served by the Gaoler, and if Offender neglect to appear, &c., the Prisoner may enter Plea of Not Guilty.



neglect to cause an Appearance and also a Plea of Demurrer to be entered in the said Court to such Indictment or Information, it shall be lawful for the Prosecutor of such Indictment or Information, upon Affidavit being made and filed in the Court of the Delivery of a Copy of such Indictment or Information, with such Notice indorsed thereon as aforesaid, to such Person, or to such Justice, Keeper, Turnkey, or in the Case may be, which Affidavit may be made before any Judge or Commissioner of the said Court authorized to take Affidavits in the said Court, to cause an Appearance and the Plea of Not Guilty to be entered in the said Court to such Indictment or Information, for such Person; and such Proceedings shall be had thereupon as if the Defendant in such Indictment or Information appeared and pleaded Not Guilty, according to the usual Course of the said Court; and that if upon Trial of such Indictment or Information any Defendant so committed and detained as aforesaid shall be acquitted of all the Offences therein charged upon him or her, it shall be lawful for the Judge before whom such Trial shall be had, although he may not be one of the Judges of the said Court of King's Bench, to order that such Defendant shall be forthwith discharged out of Custody as to his or her Commitment as aforesaid, and such Defendant shall be thereupon discharged accordingly.

CIX. And be it further enacted, That where any Person shall be arrested by virtue of a Warrant issued as aforesaid, and shall enter into a Recognizance, and appear in the said Court at the Return of the said Recognizance, but shall not afterwards plead to the Information or Indictment, it shall and may be lawful for the Prosecutor of such Information or Indictment to cause a Copy thereof to be delivered to such Person, or to his or her Attorney or Agent, or to be left in his or her last Place of Abode, with a Notice thereon indorsed, that unless such Person shall, within Eight Days from the Time of such Delivery of a Copy of the Information or Indictment as aforesaid, cause a Plea to be entered in the said Court to such Information or Indictment, that the Prosecutor of such Information or Indictment will enter a Plea of Not Guilty on his or her Behalf; and that upon Affidavit being made and filed in the Court of the Delivery of a Copy of such Information or Indictment, with such Notice indorsed thereon, as aforesaid, to such Person, or to his or her Attorney or Agent, or at his or her last Place of Abode, as the Case may be, it shall be lawful for the Prosecutor of such Information or Indictment to cause the Plea of Not Guilty to be entered in the said Court to such Information or Indictment for such Person, and such Proceedings shall be had thereupon as if the Defendant in such Information or Indictment had pleaded accordingly to the usual Course of the said Court.

CX. And for the Purpose of enabling the Mayor and Commonalty and Citizens of the City of London, and their Successors, to ascertain and collect the Amount of the Duties payable to them upon the several Articles hereinafter mentioned, imported Consignee into the Port of London; be it enacted, That if all or any of the Goods of the Description hereinafter mentioned, (that is to say) Firkins of Butter, Tons of Cheese, Fish, Eggs, Salt, Fruit, Hops, stables, and Oysters, brought Consignee into the Port of the said City, and which are liable to the said Duties, shall be landed or unshipped at or in the said Port before a proper Certificate of the Payment of the said Duties shall have been obtained, such Goods shall be forfeited, and may be seized by any Officer of His Majesty's Customs empowered to seize any Goods landed without due Entry thereof; and such Forfeiture may be sued for, prosecuted, and recovered by Action of Debt, Bill, Plea, or Information in any of His Majesty's Courts of Record at Westminster, in the Name of the Chamberlains of the said City, on Behalf of the said Mayor and Commonalty and Citizens.

CXI. And be it further enacted, That if any Person shall be arrested by a Writ of Capias ad respondendum issuing out of any of His Majesty's Courts of Record, or out of any of the Superior Courts of Record of either of the Counties Palatine, at the Suit of the King's Majesty, His Heirs, and Successors, and the Sheriff or other Officer shall take Bail from such Person, the Sheriff or other Officer, or the Requester and Costs of the Prosecutor, shall assign to the King's Majesty, His Heirs and Successors, the Bail Bond taken from such Person by indorsing the same, and attesting it under his Hand and Seal, in the Presence of Two or more credible Witnesses, which may be done without any Stamp, provided the Assignment so indorsed be duly stamped before any Suit be commenced thereupon, and if such Bail Bond be forfeited, such Process shall thereupon issue as on Bonds originally made to the King's Majesty, His Heirs and Successors; and the Court in which such Bail Bond is put in Suit may, by Rule or Order of the same Court, give such Relief to the Defendant or Defendants as is agreeable to Justice and Reason.

CXII. And be it further enacted, That no Indictment shall be preferred or Suit commenced for the Recovery of any Penalty, or Forfeiture under this or any other Act relating to the Customs or Excise (except in the Cases of Persons detained and carried before One or more Justices in pursuance of this Act) unless such Suit shall be commenced in the Name of His Majesty's Attorney General, or in the Name of the Lord Advocate of Scotland, or unless such Indictment shall be preferred under the Direction of the Commissioners of His Majesty's Customs or Excise, or unless such Suit shall be commenced in the Name of some Officer of Customs or Excise, under the Direction of the said Commissioners respectively.

CXIII. And be it further enacted, That if any Prosecution whatever shall be commenced for the Recovery of any Fine, Penalty, or Forfeiture incurred under this or any other Act relating to the Customs or Excise, it shall be lawful for His Majesty's Attorney General, or for the Lord Advocate of Scotland, if it be satisfied that such Fine, Penalty, or Forfeiture was recovered without any Intention of Fraud, or that it is inexpedient to proceed in the said Prosecution, to stop all further Proceedings by entering a Nolle prosequi, or otherwise, on such Information, as well with respect to the Share

*Parliament*

If upon Trial the Party is acquitted, any Judge may discharge him out of Custody.

When Recognizance is given, and the Party shall not plead, a Copy of the Information or Indictment may be delivered to the Attorney of the Party, who may appear, a Plea of Not Guilty may be entered.

Customs Articles herein mentioned are to be landed Consignee until the Sheriff of the City of London say so.

When Affidavits are sworn and give Bail to the Sheriff, the Bail Bond is to be assigned to His Majesty.

As in previous Sections mentioned.

The Attorney General, Lord Advocate of Scotland, and some other Officers.

*Arrested.*

*Proof of Payment of Duties is to be on the Owner.*

*No Justice concerned with the Collection of the Revenue.*

*Arrestment of vessels Masters to be sufficient unless the contrary is proved.*

*Persons employed for Prevention of Smuggling to be deemed duly employed.*

*Who may Evidence may be given that a Party is an Officer, and deemed a competent Witness, although not sworn the Penalty.*

*What shall be deemed sufficient Evidence of an Order of the Commissioners of Customs or Excise.*

*Where when Time Suits, Indictments, or Informations are to be exhibited.*

*Information may be exhibited any Time after Six Months.*

*Indictments or Informations may be laid in any County.*

*Act may be altered.*

of such Fine, Penalty, or Forfeiture to which any Officer or Officers may be entitled, as to the King's Share thereof.

CXIV. And be it further enacted, That if any Goods shall be seized for Nonpayment of Duties, or any other Cause of Forfeiture, and any Disputa shall arise whether the Customs, Excise, or Inland Duties have been paid for the same, or the same have been lawfully imported, or concerning the Place from whence such Goods were brought, then and in such Case the Proof thereof shall be on the Owner or Claimer of such Goods, and not on the Officer who shall seize and stop the same.

CXV. And be it further enacted, That no Justice of the Peace, who is a Collector or Comptroller, or otherwise concerned with the Collection of the Customs or Excise, shall take Cognizance of any Matter relating to the summary Conviction of Persons offending against this or any other Act relating to the Customs.

CXVI. And be it further enacted, That in case of any Information or Proceedings had under this or any other Act relating to the Customs, the Arrestment that the Commissioners of His Majesty's Customs or Excise have directed or allowed such Information or Proceedings to be instituted, or that any Vessel is Foreign, or belonging wholly or in part to His Majesty's Subjects, or that any Person detained or seized on board any Vessel or Boat liable to Seizure is or is not a Subject of His Majesty, or that any Person detained is or is not a Seafaring Man, or fit and able to serve His Majesty in His Naval Service, or that any Person is an Officer of the Customs, and where the Offence is committed in any Port in the United Kingdom, the naming of such Port in any Information or Proceeding, shall be sufficient, without Proof as to such Fact or Facts, unless the Defectum in such Case shall prove to the contrary.

CXVII. And be it further enacted, That all Persons employed for the Prevention of Smuggling under the Direction of the Commissioners of His Majesty's Customs, or of any Officer or Officers in the Service of the Customs, shall be deemed and taken to be duly employed for the Prevention of Smuggling; and the Arrestment, in any Information or Suit, that such Party was so duly employed shall be sufficient Proof thereof, unless the Defendant in such Information or Suit shall prove to the contrary.

CXVIII. And be it further enacted, That if upon any Trial a Question shall arise whether any Person is an Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or an Officer of Customs or Excise, Evidence of his having acted as such shall be deemed sufficient, and such Person shall not be required to produce his Commission or Deposition, unless sufficient Proof shall be given to the contrary; and every such Officer, and any Person acting in his Aid or Assistance, shall be deemed a competent Witness upon the Trial of any Suit or Information on account of any Seizure or Forfeiture as aforesaid, notwithstanding such Officer or other Person may be entitled to the Whole or any Part of such Seizure or Penalty, or to any Reward upon the Conviction of the Party charged in such Suit or Information.

CXIX. And be it further enacted, That upon the Trial of any Issue, or upon any Judicial Hearing or Investigation touching any Penalty or Forfeiture under any Law or Laws relating to the Customs or Excise, or to the Law of Navigation, where it may be necessary to give Proof of any Order issued by the Commissioners of His Majesty's Treasury, or by the Commissioners of His Majesty's Customs or Excise respectively, the Letter or Instructions which shall have been officially received by the Officer of Customs or Excise at the Place or District where such Penalty or Forfeiture shall have been incurred, or shall be alleged to have been incurred, for his Government, and in which such Order is mentioned or referred to, and under which said Instructions he shall have acted as such Officer, shall be admitted and taken as sufficient Evidence and Proof of such Order to all Intents and Purposes whatsoever.

CXX. And be it further enacted, That all Suits, Indictments, or Informations exhibited for any Offence against this or any other Act relating to the Customs in any of His Majesty's Courts of Record at Westminster, or in Dublin, or in Edinburgh, or in the Royal Courts of Chancery, Exchequer, Admiralty, Fleet, or Mars, shall and may be had, brought, moved, or exhibited within Three Years next after the Date of the Offence committed, and shall and may be exhibited before any One or more Justices of the Peace within Six Months next after the Date of the Offence committed.

CXXI. Provided always, and be it further enacted, That where any Person shall have been detained for any Offence against this or any other Act relating to the Customs, and shall have made his Escape from Custody, an Information may be exhibited before One or more Justices of the Peace against such Person, for such Offence, at any Time afterwards, although more than Six Months shall have expired.

CXXII. And be it further enacted, That any Indictment or Information for any Offence against this or any other Act relating to the Customs shall and may be inquired of, returned, tried, and determined in any County of England where the Offence is committed in England, and in any County in Scotland where the Offence is committed in Scotland, and in any County in Ireland where the Offence is committed in Ireland, in such Manner and Form as if the Offence had been committed in the said County where the said Indictment or Information shall be tried.

CXXIII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act to be passed in the present Session of Parliament.

## SCHEDULES to which this Act refers.

## No. 1.

FORM of INFORMATION before JUSTICES of the PEACE, where the Party charged is a Subject of His Majesty, and a pecuniary Penalty is inflicted.

County of \_\_\_\_\_ } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year  
to-wit. } of our Lord \_\_\_\_\_ A. B., Officer of Customs, who is directed by the  
Commissioners of His Majesty's Customs to prefer this Information, given us  
Requies, Two of His Majesty's Justices of the Peace in and for  
to understand and be informed, that C. D., being a Subject of His Majesty, on the  
Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ [here state the Offence],  
contrary to the Form of the Statute in that Case made and provided, whereby the said C. D. hath  
forfeited the Sum of \_\_\_\_\_ Pounds.

## No. 2.

FORM of a CONVICTION to be used for an Offence against this Act in Cases where a pecuniary Penalty is inflicted upon the Offender being a Subject of His Majesty.

County of \_\_\_\_\_ } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year  
to-wit. } of our Lord \_\_\_\_\_ an Information was exhibited by A. B., Officer  
of Customs, before us as \_\_\_\_\_ Esquires, Two of His Majesty's Justices of the  
Peace in and for \_\_\_\_\_ against C. D.; which said Information charged, that the  
said C. D. on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_  
[here state the Offence as in the Information], contrary to the Form of the  
Statute; which Offence has been duly proved before us the said Justices: We do therefore convict  
the said C. D. of the said Offence, and do adjudge, that the said C. D. hath forfeited for his said  
Offence the Sum of \_\_\_\_\_ Pounds: Given under our Hands and Seals the  
Day of \_\_\_\_\_ [In Cases where the Magistrate exercises the Power of Mitigation, add these  
Words] " which said Sum of \_\_\_\_\_ we the said Justices do hereby mitigate to the  
Sum of \_\_\_\_\_ "

## No. 3.

FORM of WARRANT of COMMITMENT to GAOL for a PENALTY.

County of \_\_\_\_\_ } To \_\_\_\_\_ A. B., Officer of Customs, and to E. F., the Gaoler or Keeper of the  
to-wit. } at \_\_\_\_\_ to the \_\_\_\_\_ Esquires, Two  
WHEREAS C. D. has been duly convicted before us \_\_\_\_\_ of having [state the Offence  
as in the Information]: And whereas we the said Justices did adjudge that the said C. D. had forfeited  
for his said Offence the Sum of \_\_\_\_\_ Pounds [which Sum of \_\_\_\_\_  
Pounds we the said Justices did mitigate to the Sum of \_\_\_\_\_], which said Sum of  
Pounds has not been paid: There are therefore to require you, the said A. B., forthwith to take, carry,  
and convey the said C. D. to the \_\_\_\_\_ at \_\_\_\_\_ in the \_\_\_\_\_  
and to deliver him into the Custody of the Gaoler or Keeper of the said \_\_\_\_\_, and we  
the said Justices do hereby authorize and require you the said E. F., the Gaoler or Keeper of the said  
to receive and take the said C. D. into your Custody, and him safely to keep  
until he shall duly pay the said Sum of \_\_\_\_\_ Pounds: Given under our Hands and Seals at  
\_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ the  
Day of \_\_\_\_\_ in the Year of our Lord One thousand eight hundred and \_\_\_\_\_

## No. 4.

FORM of an INFORMATION before JUSTICES of the PEACE, where the Party charged is a Seafaring Man, and fit and able to serve His Majesty in His Naval Service.

County of \_\_\_\_\_ } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year  
to-wit. } of our Lord \_\_\_\_\_ A. B., Officer of Customs, who is directed by the  
Commissioners of His Majesty's Customs to prefer this Information, given us  
Requies, Two of His Majesty's Justices of the Peace in and for \_\_\_\_\_ to understand and be  
informed, that C. D., being a Subject of His Majesty, and a Seafaring Man, and fit and able to serve  
His Majesty in His Naval Service, on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year  
of our Lord \_\_\_\_\_ [here state the Offence], contrary to the Form of the Statute in that  
Case made and provided, whereby the said C. D. hath become liable to serve His Majesty in His Naval  
Service for the Term of Five Years.

## No. 5.

FORM of a CONVICTION, where the Party convicted is a Seafaring Man, and fit and able to serve His Majesty in His Naval Service.

County of \_\_\_\_\_ } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ an Information was exhibited before us  
 Esquires, Two of His Majesty's Justices of the Peace in and for  
 against C. D. by A. B. Officer of Customs, which said Information charged, that the said C. D., being a Subject of His Majesty, and a Seafaring Man, and fit and able to serve His Majesty in His Naval Service, on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_  
 [Here state the Offence as in the Informations], contrary to the Form of the Statute, which Offence has been duly proved before us the said Justices; and it appearing to us the said Justices, that the said C. D. is a Seafaring Man, and fit and able to serve His Majesty in His Naval Service, we the said Justices do therefore adjudge the said C. D. to serve in His Majesty's Naval Service for the Term of Five Years. Given under our Hands and Seals this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

## No. 6.

FORM of a WARRANT of COMMITMENT to SERVE in the NAVY.

County of \_\_\_\_\_ } To A. B. Officer of \_\_\_\_\_ and to the Commander of one of His Majesty's Ships of War. \_\_\_\_\_  
 WHEREAS C. D. has been duly convicted before us \_\_\_\_\_ Esquires, Two of His Majesty's Justices of the Peace in and for \_\_\_\_\_ upon the Information of \_\_\_\_\_ Officer of Customs, of having [here state the Offence as charged in the Informations]: And whereas the said C. D. has not proved that he is not a Subject of His Majesty, and being a Seafaring Man, and fit and able to serve His Majesty in His Naval Service, we the said Justices do adjudge the said C. D. to serve His said Majesty in His Naval Service for the Space of Five Years, pursuant to the Statute in that Case made and provided: These are therefore to require you the said A. B. to carry, and convey the said C. D. on board of one of His Majesty's Ships, in order to his serving His Majesty in His Naval Service; and we the said Justices do hereby require the Commander of His Majesty's Ship to whom this Warrant is delivered to receive and take the said C. D. on board His said Majesty's Ship, in order to his serving in His Naval Service for the Period of Five Years as aforesaid. Given under our Hands and Seals at \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ in the Year of our Lord One thousand eight hundred and \_\_\_\_\_ Day of \_\_\_\_\_

## No. 7.

FORM of INFORMATION before JUSTICES of the Peace, where the Party charged is not a Subject of His Majesty.

County of \_\_\_\_\_ } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ A. B., Officer of Customs, who is directed by the Commissioners of His Majesty's Customs to prefer this Information, gives us \_\_\_\_\_ Esquires, Two of His Majesty's Justices of the Peace in and for \_\_\_\_\_ to understand and be informed, that C. D., not being a Subject of His Majesty, on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ [Here state the Offence,] arising both that the same took place within One League of the Coast of the Kingdom, contrary to the Form of the Statute in that Case made and provided, whereby the said A. B. hath forfeited the Sum of \_\_\_\_\_

## No. 8.

FORM of CONVICTION to be used for an Offence against the Act in the Case of the Person charged not being a Subject of His Majesty.

County of \_\_\_\_\_ } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ no Information was exhibited by A. B., an Officer of the Customs, before us \_\_\_\_\_ Esquires, Two of His Majesty's Justices of the Peace in and for \_\_\_\_\_ against C. D., which said Information charged, that the said C. D. on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ [Here state the Offence as in the Informations,] arising both that the same took place within One League of the Coast of the Kingdom, contrary to the Form of the Statute, which Offence has been duly proved before us the said Justices: We do therefore convict the said C. D. of the said Offence, and do adjudge that the said C. D. hath forfeited for his said Offence the Sum of \_\_\_\_\_ Given under our Hands and Seals this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

## No. 2.

Form of WARRANT of Commitment to Goal of a Person not being a Subject of His Majesty.

I, *of* } To *A. B.* Officer of Customs, and to *E. F.*, the Gaoler or Keeper of the  
*in* } in the  
 WHEREAS *C. D.*, not being a Subject of His Majesty, has been duly convicted before us  
 Esquire, Two of His Majesty's Justices of the Peace in and for *of* having  
*their* state the *Offence* or in the *Information*; And whereas we the said Justices did adjudge that the  
 said *C. D.* had forfeited for his said *Offence* the Sum of *which* said Sum of  
*has* not been paid: These are therefore to require you the said *A. B.*  
 forthwith to take, carry, and convey the said *C. D.* to the *at* *is* the  
 and to deliver him into the Custody of the Gaoler or Keeper of the said  
 and we the said Justices do hereby authorize and require you the said *E. F.*, the Gaoler or Keeper of  
 the said *to* receive and take the said *C. D.* into your Custody, and him safely to keep  
 you shall duly pay the said Sum of *Given* under our Hands and  
 Seals at *of* this *Day* of  
 in the Year of our Lord One thousand eight hundred and

## CAP. LIV.

An Act for the Encouragement of British Shipping and Navigation. [20th August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reiga of His late Majesty King George  
 the Fourth, intitled *An Act for the Encouragement of British Shipping and Navigation*, whereby  
 the Laws for the Encouragement of British Shipping and Navigation were consolidated and amended;  
 And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have  
 been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the  
 said Acts should be consolidated into one Act: he it therefore enacted by the King's most Excellent  
 Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in  
 the present Parliament assembled, and by the Authority of the same, That this Act shall commence  
 upon the First Day of September One thousand eight hundred and thirty-three, except where any other  
 Commencement is herein particularly directed.

II. And be it further enacted, That the several Sorts of Goods herein-after enumerated, being the  
 Produce of Europe; (that is to say,) Masts, Timber, Boards, Tar, Tallow, Hemp, Flax, Currants, Raisins,  
 Figs, Peaches, Olive Oil, Corn or Grain, Wine, Beards, Tobacco, Wood, Shinar, Madlers, Madler Roots,  
 Barilla, Brimstone, Bark of Oak, Cork, Oranges, Lemons, Linseed, Rape Seed, and Clover Seed, shall not  
 be imported into the United Kingdom to be used therein, except in British Ships, or in Ships of the  
 Country of which the Goods are the Produce, or in Ships of the Country from which the Goods are  
 imported.

III. And be it further enacted, That Goods the Produce of Asia, Africa, or America, shall not be imported  
 from Europe into the United Kingdom, to be used therein, except the Goods herein-after men-  
 tioned; (that is to say,)

Goods, the Produce of the Dominions of the Emperor of Morocco, which may be imported from Places  
 in Europe within the Straits of Gibraltar;

Goods, the Produce of Asia or Africa, which (having been brought into Places in Europe within the  
 Straits of Gibraltar, from or through Places in Asia or Africa within those Straits, and not by Way of  
 the Atlantic Ocean) may be imported from Places in Europe within the Straits of Gibraltar;

Goods, the Produce of Places within the Limits of the East India Company's Charter, which (having been  
 imported from those Places into Gibraltar or Malta in British Ships) may be imported from Gibraltar  
 or Malta;

Goods taken by way of Reprizal by British Ships:

Balbas, Diamonds, Pearls, Rubies, Emeralds, and other Jewels or precious Stones.

IV. And be it further enacted, That Goods, the Produce of Asia, Africa, or America, shall not be imported  
 into the United Kingdom, to be used therein, in Foreign Ships, unless they be the Ships of the  
 Country in Asia, Africa, or America, of which the Goods are the Produce, and from which they are imported,  
 except the Goods herein-after mentioned. (that is to say,)

Goods, the Produce of the Dominions of the Grand Seignior, in Asia or Africa, which may be imported  
 from his Dominions in Europe, in Ships of his Dominions;

Raw Silk and Mohair Yarn, the Produce of Asia, which may be imported from the Dominions of the  
 Grand Seignior in the Levant Seas, in Ships of his Dominions;

Balbas.

V. Provided always, and be it further enacted, That all manufactured Goods shall be deemed to be  
 the Produce of the Country of which they are the Manufacture.

VI. And be it further enacted, That no Goods shall be imported into the United Kingdom from the  
 Islands of Guernsey, Jersey, Alderney, Sark, or Man, except in British Ships.

VII. And be it further enacted, That no Goods shall be exported from the United Kingdom to any  
 British Island, unless by the University of Southampton Library Digitisation Project.

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Commen-  
ment of 10

Ships in which  
only, enumerated  
and Goods of  
Europe may  
be imported.

Places from  
which only  
Goods of Asia,  
Africa, or  
America may  
be imported.

Ships in which  
only Goods of  
Asia, Africa,  
or America  
may be im-  
ported.

Manufacture  
deemed Pro-  
duce.  
From Guern-  
sey, &c.  
Exports to

Ann. &c. and  
in Germany,  
&c.

Continues

Between  
Germany,  
Jenny, &c.

Between  
British Posses-  
sions in Asia,  
&c.

Registers into  
British Posses-  
sions.

No Ship  
British unless  
registered and  
navigate as  
such.

But Vessels  
under 15 Tons  
admitted in  
Navigation  
upon Rivers,  
&c. although  
not registered.  
Vessels under  
Twenty Tons  
for Non-foreign  
Fishery, &c.  
and not be  
registered.

Her Majesty  
Ships to be in  
British, in  
Trade with  
United King-  
dom and Colon-  
ies in Amer-  
ica.

Ship of any  
Foreign Coun-  
try to be in the  
Coast of any  
Place in such  
Country, or  
British Coast,  
and used and  
navigate by  
Subjects of the  
Country.

Master and  
Crew to be  
British, unless  
naturalized,  
or naturalized,  
or Denizens,  
or Subjects by  
Contract or  
Cession, or  
Persons served in  
His Majesty's  
Ships of War.  
Masters of  
Indies not to be  
British Serv-  
ants.

British Possession in Asia, Africa, or America, nor to the Islands of Guernsey, Jersey, Alderney, Sark, or Man, except in British Ships.

VIII. And be it further enacted, That no Goods shall be carried Coastwise from one Part of the United Kingdom to another, except in British Ships.

IX. And be it further enacted, That no Goods shall be carried from any of the Islands of Guernsey, Jersey, Alderney, Sark, or Man, to any other of such Islands, nor from one Part of any of such Islands to another Part of the same Island, except in British Ships.

X. And be it further enacted, That no Goods shall be carried from any British Possession in Asia, Africa, or America, to any other of such Possessions, nor from one Part of any of such Possessions to another Part of the same, except in British Ships.

XI. And be it further enacted, That no Goods shall be imported into any British Possession in Asia, Africa, or America, in any Foreign Ships, unless they be Ships of the Country of which the Goods are the Produce, and from which the Goods are imported.

XII. And be it further enacted, That no Ship shall be admitted to be a British Ship unless duly registered and navigated as such; and that every British registered Ship (so long as the Registry of such Ship shall be in force, or the Certificate of such Registry retained for the Use of such Ship) shall be navigated during the Whole of every Voyage (whether with a Cargo or in Ballast), in every Part of the World by a Master who is a British Subject, and by a Crew, whereof Three Fourths at least are British Seamen; and if such Ship be employed in a coasting Voyage from one Part of the United Kingdom to another, or in a Voyage between the United Kingdom and the Islands of Guernsey, Jersey, Alderney, Sark, or Man, or from one of the said Islands to another of them, or from one Part of either of them to another of the same, or be employed in fishing on the Coasts of the United Kingdom or of any of the said Islands, then the Whole of the Crew shall be British Seamen.

XIII. Provided always, and be it further enacted, That all British-built Boats or Vessels under Fifteen Tons Burthen, wholly owned and navigated by British Subjects, although not registered as British Ships, shall be admitted to be British Vessels, in all Navigation in the Rivers and upon the Coasts of the United Kingdom, or of the British Possessions Abroad, and not proceeding over Sea, except within the Limits of the respective Colonial Governments within which the managing Owners of such Vessels respectively reside; and that all British-built Boats or Vessels wholly owned and navigated by British Subjects, not exceeding the Burthen of Twenty Tons, and not having a Wheel or a Board Deck, and being employed solely in fishing on the Banks and Shores of Newfoundland, and of the Parts adjacent, or on the Banks and Shores of the Provinces of Canada, Nova Scotia, or New Brunswick, adjacent to the Gulf of Saint Lawrence, or on the North of Cape Canso, or of the Islands within the same, or in trading Coastwise within the said Limits, shall be admitted to be British Boats or Vessels, although not registered, so long as such Boats or Vessels shall be solely so employed.

XIV. Provided also, and be it further enacted, That all Ships built in the British Settlements at Honduras, and owned and navigated as British Ships, shall be entitled to the Privileges of British registered Ships in all direct Trade between the United Kingdom or the British Possessions in America and the said Settlements; provided the Master shall produce a Certificate under the Hand of the Superintendent of those Settlements, that satisfactory Proof has been made before him that such Ship (describing the same) was built in the said Settlements, and is wholly owned by British Subjects; provided also, that the Time of the Clearance of such Ship from the said Settlements for every Voyage shall be endorsed upon such Certificate by such Superintendent.

XV. And be it further enacted, That no Ship shall be admitted to be a Ship of any particular Country, unless she be of the Built of such Country; or have been made Prize of War to such Country; or have been forfeited to such Country under any Law of the same, made for the Prevention of the Slave Trade, and condemned as such Prize or Forfeiture by a competent Court of such Country; or be British Built (not having been a Prize of War from British Subjects to any other Foreign Country); nor unless she be navigated by a Master who is a Subject of such Foreign Country, and by a Crew of whom Three Fourths at least are Subjects of such Country, nor unless she be wholly owned by Subjects of such Country usually residing therein, or under the Dominion thereof: Provided always, that the Country of every Ship shall be deemed to include all Places which are under the same Dominion as the Place in which such Ship belongs.

XVI. And be it further enacted, That no Person shall be qualified to be a Master of a British Ship, or to be a British Seaman within the Meaning of the Act, except the natural-born Subjects of His Majesty, or Persons naturalized by any Act of Parliament, or made Denizens by Letters of Denization, or except Persons who have become British Subjects by virtue of Conquest or Cession of some newly acquired Country, and who shall have taken the Oath of Allegiance to His Majesty, or the Oath of Fidelity required by the Treaty or Capitulation by which such newly acquired Country came into His Majesty's Possession; or Persons who shall have served on board any of His Majesty's Ships of War in Time of War for the Space of Three Years: Provided always, that the Names of Places within the Limits of the East India Company's Charter, although under British Dominion, shall not, upon the Ground of being such Natives, be deemed to be British Seamen: Provided always, that every Ship (except Ships required to be wholly navigated by British Seamen) which shall be navigated by One British Seaman, if a British Ship, or One Seaman of the Country of such Ship, if a Foreign Ship, for every Twenty Tons of the Burthen of such Ship, shall be deemed to be duly navigated, although the Number of other Seamen shall exceed One Fourth of the whole Crew: Provided always, that nothing herein contained shall

extend to repeat or alter the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, for consolidating and amending the Laws then in force with respect to Trade from and to Places within the Limits of the East India Company's Charter.

XVII. Provided always, and be it further enacted, That it shall be lawful for His Majesty, by His Royal Proclamation during War, to declare that Foreigners, having served Two Years on board any of His Majesty's Ships of War in Time of such War, shall be British Seamen within the Meaning of this Act.

XVIII. And be it further enacted, That no British registered Ship shall be suffered to depart any Port in the United Kingdom, or any British Possession in any Part of the World (whether with a Cargo or in Ballast), unless duly navigated: Provided always, that any British Ships, trading between Places in America, may be navigated by British Negroes: and that Ships trading Eastward of the Cape of Good Hope within the Limits of the East India Company's Charter may be navigated by Lascars, or other Natives of Countries within those Limits.

XIX. And be it further enacted, That if any British registered Ship shall at any Time have, on Part of the Crew in any Part of the World, any Foreign Seaman not allowed by Law, the Master or Owners of such Ship shall for every such Foreign Seaman forfeit the Sum of Ten Pounds: Provided always, that if a due Proportion of British Seamen cannot be procured in any Foreign Port, or in any Place within the Limits of the East India Company's Charter, for the Navigation of any British Ship; or if such Proportion be destroyed during the Voyage by any unavoidable Circumstance, and the Master of such Ship shall produce a Certificate of such Facts under the Hand of any British Consul, or of Two known British Merchants, if there be no Consul at the Place where such Facts may be ascertained, or from the British Governor of any Place within the Limits of the East India Company's Charter; or, in the Want of such Certificate, shall make Proof of the Truth of such Facts to the Satisfaction of the Collector and Controller of the Customs of any British Port, or of any Person authorized in any other Part of the World to inquire into the Navigation of such Ship, the same shall be deemed to be duly navigated.

XX. And be it further enacted, That if His Majesty shall, at any Time by His Royal Proclamation, declare that the Proportion of British Seamen necessary in the due Navigation of British Ships shall be less than the Proportion required by this Act, every British Ship navigated with the Proportion of British Seamen required by such Proclamation shall be deemed to be duly navigated, so long as such Proclamation shall remain in force.

XXI. Provided always, and be it further enacted, That Goods of any Sort or the Produce of any Place, not otherwise prohibited than by the Law of Navigation herein-before contained, may be imported into the United Kingdom from any Place in a British Ship, and from any Place not being a British Possession in a Foreign Ship of any Country, and hencever navigated, to be warehoused for Exportation only, under the Provisions of any Law in force for the Time being, made for the warehousing of Goods without Payment of Duty upon the First Entry thereof.

XXII. And be it further enacted, That if any Goods be imported, exported, or carried Consignee, contrary to the Law of Navigation, all such Goods shall be forfeited, and the Master of such Ship shall forfeit the Sum of One hundred Pounds.

XXIII. And be it further enacted, That all Penalties and Forfeitures incurred under this Act shall be sued for, prosecuted, recovered, and disposed of, or shall be mitigated or restored, in like Manner as any Penalty or Forfeiture can be sued for, prosecuted, recovered, and disposed of, or may be mitigated or restored, under an Act passed in the present Session of Parliament for the Prevention of Smuggling.

XXIV. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A P. LV.

An Act for the registering of British Vessels.

[28th August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the registering of British Vessels*, whereby the Laws in relation to the Registration of British Vessels were consolidated and amended: And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have been found necessary, and it will be of Advantage to the Trade and Commerce of the Country that the said Acts should be consolidated into One Act: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty-three, except where any other Commencement is therein particularly directed.

II. And be it further enacted, That no Ship or Vessel shall be entitled to any of the Privileges or Advantages of a British registered Ship unless the Person or Persons claiming Property therein shall have caused the same to have been registered in virtue of the said Act, or of an Act passed in the Fourth Year of His said late Majesty's Reign, intitled *An Act for the registering of British Vessels*, or until such Person or Persons shall have caused the same to be registered in manner herein-after mentioned, and shall have obtained a Certificate of such Registry from the Person or Persons authorized to make such Registry and grant such Certificate as herein-after directed; the Form of which Certificate shall be as follows: *To be drawn up by the University of Southampton Library Digitisation Unit*

One British Seaman to 20 Tons in British.

Foreigners having served Two Years on board H. M. S. during War.

British Ship not to depart British Port unless duly navigated.

If Proves of Foreign Seaman, Penalty 10*l.* for each, except British Seamen cannot be procured, or Proves the same unsatisfactorily, and Proof thereof made.

Proportion of Seamen may be altered by Proclamation.

Goods prohibited only by Navigation Law may be imported for Exportation.

Penalties here incurred.

Recovery of Penalties.

Act may be altered this Session.

1 G. 4. c. 110.

Commencement of Act.

No Vessel to enjoy Privileges until registered. 4 G. 4. c. 41.

Form of Certificate of Registry.

THIS is to certify, That in pursuance of an Act passed in the Fourth Year of the Reign of King William the Fourth, intituled *An Act* [here insert the Title of this Act, the Name, Description, and Evidence of the subscribing Owners], having made and subscribed the Declaration required by the said Act, and having declared that [he or they] together with [Names, Occupations, and Residences of subscribing Owners] (is or are) sole Owner or Owners, in the Proportions specified on the Back hereof, of the Ship or Vessel called the [Ship's Name] of [Place to which the Port belongs], which is of the Burthen of [Number of Tons], and whereof [Master's Name] is Master, and that the said Ship or Vessel was [taken and where built, or condemned to Prize, referring to Builder's Certificate, Judge's Certificate, or Certificate of last Registry, then delivered up in be cancelled], and [Name and Employment of commanding Officer] having certified to us that the said Ship or Vessel has [Number] Decks and [Number] Masts, that her Length from the fore Part of the Main Mast to the after Part of the Stern Post aloft is [Number of Feet and Taper], her Breadth at the broadest Part [stating whether that be above or below the Main Water] is [Number of Feet and Inches], her [Height between Decks of more than One Deck, or Depth in the Hold if only One Deck] is [Number of Feet and Inches], that she is [how rigged] rigged with a [standing or running] Bowsprit, is [Description of Stow] stowed, [Covered or Uncovered] built, has [whether any or no] Gallery, and [Kind of Head, if any] Head; and the said subscribing Owners having consented and agreed to the above Description, and having caused sufficient Security to be given as is required by the said Act, the said Ship or Vessel called the [Name] has been duly registered at the Port of [Name of Port]. Certified under our Hands at the Custom House in the said Port of [Name of Port] this [Date] Day of [Name of Month] in the Year [Year of Date or Length].

{ Signed } Collector.  
{ Signed } Controller.

And on the Back of each Certificate of Registry there shall be an Account of the Parts or Shares held by each of the Owners mentioned and described in such Certificate, in the Form and Manner following :

| Names of the several Owners within mentioned. | Number of Sixty-fourth Shares held by each Owner. |
|---|---|
| { Name . . . . .                              | Thirty-two.                                       |
| { Name . . . . .                              | Sixteen.  |
| { Name . . . . .                              | Eight.  |
| { Name . . . . .                              | Eight.  |

{ Signed } Collector.  
{ Signed } Controller.

Persons authorized to make Registry.

III. And be it further enacted, That the Persons authorized and required to make such Registry and grant such Certificates shall be the several Persons hereinafter mentioned and described; (that is to say.)

In United Kingdom and Isle of Man.  
In Guernsey, &c.

The Collector and Controller of His Majesty's Customs in any Part in the United Kingdom of Great Britain and Ireland, and in the Isle of Man respectively, in respect of Ships or Vessels to be there registered:

In Colonies in Asia, Africa, and America

The principal Officers of His Majesty's Customs in the Island of Guernsey or Jersey, together with the Governor, Lieutenant Governor, or Commander in Chief of those Islands respectively, in respect of Ships or Vessels to be there registered:

In Territories of E. I. Company

The Collector and Controller of His Majesty's Customs of any Part in the British Possessions in Asia, Africa, and America, or the Collector of any such Part at which no Appointment of a Controller has been made, in respect of Ships or Vessels to be there registered:

In other Places within the Limits of the Charter

The Collector of Duties at any Part in the Territories under the Government of the East India Company, within the Limits of the Charter of the said Company, or any other Part of the Rank in the said Company's Service of Senior Merchant, or of Six Years standing in the said Service, being respectively appointed to act in the Execution of this Act by any of the Governments of the said Company, in respect of Ships or Vessels to be there registered:

In Malta, Gibraltar, &c.

The Collector of Duties at any British Possession within the said Limits, and not under the Government of the said Company, and at which a Custom House is not established, together with the Governor, Lieutenant Governor, or Commander in Chief of such Possession, in respect of Ships or Vessels to be there registered:

In Malta, Gibraltar, &c. Licences as to Vessels registered at Malta, Gibraltar, or Heligoland.

The Governor, Lieutenant Governor, or Commander in Chief of Malta, Gibraltar, Heligoland, and Cape of Good Hope respectively, in respect of Ships or Vessels to be there registered:

Provided always, that no Ship or Vessel be registered as Heligoland, except such as is wholly of the Built of that Place, and that Ships or Vessels, after having been registered at Malta, Gibraltar, or Heligoland, shall not be registered elsewhere; and that Ships or Vessels registered at Malta, Gibraltar, or Heligoland shall not be entitled to the Privileges and Advantages of British Ships in any Trade between the said United Kingdom and any of the British Possessions in America: Provided also, that whenever in and by this Act it is directed, or provided that any Act, Matter, or Thing, shall and may be done or



performed by, to, or with any Collector and Controller of His Majesty's Customs, the same shall or may be done or performed by, to, or with the several Persons respectively herein-before authorized and required to make Registry, and to grant Certificates of Registry as aforesaid, and according as the same Act, Matter, or Thing is to be done or performed at the said several and respective Places, and within the Jurisdiction of the said several Persons respectively: provided also, that wherever in and by this Act it is directed or provided that any Act, Matter, or Thing shall or may be done or performed by, to, or with the Commissioners of His Majesty's Customs, the same shall or may be done or performed by, to, or with the Governor, Lieutenant Governor, or Commander in Chief of any Place where any Ship or Vessel may be registered under the Authority of this Act, so far as such Act, Matter, or Thing can be applicable to the registering of any Ship or Vessel at such Place.

IV. And he it further enacted, That in case any Ship or Vessel shall not being duly registered, and not having obtained such Certificate of Registry as aforesaid, shall exercise any of the Privileges of a British Ship, the same shall be subject to Forfeiture, and also all the Guns, Furniture, Ammunition, Tackle, and Apparel to the same Ship or Vessel belonging, and shall and may be seized by any Officer or Officers of His Majesty's Customs: Provided always, that nothing in this Act shall extend or be construed to extend to affect the Privileges of any Ship or Vessel which shall prior to the Commencement of this Act have been registered by virtue of an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the registering of British Vessels*.

V. And he it further enacted, That no Ship or Vessel shall be registered, or having been registered shall be deemed to be duly registered, by virtue of this Act, except such as are wholly of the Built of the said United Kingdom, or of the Isle of Man, or of the Islands of Guernsey or Jersey, or of some of the Colonies, Plantations, Islands, or Territories in Asia, Africa, or America, or of Malta, Gibraltar, or Newfoundland, which belong to His Majesty, His Heirs or Successors, at the Time of the building of such Ships or Vessels, or such Ships or Vessels as shall have been condemned in any Court of Admiralty as Prize of War, or such Ships or Vessels as shall have been condemned in any competent Court as forfeited for the Breach of the Laws made for the Prohibition of the Slave Trade, and which shall wholly belong and continue wholly to belong to His Majesty's Subjects duly entitled to be Owners of Ships or Vessels registered by virtue of this Act.

VI. And he it further enacted, That no Mediterranean Pass shall be used for the Use of any Ship, whether a Ship belonging to Malta or Gibraltar, except such as do be duly registered at those Places respectively, or such as, not being entitled to be so registered, shall have wholly belonged, before the Tenth Day of October One thousand eight hundred and twenty-seven, and shall have continued wholly in being, to Persons actually residing at those Places respectively, as Inhabitants thereof, and entitled to be Owners of British Ships there registered, or who, not being so entitled, shall have so resided upwards of Fifteen Years prior to the said Tenth Day of October One thousand eight hundred and twenty-seven.

VII. And he it further enacted, That no Ship or Vessel shall continue to enjoy the Privileges of a British Ship after the same shall have been repaired in a Foreign Country, if such Repairs shall exceed the Sum of Twenty Shillings for every Ton of the Burthen of the said Ship or Vessel, unless such Repairs shall have been necessary by reason of extraordinary Damages sustained by such Ship or Vessel during her Absence from His Majesty's Dominions, to enable her to perform the Voyage in which she shall have been engaged, and to return to some Port or Place in the said Dominions; and whenever any Ship or Vessel which has been so repaired in a Foreign Country shall arrive at any Port in His Majesty's Dominions as a British-registered Ship or Vessel, the Master or other Person having the Command or Charge of the same shall, upon the first Entry thereof, report to the Collector and Controller of His Majesty's Customs at such Port that such Ship or Vessel has been so repaired, under Penalty of Twenty Shillings for every Ton of the Burthen of such Ship or Vessel, according to the Admeasurement thereof; and if it shall be proved to the Satisfaction of the Commissioners of His Majesty's Customs that such Ship or Vessel was seaworthy at the Time when she last departed from any Port or Place in His Majesty's Dominions, and that no greater quantity of such Repairs have been done to the said Vessel than was necessary as aforesaid, it shall be lawful for the said Commissioners, upon a full Consideration of all the Circumstances, to direct the Collector and Controller of the Port where such Ship or Vessel shall have arrived, or where she shall then be, to certify on the Certificate of the Registry of such Ship or Vessel that it has been proved to the Satisfaction of the Commissioners of His Majesty's Customs that the Privileges of the said Ship or Vessel have not been forfeited, notwithstanding the Repairs which have been done to the same in a Foreign Country.

VIII. And he it further enacted, That if any Ship or Vessel registered under the Authority of this or any other Act shall be deemed or declared to be stranded or wrecked, and incapable of being recovered, or required to the Advantage of the Owners thereof, and shall for such Reasons be sold by Order or Decree of any competent Court for the Benefit of the Owners of such Ship or Vessel or other Persons interested therein, the same shall be taken and deemed to be a Ship or Vessel lost or broken up to all Intents and Purposes within the Meaning of this Act, and shall ever again be entitled to the Privileges of a British-Built Ship for any Purposes of Trade or Navigation.

IX. And he it further enacted, That no British Ship or Vessel which has been or shall hereafter be captured by and become Prize to an Enemy or sold to Foreigners shall again be entitled to the Privileges of a British Ship: Provided always, that nothing contained in this Act shall extend to prevent the registering of any Ship or Vessel whose or which shall afterwards be condemned in any Court of

of Collectors and Controllers, by whom to be received.

Persons of Commissioners of Customs in United Kingdom given to Governor, &c. Aforesaid.

Ships meeting Privileges before Registry to be forfeited, but not to affect Vessels registered under previous Act.

What Ships are registered to be registered.

Mediterranean Pass may be issued in Malta or Gibraltar certain Ships only.

Foreign Repairs not to exceed 20s. per Ton.

The Master or Person to report to the Collector and Controller.

Necessity of such Repairs to be proved to Commissioners of Customs.

Ships declared unworthy to be deemed Ships lost or broken up.

British Ships captured not to be again entitled to Privileges, but Ships condemned

may be registered.

Ships shall be registered at the Port in which they belong.

Commissioners of Customs may permit Registry at other Ports.

Book of Registers to be kept, and Accounts to be transmitted to Commissioners.

Port to which Vessels shall be deemed to belong.

Change of subsequent Owners to require Registry the next.

If Registry does not take place, Ship may go this Voyage with Permission to be granted on Certificate of Registry.

Ships built in Foreign Possessions, for Owners resident in United Kingdom, may have Certificate from the Collector, &c. to trade for Two Years, or until Arrival at United Kingdom.

Persons residing in Foreign Countries may run the Owners, unless Members of British Consuls, or Agents for or Persons in British Service, or Members of Company trading in Levant Sea.

Declaration to be made by subscribing Owners previous to Registry.

Properties of Owners who

Admiralty as Prize of War, or in any competent Court, for Breach of Laws made for the Protection of the Slave Trade.

X. And be it further enacted, That no such Registry shall hereafter be made, or Certificate thereof granted, by any Person or Persons herein-before authorized to make such Registry and grant such Certificate, in any other Port or Place than the Port or Place to which such Ship or Vessel shall properly belong, except so far as relates to such Ships or Vessels as shall be condemned as Prizes in any of the Islands of Guernsey, Jersey, or Alderney, which Ships or Vessels shall be registered in manner herein-after directed; but that all and every Registry and Certificate made and granted in any Port or Place to which any such Ship or Vessel does not properly belong shall be utterly null and void to all Intents and Purposes, unless the Officers aforesaid shall be specially authorized and empowered to make such Registry and grant such Certificate in any other Port by an Order in Writing under the Hands of the Commissioners of His Majesty's Customs, which Order the said Commissioners are hereby authorized and empowered to issue if they shall see fit, and at every Port where Registry shall be made in pursuance of this Act a Book shall be kept by the Collector and Controller, in which all the Particulars contained in the Form of the Certificate of the Registry herein-before directed to be used shall be duly entered; and every Registry shall be numbered in progression, beginning such progressive Numeration at the Commencement of each and every Year; and such Collector and Controller shall forthwith, and within one Month at the farthest, transmit to the Commissioners of His Majesty's Customs a true and exact Copy, together with the Number, of every Certificate which shall be by them so granted.

XI. And be it further enacted, That every Ship or Vessel shall be deemed to belong to some Port or near to which some or one of the Owners, who shall make and subscribe the Declaration required by this Act before Registry be made, shall reside, and whenever such Owner or Owners shall have transferred all his or their Shares or Stakes in such Ship or Vessel, the same shall be registered at some other Port which shall be in the same Part of the United Kingdom, or the same Colony, Plantation, Island, or Territory as the said Port shall be in: Provided always, that if the Owner or Owners of such Ship or Vessel cannot be sufficient Tons comply with the Requisites of this Act, so that Registry may be made before it shall be necessary for such Ship or Vessel to sail or depart upon another Voyage, it shall be lawful for the Collector and Controller of the Port where such Ship or Vessel may then be to certify upon the Back of the existing Certificate of Registry of such Ship or Vessel, that the same is to remain in force for the Voyage upon which the said Ship or Vessel is then about to sail or depart: Provided also, that if any Ship or Vessel shall be built in any of the Colonies, Plantations, Islands, or Territories in Asia, Africa, or America, to His Majesty belonging, for Owners residing in the United Kingdom, and the Master of such Ship or Vessel, or the Agent for the Owner or Owners thereof, shall have produced to the Collector and Controller of the Port at or near to which such Ship or Vessel was built, the Certificate of the Builder required by this Act, and shall have made and subscribed a Declaration before such Collector and Controller of the Names and Descriptions of the principal Owners of such Ship or Vessel, and that also to the identical Ship or Vessel mentioned in such Certificate of the Builder, and that no Forrainger, to the best of his Knowledge and Belief, has any Interest therein; the Collector and Controller of such Port shall cause such Ship or Vessel to be surveyed and measured in like Manner as is directed for the Purpose of registering any Ship or Vessel, and shall give the Master of such Ship or Vessel a Certificate under their Hands and Seals, purporting to be under the Authority of this Act, and stating when and where and by whom such Ship or Vessel was built, the Description, Tonnage, and other Particulars required on Registry of any Ship or Vessel, and such Certificate shall have all the force and virtue of a Certificate of Registry under this Act, during the Term of Two Years, unless such Ship shall sooner arrive at some Place in the United Kingdom; and such Collector and Controller shall transmit a Copy of such Certificate to the Commissioners of His Majesty's Customs.

XII. And be it further enacted, That no Person who has taken the Oath of Allegiance to any Foreign State, except under the Terms of some Capitulation, unless he shall afterwards become a Denizen or naturalized Subject of the United Kingdom by His Majesty's Letters Patent or by Act of Parliament, nor any Person usually residing in any Country not under the Dominion of His Majesty, His Heirs and Successors, unless he be a Member of some British Factory, or Agent for or Partner in any House or Copartnership actually carrying on Trade in Great Britain or Ireland, shall be entitled to be the Owner in whole or in part, directly or indirectly, of any Ship or Vessel required and authorized to be registered by virtue of this Act: save and except that it shall be lawful for any Person who was a Member of the Company of Merchants trading to the Levant Sea, at the Time of its Dissolution, and who was a Resident at any of the Factories of the said Company, to continue to hold any Share or Shares in any British-registered Ship of which at the Time of such Dissolution he was an Owner or Part Owner, although such Person shall continue to reside at any of the Places where such Factories had existed prior to the Dissolution of the said Company.

XIII. And be it further enacted, That no Registry shall hereafter be made or Certificate granted until the following Declaration be made and subscribed, before the Person or Persons herein-before authorized to make such Registry and grant such Certificate respectively, by the Owner of such Ship or Vessel, if such Ship or Vessel is owned by or belongs to One Person only, or in case there shall be Two joint Owners, then by both of such joint Owners if both shall be resident within Twenty Miles of the Port or Place where such Registry is required, or by One of such Owners if One or both of them shall be resident at a greater Distance from such Port or Place, or if the Master of such Ship or Vessel

greater shall exceed Two, then by the greater Part of the Number of such Owners or Proprietors if the greater Number of them shall be resident within Twenty Miles of such Port or Place as aforesaid, and in any Case exceeding Three of such Owners or Proprietors, unless a greater Number shall be desirous to join in making and subscribing the said Declaration, or by One of such Owners if all, or all except One, shall be resident at a greater Distance :

shall subscribe and take the Declaration.

I. *A. B.* of [Place of Residence and Occupation] do truly declare, That the Ship or Vessel [Name] of [Part or Place], whereof [Master's Name] is at present Master, being [Kind of Boat, Barken, or cutter, as described in the Certificate of the surveying Officer], was [taken and where built, or, if Built or captured, Capture and Condemnation as such], and that I the said *A. B.* [and the other Owners, Names, and Occupations, if any, and where they respectively reside, visiteth, Town, Place, or Parish, and County, or, if Member of and resident in any Factory in Foreign Parts, or in any Foreign Town or City, being an Agent for or Partner in any House or Copartnership actually carrying on Trade in Great Britain or Ireland, the Name of such Factory, Foreign Town, or City, and the Names of such House or Copartnership] am [or are] sole Owner [or Owners] of the said Vessel, and that no other Person or Persons whosoever hath or have any Right, Title, Interest, Share, or Property therein or thereto; and that I the said *A. B.* [and the said other Owners, if any] am [or are] truly and bond fide a Subject [or Subjects] of Great Britain; and that I the said *A. B.* have not [nor have any of the other Owners, to the best of my Knowledge and Belief] taken the Oath of Allegiance to any Foreign State whatever [except under the Terms of some Capitulation, describing the Particulars thereof], or that since my taking [or his or their taking] the Oath of Allegiance to [naming the Foreign State respectively in which he or any of the said Owners shall have taken the same] I have [or he or they hath or have] become a Denizen [or Denizens, or naturalized Subject or Subjects, as the Case may be] of the United Kingdom of Great Britain and Ireland by His Majesty's Letters Patent or by an Act of Parliament [naming the Title when such Letters of Denization have been granted respectively, or the Year or Years in which such Act or Acts for Naturalization have passed respectively]; and that no Foreigner, directly or indirectly, hath any Share or Part Interest in the said Ship or Vessel.

Form of Declaration.

Provided always, that if it shall become necessary to register any Ship or Vessel belonging to any Corporate Body in the United Kingdom, the following Declaration, in lieu of the Declaration herein before directed, shall be taken and subscribed by the Secretary or other proper Officer of such Corporate Body, (that is to say,)

I. *A. B.* Secretary or Officer of [Name of Company or Corporation] do truly declare, That the Ship or Vessel [Name] of [Part] whereof [Master's Name] is at present Master, being [Kind of Boat, Barken, or cutter, as described in the Certificate of the surveying Officer], was [taken and where built, or, if Built or captured, Capture and Condemnation as such], and that the same hath wholly and truly belong to [Name of Company or Corporation].

XIV. And be it further enacted, That in case the required Number of joint Owners or Proprietors of any Ship or Vessel shall not personally attend to make and subscribe the Declaration herein-before directed to be made and subscribed, then and in such Case such Owner or Owners, Proprietor or Proprietors, as shall personally attend and make and subscribe the Declaration aforesaid, shall further declare that the Part Owner or Part Owners of such Ship or Vessel then absent is or are not resident within Twenty Miles of such Port or Place, and hath or have not, to the best of his or their Knowledge or Belief, wilfully absented himself or themselves in order to avoid the making the Declaration herein-before directed to be made and subscribed, or is or are prevented by Illness from attending to make and subscribe the said Declaration.

Addition to Declaration in case the required Number of Owners do not attend.

XV. And in order to enable the Collector and Controller of His Majesty's Customs to grant a Certificate truly and accurately describing every Ship or Vessel to be registered in pursuance of this Act, and also to enable all other Officers of His Majesty's Customs, on due Examination, to discover whether any such Ship or Vessel is the same with that for which a Certificate is alleged to have been granted; be it enacted, That previous to the registering or granting of any Certificate of Registry as aforesaid some One or more Persons or Persons appointed by the Commissioners of His Majesty's Customs (taking to his or their Assistance, if he or they shall judge it necessary, One or more Persons or Persons skilled in the building and Admeasurement of Ships) shall go on board of every such Ship or Vessel to it to be registered, and shall strictly and accurately examine and admeasure every such Ship or Vessel as to all and every Particular contained in the Form of the Certificate herein-before directed, in the Presence of the Master, or of any other Person who shall be appointed for that Purpose on the Part of the Owner or Owners, or in his or their Absence by the said Master; and shall deliver a true and just Account in Writing of all such Particulars of the Hull, Description, and Admeasurement of every such Ship or Vessel as are specified in the Form of the Certificate above recited to the Collector and Controller authorized as aforesaid to make such Registry and grant such Certificate of Registry; and the said Master or other Person standing on the Part of the Owner or Owners is hereby required to sign his Name also to the Certificate of such surveying or examining Officer, in Testimony of the Truth thereof; provided such Master or other Person shall consent and agree to the several Particulars as forth and described therein.

Vessel to be surveyed previous to Registry.

Certificate of Survey to be given.

Owner or Master consenting therein.

XVI. And be it further enacted, That for the Purpose of ascertaining the Tonnage of Ships or Vessels the Rule for Admeasurement shall be as follows; (that is to say,) the Length shall be taken on

Mode of Admeasurement.

to ascertain  
Tonnage.

a straight Line along the Ribbet of the Keel, from the Back of the Main Stern-post to a perpendicular Line from the fore Part of the Main Stern under the Bowsprit, from which subtracting Three Fifths of the Breadth, the Remainder shall be entered the just Length of the Keel to find the Tonnage; and the Breadth shall be taken from the Outside of the outside Plank in the broadest Part of the Ship, whether that shall be above or below the Main Wale, exclusive of all Manner of Doubling Planks that may be wrought upon the Sides of the Ship; then multiplying the Length of the Keel by the Breadth so taken, and that Product by Half the Breadth, and dividing the whole by Ninety-four, the Quotient shall be deemed the true Contents of the Tonnage.

Mode of ascertain-  
ing Tonnage when  
Vessels are  
short.

XVII. And whereas it would in some Cases endanger Ships or Vessels to cause them to be lard on Stern; he it therefore enacted, That in Cases where it may be necessary to ascertain the Tonnage of any Ship or Vessel when short, according to the foregoing Rule, the following Method shall be observed; (that is to say,) drop a Plum Line over the Stern of the Ship, and measure the Distance between such Line and the after Part of the Stern-post at the Lead Water-mark, then measure from the Top of the Plum Line, in a parallel Oblique with the Water, to a perpendicular Point immediately over the Lead Water-mark at the fore Part of the Main Stern, subtracting from such Measurement the above Distance, the Remainder will be the Ship's Extreme, from which it is to be deducted Three Inches for every Foot of the Lead Draught of Water for the Rake shaft, also Three Fifths of the Ship's Breadth for the Rake forward, the Remainder shall be entered the just Length of the Keel to find the Tonnage; and the Breadth shall be taken from Outside to Outside of the Plank in the broadest Part of the Ship, whether that shall be above or below the Main Wale, exclusive of all Manner of Shunting or Doubling that may be wrought on the Side of the Ship; then multiplying the Length of the Keel for Tonnage by the Breadth so taken, and that Product by half the Breadth, and dividing by Ninety-four, the Quotient shall be deemed the true Contents of the Tonnage.

Large Boats or Barges Vessels to be  
deducted.

XVIII. Provided always, and he it further enacted, That in each of the several Rules herein-before prescribed, when used for the Purpose of ascertaining the Tonnage of any Ship or Vessel propelled by Steam, the Length of the Engine Room shall be deducted from the whole Length of such Ship or Vessel, and the Remainder shall, for such Purpose, be deemed the whole Length of the same.

Boatage when  
so ascertained  
to be over after  
deducting the  
Tonnage.

XIX. And he it further enacted, That whenever the Tonnage of any Ship or Vessel shall have been ascertained according to the Rule herein prescribed (except in the Case of Ships or Vessels which have been advertised afloat), such Account of Tonnage shall ever after be deemed the Tonnage of such Ship or Vessel, and shall be registered in every subsequent Registry of such Ship or Vessel, unless it shall happen that any Alteration has been made in the Form and Burthen of such Ship or Vessel, or it shall be discovered that the Tonnage of such Ship or Vessel had been erroneously taken and computed.

How to be  
given at the  
Time of Re-  
gistry.

XX. And he it further enacted, That at the Time of the obtaining of the Certificate of Registry or aforesaid sufficient Security by Bond shall be given to His Majesty, His Heirs and Successors, by the Master and each of the Owners as shall personally attend, as is herein-before required, such Security to be approved of and taken by the Persons or Persons herein-before authorized to make such Registry and grant such Certificate of Registry at the Port or Place in which such Certificate shall be granted, in the Freedom following; (that is to say,) if such Ship or Vessel shall be a decked Vessel, or be above the Burthen of Fifteen Tons and not exceeding Fifty Tons, then in the Penalty of One hundred Pounds; if exceeding the Burthen of Fifty Tons and not exceeding One hundred Tons, then in the Penalty of Three hundred Pounds; if exceeding the Burthen of One hundred Tons and not exceeding Two hundred Tons, then in the Penalty of Five hundred Pounds; if exceeding the Burthen of Two hundred Tons and not exceeding Three hundred Tons, then in the Penalty of Eight hundred Pounds; and if exceeding the Burthen of Three hundred Tons, then in the Penalty of One thousand Pounds; and the Condition of every such Bond shall be, that such Certificate shall not be sold, lent, or otherwise disposed of to any Person or Persons whatsoever, and that the same shall be solely made use of for the Service of the Ship or Vessel for which it is granted; and that in case such Ship or Vessel shall be lost, or taken by the Enemy, burnt, or broken up, or otherwise prevented from returning to the Port to which she belongs, or shall on any Account have lost and forfeited the Privileges of a British Ship, or shall have been seized and legally condemned for illicit Trading, or shall have been taken in Execution for Debt and sold by due Process of Law, or shall have been sold to the Crown, or shall under any Circumstances have been registered at some other Certificate, if preserved, shall be delivered up, within One Month after the Arrival of the Master to any Port or Place in His Majesty's Dominions to the Collector and Controller of some Port in Great Britain, or of the Isle of Man, or of the British Plantations, or to the Governor, Lieutenant-Governor or Commander in Chief for the Time being of the Islands of Guernsey or Jersey; and that if any Foreigner, or any Person or Persons for the Use and Benefit of any Foreigner, shall purchase or otherwise become entitled to the Whole or to any Port or Share of or any Interest in such Ship or Vessel, and the same shall be within the Limits of any Port of Great Britain, or of the Islands of Guernsey, Jersey, or Man, or of the British Colonies, Plantations, Islands, or Territories aforesaid, then and in such Case the Certificate of Registry shall, within Seven Days after such Purchase or Transfer of Property in such Ship or Vessel, be delivered up to the Person or Persons herein-before authorized to make Registry and grant Certificate of Registry at such Port or Place respectively as aforesaid; and if such Ship or Vessel shall be in any Foreign Port when such Purchase or Transfer of Property shall take place, then that the Certificate shall be delivered up to the British Consul or other Chief British Officer resident at or nearest to such Foreign Port; or if such Ship or Vessel shall

delivered

delivered up to the British Consul or other Chief British Officer at the Foreign Port or Place in or at which the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall first arrive after such Purchase or Transfer of Property at Sea, immediately after his Arrival at such Foreign Port; but if such Master or other Person who had the Command thereof at the Time of such Purchase or Transfer of Property at Sea shall not arrive at a Foreign Port, but shall arrive at some Port of Great Britain, or of the Islands of Guernsey, Jersey, or Man, or of His Majesty's said Colonies, Plantations, Islands, or Territories, then that the Certificate shall be delivered up, in manner aforesaid, within Fourteen Days after the Arrival of such Ship or Vessel, or of the Person who had the Command thereof in any Port of Great Britain, or of the Islands of Guernsey, Jersey, or Man, or of any of His Majesty's said Colonies, Plantations, Islands, or Territories: Provided always, that if it shall happen that at the Time of Registry of any Ship or Vessel the same shall be at any other Port than the Port to which she belongs, so that the Master of such Ship or Vessel cannot attend at the Port of Registry to join with the Owner or Owners in such Bond as aforesaid, it shall be lawful for him to give a separate Bond, to the like Effect, at the Port where such Ship or Vessel may then be, and the Collector and Controller of such other Port shall transmit such Bond to the Collector and Controller of the Port where such Ship or Vessel is to be registered, and such Bond, and the Bond also given by the Owner or Owners, shall together be of the same Effect against the Master and Owner or Owners, or either of them, as if they had bound themselves jointly and severally in One Bond.

XXI. And be it further enacted, That when and so often as the Master or other Person having or taking the Charge or Command of any Ship or Vessel registered in manner herein-before directed shall be changed, the Master or Owner of such Ship or Vessel shall deliver to the Person or Persons herein-before authorized to make such Registry and grant such Certificates of Registry at the Port where such Change shall take place the Certificate of Registry belonging to such Ship or Vessel, who shall thereupon indorse and subscribe a Memorandum of such Change, and shall forthwith give Notice of the same to the proper Officer of the Port or Place where such Ship or Vessel was last registered pursuant to this Act, who shall likewise make a Memorandum of the same in the Book of Registers which is hereby directed and required to be kept, and shall forthwith give Notice thereof to the Commissioners of His Majesty's Customs: Provided always, that before the Name of such new Master shall be indorsed on the Certificate of Registry he shall be required to give and shall give a Bond in the like Penalties and under the same Conditions as are contained in the Bond herein-before required to be given at the Time of Registry of any Ship or Vessel.

XXII. And be it further enacted, That all Bonds required by this Act shall be liable to the same Duties of Stamps as Bonds given for or in respect of the Duties of Customs are or shall be liable to under any Act for the Time being in force for granting Duties of Stamps.

XXIII. And be it further enacted, That if any Person whatsoever shall at any Time have possession of and wilfully detain any Certificate of Registry granted under this or any other Act, which ought to be delivered up to be cancelled according to any of the Conditions of the Bond herein-before required to be given upon the Registry of any Ship or Vessel, such Person is hereby required and enjoined to deliver up such Certificate of Registry in manner directed by the Conditions of such Bond in the respective Cases and under the respective Penalties therein provided.

XXIV. And be it further enacted, That it shall not be lawful for any Owner or Owners of any Ship or Vessel to give any Name to such Ship or Vessel other than that by which she was first registered in pursuance of this or any other Act; and that the Owner or Owners of all and every Ship or Vessel which shall be so registered shall, before such Ship or Vessel, after such Registry, shall begin to take in any Cargo, paint or cease to be painted, in White or Yellow Letters, of a Length of not less than Four Inches, upon a Black Ground, on some conspicuous Part of the Stern, the Name by which such Ship or Vessel shall have been registered pursuant to this Act, and the Port to which she belongs, in a distinct and legible Manner, and shall so keep and preserve the same; and that if such Owner or Owners or Master or other Person having or taking the Charge or Command of such Ship or Vessel shall permit such Ship or Vessel to begin to take in any Cargo before the Name of such Ship or Vessel has been so painted as aforesaid, or shall wilfully alter, erase, obliterate, or in anywise hide or conceal, or cease or prevent or permit the same to be done (unless in the Case of square-rigged Vessels in Time of War), or shall in any written or printed Paper, or other Document, describe such Ship or Vessel by any Name other than that by which she was first registered pursuant to this Act, or shall verbally describe, or cease or prevent or permit such Ship or Vessel to be described, by any other Name to any Officer or Officers of His Majesty's Revenue in the due Execution of his or their Duty, then and in every such Case such Owner or Owners or Master or other Person having or taking the Charge or Command of such Ship or Vessel shall forfeit the sum of One hundred Pounds.

XXV. And be it further enacted, That all and every Person and Persons who shall apply for a Certificate of the Registry of any Ship or Vessel shall and they are hereby required to produce to the Person or Persons authorized to grant such Certificate a true and full Account, under the Hand of the Builder of such Ship or Vessel, of the proper Dimension, and of the Time when and the Place where such Ship or Vessel was built, and also an exact Account of the Tonnage of such Ship or Vessel, together with the Name of the first Purchaser or Purchasers thereof (which Account such Builder is hereby directed and required to give under his Hand on the same being demanded by such Person or Persons so applying for a Certificate as aforesaid), and shall also make and subscribe a Declaration before the

If Ship at the Time of Registry be at any other Port than that of Registry, the Master may give this Bond.

When Master is changed new Master to give separate Bond, and his Name to be indorsed on Certificate of Registry.

As to stamp on Bonds.

Certificate of Registry to be given up.

Name of Vessel which has been registered never after to be changed, and to be painted on the Stern.  
Penalty for Offence, 100*l*.

Builder's Certificate of Particulars of Ship.

Declaration to be made thereon.

Person or Persons here-before authorized to grant such Certificate that the Ship or Vessel for which such Certificate is required is the same with that which is so described by the Builder as aforesaid.

XXVI. And be it further enacted, That if the Certificate of Registry of any Ship or Vessel shall be lost or mislaid, so that the same cannot be found or obtained for the Use of such Ship or Vessel when needed, and Proof thereof shall be made to the Satisfaction of the Commissioners of His Majesty's Customs, such Commissioners shall and may permit such Ship or Vessel to be registered *de novo*, and a Certificate thereof to be granted: Provided always, that if such Ship or Vessel be absent and far distant from the Port to which she belongs, or by reason of the Absence of the Owner or Owners, or of any other Impediment, Registry of the same cannot then be made in sufficient Time, such Commissioners shall and may grant a Licence for the present Use of such Ship or Vessel, which Licence shall for the Time and to the Extent specified therein, and no longer, be of the same force and virtue as a Certificate of Registry granted under this Act: Provided always, that before such Registry *de novo* be made the Owner or Owners and Master shall give Bond to the Commissioners aforesaid in such Sum as to them shall seem fit, with a Condition that if the Certificate of Registry shall at any Time afterwards be found and the same shall be forthwith delivered to the proper Officers of His Majesty's Customs to be cancelled, and that no illegal Use has been or shall be made thereof with his or their Privy or Knowledge; and further, that before any such Licence shall be granted as aforesaid, the Master of such Ship or Vessel shall also make and subscribe a Declaration that the same has been registered as a *British Ship*, naming the Port where and the Time when such Registry was made, and all the Particulars contained in the Certificate thereof, to the best of his Knowledge and Belief, and shall also give such Bond and with the same Condition as is before mentioned: Provided also, that before any such Licence shall be granted, such Ship or Vessel shall be surveyed in like Manner as if a Registry *de novo* were about to be made thereof; and the Certificate of such Survey shall be preserved by the Collector and Controller of the Port to which such Ship or Vessel shall belong; and in virtue thereof it shall be lawful for the said Commissioners and they are hereby required to permit such Ship or Vessel to be registered after her Departure, whenever the Owner or Owners shall personally attend to take and subscribe the Declaration required by this Act before Registry be made, and shall also comply with all other Requisites of the Act, except so far as relates to the Bond to be given by the Master of such Ship or Vessel; which Certificate of Registry the said Commissioners shall and may transmit to the Collector and Controller of any other Port, to be by them given to the Master of such Ship or Vessel, upon his giving such Bond, and delivering up the Licence which had been granted for the three percent Use of such Ship or Vessel.

XXVII. And whereas it is not proper that any Person under any Pretence whatsoever should detain the Certificate of Registry of any Ship or Vessel, or hold the same for any Purpose other than the lawful Use and Navigation of the Ship or Vessel for which it was granted; be it therefore enacted, That in case any Person shall have received or obtained by any Means or for any Purpose whatever the Certificate of the Registry of any Ship or Vessel (whether such Person shall claim to be the Master or to be the Owner or one of the Owners of such Ship or Vessel, or not,) shall wilfully detain and refuse to deliver up the same to the proper Officers of His Majesty's Customs, for the Purpose of such Ship or Vessel, as Occasion shall require, or to the Person or Persons having the actual Command, Possession, and Management of such Ship or Vessel as the commandable and reputed Master, or as the commandable and reputed Owner or Owners thereof, it may and shall be lawful to and for any such last-mentioned Person to make Complaint on Oath of such Detainer and Refusal to any Justice of the Peace residing near to the Place where such Detainer and Refusal shall be in Great Britain or Ireland, or to any Member of the Supreme Court of Justice or any Justice of the Peace in the Islands of Jersey, Guernsey, or Man, or in any Colony, Plantation, Island, or Territory to His Majesty belonging in Asia, Africa, or America, or in Mexico, Gibraltar, or the Kingdoms, where such Detainer and Refusal shall be in any of the Places last mentioned; and on such Complaint the said Justice or other Magistrate shall and is hereby required, by Warrant under his Hand and Seal, to cause the Person so complained against to be brought before him to be examined touching such Detainer and Refusal; and if it shall appear to the said Justice or other Magistrate, on Examination of such Person or otherwise, that the said Certificate of Registry is not lost or mislaid, but is wilfully detained by the said Person, such Person shall be thereof convicted, and shall forfeit and pay the Sum of One hundred Pounds, and on failure of Payment thereof he shall be committed to the Common Gaol, there to remain without Bail or Mainprize for such Time as the said Justice or other Magistrate shall in his Discretion deem proper, not being less than Three Months nor more than Twelve Months; and the said Justice or other Magistrate shall and be is hereby required to certify the aforesaid Detainer, Refusal, and Conviction to the Person or Persons who granted such Certificate of Registry for such Ship or Vessel, who shall, as the Terms and Conditions of Law being complied with, make Registry of such Ship or Vessel *de novo*, and grant a Certificate thereof conformably to Law, notifying on the Back of such Certificate the Ground upon which the Ship or Vessel was so registered *de novo*; and if the Person who shall have detained and refused to deliver up such Certificate of Registry as aforesaid, or shall be verily believed to have detained the same, shall have absconded, so that the said Warrant of the Justice or other Magistrate cannot be executed upon him, and Proof thereof shall be made to the Satisfaction of the Commissioners of His Majesty's Customs, it shall be lawful for the said Commissioners to permit such Ship or Vessel to be registered *de novo*, or otherwise, in their Discretion, to grant a Licence for the present Use of such Ship or Vessel in like Manner as is here-before provided in the Case wherein the Certificate of Registry is lost or mislaid.

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Certificate of Registry lost or mislaid.  
Commissioners may permit Registry *de novo*, or grant a Licence.

Bond respecting lost Certificate of Registry.  
Condition.  
Declaration to be made before Licence be granted.

Before Licence be granted Ship to be surveyed as if for Registry;  
and Registry may be made after Departure of Ship; and certificate transmitted to be exchanged for the Licence.

Persons detaining Certificate of Registry to forfeit bond.

Justice to certify Detainer, and Ship to be registered *de novo*.

If Person detaining Certificate have absconded, Ship may be registered *de novo* and Certificate.

XXVIII. And be it further enacted, That if any Ship or Vessel, after she shall have been registered pursuant to the Directions of this Act, shall in any Manner whatsoever be altered so as not to correspond with all the Particulars contained in the Certificate of her Registry, in such Case such Ship or Vessel shall be registered de novo, in manner hereinafter required, as soon as she returns to the Port to which she belongs, or to any other Port which shall be in the same Part of the United Kingdom, or in the same Colony, Plantation, Island, or Territory, as the said Port shall be in, on Failure whereof such Ship or Vessel shall to all Intents and Purposes be considered and deemed and taken to be a Ship or Vessel not duly registered.

XXIX. And be it further enacted, That the Owner or Owners of all such Ships and Vessels as shall be taken by any of His Majesty's Ships or Vessels of War, or by any private or other Ship or Vessel, and condemned as lawful Prize in any Court of Admiralty, or of such Ships or Vessels as shall be condemned in any competent Court as forfeited for Breach of the Laws for the Prevention of the Slave Trade, shall, for the Purpose of registering any such Ship or Vessel, produce to the Collector and Comptroller of His Majesty's Customs a Certificate of the Condemnation of such Ship or Vessel, under the Hand and Seal of the Judge of the Court in which such Ship or Vessel shall have been condemned (which Certificate such Judge is hereby authorized and required to grant), and also a true and exact Account in Writing of all the Particulars contained in the Certificate herein before set forth, to be made and subscribed by One or more skilful Persons or Persons to be appointed by the Court then and there to survey such Ship or Vessel, and shall also make and subscribe a Declaration before the Collector and Comptroller that such Ship or Vessel is the same Vessel which is mentioned in the Certificate of the Judge aforesaid.

XXX. Provided always, and be it further enacted, That no Ship or Vessel which shall be taken and condemned as Prize or Forfeiture as aforesaid shall be registered to the Islands of Guernsey, Jersey, or Man, although belonging to His Majesty's Subjects residing in those Islands, or in some one or other of them; but the same shall be registered either at Southampton, Weymouth, Exeter, Plymouth, Portsmouth, Liverpool, or Whitehaven, by the Collector and Comptroller at such Ports respectively, who are hereby authorized and required to register such Ship or Vessel, and to grant a Certificate thereof in the Form and under the Regulations and Restrictions in this Act contained.

XXXI. And be it further enacted, That when and so often as the Property in any Ship or Vessel, or any Part thereof, belonging to any of His Majesty's Subjects, shall, after Registry thereof, be sold to any other or others of His Majesty's Subjects, the same shall be transferred by Bill of Sale or other Instrument in Writing, consisting a Recital of the Certificate of Registry of such Ship or Vessel, or the principal Contents thereof, otherwise such Transfer shall not be valid or effectual for any Purpose whatever, either in Law or in Equity: Provided always, that no Bill of Sale shall be deemed void by reason of any Error in such Recital, or by the Recital of any former Certificate of Registry instead of the existing Certificate, provided the Identity of the Ship or Vessel intended in the Recital be effectually proved thereby.

XXXII. And be it further enacted, That the Property in every Ship or Vessel of which there are more than one Owner shall be taken and considered to be divided into Sixty-four equal Parts or Shares, and the Proportion held by each Owner shall be described in the Registry as being a certain Number of Sixty-fourth Parts or Shares; and that no Person shall be entitled to be registered as an Owner of any Ship or Vessel in respect of any Proportion of such Ship or Vessel which shall not be an integral Sixty-fourth Part or Share of the same; and upon the first Registry of any Ship or Vessel the Owner or Owners who shall take and subscribe the Declaration required by this Act before Registry be made shall also declare the Number of such Parts or Shares then held by each Owner, and the same shall be so registered accordingly: Provided always, that if at any Time happens that the Property of any Owner or Owners of any Ship or Vessel cannot be reduced by Division into any Number of integral Sixty-fourth Parts or Shares, it shall and may be lawful for the Owner or Owners of such fractional Parts as shall be over and above such Number of integral Sixty-fourth Parts or Shares into which such Property in any Ship or Vessel may be reduced by Division to transfer the same one to another, or jointly to any new Owner, by Memorandum upon their respective Bills of Sale, or by fresh Bill of Sale, without such Transfer being liable to any Stamp Duty: Provided also, that the Right of any Owner or Owners to any such fractional Parts shall not be affected by reason of the same not having been registered: Provided also, that it shall be lawful for any Number of such Owners, named and described in such Registry, being Partners in any House or Copartnership actually carrying on Trade in any Part of His Majesty's Dominions, to hold any Ship or Vessel, or any Share or Shares of any Ship or Vessel, in the Name of such House or Copartnership, as joint Owners thereof, without distinguishing the proportionate Interest of each of such Owners, and that such Ship or Vessel or the Share or Shares thereof so held in Copartnership shall be deemed and taken to be Partnership Property to all Intents and Purposes, and shall be governed by the same Rules, both in Law and Equity, as relate to and govern all other Partnership Property in any other Goods, Chattels, and Effects whatsoever.

XXXIII. And be it further enacted, That no greater Number than Thirty-two Persons shall be entitled to be legal Owners at one and the same Time of any Ship or Vessel, or Tenants in common, or to be registered as such: Provided always, that nothing herein contained shall affect the equitable Title of Minors, Heirs, Legatees, Executors, or others, exceeding that Number, duly represented by or holding from any of the Persons within the said Number, registered as legal Owners of any Share or Shares of

Ship altered in certain Manner to be registered de novo.

Vessel condemned as Prize, or the Branch of Laws against Slave Trade, Certificate of Condemnation to be produced.

Prize Vessel not to be registered at Guernsey, Jersey, or Man.

Transfer of Interest to be made by Bill of Sale.

Bill of Sale not valid by error in recital of Recital, if Identity of Vessel proved.

Property in Ships to be divided into Sixty-four Parts or Shares.

Declaration upon first Registry.

Smaller Portions may be conveyed with-out Stamp.

Partners may hold Ships or Vessels without distinguishing proportionate Interest of each Owner.

Only 32 Persons to be Owners at one Time. Not to affect the equitable Title of Minors.

Joint Stock  
Companies.

such Ship or Vessel. Provided also, that if it shall be proved to the Satisfaction of the Commissioners of the Majesty's Customs that any Number of Persons have associated themselves as a Joint Stock Company, for the Purpose of owning any Ship or Vessel, or any Number of Ships or Vessels, as the Joint Property of such Company, and that such Company have duly elected or appointed any Number, not less than Three, of the Members of the same to be Trustees of the Property in such Ship or Vessel or Ships or Vessels so owned by such Company, it shall be lawful for such Trustees or any Three of them, with the Permission of such Commissioners, to make and subscribe the Declaration required by this Act before Registry be made, except that instead of stating therein the Names and Descriptions of the other Owners, they shall state the Name and Description of the Company to which such Ship or Vessel or Ships or Vessels shall in such Manner belong.

Treaties may  
apply to have  
Registry made.

Bills of Sale  
not allowed  
and produced  
to Officers of  
Customs, and  
entered in the  
Book of Registry  
or in a  
sub-Registry.

XXXIV. And be it further enacted, That no Bill of Sale or other Instrument in Writing shall be valid and effectual to pass the Property in any Ship or Vessel, or in any Share thereof, or for any other Purpose, until such Bill of Sale or other Instrument in Writing shall have been produced to the Collector and Controller of the Port at which such Ship or Vessel is already registered, or to the Collector and Controller of any other Port at which she is about to be registered *de novo*, as the Case may be, nor until such Collector and Controller respectively shall have entered in the Book of such sub Registry, in the one Case, or in the Book of such Registry *de novo*, after all the Requisites of Law for such Registry *de novo* shall have been duly complied with, in the other Case, (and which they are respectively hereby required to do upon the Production of the Bill of Sale or other Instrument for that Purpose,) the Name, Residence, and Description of the Vendor or Mortgagee, or of such Vendor or Mortgagee, if more than One, the Number of Shares transferred, the Name, Residence, and Description of the Purchaser or Mortgagee, or of such Purchaser or Mortgagee, if more than One, and the Date of the Bill of Sale or other Instrument, and of the Production of it; and further, if such Ship or Vessel is not about to be registered *de novo*, the Collector and Controller of the Port where such Ship is registered shall and they are hereby required to indorse the aforesaid Particulars of such Bill of Sale or other Instrument on the Certificate of Registry of the said Ship or Vessel, when the same shall be produced to them for that Purpose, in manner and to the Effect following: *rationem*,

Form of  
Indorsement.

1. Custom House [Port and Date], Name, Residence, and Description of Vendor or Mortgagee] has transferred by [Bill of Sale or other Instrument] dated [Date, Number of Shares] to [Name, Residence, and Description of Purchaser or Mortgagee].  
2. A. B. Collector.  
3. C. D. Controller.

Notice to Com-  
missioners.

And forthwith to give Notice thereof to the Commissioners of Customs; and in case the Collector and Controller shall be desired so to do, and the Bill of Sale or other Instrument shall be produced to them for that Purpose, then the said Collector and Controller are hereby required to certify, by Indorsement upon the Bill of Sale or other Instruments, that the Particulars before mentioned have here so entered in the Book of Registry, and indorsed upon the Certificate of Registry as aforesaid.

Entry of Bill  
of Sale to be  
valid, except in  
certain Cases.

XXXV. And be it further enacted, That when and so soon as the Particulars of any Bill of Sale or other Instrument by which any Ship or Vessel, or any Share or Shares thereof, shall be transferred, shall have been so entered in the Book of Registry as aforesaid, the said Bill of Sale or other Instrument shall be valid and effectual to pass the Property thereby intended to be transferred as against all and every Person and Person whatsoever, and to all Intests and Purposes, except as against such subsequent Purchasers and Mortgagees who shall first procure the Indorsement to be made upon the Certificate of Registry of such Ship or Vessel in manner herein after mentioned.

When a Bill of  
Sale has been  
entered for any  
Share, Thirty  
Days shall be  
allowed for in-  
dorsing the  
Certificate of  
Registry before  
any other Bill  
of Sale for the  
same shall be  
entered.

XXXVI. And be it further enacted, That when and after the Particulars of any Bill of Sale or other Instrument by which any Ship or Vessel, or any Share or Shares thereof, shall be transferred, shall have been so entered in the Book of Registry as aforesaid, the Collector and Controller shall not enter in the Book of Registry the Particulars of any other Bill of Sale or Instrument purporting to be a Transfer by the same Vendor or Mortgagee or Vendors or Mortgagees of the same Ship or Vessel, Share or Shares thereof, to any other Person or Persons, unless Thirty Days shall elapse from the Day on which the Particulars of the former Bill of Sale or other Instrument were entered in the Book of Registry; or in case the Ship or Vessel was about from the Port to which the belonged at the Time when the Particulars of such former Bill of Sale or other Instrument were entered in the Book of Registry, then unless Thirty Days shall have elapsed from the Day on which the Ship or Vessel arrived at the Port to which the same belonged; and in case the Particulars of Two or more such Bills of Sale or other Instruments as aforesaid shall on any Time have been entered in the Book of Registry of the said Ship or Vessel, the Collector and Controller shall not enter in the Book of Registry the Particulars of any other Bill of Sale or other Instrument as aforesaid unless Thirty Days shall in like Manner have elapsed from the Day on which the Particulars of the last of such Bill of Sale or other Instrument were entered in the Books of Registry, or from the Day on which the Ship or Vessel arrived at the Port to which the belonged, in case of her Absence as aforesaid; and in every Case where there shall at any Time happen to be Two or more Transfers by the same Owner or Owners of the same Property in any Ship or Vessel covered in the Book of Registry as aforesaid, the Collector and Controller are hereby required to indorse upon the Certificate of Registry of such Ship or Vessel the Particulars of that Bill of Sale or other Instrument under which the Person or Persons claim or claim Property who shall produce the Certificate of Registry for that Purpose within Thirty Days next after the Entry of the said Bill of Sale or other Instruments in the Book of Registry as aforesaid, or within Thirty Days next after the Return of



the said Ship or Vessel to the Port to which she belongs, in case of her Absence at the Time of such Entry as aforesaid; and in case no Person or Persons shall produce the Certificate of Registry within either of the said Spaces of Thirty Days, then it shall be lawful for the Collector and Controller, and they are hereby required, to indorse upon the Certificate of Registry the Particulars of the Bill of Sale or other Instrument to such Person or Persons as shall first produce the Certificate of Registry for that Purpose, it being the true Intent and Meaning of this Act that the several Purchasers and Mortgagees of such Ship or Vessel, Share or Shares thereof, when more than One appear to claim the same Property, or to claim Security on the same Property, in the same Rank and Degree, shall have Priority one over the other, not according to the respective Times when the Particulars of the Bill of Sale or other Instrument by which such Property was transferred to them were entered in the Book of Registry as aforesaid, but according to the Time when the Indorsement is made upon the Certificate of Registry as aforesaid: Provided always, that if the Certificate of Registry shall be lost or mislaid, or shall be detained by any Person whatsoever, so that the Indorsement cannot in due Time be made thereon, and Proof thereof shall be made by the Purchaser or Mortgagee, or his known Agent, to the Satisfaction of the Commissioners of His Majesty's Customs, it shall be lawful for the said Commissioners to grant such further Time as to them shall appear necessary for the Recovery of the Certificate of Registry, or for the Registry de novo of the said Ship or Vessel under the Provisions of this Act, and thereupon the Collector and Controller shall make a Memorandum in the Book of Registers of the further Time so granted, and during such Time no other Bill of Sale shall be entered for the Transfer of the same Ship or Vessel, or the same Share or Shares thereof, or for giving the same Security thereon.

**XXXVII.** And be it further enacted, That if the Certificate of Registry of such Ship or Vessel shall be produced to the Collector and Controller of any Port where she may then be, after any such Bill of Sale shall have been recorded at the Port to which she belongs, together with such Bill of Sale, containing a Notification of such Record, signed by the Collector and Controller of such Port as before directed, it shall be lawful for the Collector and Controller of such other Port to indorse on such Certificate of Registry (being required so to do) the Transfer mentioned in such Bill of Sale, and such Collector and Controller shall give Notice thereof to the Collector and Controller of the Port to which such Ship or Vessel belongs, who shall record the same in like Manner as if they had made such Indorsement themselves, but inserting the Name of the Port at which such Indorsement was made: Provided always, that the Collector and Controller of such other Port shall first give Notice to the Collector and Controller of the Port to which such Ship or Vessel belongs of such Request made to them to indorse the Certificate of Registry, and the Collector and Controller of the Port to which such Ship or Vessel belongs shall thereupon send Information to the Collector and Controller of such other Port, whether any and what other Bill or Bills of Sale have been recorded in the Book of the Registry of such Ship or Vessel; and the Collector and Controller of such other Port having such Information shall proceed in manner directed by this Act in all respects to the indorsing of the Certificate of Registry as they would do if such Port were the Port to which such Vessel belonged.

**XXXVIII.** And be it further enacted, That if it shall become necessary to register any Ship or Vessel de novo, and any Share or Shares of such Ship or Vessel shall have been sold since she was last registered, and the Transfer of such Share or Shares shall not have been recorded and indorsed in manner herein-before directed, the Bill of Sale thereof shall be produced to the Collector and Controller of His Majesty's Customs, who see to make Registry of such Ship or Vessel, otherwise such Sale shall not be noticed in such Registry de novo, except as herein-after excepted: Provided always, that upon the future Production of such Bill of Sale, and of the existing Certificate of Registry, such Transfer shall and may be recorded and indorsed as well after such Registry de novo as before.

**XXXIX.** And be it further enacted, That if upon any Change of Property in any Ship or Vessel the Owner or Owners shall desire to have the same registered de novo, although not required by this Act, and the Owner or proper Number of Owners shall attend at the Custom House at the Port to which such Ship or Vessel belongs for that Purpose, it shall be lawful for the Collector and Controller of His Majesty's Customs at such Port to make Registry de novo of such Ship or Vessel at the same Port, and to grant a Certificate thereof, the several Requisites herein-before in this Act mentioned and directed being first duly observed and complied with.

**XI.** And whereas great Inconvenience hath arisen from the Registering Officers being stirred with Seditious papers tending to bring with them and produce, on Trials in Courts of Law relative to the Ownership of Vessels, or otherwise, the Oaths or Declarations required to be taken by the Owners thereof prior to the registering thereof, and the Books of Registry, or Copies or Extracts therefrom: And whereas it would tend much to the Dispatch of Business if the Attendance of such Registering Officers with the same upon such Trials were dispensed with: be it therefore enacted, That the Collector and Controller of His Majesty's Customs at any Port or Place, and the Person or Persons acting for them respectively, shall, upon every reasonable Request by any Person or Persons whatsoever, produce and exhibit for his, her, or their Inspection and Examination any Oath or Declaration sworn or made by any such Owner or Owners, Proprietor or Proprietors, and also any Register or Entry in any Book or Books of Registry required by this Act to be made or kept relative to any Ship or Vessel, and shall, upon every reasonable Request by any Person or Persons whatsoever, permit him, her, or them to take a Copy or Copies of an Oath or Oaths thereof respectively; and that the Copy and Copies of any such Oath or Declaration, Register or Entry, shall, upon being proved to be a true Copy or Copies

Notice of the Property Indorsed in this Act.

Provision to own Certificate to be made.

Bills of Sale to be produced after Entry in other Ports than those to which Vessels belong, and Transfers indorsed on Certificate of Registry.

Notice to be given to Officers at the Port of Registry.

If upon Registry de novo any Bill of Sale shall not have been recorded, it shall then be produced.

Upon Change of Property Registry de novo may be granted if desired.

Copies of Declarations, &c. and of Extracts from Books of Registry, admitted in Evidence.

thereof respectively, be allowed and received as Evidence upon every Trial at Law, without the Production of the Original or Originals, and without the Testimony or Attendance of any Collector or Controller, or other Person or Persons acting for them respectively, in all Cases, as fully and to all Intents and Purposes as such Original or Originals, if produced by any Collector or Collectors, Controller or Controllers, or other Person or Persons acting for them, could or might legally be admitted or received in Evidence.

Vessels or  
Ships sold in  
the Absence of  
Owners without  
Legal Power.  
Commissioners  
may provide the  
form of such  
Sales or Regis-  
try as may be  
the Case may  
require.

and in other  
Cases where  
Bill of Sale may  
not be produced;

Security being  
given to produce  
legal Powers or  
writs before  
Claims.

XXI. And be it further enacted, That if the Ship or Vessel, or the Share or Shares of any Owner thereof who may be out of the Kingdom, shall be sold in his Absence by his known Agent or Correspondent, under his Directions either expressed or implied, and acting for his Interest in that Behalf, and such Agent or Correspondent who shall have executed a Bill of Sale to the Purchaser of the whole of such Ship or Vessel, or of any Share or Shares thereof, shall not have received a legal Power to execute the same, it shall be lawful for the Commissioners of His Majesty's Customs, upon Application made to them, and Proof to their Satisfaction of the fair Dealings of the Parties, to permit such Transfer to be registered, if Registry do seem necessary, or to be recorded and indorsed, as the Case may be, in manner directed by this Act, as if such legal Power had been produced; and also if it shall happen that any Bill of Sale cannot be produced, or if, by reason of Distance of Time, or the Absence or Death of Parties concerned, it cannot be proved that a Bill of Sale for any Share or Shares in any Ship or Vessel had been executed, and Registry do seem of such Ship or Vessel shall have become necessary, it shall be lawful for the Commissioners of His Majesty's Customs, upon Proof to their Satisfaction of the fair Dealings of the Parties, to permit such Ship or Vessel to be registered do seem in like Manner as if a Bill of Sale for the Transfer of such Share or Shares had been produced: Provided always, that in any of the Cases herein mentioned good and sufficient Security shall be given to produce a legal Power or Bill of Sale within a reasonable Time, or to abide the future Claim of the absent Owner, his Heirs and Successors, as the Case may be; and at the future Request of the Party whose Property has been so transferred, without the Production of a Bill of Sale from him or from his lawful Attorney, such Bond shall be available for the Protection of his Interest, in addition to any Powers or Rights which he may have in Law or Equity against the Ship or Vessel, or against the Parties concerned, until he shall have received full Indemnity for any Loss or Injury sustained by him.

Transfer by way  
of Mortgage.

XXII. And be it further enacted, That when any Transfer of any Ship or Vessel, or of any Share or Shares thereof, shall be made only as a Security for the Payment of a Debt or Debts, either by way of Mortgage, or of Assignment to a Trustee or Trustees for the Purpose of selling the same for the Payment of any Debt or Debts, then and in every such Case the Collector and Controller of the Port where the Ship or Vessel is registered shall, in the Entry in the Book of Registry, and also in the Indorsement on the Certificate of Registry, in manner herein-before directed, state and express that such Transfer was made only as a Security for the Payment of a Debt or Debts, or by way of Mortgage, or to that Effect; and the Person or Persons to whom such Transfer shall be made, or any other Person or Persons claiming under him or them as a Mortgagee or Mortgagees, or a Trustee or Trustees only, shall not by reason thereof be deemed to be the Owner or Owners of such Ship or Vessel, Share or Shares thereof, nor shall the Person or Persons making such Transfer be deemed by reason thereof to have ceased to be an Owner or Owners of such Ship or Vessel, any more than if no such Transfer had been made, except so far as may be necessary for the Purpose of rendering the Ship or Vessel, Share or Shares so transferred, available by Sale or otherwise for the Payment of the Debt or Debts for securing the Payment of which such Transfer shall have been made.

Mortgages not  
to be deemed an  
Owner.

Transfer of  
Ships for Secu-  
rity of Debts  
being registered.  
Rights of Mort-  
gagees not af-  
fected by any  
Act of Bank-  
ruptcy of Mort-  
gagors &c

XXIII. And be it further enacted, That when any Transfer of any Ship or Vessel, or of any Share or Shares thereof, shall have been made as a Security for the Payment of any Debt or Debts, either by way of Mortgage or of Assignment as aforesaid, and such Transfer shall have been duly expressed according to the Provisions of this Act, the Right or Interest of the Mortgagee or other Assignee as aforesaid shall not be in any Manner affected by any Act or Acts of Bankruptcy committed by such Mortgagee or Assignee, Mortgagees or Assignees, after the Time when such Mortgage or Assignment shall have been so registered as aforesaid, notwithstanding such Mortgagee or Assignee, Mortgagees or Assignees, at the Time he or they shall be become bankrupt as aforesaid, shall have in him or their Possession, Order, and Disposition, and shall be the reputed Owner or Owners of the said Ship or Vessel, or the Share or Shares thereof, so by him or them mortgaged or assigned as aforesaid, but that such Mortgage or Assignment shall take place of and be preferred to any Right, Claim, or Interest which may belong to the Assignee or Assignees of such Bankrupt or Bankrupts in such Ship or Vessel, Share or Shares thereof, any Law or Statute to the contrary thereof notwithstanding.

In Cases of  
Calamity, &c.  
a special Pro-  
ceeding may be  
made.

XXIV. And be it further enacted, That it shall and may be lawful for any Governor, Lieutenant Governor, or Commander in Chief of any of His Majesty's Colonies, Plantations, Islands, or Territories, and they are hereby respectively authorized and required, if any Suit, Information, Label, or other Proceedings or Proceeding of any Nature or Kind whatsoever shall have been commenced or shall hereafter be commenced in any Court whatever in any of the said Colonies, Plantations, Islands, or Territories respectively, touching the Force and Effect of any Register granted to any Ship or Vessel, upon a Representation made to any such Governor, Lieutenant Governor, or Commander in Chief to cause all Proceedings therein to be stayed, if he shall see just Cause so to do, until His Majesty's Pleasure shall be known and certified to him by His Majesty, by and with the Advice of His Majesty's Privy Council,

Out of His Majesty's Principal Secretaries of State, to be laid before His Majesty in Council, an authenticated Copy of the Proceedings in every such Case, together with his Reasons for causing the same to be stayed, and such Documents (properly verified) as he may judge necessary for the Information of His Majesty.

XLV. And be it further enacted, That if any Person or Persons shall falsely make Declaration in any of the Matters herein-before required to be verified by Declaration, or if any Person or Persons shall counterfeit, erase, alter, or falsify any Certificate or other Instrument in Writing required or directed to be obtained, granted, or produced by this Act, or shall knowingly or wilfully make use of any Certificate or other Instrument so counterfeit, erased, altered, or falsified, or shall wilfully grant such Certificate or other Instrument in Writing, knowing it to be false, such Person or Persons shall for every such Offence forfeit the Sum of Five hundred Pounds.

XLVI. And be it further enacted, That all the Penalties and Forfeitures inflicted and incurred by this Act shall and may be used for, prosecuted, recovered, and disposed of in such Manner, and by such Ways, Means, and Methods, as any Penalties or Forfeitures inflicted or which may be incurred for any Offences committed against any Law relating to the Customs may now legally be used for, prosecuted, recovered, and disposed of; and that the Officer or Officers concerned in seizures or Prosecutions under this Act shall be entitled to and receive the same Share of the Produce arising from such Seizures as in the Case of Seizures for unlawful Importation, and to such Share of the Produce arising from any pecuniary Fine or Penalty for any Offence against this Act as any Officer or Officers is or are now by any Law or Regulation entitled to upon Prosecutions for pecuniary Penalties.

XLVII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this Session of Parliament.

## C A P. LVI.

## An Act for granting Duties of Customs.

[1833 August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for granting Duties of Customs*, whereby the several Duties of Customs were consolidated in One Act: And whereas since the passing of the said Act divers Acts altering the said Duties have been passed, and it will be of advantage to the Trade and Commerce of the Country that the said several Duties should be consolidated in One Act: Be it therefore enacted by His Majesty's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty-three, except where any other Commencement is herein particularly directed.

II. And be it further enacted, That in lieu and instead of all other Duties of Customs (except the Duties upon Corn, Grain, Hides, or Hides), there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, upon Goods, Wares, and Merchandize imported into or exported from the United Kingdom, the several Duties of Customs, and there shall be also of the several Drawbacks, as the same are respectively enacted, described, and set forth in Figures in the Tables to this Act annexed, and denominated respectively "Table of Duties of Customs Inwards" and "Table of Duties of Customs Outwards."

III. And be it further enacted, That the Amount of Drawbacks granted, allowed, and made payable upon Goods, Wares, and Merchandize exported from or used or consumed in Great Britain or Ireland, wether or by virtue of any Act or Acts in force in Great Britain or Ireland on or immediately before the said First Day of September, shall remain and continue payable with respect to such Goods, Wares, and Merchandize as, having paid the Duties imposed upon the Importation thereof by any Act or Acts in force on or immediately before the said First Day of September, shall from and after the said First Day of September be exported from or be so used or consumed in Great Britain or Ireland respectively.

IV. And be it further enacted, That the Duties and Drawbacks by this Act imposed and allowed shall be under the Management of the Commissioners of His Majesty's Customs, and shall be assessed, raised, levied, collected, paid, and recovered, and allowed, and applied or appropriated, under the Provisions of an Act passed in the present Session of Parliament, intitled *An Act for the general Regulation of the Customs*.

V. And be it further enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council, by His Order in Council, from Time to Time to order and direct that there shall be levied and collected any additional Duty, not exceeding One Fifth of the Amount of any existing Duty, upon all or any Goods, Wares, or Merchandize the Growth, Produce, or Manufacture of any Country which shall levy higher or other Duties upon any Article the Growth, Produce, or Manufacture of any of His Majesty's Dominions than upon the like Article the Growth, Produce, or Manufacture of any other Foreign Country: and in like Manner to impose such additional Duty upon all or any Goods when imported in the Ships of any Country which shall levy higher or other Duties upon any Goods when imported in British Ships than when imported in the National Ships of such Country, or which shall levy higher or other Tonnage or Port or other Duties upon British Ships than upon such National Ships, or which shall not place the Commerce or Navigation of this Kingdom upon the Footing of the

Treaty of 1806, as Persons making false Declaration, or falsifying any Document.

New Penalties are to be imposed.

and Officers Elated.

An Act to alter this Statute.

§ 6. 4. 111.

Commencement of Act.

Duties and Drawbacks specified in the Tables annexed to be paid instead of all others.

Goods being paid Duties imposed by former Acts to be entitled to Drawbacks.

Duties to be under the Management of the Commissioners of the Customs of Great Britain.

Reciprocal Duties to be levied on Foreign Merchandise, &c.

most favored Nation in the Ports of such Country; and either to prohibit the Importation of any manufactured Article the Produce of such Country in the event of the Export of the raw Material of which such Article is wholly or in part made being prohibited from such Country to the British Dominions, or to impose an additional Duty, not exceeding One Fifth as aforesaid, upon such manufactured Article; and also to impose such additional Duty in the event of such raw Material being subject to any Duty upon being exported from the said Country to any of His Majesty's Dominions; and all Duties imposed by any such Order shall be deemed to be Duties imposed by this Act.

In which the  
and Exemption  
of Foreign Rice  
or Paddy.

VI. And be it further enacted, That upon the Exportation from the United Kingdom of any Foreign Rice or Paddy which shall have been cleared therein, and which shall have paid the Duties payable on the Importation thereof under this Act, there shall be allowed and paid for every Hundred Weight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the rough Rice or Paddy from which the same shall have been cleared.

Conditions on  
which such  
Drawback is  
paid.

VII. Provided always, and be it further enacted, That such Drawback upon Rice so exported shall be paid and allowed only upon such Rice as shall be deposited for the Purpose of Exportation, within One Calendar Month from the Day on which the Duty thereon had been paid, in some Warehouse (in which Rice may be warehoused on Importation without Payment of Duty), and shall there remain secured until duly shipped to be exported from such Warehouse: Provided also, that the Exporter of such Rice shall make Oath before the Collector or Controller that the Rice so warehoused for Exportation was cleared from the rough Rice or Paddy upon which the Duties had been so paid.

Warehousing  
of Goods.

VIII. And be it further enacted, That it shall be lawful for the Importer of any Goods subject to any Duties of Customs to warehouse such Goods upon the first Entry thereof, under the Laws in force for the warehousing of Goods, without Payment of Duty upon such first Entry; and that all Goods which shall have been so warehoused before the Commencement of any such Duties, and shall remain so warehoused after the Commencement of the same, shall become liable to such Duties in lieu of all former Duties.

Cape of Good  
Hope as Limits  
of Charter,  
Mauritius or  
West India.

IX. And be it further enacted, That for the Purposes of this Act the Cape of Good Hope and the Territories and Dependencies thereof shall be deemed to be within the Limits of the East India Company's Charter; and the Island of Mauritius shall be deemed to be one of His Majesty's Sugar Colonies, and placed upon the same Footing in all respects as His Majesty's Islands in the West Indies.

Produce of  
Islands of Char-  
ter to be  
imported  
from Malta or  
Gibraltar.

X. And be it further enacted, That all Goods the Produce of Places within the Limits of the East India Company's Charter, having been imported into Malta or Gibraltar from those Places in British Ships, shall, upon subsequent Importation into the United Kingdom direct from Malta or Gibraltar, be liable to the same Duties as the like Goods would respectively be liable to if imported direct from some Place within the Limits of the said Charter.

An Account of  
the Amount of  
hereditary  
Revenues of the  
Crown to be  
kept separate.

XI. And whereas by the Consolidation of the different Branches of the Public Revenue, and of the several Duties payable on the Importation or Exportation of Goods, Wares, and Merchandises, and the Appropriation thereof, as directed by the several Acts in force in England, the hereditary and temporary Revenues of the Crown of Subsidies of Tonnage and Passage, and of other Duties upon Goods, Wares, and Merchandises, arising in England, are not now kept distinct and separate at the several Offices, but have become blended with other Duties of Customs and Tonnage, both in the Collection and Appropriation thereof: And whereas it is expedient that Provision should be made for ascertaining the several Amount of what such hereditary Revenues would have produced in case the same had not been so consolidated, and that an Account should hereafter be kept of such several Amount: be it therefore enacted That from and after the said First Day of September the Lord High Treasurer or Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being, or any Three or more of them, shall cause to be prepared and kept an Account of what such hereditary Revenue arising in England would have amounted to in case the same had not been so consolidated and collected with other Duties of Customs and Tonnage in the Collection and Appropriation thereof; in such Manner and Form as shall appear to the said Lord High Treasurer or Commissioners of His Majesty's Treasury (as the Thing being best adapted to ascertain such Amount); which Account the said Lord High Treasurer or Commissioners for the Time being are hereby required to make out or cause to be made out and laid before Parliament, together with the Public Accounts directed to be laid before Parliament, pursuant to the Provision of the several Acts for directing Public Accounts to be laid annually before Parliament.

Not to affect  
the hereditary  
Revenues in  
Scotland.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect or alter the hereditary Revenues of His Majesty, His Heirs and Successors, in Scotland, or other Revenues there granted to His late Majesty King George the Second during His Life, and reserved to His present Majesty during His Life by an Act passed in the First Year of His present Majesty's Reign, but the same, and the Civil Establishment payable out of the same shall continue to be paid in like Manner as heretofore, any Thing in this Act contained to the contrary notwithstanding.

Duties to be  
paid into the  
Exchequer, and

XIII. And be it further enacted That all the Monies arising by the Duties imposed by this Act (the necessary Charges of raising and accounting for the same excepted) shall from Time to Time be paid into the Treasury of His Majesty's Exchequer in Great Britain, and shall be carried to and made Part

of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, except only as by this Act is specially provided, and shall be appropriated in like Manner and to the same Services as the Duties by this Act repealed would have been if this Act had not been passed.

XIV. And be it further enacted, That all Monies arising from any Duties of Customs, or any Accrues thereof, shall be raised, levied, collected, paid, or received from and after the said First Day of September, for or on account of any Goods, Wares, or Merchandise whatever imported or brought into the United Kingdom of Great Britain and Ireland, or exported from the said United Kingdom, or brought or carried Coastwise or from Port to Port within the United Kingdom, although the Amount of the said Duties may have been computed and ascertained as such Duties have been computed and ascertained before the said First Day of September, and although the Goods, Wares, or Merchandise whereon any such Duties of Customs may have been charged or may be charged may have been imported into or exported from the United Kingdom before the said First Day of September, and although any Duties of Customs due and payable or charged or chargeable thereon may have been secured by Bond or otherwise on or before the said First Day of September, shall from and after the said First Day of September be appropriated and applied in like Manner and to the same Purposes as the Duties of Customs by this Act granted are directed to be appropriated and applied, except as in this Act provided, any Act or Acts of Parliament, Law, Usage, or Custom, to the contrary notwithstanding; and that all Monies arising by any of the Revenues of Customs hereafter to be paid or allowed, either upon Bond or otherwise, either by way of Drawback, Bounty, Certificate, Premium, or Allowance, or by any other legal Process whatever, from and after the said First Day of September, although the Amount of the same shall have been computed and ascertained in like Manner in which they have heretofore been usually computed and ascertained, or shall have become due before the said First Day of September, shall and may be paid or allowed in like Manner by the proper Officers or Officers of the Customs out of any Monies in their Hands arising from the Duties of Customs respectively.

XV. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

carried to the  
Consolidated  
Fund.

Duties due  
before the Day  
of September,  
levied after that  
Day, to be  
discharged Duties  
under this Act,  
and appropri-  
ated as such.

Act may be  
altered in this  
Session.

TABLE  
OF  
DUTIES OF CUSTOMS  
INWARDS.

## DUTIES OF CUSTOMS INWARDS.

A TABLE of the Duties of Customs payable on Goods, Wares, and Merchandise imported into the United Kingdom from Foreign Parts, and of the Drawbacks to be allowed on the Exportation of such Goods, Wares, and Merchandise.

| INWARDS.   |  | Duty. |    |    |
|--|--|-------|----|----|
| A.   |  | £     | s. | d. |
| Acetic Acid. See Vinegar.  |  |       |    |    |
| Acorns. See Seed.  |  |       |    |    |
| Agates or Cornelians, - - - for every 100 <i>l</i> . of the Value  |  | 10    | 0  | 0  |
| — set, - - - - - for every 100 <i>l</i> . of the Value   |  | 30    | 0  | 0  |
| Alkali, not being Barilla, &c.   |  |       |    |    |
| — any Article containing Soda or Mineral Alkali, whoseof Mineral Alkali is the most valuable Part, (such Alkali not being otherwise particularly charged with Duty), &c. |  |       |    |    |
| - - - - - if not containing a greater Proportion of such Alkali than 30 per Centum, - the <i>est</i> .   |  | 0     | 11 | 4  |
| - - - - - if containing more than 30 per Centum and not exceeding 35 per Centum of such Alkali, - - - - - the <i>est</i> .   |  | 0     | 15 | 0  |
| - - - - - if containing more than 35 per Centum and not exceeding 39 per Centum of such Alkali, - - - - - the <i>est</i> .   |  | 0     | 18 | 4  |
| - - - - - if containing more than 39 per Centum and not exceeding 40 per Centum of such Alkali, - - - - - the <i>est</i> .   |  | 1     | 3  | 4  |
| - - - - - if containing more than 40 per Centum of such Alkali, - - - - - the <i>est</i> .   |  | 1     | 10 | 0  |
| — natural Alkali, imported from Places within the Limits of the East India Company's Charter - the <i>est</i> .  |  | 0     | 2  | 0  |
| Alkanet Root - - - - - the <i>est</i> .  |  | 0     | 2  | 0  |
| Almond Paste - - - - - for every 100 <i>l</i> . of the Value   |  | 60    | 0  | 0  |
| Almonds, &c.   |  |       |    |    |
| — Minor - - - - - the <i>est</i> .   |  | 0     | 4  | 0  |
| — Jordan - - - - - the <i>est</i> .  |  | 2     | 0  | 0  |
| — of any other Sort - - - - - the <i>est</i> .   |  | 1     | 0  | 0  |
| Alize - - - - - the <i>lb</i> .  |  | 0     | 0  | 0  |
| — the Produce of and imported from any British Possession, - - - - - the <i>lb</i> .   |  | 0     | 0  | 2  |
| Alum - - - - - the <i>est</i> .  |  | 0     | 17 | 6  |
| — Boch - - - - - the <i>est</i> .  |  | 0     | 11 | 0  |
| Amber, Rough - - - - - the <i>lb</i> .   |  | 0     | 0  | 6  |
| — Manufactures of Amber, not otherwise enumerated or described - - - - - the <i>lb</i> .   |  | 0     | 12 | 0  |
| Ambergia - - - - - the <i>oz</i> .   |  | 0     | 0  | 0  |
| Anchovies - - - - - the <i>lb</i> .  |  | 0     | 0  | 2  |
| Angelica - - - - - the <i>est</i> .  |  | 0     | 4  | 0  |

| INWARDS.   |                              | Duty.   | TABLE<br>of<br>Duties on Goods<br>INWARDS. |
|--|------------------------------|---------|--|
|  |                              | £ s. d. |  |
| Annatto  | - - - - - the cwt.           | 0 1 0   |  |
| Roll   | - - - - - the cwt.           | 0 4 0   |  |
| Antimony, viz.   |                              |         |  |
| Ore  | - - - - - the Ton            | 0 1 0   |  |
| Crude  | - - - - - the cwt.           | 0 8 0   |  |
| Regulus  | - - - - - the cwt.           | 0 10 0  |  |
| Apples   | - - - - - the Bushel         | 0 4 0   |  |
| dried  | - - - - - the Bushel         | 0 7 0   |  |
| Aquafortis   | - - - - - the cwt.           | 0 14 3  |  |
| Argol  | - - - - - the cwt.           | 0 9 6   |  |
| Aristolochia   | - - - - - the lb.            | 0 0 10  |  |
| Arquebuse Water.   | See Spirits.                 |         |  |
| Arrow Root   | - - - - - the lb.            | 0 0 3   |  |
| the Produce of and imported from any British Possession                          | - - - - - the cwt.           | 0 1 0   |  |
| Arsenic  | - - - - - the cwt.           | 0 8 0   |  |
| Asafetida.   | See Gum.                     |         |  |
| Ashes, viz.  |                              |         |  |
| Pearl and Fat  | - - - - - the cwt.           | 0 8 0   |  |
| - - - imported from any British Possession                                       | - - - - -                    | Free.   |  |
| Soap, Wood, and Wood   | - - - - - the cwt.           | 0 1 8   |  |
| - - - not otherwise enumerated or described,                                     | for every 100l. of the Value | 20 0 0  |  |
| Asphaltum  | - - - - - the cwt.           | 0 4 0   |  |
| Asses  | - - - - - each               | 0 10 0  |  |
| B.   |                              |         |  |
| Bacon  | - - - - - the cwt.           | 1 8 0   |  |
| Balm of Gilead.  | See Balm.                    |         |  |
| Balsam, viz.   |                              |         |  |
| Canada   | - - - - - the lb.            | 0 0 1   |  |
| Capivi   | - - - - - the cwt.           | 0 4 0   |  |
| Fera   | - - - - - the lb.            | 0 1 0   |  |
| Riga   | - - - - - the lb.            | 0 1 0   |  |
| and further as Foreign Spirits   | for every Gallon             | 1 10 0  |  |
| Tolu   | - - - - - the lb.            | 0 2 0   |  |
| Balm of Gilead, and all Balsams not otherwise enumerated or described            | - - - - - the lb.            | 0 4 6   |  |
| Bandstring Twist, the Dozen Knots, each Knot containing 32 Yards                 | - - - - -                    | 0 5 0   |  |
| Barilla  | - - - - - the Ton            | 2 0 0   |  |
| Bark, viz.   |                              |         |  |
| for Tanners or Dyers Use   | - - - - - the cwt.           | 0 0 8   |  |
| - - - imported from any British Possession                                       | - - - - - the cwt.           | 0 0 1   |  |
| Peruvian and Casorella   | - - - - - the lb.            | 0 0 1   |  |
| of other Sorts   | - - - - - the lb.            | 0 0 1   |  |
| Extract of, or of other Vegetable Substances to be used only for tanning Leather | - - - - - the cwt.           | 0 3 0   |  |
| - - - imported from any British Possession                                       | - - - - - the cwt.           | 0 0 1   |  |
| Bar Wood   | - - - - - the Ton            | 0 5 0   |  |
| Basket Beds, the Bundle (not exceeding Three Feet in Circumference at the Band)  | - - - - -                    | 0 1 0   |  |
| Baskets  | for every 100l. of the Value | 20 0 0  |  |
| Best Ropes, Twines, and Strands  | - - - - - the cwt.           | 0 10 0  |  |

TABLE  
of  
DUTIES on Customs.  
1833.

| INWARDS.  |   | Duty    |
|---|---|---------|
|   |   | s. d.   |
| Bast or Straw Hats or Bonnets. See Hats.  |   |         |
| — Plating, or other Manufacture of Bast or Straw, for making Hats or Bonnets. See Plating.  |   |         |
| Beads, viz.   |   |         |
| — Amber   | - - - - - the lb.                           | 0 12 0  |
| — Arrago  | - - - - - for every 100l. of the Value      | 20 0 0  |
| — Coral   | - - - - - the lb.                           | 0 15 10 |
| — Crystal   | - - - - - the 1,000                         | 1 5 8   |
| — Jet   | - - - - - the lb.                           | 0 3 2   |
| — not otherwise enumerated or described.  |   |         |
| for every 100l. of the Value  |   |         |
| Beans, Kidney or French Beans   | - - - - - the Bushel                        | 0 0 10  |
| Beef, salted (not being corned Beef)  | - - - - - the cwt.                          | 0 12 0  |
| Beef Wood, unmanufactured, imported from New South Wales,   |   |         |
|   | the Ton                                     | 0 5 0   |
| Beer, viz.  |   |         |
| — Malt  | - - - - - the Barrel, containing 32 Gallons | 3 1 1   |
| — Spruce  | - - - - - the Barrel, containing 32 Gallons | 2 0 0   |
| — or Ale of all other Sorts, the Barrel, containing 32 Gallons  |   | 2 12 0  |
| Benjamin or Benzoin   | - - - - - the cwt.                          | 0 4 0   |
| Berries, viz.   |   |         |
| — Bay, Juniper, Yellow, and any other Sort not otherwise enumerated   | - - - - - the cwt.                          | 0 2 0   |
| Birds, viz. Singing Birds   | - - - - - the Dozen                         | 0 8 0   |
| Bismar Judaicum   | - - - - - the cwt.                          | 0 4 0   |
| Blacking  | - - - - - the cwt.                          | 2 12 0  |
| Bladders  | - - - - - the Dozen                         | 0 0 0   |
| Blubber. See Train Oil, in Oil.   |   |         |
| Boxes of Cattle and other Animals, and of Fish, except Whale  |   |         |
| Fins, whether burnt or not, or as Animal Charcoal,  |   |         |
|   | for every 100l. of the Value                | 1 0 0   |
| Bonnets. See Hats.  |   |         |
| Books, viz.   |   |         |
| — being of Editions printed prior to the Year 1801, bound or unbound  | - - - - - the cwt.                          | 1 0 0   |
| — being of Editions printed in or since the Year 1801, bound or unbound   | - - - - - the cwt.                          | 5 0 0   |
| Note.— For the Description of Books prohibited to be imported, see the Act for the Regulation of the Customs, and Acts for securing Copyrights. |   |         |
| Boots, Shoes, and Calashes, viz.  |   |         |
| — Women's Boots and Calashes  | - the Dozen Pairs                           | 1 10 0  |
| - - - - - if lined or trimmed with Fur or other Trimming,   | the Dozen Pairs                             | 1 10 0  |
| — Women's Shoes, with Cuck or double Soles, quilted Shoes and Clogs   | - the Dozen Pairs                           | 1 6 0   |
| - - - - - if trimmed or lined with Fur or any other Trimming  | - the Dozen Pairs                           | 1 0 0   |
| — Women's Shoes of Silk, Satin, Jeans, or other Stuffs, Kid, Morocco, or other Leather  | - the Dozen Pairs                           | 0 18 0  |
| - - - - - if trimmed or lined with Fur or other Trimming,   | the Dozen Pairs                             | 1 4 0   |
| — Children's Boots, Shoes, and Calashes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.               |   |         |
| — Men's Boots   | - - - - - the Dozen Pairs                   | 2 14 0  |



| INWARDS.  | Duty.    | TABLE<br>OF<br>DUTIES OR CUSTOMS<br>LEVIED. |
|---|----------|---|
| Boots, &c., continued.  |          |   |
| Men's Shoes - - - - - the Dozen Pairs   | d. s. d. |   |
| Children's Boots and Shoes, not exceeding Seven Inches<br>in Length, to be charged with Two Thirds of the<br>above Duties.  | 1 4 0    |   |
| Boric Acid - - - - - the cwt.   | 0 4 0    |   |
| Borex or Tivox - - - - - the cwt.   | 0 4 0    |   |
| refined - - - - - the cwt.  | 0 10 0   |   |
| Bottles, viz.   |          |   |
| of Earth or Stone, empty - - - - - the Dozen  | 0 3 3    |   |
| - - - - - and further, full or empty - - - - - the cwt.   | 0 5 0    |   |
| of Glass covered with Wicker,<br>the Dozen Quarts Content   | 1 3 0    |   |
| - - - - - and further - - - - - the cwt.  | 4 0 0    |   |
| of Green or Common Glass, not of less Content than<br>One Pint, and not being Flasks, empty,<br>the Dozen Quarts Content  | 0 2 0    |   |
| of Green or Common Glass, full, computing all Bottles<br>of not greater Content than Half a Pint or of the<br>Content of Half a Pint, and all Bottles of greater<br>Content than Half a Pint, and not of greater Content<br>than a Pint or a repeated Pint, as of the Content of<br>a Pint or a repeated Pint, viz. |          |   |
| - - - - - imported from any British Possession,<br>the Dozen Quarts Content   | 0 1 0    |   |
| - - - - - imported from any Foreign Place, viz.   |          |   |
| - - - - - containing Wine or Spirits,<br>the Dozen Quarts Content   | 0 4 0    |   |
| - - - - - not containing Wine or Spirits,<br>the Dozen Quarts Content   | 0 2 0    |   |
| of Glass, not otherwise enumerated or described,<br>for every 100L. of the Value  | 25 0 0   |   |
| - - - - - and further - - - - - the cwt.  | 4 0 0    |   |
| <i>Note.</i> —Flasks in which Wine or Oil is imported, and<br>Glass Bottles or Flasks in which Mineral or<br>Natural Water is imported, are not subject<br>to Duty.   |          |   |
| Boxes of all Sorts - - - - - for every 100L. of the Value   | 20 0 0   |   |
| Box Wood - - - - - the Ton  | 5 0 0    |   |
| the Produce of and imported from any British<br>Possession - - - - - the Ton  | 1 0 0    |   |
| Brass, viz.   |          |   |
| Manufactures of, not otherwise enumerated or described,<br>for every 100L. of the Value   | 30 0 0   |   |
| Powder of, for Japanning - - - - - the lb.  | 0 2 6    |   |
| Brass Wood - - - - - the Ton  | 2 0 0    |   |
| Brassletto Wood - - - - - the Ton   | 0 4 4    |   |
| imported from a British Possession - - - - - the Ton  | 0 3 0    |   |
| Bricks or Clinkers - - - - - the 1,000  | 1 2 0    |   |
| Brimstone - - - - - the cwt.  | 0 0 0    |   |
| refined or in Rolls - - - - - the cwt.  | 0 6 0    |   |
| in Flour - - - - - the cwt.   | 0 8 0    |   |
| Bridles, viz.   |          |   |
| rough, and in the Tufts and not in any way sorted,<br>the lb.   | 0 0 3½   |   |

TABLE  
OF  
DUTIES ON CERTAIN  
INWARDS.

| INWARDS.   |  | Duty.  |
|--|--|--------|
| Bristles, continued.   |  |        |
| — in any way sorted or arranged in Colours, and not entirely rough and in the Tufts - - - the lb.  |  | 0 0 3½ |
| <i>Note.</i> —If any Part of the Bristles in a Package be such as to be subject to the higher Duty, the whole Contents of the Package shall be subject to the higher Duty. |  |        |
| Brocade of Gold or Silver - - - for every 100 <i>l.</i> of the Value   |  | 20 0 0 |
| Bronze, all Works of Art made of Bronze - - - the cwt.   |  | 1 0 0  |
| — Powder - - - for every 100 <i>l.</i> of the Value  |  | 25 0 0 |
| Bugles - - - - - the lb.   |  | 0 2 0  |
| Bullion and Foreign Coin, of Gold or Silver, and Ore of Gold or Silver, or of which the major Part in Value is Gold or Silver - - - - -                                    |  | Free.  |
| Bull Rushes - - - - - the Load containing 60 Bundles   |  | 0 12 0 |
| Butter - - - - - the cwt.  |  | 1 0 0  |
| Buttins - - - - - for every 100 <i>l.</i> of the Value   |  | 20 0 0 |
| C.   |  |        |
| Cables, not being Iron Cables, tarred or untarred - - - the cwt.   |  | 0 10 0 |
| — not being Iron Cables, in actual Use of a British Ship, and being fit and necessary for such Ship, and not or until otherwise disposed of - - -                          |  | Free.  |
| — - - - <i>Id.</i> , and when, otherwise disposed of, for every 100 <i>l.</i> of the Value   |  | 20 0 0 |
| Cambrics. See Linen.   |  |        |
| Carsonie Flowers - - - - - the lb.   |  | 0 0 3  |
| Campbor - - - - - the cwt.   |  | 0 1 0  |
| — refined - - - - - the cwt.   |  | 2 0 0  |
| Canewood - - - - - the Ton   |  | 0 5 0  |
| Candles, viz.  |  |        |
| — Spermaceti - - - - - the lb.   |  | 0 2 6  |
| — Tallow - - - - - the cwt.  |  | 3 3 4  |
| — Wax - - - - - the lb.  |  | 0 2 6  |
| Candlewick - - - - - the cwt.  |  | 4 8 8  |
| Canella Alba - - - - - the lb.   |  | 0 0 1  |
| Canes, viz.  |  |        |
| — Bamboo - - - - - the 1,000   |  | 0 5 0  |
| — Battans, not ground - - - - - the 1,000  |  | 0 5 0  |
| — Reed Canes - - - - - the 1,000   |  | 0 5 0  |
| — Walking Canes or Sticks, mounted, painted, or otherwise ornamented - for every 100 <i>l.</i> of the Value  |  | 20 0 0 |
| — Whiggers, Junbos, Ground Battans, Dragon's Blood, and other Walking Canes or Sticks - the 1,000  |  | 0 5 0  |
| Cantbarides - - - - - the lb.  |  | 0 1 0  |
| Caoutchouc - - - - - the cwt.  |  | 0 1 0  |
| Capers, including the Pickle - - - - - the lb.   |  | 0 0 0  |
| Capiscum. See Pepper.  |  |        |
| Cardamoms - - - - - the lb.  |  | 0 1 0  |
| — Extract or Preparation of. See Extract.  |  |        |
| Cards, viz. Playing Cards - - - - - the Dozen Packs  |  | 4 0 0  |
| Carmine - - - - - the oz.  |  | 0 0 0  |
| Carrots. See Salsaparilla.   |  |        |
| Carragee of all Sorts - - - - - for every 100 <i>l.</i> of the Value   |  | 20 0 0 |

| INWARDS.   |                                     | Duty. |       |
|--|-------------------------------------|-------|-------|
|  |                                     | £     | s. d. |
| Casks, empty   | for every 100L of the Value         | 50    | 0 0   |
| Cassis, viz.   |                                     |       |       |
| — Back   | the lb.                             | 0     | 1 0   |
| — Pistals  | the lb.                             | 0     | 0 10  |
| — Liques   | the lb.                             | 0     | 1 0   |
| — imported from any British Possession   | the lb.                             | 0     | 0 0   |
| Caster   | the lb.                             | 0     | 0 0   |
| Casts of Busts, Statues, or Figures  | the cwt.                            | 0     | 2 0   |
| Cassia. See Terra Japonica.  |                                     |       |       |
| Cadlings   | the Gross, containing 12 Dozen Eggs | 0     | 0 4   |
| Carbure  | the cwt.                            | 0     | 12 0  |
| Cedar Wood   | the Ton                             | 2     | 10 0  |
| — imported from any British Possession   | the Ton                             | 0     | 10 0  |
| Chalk, viz.  |                                     |       |       |
| — prepared or otherwise manufactured, and not otherwise enumerated or described, for every 100L of the Value |                                     | 40    | 0 0   |
| Chalk, unmanufactured, and not otherwise enumerated or described   | for every 100L of the Value         | 50    | 0 0   |
| Cheese   | the cwt.                            | 0     | 10 0  |
| Cherries   | the cwt.                            | 0     | 18 8  |
| — dried  | the lb.                             | 0     | 0 8   |
| Chicory, and any other Vegetable Matter applicable to the Uses of Chicory or Coffee, roasted or ground       | the lb.                             | 0     | 0 0   |
| Chilies. See Pepper.   |                                     |       |       |
| China Root   | the lb.                             | 0     | 0 5   |
| China or Porcelain Ware, viz.  |                                     |       |       |
| — plain  | for every 100L of the Value         | 15    | 0 0   |
| — painted, gilt, or ornamented,  | for every 100L of the Value         | 20    | 0 0   |
| Chips, Manufactures of, to make Hats or Bonnets. See Planting.   |                                     |       |       |
| Chocolate. See Cocoa Paste.  |                                     |       |       |
| Clare  | the Ton                             | 21    | 10 0  |
| Clinders   | the Ton                             | 2     | 0 0   |
| Cinnamon Native  | the lb.                             | 0     | 0 1   |
| Cinnamon   | the lb.                             | 0     | 1 0   |
| — imported from any British Possession   | the lb.                             | 0     | 0 0   |
| Citral of Lime   | the lb.                             | 0     | 0 2   |
| Citric Acid  | the lb.                             | 0     | 0 6   |
| Citron preserved with Salt   | for every 100L of the Value         | 20    | 0 0   |
| — preserved with Sugar. See Saccharin.   |                                     |       |       |
| Citron Water. See Spirits.   |                                     |       |       |
| Civet  | the oz.                             | 0     | 4 0   |
| Clinders. See Bricks.  |                                     |       |       |
| Clocks   | for every 100L of the Value         | 25    | 0 0   |
| Clives   | the lb.                             | 0     | 3 0   |
| — imported from any British Possession in Asia, Africa, or America   | the lb.                             | 0     | 2 0   |
| Coal   | the Ton                             | 2     | 0 0   |
| Colalt   | the cwt.                            | 0     | 1 0   |
| Cochineal  | the lb.                             | 0     | 0 0   |
| — the Produce of and imported from any British Possession  | the lb.                             | 0     | 0 2   |
| — Dye  | the lb.                             | 0     | 0 2   |
| — the Produce of and imported from any British Possession  | the lb.                             | 0     | 0 1   |

TABLE  
OF  
DUTIES ON COMMERCE  
INWARDS.

TABLE  
OF  
DUTIES OF CUSTOMS  
INWARDS

| INWARDS.  |                              | Duty.   |
|---|------------------------------|---------|
|   |                              | £ s. d. |
| Cocoa   | the lb.                      | 0 0 6   |
| — the Produce of and imported from any British Possession   | the lb.                      | 0 0 2   |
| — Hanks and Shells  | the lb.                      | 0 0 1   |
| Cocoa Paste or Chocolate  | the lb.                      | 0 4 4   |
| — the Produce of and imported from any British Possession   | the lb.                      | 0 0 4   |
| Cocoas Indians  | the lb.                      | 0 2 6   |
| — Extract or Preparation of. See Extract.   |                              |         |
| Cocos Wood. See Ebony.  |                              |         |
| Codilla. See Flax.  |                              |         |
| Coffee  | the lb.                      | 0 1 3   |
| — the Produce of and imported from any British Possession in America  | the lb.                      | 0 0 6   |
| — the Produce of and imported from Sierra Leone   | the lb.                      | 0 0 2   |
| — imported from any British Possession within the Limits of the East India Company's Charter                          | the lb.                      | 0 0 2   |
| — imported from any other Place within those Limits,  | the lb.                      | 0 1 0   |
| Coin, viz. Copper. See Copper.  |                              |         |
| — Foreign, of Gold or Silver. See Bullion.  |                              |         |
| Cair Rops, Twine, and Strands   | the cwt.                     | 0 5 0   |
| — old, and fit only to be made into Mats  | the Ton                      | 0 5 0   |
| Calceyath   | the lb.                      | 0 0 2   |
| Columba Root  | the lb.                      | 0 0 2   |
| Confis  | the lb.                      | 0 1 0   |
| Copper, viz.  |                              |         |
| — Ore   | the cwt.                     | 0 12 0  |
| — the Produce of and imported from any British Possession in America  | the cwt.                     | 0 1 0   |
| — old, fit only to be remanufactured  | the cwt.                     | 0 15 0  |
| — in Plates and Copper Coin   | the cwt.                     | 1 10 0  |
| — unwrought, viz. in Bricks or Pigs, Rose Copper, and all Cast Copper   | the cwt.                     | 1 7 0   |
| — in part wrought, viz. Bars, Rods, or Ingots, hammered or raised   | the cwt.                     | 1 15 0  |
| — Manufactures of Copper not otherwise enumerated or described, and Copper Plates engraved,                           |                              |         |
| — the Produce of and imported from any British Possession within the Limits of the East India Company's Charter, viz. | for every 100l. of the Value | 20 0 0  |
| — Ore   | the cwt.                     | 0 1 0   |
| — old, fit only to be remanufactured  | the cwt.                     | 0 0 2   |
| — in Plates and Copper Coin   | the cwt.                     | 0 15 0  |
| — unwrought, viz. in Bricks or Pigs, Rose Copper, and all Cast Copper   | the cwt.                     | 0 0 2   |
| — in part wrought, viz. Bars, Rods, or Ingots, hammered or raised   | the cwt.                     | 1 11 2  |
| — Manufactures of Copper not otherwise enumerated or described, and Copper Plates engraved,                           |                              |         |
| — the Produce of and imported from any British Possession within the Limits of the East India Company's Charter, viz. | for every 100l. of the Value | 20 0 0  |
| Coppers, viz.   |                              |         |
| — Blue  | the cwt.                     | 0 5 0   |
| — Green   | the cwt.                     | 0 5 0   |
| — White   | the cwt.                     | 0 12 0  |

| INWARDS.   | Duty.   | TABLE<br>OF<br>DUTIES ON GOODS<br>IMPORTED. |
|--|---------|---|
| Coral, viz.  | £ s. d. |   |
| — in Fragments - - - - - the lb.   | 0 1 0   |   |
| — whole, polished - - - - - the lb.  | 0 12 0  |   |
| — - - - - unpolished - - - - - the lb.   | 0 5 6   |   |
| — - - - - of British Fishing or Taking - - - - - the lb.   | 0 0 6   |   |
| Corlage, tarred or untarred (Standing or Running Rigging in use excepted) - - - - - the cwt.   | 0 10 0  |   |
| — In usual Use of a British Ship, and being fit and necessary for such Ship, and not or until otherwise disposed of - - - - -  | Free.   |   |
| — - - if and when otherwise disposed of, for every 100L of the Value   | 20 0 0  |   |
| Coedial Waters. See Spirits.   |         |   |
| Cork - - - - - the cwt.  | 0 8 0   |   |
| Cocks, ready made - - - - - the lb.  | 0 7 0   |   |
| Corn. See 9 G. 4. c. 60.   |         |   |
| Cotton, viz.   |         |   |
| — Manufactures of - - - - - for every 100L of the Value  | 10 0 0  |   |
| — Articles of Manufactures of Cotton wholly or in part made up, not otherwise charged with Duty, for every 100L of the Value   | 20 0 0  |   |
| — Wool, or Waste of Cotton Wool. See Wool.   |         |   |
| Cranberries - - - - - the Gallon   | 0 0 1   |   |
| Crayons - - - - - for every 100L of the Value  | 40 0 0  |   |
| Cream of Tartar - - - - - the cwt.   | 0 2 0   |   |
| Crystal, viz.  |         |   |
| — rough - - - - - for every 100L of the Value  | 20 0 0  |   |
| — cut, or in any way manufactured, except Beads, for every 100L of the Value   | 30 0 0  |   |
| Cyphers - - - - - the lb.  | 0 0 6   |   |
| Cucumbers, viz.  |         |   |
| — pickled. See Pickles.  |         |   |
| — preserved in Salt and Water, for every 100L of the Value   | 20 0 0  |   |
| Culm - - - - - the Ton   | 2 0 0   |   |
| Currants - - - - - the cwt.  | 2 4 4   |   |
| D.   |         |   |
| Damask. See Laces.   |         |   |
| Dates - - - - - the cwt.   | 0 10 0  |   |
| Derelict. Foreign Goods Derelict, Jetons, Flotsam, Lagan, or Wreck, brought or coming into Great Britain or Ireland, are subject to the same Duties and entitled to the same Drawbacks as Goods of the like Kind regularly imported. |         |   |
| Diagrydium. See Sassafras.   |         |   |
| Diamonds - - - - -   | Free.   |   |
| Dinger. See Laces.   |         |   |
| Dice - - - - - the Pair  | 1 6 2   |   |
| Down - - - - - the lb.   | 0 1 2   |   |
| Drawings. See Prints.  |         |   |
| Drugs, not particularly charged - - - - - the cwt.   | 0 10 0  |   |

TABLE  
OF  
DUTIES ON CUSTOMS-  
INWARDS.

| INWARDS.  |  | Duty.   |
|---|--|---------|
| E.  |  | £ s. d. |
| Earthenware not otherwise enumerated or described,<br>for every 100L. of the Value                                    |  | 15 0 0  |
| Ebony of all Sorts  | the Ton  | 5 0 0   |
| the Produce of and imported from any British Possession   | the Ton  | 0 3 0   |
| Eggs  | the 100  | 0 0 10  |
| Embroidery and Needlework   | for every 100L. of the Value                                 | 30 0 0  |
| Emerald   | the lb.  | 0 7 2   |
| Essences, viz.  |  |         |
| being Oil. See Essential Oil, in Oil.   |  |         |
| of Spruce   | for every 100L. of the Value                                 | 20 0 0  |
| not otherwise enumerated or described   | the lb.  | 0 4 6   |
| Euphorbium  | the cwt.   | 0 5 0   |
| Extract, viz.   |  |         |
| Cardamom,   | } Extract or Preparation of,<br>for every 100L. of the Value | 75 0 0  |
| Cocculus Indicus,   |  |         |
| Grains, viz.  |  |         |
| Guinea Grains,  | } Extract or Preparation of,<br>for every 100L. of the Value | 25 0 0  |
| of Paradise,  |  |         |
| Lickorice,  | } Extract or Preparation of,<br>for every 100L. of the Value | 25 0 0  |
| Nux Vomica,   |  |         |
| Opium,  |  |         |
| Pepper, viz. Guinea<br>Pepper,  | } Extract or Preparation of,<br>for every 100L. of the Value | 25 0 0  |
| Peruvian or Jesuits Bark, Extract or Preparation<br>of  |  |         |
| Quassia, Extract or Preparation of,<br>for every 100L. of the Value   |  | 50 0 0  |
| Radix Rhatanic, Extract or Preparation of,<br>the lb.   |  | 0 5 0   |
| Vinoid, Extract or Preparation of,<br>for every 100L. of the Value  |  | 25 0 0  |
| Extract or Preparation of any Article not being particularly enumerated or described, nor otherwise charged with Duty | for every 100L. of the Value                                 | 20 0 0  |
| Oil, and in lieu of any of the above Duties, at the Option of the Importer  | the lb.  | 0 10 0  |
| F.  |  |         |
| Feathers, viz.  |  |         |
| for Beds, in Beds or not  | the cwt.   | 2 4 0   |
| Ostrich, dressed  | the lb.  | 1 10 0  |
| undressed   | the lb.  | 0 10 0  |
| not otherwise enumerated or described, viz.   |  |         |
| dressed   | for every 100L. of the Value                                 | 25 0 0  |
| undressed   | for every 100L. of the Value                                 | 10 0 0  |
| Figs  | the cwt.   | 1 1 6   |
| Fish, viz.  |  |         |
| Eel, the Ship's Lading  |  | 12 1 3  |
| Lobsters  |  | Free.   |
| Oysters   | the Bushel   | 0 1 6   |
| Stock Fish  | the 100  | 0 3 0   |
| Sturgeon, the Keg, not containing more than Five Gallons  |  | 0 2 0   |

| INWARDS.   | Duty.                | TABLE<br>OF<br>DUTIES ON CUSTOMS<br>TOWNS. |
|--|----------------------|--|
| Fish continued.  | s <sup>d</sup> s. d. |  |
| — Turbots - - - - -  | Free.                |  |
| — Fresh Fish, of British taking, and imported in British Ships or Vessels - - - - -  | Free.                |  |
| — cured Fish, of British taking and curing, and imported in British Vessels - - - - -  | Free.                |  |
| Fishing Nets, old. See Rags.   |                      |  |
| Flax, and Tow or Cordils of Hemp or Flax, whether dressed or undressed - - - - - the cwt.  | 0 0 1                |  |
| Flocks - - - - - the cwt.  | 0 10 0               |  |
| Flotans. See Derelict.   |                      |  |
| Flower Roots - - - - - for every 1000 of the Value   | 20 0 0               |  |
| Flowers, Artificial, not made of Silk, - - - - - for every 1000 of the Value   | 25 0 0               |  |
| Fossils, not otherwise enumerated or described, - - - - - for every 1000 of the Value  | 20 0 0               |  |
| — Specimens of. See Specimens.   |                      |  |
| Frames for Pictures, Prints, or Drawings, - - - - - for every 1000 of the Value  | 20 0 0               |  |
| Frankincense. See Olibanum.  |                      |  |
| Fruit, raw, not otherwise enumerated, - - - - - for every 1000 of the Value  | 5 0 0                |  |
| Fustic - - - - - the Ton   | 0 4 6                |  |
| — imported from any British Possession - - - - - the Ton   | 0 2 0                |  |
| G.   |                      |  |
| Galls - - - - - the cwt.   | 0 2 0                |  |
| Gamboge - - - - - the cwt.   | 0 4 0                |  |
| Garsons - - - - - the lb.  | 0 10 0               |  |
| — cut - - - - - the lb.  | 1 10 0               |  |
| Gauze of Thread - - - - - for every 1000 of the Value  | 20 0 0               |  |
| Gentian - - - - - the cwt.   | 0 4 0                |  |
| Ginger - - - - - the cwt.  | 2 13 0               |  |
| — preserved - - - - - the lb.  | 0 1 5                |  |
| — the Produce of and imported from any British Possession - - - - - the cwt.   | 0 11 0               |  |
| — - - - - preserved - - - - - the lb.  | 0 0 1                |  |
| Ginseng - - - - - the cwt.   | 0 4 0                |  |
| Glass, viz.  |                      |  |
| — Crown Glass, or any Kind of Window Glass (not being Plate Glass or German Sheet Glass) - - - - -   | 8 8 8                |  |
| — German Sheet Glass - - - - - the cwt.  | 10 0 0               |  |
| — Plate Glass, superficial Measure, viz.   |                      |  |
| - - - not containing more than 0 Square Feet,  |                      |  |
| the Square Foot  | 0 6 0                |  |
| - - - containing more than 0 Square Feet, and not more   |                      |  |
| than 14 Square Feet - - - the Square Foot  | 0 6 0                |  |
| - - - consisting more than 14 Square Feet, and not   |                      |  |
| more than 30 Square Feet - - - the Square Foot   | 0 9 8                |  |
| - - - containing more than 30 Square Feet,   |                      |  |
| the Square Foot  | 0 11 0               |  |
| — Glass Manufactures not otherwise enumerated or described, and old broken Glass fit only to be remanufactured - - - - - for every 1000 of the Value | 20 0 0               |  |
| — - - - - and broken for - - - - - the cwt.  | 4 0 0                |  |

TABLE  
OF  
DUTIES OF CUSTOM  
INWARDS.

| INWARDS.   |  | Duty.    |
|--|--|----------|
| Gloves (of Leather), viz.  |  | sd s. d. |
| — Habit Gloves . . . . . the Dozen Pair  |  | 0 4 0    |
| — Men's Gloves . . . . . the Dozen Pair  |  | 0 3 0    |
| — Women's Gloves or Mitts . . . . . the Dozen Pair   |  | 0 7 0    |
| Glue or Gelatine . . . . . the cwt.  |  | 0 12 0   |
| — Clippings or Waste of any kind fit only for making Glue, for every 100L. of the Value  |  | 1 0 0    |
| Grains, viz.   |  |          |
| — Guinea Grains . . . . . the lb.  |  | 0 2 0    |
| — . . . . . Extract or Preparation of. See Grains, in Extract.   |  |          |
| — of Paradise . . . . . the lb.  |  | 0 2 0    |
| — . . . . . Extract or Preparation of. See Grains, in Extract.   |  |          |
| Granilla . . . . . the lb.   |  | 0 0 2    |
| Grapes . . . . . for every 100L. of the Value  |  | 20 0 0   |
| Grease . . . . . the cwt.  |  | 0 1 8    |
| Greases for Dogs . . . . . the cwt.  |  | 0 2 0    |
| Guaia Wood . . . . . the Ton   |  | 0 5 0    |
| Gums, viz. Anisi, Copal, Arabic, Senegal, Tragacanth, Lac Dya, Shellac, Storax, Asafoetida, Ammoniacum, Kino, Guaiacum, and other Gums not otherwise charged . . . . . the cwt.  |  | 0 8 0    |
| Gumpowder . . . . . the cwt.   |  | 2 0 0    |
| Gypsum . . . . . the Ton   |  | 1 11 8   |
| — the Produce of and imported from any British Possession . . . . . the Ton  |  | 0 1 3    |
| H.   |  |          |
| Hair, viz.   |  |          |
| — Camels Hair or Wool . . . . . the lb.  |  | 0 0 1    |
| — . . . . . the Produce of and imported from any British Possession . . . . .  |  | Free.    |
| — Cow, Ox, Bull, or Elk Hair . . . . . the cwt.  |  | 0 0 6    |
| — Goats Hair. See Wool.  |  |          |
| — Horse Hair . . . . . the cwt.  |  | 0 0 6    |
| — Human Hair . . . . . the lb.   |  | 0 1 0    |
| — not otherwise enumerated or described, for every 100L. of the Value  |  | 5 0 0    |
| — Manufactures of Hair or Goats Wool, or of Hair or Goats Wool and any other Material, and Articles of such Manufacture wholly or in part made up, not particularly enumerated, or otherwise charged with Duty, for every 100L. of the Value |  | 20 0 0   |
| Hare . . . . . the cwt.  |  | 1 8 0    |
| Harp Strings or Lute Strings, silvered, for every 100L. of the Value   |  | 20 0 0   |
| Hats or Bonnets, viz.  |  |          |
| — Bast, Chip, Care, or Horse-hair Hats or Bonnets, each Hat or Bonnet not exceeding 22 Inches in Diameter . . . . . the Dozen  |  | 1 0 0    |
| — . . . . . each Hat or Bonnet exceeding 22 Inches in Diameter . . . . . the Dozen   |  | 2 0 0    |
| — Straw Hats or Bonnets, each Hat or Bonnet not exceeding 22 Inches in Diameter . . . . . the Dozen  |  | 2 8 0    |
| — . . . . . each Hat or Bonnet exceeding 22 Inches in Diameter . . . . . the Dozen   |  | 0 10 0   |



| INWARDS   | Duty.   | TABLE<br>OF<br>DUTIES OF CUSTOMS<br>INWARDS |
|---|---------|---|
| Hair or Bonnets, <i>contested</i> .   | ℥ s. d. |   |
| — made of or mixed with Felt, Hair, Wool, or Beaver,<br>the Hat - - - - -   | 0 10 0  |   |
| Hay, the Load containing 36 Trusses, each Truss being 56 lbs.   | 1 4 0   |   |
| Heads for Brushes - - - - - the cwt.  | 0 9 0   |   |
| Helibore - - - - - the lb.  | 0 0 1   |   |
| Hemp, dressed - - - - - the cwt.  | 4 15 0  |   |
| — rough or undressed, or any other Vegetable Substance<br>of the Nature and Quality of undressed Hemp,<br>and applicable to the same Purposes, - the cwt.   | 0 0 1   |   |
| Hides, <i>viz.</i>  |         |   |
| — Horse, Mare, Gelding, Buffalo, Bull, Cow, or Ox Hides,<br><i>viz.</i>   |         |   |
| - - - not tanned, tawed, carried, or in any way dressed,<br><i>viz.</i>   |         |   |
| - - - dry - - - - - the cwt.  | 0 4 8   |   |
| - - - wet - - - - - the cwt.  | 0 2 4   |   |
| - - - the Produce of and imported from the West<br>Coast of Africa, each Hide not exceeding<br>14 lbs. Weight - - - the cwt.  | 0 2 4   |   |
| - - - the Produce of and imported from any<br>British Possession, <i>viz.</i>   |         |   |
| - - - dry - - - - - the cwt.  | 0 2 4   |   |
| - - - wet - - - - - the cwt.  | 0 1 2   |   |
| - - - tanned and not otherwise dressed - - - the lb.  | 0 0 6   |   |
| - - - the Produce of and imported from any British<br>Possession - - - - - the lb.  | 0 0 3   |   |
| - - - cut or trimmed - - - - - the lb.  | 0 0 9   |   |
| - - - the Produce of and imported from any<br>British Possession - - - the lb.  | 0 0 4½  |   |
| - - - and Pieces of such Hides, tawed, carried, or in any<br>way dressed - - - - - the lb.  | 0 0 0   |   |
| - - - the Produce of and imported from any British<br>Possession - - - - - the lb.  | 0 0 4½  |   |
| - - - cut or trimmed - - - - - the lb.  | 0 1 2   |   |
| - - - the Produce of and imported from any<br>British Possession - - - the lb.  | 0 0 7   |   |
| — Tails. See Tails.   |         |   |
| — Lamb Hides - - - - - the lb.  | 0 1 8   |   |
| — Mincey or Runcie Hides, tanned, coloured, shaved, or<br>otherwise dressed - - - - - the Hide  | 0 5 0   |   |
| - - - Pieces tanned, coloured, shaved, or otherwise<br>dressed - - - - - the lb.  | 0 2 6   |   |
| — Hides or Pieces of Hides, raw or undressed, not particu-<br>larly enumerated or described, nor otherwise charged<br>with Duty, imported from any British Possession in<br>America - - - for every 100℔ of the Value | 5 17 0  |   |
| — Hides or Pieces of Hides, raw or undressed, not particu-<br>larly enumerated or described, nor otherwise charged<br>with Duty - - - for every 100℔ of the Value   | 20 0 0  |   |
| — Hides or Pieces of Hides, tanned, tawed, carried, or in<br>any way dressed, not particularly enumerated or de-<br>scribed, nor otherwise charged with Duty,<br>for every 100℔ of the Value                          | 30 0 0  |   |
| Horns - - - - - the 100   | 1 5 0   |   |
| Honey - - - - - the cwt.  | 4 15 0  |   |

TABLE  
OF  
DUTIES ON CUSTOMS  
INWARDS.

| INWARDS.   |                              | Duty.  |
|--|------------------------------|--------|
| Honey, continued.  |                              |        |
| — the Produce of and imported from any British Possession  | the cwt.                     | 0 5 0  |
| Hoops of Cast-iron   | for every 100L. of the Value | 1 0 0  |
| Hoops, viz.  |                              |        |
| — of Iron  | the cwt.                     | 1 3 0  |
| — of Wood, viz.  |                              |        |
| — not exceeding Six Feet in Length   | the 1,000                    | 0 5 0  |
| — exceeding Six Feet and not exceeding Nine Feet in Length   | the 1,000                    | 0 7 0  |
| — exceeding Nine Feet and not exceeding Twelve Feet in Length                                      | the 1,000                    | 0 10 0 |
| — exceeding Twelve Feet and not exceeding Fifteen Feet in Length                                   | the 1,000                    | 0 12 6 |
| — exceeding Fifteen Feet in Length   | the 1,000                    | 0 15 0 |
| Hops   | the cwt.                     | 3 11 0 |
| Horns, Horn Tips, and Pieces of Horns, not otherwise charged with Duty                             | the cwt.                     | 0 2 4  |
| Horses, Mares, or Geldings   | each                         | 1 0 0  |
| Hungary Water.   | See Spirits.                 |        |
| I. and J.  |                              |        |
| Jalap  | the lb.                      | 0 0 6  |
| Japanned or Lacquered Ware   | for every 100L. of the Value | 20 0 0 |
| Jet  | the lb.                      | 0 0 2  |
| Jessam.  | See Dew-lan.                 |        |
| Jewels, Emeralds, Rubies, and all other precious Stones (except Diamonds), viz.                    |                              |        |
| — set  | for every 100L. of the Value | 20 0 0 |
| — not set  | for every 100L. of the Value | 10 0 0 |
| India Rubbers.   | See Caoutchouc.              |        |
| Indigo   | the lb.                      | 0 0 4  |
| — the Produce of and imported from any British Possession  | the lb.                      | 0 0 3  |
| Ink for Printers   | the cwt.                     | 0 10 0 |
| Iron, unwrought  | the lb.                      | 0 0 10 |
| — wrought  | the lb.                      | 0 3 2  |
| Iron, viz.   |                              |        |
| — in Bars, or unwrought  | the Ton                      | 1 10 0 |
| — the Produce of and imported from any British Possession  | the Ton                      | 0 2 0  |
| — slit or hammered into Rods, and Iron drawn or hammered less than $\frac{1}{2}$ of an Inch Square | the cwt.                     | 0 5 0  |
| — Cast   | for every 100L. of the Value | 10 0 0 |
| — Hoops. See Hoops.  |                              |        |
| — old broken, and old Cast Iron  | the Ton                      | 0 12 0 |
| — Ore  | the Ton                      | 0 5 0  |
| — Pig Iron   | the Ton                      | 0 10 0 |
| — the Produce of and imported from any British Possession  | the Ton                      | 0 1 3  |
| — Chrome of Iron   | the Ton                      | 0 5 0  |
| — wrought, not otherwise enumerated or described,  |                              |        |
| —  | the Ton                      | 0 0 0  |

| INWARDS.   | Duty.   |
|--|---------|
| Isinglass - - - - - the cwt.   | 2 7 6   |
| ----- the Produce of and imported from any British Possession - - - - - the cwt.   | 0 15 10 |
| Juice of Lemons, Limes, or Oranges - - - the Gallon  | 0 0 0½  |
| Junk, old. See Rags, old.  |         |
| K.   |         |
| Kelp. See Alkali.  |         |
| L.   |         |
| Lace, viz. Stick Lace - - - - - the cwt.   | 0 1 0   |
| Lace, viz. Thread Lace - - - for every 1000 of the Value   | 30 0 0  |
| Lacquered Ware. See Japanese Ware.   |         |
| Lagan. See Duralin.  |         |
| Lamp Black - - - - - the cwt.  | 1 0 0   |
| Lapis Colominaris - - - - - the cwt.   | 0 1 0   |
| Lead - - - - - the cwt.  | 0 8 6   |
| Laces - - - - - the cwt.   | 0 4 0   |
| ----- Shaven - - - - - the cwt.  | 0 6 0   |
| Lavender Flowers - - - - - the lb.   | 0 0 10  |
| Lead, viz.   |         |
| ----- Black - - - - - the cwt.   | 0 4 0   |
| ----- Chromate of Lead - - - - - the lb.   | 0 2 0   |
| ----- Ore - - - - - the Ton  | 1 5 0   |
| ----- Pig - - - - - the Ton  | 2 0 0   |
| ----- Red - - - - - the cwt.   | 0 8 0   |
| ----- White - - - - - the cwt.   | 0 7 0   |
| Leather; viz. Pieces of Leather, or Leather cut into Shapes, or any Article made of Leather, or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described - - - for every 1000 of the Value | 20 0 0  |
| Leaves of Gold - - - - - the 100 Leaves  | 0 8 0   |
| Leaves of Rose - - - - - the lb.   | 0 0 2   |
| Leaches - - - - - for every 1000 of the Value  | 5 0 0   |
| Lemons. See Oranges.   |         |
| ----- Peel of - - - - - the lb.  | 0 0 5   |
| ----- preserved in Sugar. See Succades.  |         |
| Lentiles - - - - - the Bushel  | 0 0 10  |
| Lignum, viz.   |         |
| ----- Quassia. See Quassia.  |         |
| ----- Vitis - - - - - the Ton  | 2 0 0   |
| - - - the Produce of and imported from any British Possession - - - - - the Ton  | 0 10 0  |
| Linens, or Linses and Cottons, viz.  |         |
| ----- Cambrics and Lawns commonly called French Lawns, the Piece not exceeding 3 Yards in Length, and not exceeding Seven Eighths of a Yard in Breadth, and so in proportion for any greater or less Quantity,                     |         |
| - - - plain - - - - -  | 0 6 0   |
| - - - bordered Handkerchiefs - - - - -   | 0 5 0   |
| ----- Lawns of any other Sort, not French, viz.  |         |
| - - - not containing more than 60 Threads to the Inch of Warp - - - - - the Square Yard  | 0 0 0   |

TABLE  
OF  
DUTIES ON CUSTOMS-  
INWARDS.

TABLE  
of  
DUTIES OF CUSTOMS  
INWARDS.

| INWARDS.  | Duty.   |
|---|---------|
| Linens, &c. continued.  | £ s. d. |
| — Laces of any other Sort, not French, continued.   |         |
| - - - containing more than 60 Threads to the Inch of Warp - - - the Square Yard   | 0 1 0   |
| — Demasds and Demas'd Diaper, viz.  |         |
| - - - until the 6th of January 1834 - the Square Yard   | 0 2 1½  |
| - - - from the 6th of January 1834 - the Square Yard  | 0 2 0   |
| — Drillings, Ticks, and Twilled Linens, &c.   |         |
| - - - until the 6th of January 1834 - the Square Yard   | 0 0 8½  |
| - - - from the 6th of January 1834 - the Square Yard  | 0 0 8   |
| — Sail Cloth - - - the Square Yard  | 0 0 9½  |
| — Plus Linceus and Diaper not otherwise enumerated or described, and whether chequered or striped with dyed Varn or not, viz. |         |
| - - - not containing more than 20 Threads to the Inch of Warp,  |         |
| - - - until the 6th of January 1834,  |         |
| - - - the Square Yard   | 0 0 2½  |
| - - - from the 6th of January 1834,   |         |
| - - - the Square Yard   | 0 0 2½  |
| - - - containing more than 20 Threads and not more than 24 Threads to the Inch of Warp,                                       |         |
| - - - until the 6th of January 1834,  |         |
| - - - the Square Yard   | 0 0 3½  |
| - - - from the 6th of January 1834,   |         |
| - - - the Square Yard   | 0 0 3   |
| - - - containing more than 24 Threads and not containing more than 30 Threads to the Inch of Warp,                            |         |
| - - - until the 6th of January 1834,  |         |
| - - - the Square Yard   | 0 0 4½  |
| - - - from the 6th of January 1834,   |         |
| - - - the Square Yard   | 0 0 4   |
| - - - containing more than 30 Threads and not containing more than 40 Threads to the Inch of Warp,                            |         |
| - - - until the 6th of January 1834,  |         |
| - - - the Square Yard   | 0 0 5   |
| - - - from the 6th of January 1834,   |         |
| - - - the Square Yard   | 0 0 4½  |
| - - - containing more than 40 Threads and not containing more than 60 Threads to the Inch of Warp,                            |         |
| - - - until the 6th of January 1834,  |         |
| - - - the Square Yard   | 0 0 8½  |
| - - - from the 6th of January 1834,   |         |
| - - - the Square Yard   | 0 0 8   |
| - - - containing more than 60 Threads and not containing more than 80 Threads to the Inch of Warp,                            |         |
| - - - until the 6th of January 1834,  |         |
| - - - the Square Yard   | 0 0 10½ |
| - - - from the 6th of January 1834,   |         |
| - - - the Square Yard   | 0 0 10  |

| INWARDS.  | Duty.                | TABLE<br>OF<br>DUTIES ON CARGOES<br>INWARDS. |
|---|----------------------|--|
| Linen, &c. continued.   | s <sup>d</sup> s. d. |  |
| — Plain Linens and Diaper, &c. continued.   |                      |  |
| - - - containing more than 80 Threads, and not containing more than 100 Threads to the Inch of Warp,  |                      |  |
| - - - - - until the 6th of January 1834,  |                      |  |
| the Square Yard   | 0 1 0½               |  |
| - - - - - from the 5th of January 1834,   |                      |  |
| the Square Yard   | 0 1 0                |  |
| - - - containing more than 100 Threads to the Inch of Warp,   |                      |  |
| - - - - - until the 6th of January 1834,  |                      |  |
| the Square Yard   | 0 1 7                |  |
| - - - - - from the 5th of January 1834,   |                      |  |
| the Square Yard   | 0 1 6                |  |
| — Or, and instead of the Duties herein-before imposed upon Linens according to the Number of Threads in the Warp, at the Option of the Importer,  |                      |  |
| for every 100l. of the Value  | 40 0 0               |  |
| <i>Note.</i> —No increased Rate of Duty to be charged on any Linen or Lawn for any additional Number of Threads not exceeding Two Threads for such as set out of Thirty Threads to the Inch, nor for any additional Number of Threads not exceeding Five Threads for such as are of Thirty Threads and upwards to the Inch. |                      |  |
| — Sails - - - - - for every 100l. of the Value  | 30 0 0               |  |
| - - - in actual Use of a British Ship, and fit and necessary for such Ship, and not otherwise disposed of   | Free.                |  |
| - - - if and when otherwise disposed of,  |                      |  |
| for every 100l. of the Value  | 20 0 0               |  |
| — Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated or otherwise charged with Duty - - - for every 100l. of the Value  | 25 0 0               |  |
| — Articles of Manufactures of Linen, or of Linen mixed with Cotton or with Wool, wholly or in part made up, not otherwise charged with Duty,  |                      |  |
| for every 100l. of the Value  | 40 0 0               |  |
| Linned Cakes - - - - - the cwt.   | 0 0 2                |  |
| Liquorice Juice, or Succus Liquorice - - - the cwt.   | 8 15 0               |  |
| — Powder - - - - - the cwt.   | 5 10 0               |  |
| — Root - - - - - the cwt.   | 3 3 4                |  |
| — Extract or Preparation of. See Extract.   |                      |  |
| Liabage of Gold or Silver - - - the cwt.  | 0 2 0                |  |
| Live Creatures illustrative of Natural History - - -  | Free.                |  |
| Liverwort. See Lichen Islandicus, in Mass.  |                      |  |
| Logwood - - - - - the Ton   | 0 4 0                |  |
| — imported from any British Possession - - - the Ton  | 0 3 0                |  |
| Lupines - - - - - the cwt.  | 0 5 0                |  |
| Lute Strings. See Cutlery.  |                      |  |
| M.  |                      |  |
| Macarons - - - - - the lb.  | 0 0 2                |  |
| Mass - - - - - the lb.  | 0 4 6                |  |
| — imported from any British Possession within the Limits of the East India Company's Charter - - - the lb.  | 0 3 6                |  |

TABLE  
OF  
DUTIES ON CUSTOMS  
TAXES

|  | INWARDS.                              | Duty.                        |
|--|---------------------------------------|------------------------------|
| Mace, continued.   |                                       | <i>l</i> <i>s</i> <i>d</i> . |
| — the Produce of and imported from any other British Possession                            | the lb.                               | 0 2 6                        |
| Madder   | the cwt.                              | 0 2 0                        |
| — Root   | the cwt.                              | 0 0 6                        |
| Magna Grecia Ware  | for every 100 <i>l</i> . of the Value | 5 0 0                        |
| Mahogany   | the Ton                               | 7 10 0                       |
| — imported from the Bay of Honduras in a British Ship cleared out from the Port of Belize, | the Ton                               | 1 10 0                       |
| — imported from any British Possession   | the Ton                               | 4 0 0                        |
| Manganese Ore  | the Ton                               | 0 10 0                       |
| Mangoes. See Pickles.  |                                       |                              |
| Manna  | the lb.                               | 0 0 2                        |
| Manuscripts  | the lb.                               | 0 0 2                        |
| Maps or Charts, plain or coloured, each Map or Chart, or Part thereof                      |                                       | 0 0 6                        |
| Marble. See Stone.   |                                       |                              |
| Marbles for Children. See Toys.  |                                       |                              |
| Marmalade  | the lb.                               | 0 1 2                        |
| — the Produce of and imported from any British Possession                                  | the lb.                               | 0 0 1                        |
| Mastic   | the cwt.                              | 0 6 0                        |
| Mass, viz.   |                                       |                              |
| — of Base  | the 100                               | 1 3 0                        |
| — imported from any British Possession,  |                                       |                              |
| — for every 100 <i>l</i> . of the Value  |                                       | 5 0 0                        |
| — not otherwise enumerated or described,   |                                       |                              |
| — for every 100 <i>l</i> . of the Value  |                                       | 20 0 0                       |
| Matting  | for every 100 <i>l</i> . of the Value | 20 0 0                       |
| — imported from any British Possession,  |                                       |                              |
| — for every 100 <i>l</i> . of the Value  |                                       | 5 0 0                        |
| Mattresses   | for every 100 <i>l</i> . of the Value | 20 0 0                       |
| Mead or Mebeğin  | the Gallon                            | 0 6 7                        |
| Medals of Gold or Silver   |                                       | Free.                        |
| — of any other Sort  | for every 100 <i>l</i> . of the Value | 5 0 0                        |
| Medlars  | the Bushel                            | 0 1 0                        |
| Melons. See Sugar.   |                                       |                              |
| Melting Pots for Goldsmiths. See Pots.   |                                       |                              |
| Mercury, prepared  | for every 100 <i>l</i> . of the Value | 20 0 0                       |
| Metal, viz.  |                                       |                              |
| — Bull Metal   | the cwt.                              | 1 0 0                        |
| — Leaf Metal (except Leaf Gold)  |                                       |                              |
| — the Packet containing 250 Leaves   |                                       | 0 0 2                        |
| Mebeğin. See Mead.   |                                       |                              |
| Mill Boards  | the cwt.                              | 3 0 2                        |
| Minerals not otherwise enumerated or described,  |                                       |                              |
| — for every 100 <i>l</i> . of the Value  |                                       | 20 0 0                       |
| — Specimens of. See Specimens.   |                                       |                              |
| Models of Cork or Wood   | for every 100 <i>l</i> . of the Value | 5 0 0                        |
| Moon, viz.   |                                       |                              |
| — Lichen Islandicus  | the lb.                               | 0 0 1                        |
| — Rock, for Dyers Use  | the Ton                               | 0 5 0                        |
| — not otherwise charged  | for every 100 <i>l</i> . of the Value | 5 0 0                        |
| Mother of Pearl Shells   | for every 100 <i>l</i> . of the Value | 5 0 0                        |
| Moles  | each                                  | 0 10 0                       |
| Mum. See Bees.   |                                       |                              |

TABLE  
OF  
Duties on Customs  
INWARDS.

| INWARDS.  |   | Duty. |       |
|---|---|-------|-------|
|   |   | £     | s. d. |
| Musical Instruments   | - - - for every 100 <i>l.</i> of the Value  | 20    | 0 0   |
| Musk  | - - - - - the <i>oz.</i>  | 0     | 0 0   |
| Myrrh   | - - - - - the <i>cwt.</i>   | 0     | 0 0   |
| N.  |   |       |       |
| Natron. See Alkali.   |   |       |       |
| Needle Work. See Embroidery.  |   |       |       |
| Nets, viz. old Fishing Nets, fit only for making Paper or<br>Postboard. See Rags. |   |       |       |
| Nicaragua Wood  | - - - - - the Ton   | 0     | 5 0   |
| Nitre, viz. Cubic Nitre   | - - - - - the <i>cwt.</i>   | 0     | 0 6   |
| Nutmegs   | - - - - - the <i>lb.</i>  | 0     | 3 0   |
| -----   | the Produce of and imported from any British Possession   | -     | -     |
| -----   | ----- the <i>lb.</i>  | 0     | 2 6   |
| -----   | imported from any British Possession within the<br>Limits of the East India Company's Charter, the <i>lb.</i> | 0     | 2 0   |
| Nuts, viz.  |   |       |       |
| -----   | Cashew Nuts and Kernels - - - - - the <i>cwt.</i>   | 0     | 10 0  |
| -----   | Castor Nuts or Seeds, - - - - - the <i>cwt.</i>   | 0     | 0 6   |
| -----   | Coker or Coco Nuts, the Produce of any British Possession   | -     | -     |
| -----   | the 1,200 Nuts  | 0     | 1 0   |
| -----   | Chesnuts - - - - - the Bushel   | 0     | 2 0   |
| -----   | Pistachio Nuts - - - - - the <i>cwt.</i>  | 0     | 10 0  |
| -----   | Small Nuts - - - - - the Bushel   | 0     | 2 0   |
| -----   | Walnuts - - - - - the Bushel  | 0     | 2 0   |
| -----   | Nuts not otherwise enumerated or described,   | -     | -     |
| -----   | for every 100 <i>l.</i> of the Value  | 20    | 0 0   |
| Nax Venice  | - - - - - the <i>lb.</i>  | 0     | 2 6   |
| -----   | Extract or Preparation of. See Extract.   | -     | -     |
| O.  |   |       |       |
| Oakum   | - - - - - the <i>cwt.</i>   | 0     | 0 1   |
| Ochre   | - - - - - the <i>cwt.</i>   | 0     | 1 0   |
| Oil, viz.   |   |       |       |
| -----   | of Almonds - - - - - the <i>lb.</i>   | 0     | 0 10  |
| -----   | of Bays - - - - - the <i>lb.</i>  | 0     | 0 3   |
| -----   | of Castor - - - - - the <i>lb.</i>  | 0     | 1 0   |
| -----   | imported from any British Possession  | -     | -     |
| -----   | the Produce of and imported from any British Possession   | -     | -     |
| -----   | ----- the <i>cwt.</i>   | 0     | 2 6   |
| -----   | Chemical, Essential, or Perfumed, viz.  | -     | -     |
| -----   | of Caraway - - - - - the <i>lb.</i>   | 0     | 4 0   |
| -----   | of Cloves - - - - - the <i>lb.</i>  | 0     | 14 0  |
| -----   | of Lavender - - - - - the <i>lb.</i>  | 0     | 4 0   |
| -----   | of Mint - - - - - the <i>lb.</i>  | 0     | 4 0   |
| -----   | of Peppermint - - - - - the <i>lb.</i>  | 0     | 4 0   |
| -----   | of Spike - - - - - the <i>lb.</i>   | 0     | 4 0   |
| -----   | Cassia, Bergamot, Lemon, Otto of Roses, Thyme,<br>and of all other Sorts - - - - - the <i>lb.</i>             | 0     | 1 4   |
| -----   | of Cocoa Nut - - - - - the <i>cwt.</i>  | 0     | 2 6   |
| -----   | Fish Oil. See Train Oil, in Oil.  | -     | -     |
| -----   | of Hemp Seed - - - - - the Ton  | 20    | 10 0  |

TABLE  
OF  
DUTIES ON CUSTOMS-  
INWARDS.

| INWARDS.   |                                      | Duty.   |
|--|--------------------------------------|---------|
|  |                                      | £ s. d. |
| Oil, continued.  |                                      |         |
| — of Linseed   | the Tun                              | 39 18 0 |
| — - - Imported from any British Possession   | the Tun                              | 1 0 0   |
| — of Olives  | the Tun                              | 8 0 0   |
| — - - Imported in a Ship belonging to any of the Subjects of the King of the Two Sicilies  | the Tun                              | 10 10 0 |
| — of Palm  | the cwt.                             | 0 2 6   |
| — of Peas  | the Tun                              | 8 0 0   |
| — of Rape Seed   | the Tun                              | 39 18 0 |
| — - - Imported from any British Possession   | the Tun                              | 1 0 0   |
| — Rock Oil   | the lb.                              | 0 0 10  |
| — Seal Oil. See Train Oil, in Oil.   |                                      |         |
| — Seed Oil not otherwise enumerated or described   | the Tun                              | 39 18 0 |
| — - - Imported from any British Possession   | the Tun                              | 1 0 0   |
| — Seed Cakes   | the cwt.                             | 0 0 2   |
| — of Spermæci. See Train Oil, in Oil.  |                                      |         |
| — Train Oil, Blubber, Spermæci Oil, and Head Matter, viz.  |                                      |         |
| — - - the Produce of Fish or Creatures living in the Sea, taken and caught by the Crews of British Ships, and imported direct from the Fishery, or from any British Possession, in a British Ship, | the Tun                              | 0 1 0   |
| — - - - the Produce of Fish or Creatures living in the Sea, of Foreign Fishing   | the Tun                              | 26 12 0 |
| — Walnut Oil   | the lb.                              | 0 0 6   |
| — Whale Oil. See Train Oil, in Oil.  |                                      |         |
| — Oil not particularly enumerated or described, nor otherwise charged with Duty  | for every 100 <i>l.</i> of the Value | 50 0 0  |
| Olibanum   | the cwt.                             | 0 6 0   |
| Olives   | the Gallon                           | 0 2 0   |
| Olive Wood   | the Tun                              | 8 9 6   |
| — the Produce of and imported from any British Possession  | the Tun                              | 0 12 4  |
| Onions   | the Bushel                           | 0 3 0   |
| Opium  | the lb.                              | 0 4 0   |
| — Extract or Preparation of. See Extract.  |                                      |         |
| Orange Flower Water  | the Gallon                           | 0 3 9   |
| Oranges and Lemons, viz.   |                                      |         |
| — the Chest or Box, not exceeding the Capacity of 5,000 Cubic Inches   |                                      | 0 2 6   |
| — the Chest or Box exceeding the Capacity of 5,000 Cubic Inches and not exceeding 7,500 Cubic Inches   |                                      | 0 2 0   |
| — the Chest or Box exceeding the Capacity of 7,500 Cubic Inches and not exceeding 14,000 Cubic Inches  |                                      | 0 7 6   |
| — for every 1,000 Cubic Inches exceeding the above Rate of 14,000 Cubic Inches   |                                      | 0 0 7½  |
| — less   | the 1,000                            | 0 15 0  |
| — Or, and at the Option of the Importer,   |                                      |         |
| — for every 100 <i>l.</i> of the Value   |                                      | 75 0 0  |
| — Paid of  | the lb.                              | 0 0 6   |
| Orchard, Orchard, or Archolla  | the cwt.                             | 0 3 0   |
| Ore not particularly charged   | for every 100 <i>l.</i> of the Value | 5 0 0   |
| — of Gold or Silver. See Bullion.  |                                      |         |



| INWARDS.  |                             | Duty. |    |    |
|---|-----------------------------|-------|----|----|
|   |                             | £     | s. | d. |
| Orpiment  | - - - - - the cwt.          | 1     | 0  | 0  |
| Orris or Iris Root  | - - - - - the cwt.          | 0     | 10 | 0  |
| Oscudew   | - - - - - the lb.           | 0     | 0  | 6  |
| Otto or Attar of Oil of Roses.  | See OJ.                     |       |    |    |
| P.  |                             |       |    |    |
| Paddy. See Rice.  |                             |       |    |    |
| Painters Colours not particularly charged, viz.   |                             |       |    |    |
| — unmanufactured  | for every 100L of the Value | 5     | 0  | 0  |
| — manufactured  | for every 100L of the Value | 10    | 0  | 0  |
| Paintings on Glass  | for every 100L of the Value | 5     | 0  | 0  |
| - - - - and further   | for every cwt. of Glass     | 4     | 0  | 0  |
| Paper, viz.   |                             |       |    |    |
| — Brown Paper made of old Hops or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith | the lb.                     | 0     | 0  | 3  |
| — printed, painted, or stained Paper, or Paper Hangings, or Floor Paper   | the Square Yard             | 0     | 1  | 0  |
| — waste Paper, or Paper of any other Sort, not particularly enumerated or described, nor otherwise charged with Duty  | the lb.                     | 0     | 0  | 0  |
| Parchments  | the Dozen Sheets            | 0     | 10 | 0  |
| Parthenboards   | the cwt.                    | 3     | 0  | 0  |
| Pearl Barley  | the cwt.                    | 0     | 17 | 6  |
| Peas  | for every 100L of the Value | 5     | 0  | 0  |
| Pears   | the Bushel                  | 0     | 7  | 0  |
| — dried   | the Bushel                  | 0     | 10 | 0  |
| Pencils   | for every 100L of the Value | 30    | 0  | 0  |
| — of Slate  | for every 100L of the Value | 20    | 0  | 0  |
| Pens  | for every 100L of the Value | 30    | 0  | 0  |
| Pepper of all Sorts   | the lb.                     | 0     | 1  | 6  |
| — the Produce of and imported from any British Possession   | the lb.                     | 0     | 1  | 0  |
| — imported from any British Possession within the Limits of the East India Company's Charter  | the lb.                     | 0     | 1  | 0  |
| — imported from any other Place within those Limits   | the lb.                     | 0     | 1  | 2  |
| Perfumery not otherwise charged, for every 100L of the Value  |                             | 20    | 0  | 0  |
| Perry   | the Tun                     | 22    | 13 | 0  |
| Pewter, Manufactures of, not otherwise enumerated or described  | for every 100L of the Value | 30    | 0  | 0  |
| Pickles of all Sorts not otherwise enumerated or described, including the Vinegar   | the Gallon                  | 0     | 1  | 6  |
| Pictures  | each                        | 0     | 1  | 0  |
| - - - and further   | the Square Foot             | 0     | 1  | 0  |
| — being 300 Square Feet or upwards  | each                        | 10    | 0  | 0  |
| Pimento   | the lb.                     | 0     | 1  | 2  |
| — the Produce of and imported from any British Possession   | the lb.                     | 0     | 0  | 5  |
| Pink Root   | the lb.                     | 0     | 0  | 4  |
| Pitch   | the cwt.                    | 0     | 0  | 10 |
| — the Produce of any British Possession   | the cwt.                    | 0     | 0  | 0  |
| — Burgundy Pitch  | the cwt.                    | 0     | 0  | 0  |

TABLE  
OF  
DUTIES OF CUSTOMS  
INWARDS.

TABLE  
OF  
DUTIES ON CUSTOMS-  
INWARDS.

| INWARDS.  |              | Duty.                                |
|---|--------------|--------------------------------------|
|   |              | £ s. d.                              |
| Plants, Shrubs, and Trees   | — — — — —    | alive                                |
| Planter of Paris  | — — — — —    | the cwt.                             |
| Plum, <i>viz.</i>   |              |                                      |
| — luted, fit only to be remanufactured.   | See Bullion. |                                      |
| — of Gold   | — — — — —    | the oz. Troy                         |
| — of Silver gilt  | — — — — —    | the oz. Troy                         |
| — — — Part gilt   | — — — — —    | the oz. Troy                         |
| — — — unglit  | — — — — —    | the oz. Troy                         |
| Platinum and Ore of Platina   | — — — — —    | for every 100 <i>l.</i> of the Value |
| Plating or other Manufactures to be used in or proper for making Hats or Bonnets, <i>viz.</i> |              |                                      |
| — of Bass, Chip, Cane, or Horse Hair  | — — — — —    | the lb.                              |
| — of Straw  | — — — — —    | the lb.                              |
| Plums, dried or preserved   | — — — — —    | the cwt.                             |
| Pomatum   | — — — — —    | for every 100 <i>l.</i> of the Value |
| Pomegranates  | — — — — —    | the 1,000                            |
| — — — — —   | — — — — —    | the cwt.                             |
| Poppies Head. See Capita Papaverum.   |              |                                      |
| Pork, salted (not Hans nor Bacon, which see)  | — — — — —    | the cwt.                             |
| Potatoes  | — — — — —    | the cwt.                             |
| Pots, <i>viz.</i>   |              |                                      |
| — Melting Pots for Goldsmiths   | — — — — —    | the 100                              |
| — of Stone  | — — — — —    | for every 100 <i>l.</i> of the Value |
| Powder, <i>viz.</i>   |              |                                      |
| — Hair Powder   | — — — — —    | the cwt.                             |
| — — — perfumed  | — — — — —    | the cwt.                             |
| — Powder, not otherwise enumerated or described, that will serve for the same Uses as Starch  | — — — — —    | the cwt.                             |
| Precious Stones. See Jewels.  |              |                                      |
| Prints and Drawings   | — — — — —    | each                                 |
| — coloured  | — — — — —    | each                                 |
| Prunelles   | — — — — —    | the cwt.                             |
| Prunes  | — — — — —    | the cwt.                             |
| Q.  |              |                                      |
| Quassia   | — — — — —    | the cwt.                             |
| — — — Extract or Preparation of.  | See Extract. |                                      |
| Quackstern  | — — — — —    | the lb.                              |
| Quills, <i>viz.</i>   |              |                                      |
| — Goose Quills  | — — — — —    | the 1,000                            |
| — Swan Quills   | — — — — —    | the 1,000                            |
| Quinac  | — — — — —    | the 1,000                            |
| Quinine, Sulphate of  | — — — — —    | the oz.                              |
| R.  |              |                                      |
| Radix, <i>viz.</i>  |              |                                      |
| — Contrayerva   | — — — — —    | the lb.                              |
| — Eulie Campana   | — — — — —    | the cwt.                             |
| — Eriogli   | — — — — —    | the lb.                              |
| — Ipecacuanha   | — — — — —    | the lb.                              |
| — Rhatante  | — — — — —    | the lb.                              |
| — — — — — Extract or Preparation of.  | See Extract. |                                      |
| — Sassa   | — — — — —    | the lb.                              |

| INWARDS.  |   | Qty. | TABLE<br>of<br>Duties on Customs<br>Inwards. |       |
|---|---|------|--|-------|
| Rags, viz.  |   |      | sd   | s. d. |
| — old Rags, old Ropes or Junk, or old Fishing Nets, fit only for making Paper or Pasteboard | the Ton                                   | 0    | 0  | 0     |
| — Woolen Rags fit only for Manure   | the Ton                                   | 0    | 1  | 0     |
| Raisins, viz.   |   |      |  |       |
| — of the Sun  | the cwt.                                  | 2    | 2  | 6     |
| — of any other Sort   | the cwt.                                  | 1    | 0  | 0     |
| — of all Sorts, the Produce of and imported from any British Possession                     | the cwt.                                  | 0    | 10   | 0     |
| Rape Cakes  | the cwt.                                  | 0    | 0  | 2     |
| Rape of Grapes  | the Ton                                   | 18   | 6  | 0     |
| Rasafa. See Spiraea.  |   |      |  |       |
| Red Wood or Guinea Wood   | the Ton                                   | 0    | 5  | 0     |
| Rhinary Root. See Radix Rhatanzie.  |   |      |  |       |
| Rhubarb   | the lb.                                   | 0    | 1  | 0     |
| Rice, viz.  |   |      |  |       |
| — not being rough and in the Husk   | the cwt.                                  | 0    | 15   | 0     |
| — rough and in the Husk or Paddy  | the Bushel                                | 0    | 2  | 6     |
| — the Produce of and imported from any British Possession, viz.                             |   |      |  |       |
| — - - not being rough and in the Husk   | the cwt.                                  | 0    | 1  | 0     |
| — - - rough and in the Husk or Paddy  | the Quarter                               | 0    | 0  | 1     |
| Riccon. See Annetto.  |   |      |  |       |
| Ropes, new, or Cordage; old, or Rags; Coir, or Coir.  | the cwt.                                  | 0    | 10   | 0     |
| Roswood   | the cwt.                                  | 0    | 4  | 0     |
| Rosh or Colophonia  | the cwt.                                  | 0    | 4  | 0     |
| — the Produce of and imported from any British Possession                                   | the cwt.                                  | 0    | 2  | 2     |
| Rubies. See Jewels.   |   |      |  |       |
| R.  |   |      |  |       |
| Saccharum Saturni   | the lb.                                   | 0    | 0  | 10    |
| Safflower   | the cwt.                                  | 0    | 1  | 0     |
| Saffron   | the lb.                                   | 0    | 1  | 0     |
| Sage  | the cwt.                                  | 0    | 1  | 0     |
| Sala. See Linen.  |   |      |  |       |
| Sal, viz.   |   |      |  |       |
| — Ammoniac  | the cwt.                                  | 0    | 1  | 0     |
| — Limonium  | the lb.                                   | 0    | 4  | 0     |
| — Prunelle  | the cwt.                                  | 0    | 1  | 0     |
| Salap or Salap  | the cwt.                                  | 0    | 1  | 0     |
| Salt  |   |      |  |       |
| — Saltpetre   | the cwt.                                  | 0    | 0  | 6     |
| — Spanish Dreconia  | the cwt.                                  | 0    | 4  | 0     |
| Sassa Maria Wood  | for every 100 <sup>l</sup> . of the Value | 20   | 0  | 0     |
| Sapan Wood  | the Ton                                   | 0    | 1  | 0     |
| Sassafrasilla   | the lb.                                   | 0    | 0  | 0     |
| Sassafras   | the cwt.                                  | 0    | 2  | 0     |
| Sassafras, Red  | the Ton                                   | 0    | 1  | 0     |
| — White or Yellow   | the cwt.                                  | 0    | 1  | 0     |
| Sponges or Paddings   | the lb.                                   | 0    | 0  | 4     |
| Scrubboards   | the cwt.                                  | 3    | 8  | 2     |
| Scumony   | the lb.                                   | 0    | 2  | 6     |
| Seed, viz.  |   |      |  |       |
| — Acorns  | the Bushel                                | 0    | 1  | 0     |
| — Anise or Anise Seed   | the lb.                                   | 0    | 0  | 6     |

TABLE  
of  
Duties on Customs  
INWARDS.

|  | INWARDS.    | Duty.                |
|--|-------------|----------------------|
| Seed, contained,   |             | 2 <sup>d</sup> s. d. |
| — Aniseed - - - - -  | the cwt.    | 0 5 0                |
| — Barret Seed - - - - -  | the cwt.    | 1 0 0                |
| — Canary Seed - - - - -  | the cwt.    | 3 0 0                |
| — Caraway Seed - - - - -   | the cwt.    | 1 10 0               |
| — Carrot Seed - - - - -  | the lb.     | 0 0 0                |
| — Carthamus Seed - - - - -   | the lb.     | 0 0 0                |
| — Castor Seed. See Nuts.   |             |                      |
| — Cevadilla Seed. See Salsadilla Seed.   |             |                      |
| — Clover Seed - - - - -  | the cwt.    | 1 0 0                |
| — Cole Seed - - - - -  | the Quarter | 0 1 0                |
| — Coriander Seed - - - - -   | the cwt.    | 0 15 0               |
| — Cumin Seed - - - - -   | the cwt.    | 0 2 0                |
| — Fenel Seed - - - - -   | the cwt.    | 0 2 0                |
| — Fennugreek Seed - - - - -  | the cwt.    | 0 0 0                |
| — Flax Seed - - - - -  | the Quarter | 0 1 0                |
| — Forest Seed - - - - -  | the lb.     | 0 0 0                |
| — Garden Seed not particularly enumerated or described,<br>nor otherwise charged with Duty - - - - -   | the lb.     | 0 0 0                |
| — Grass Seed of all Sorts - - - - -  | the cwt.    | 1 0 0                |
| — Hemp Seed - - - - -  | the Quarter | 0 1 0                |
| — Leek Seed - - - - -  | the lb.     | 0 1 0                |
| — Lettuce Seed - - - - -   | the Quarter | 0 1 0                |
| — Linseed - - - - -  | the Quarter | 0 1 0                |
| — Lucerne Seed - - - - -   | the cwt.    | 1 0 0                |
| — Maw Seed - - - - -   | the cwt.    | 3 0 0                |
| — Millet Seed - - - - -  | the cwt.    | 0 11 0               |
| — Mustard Seed - - - - -   | the Bushel  | 0 8 0                |
| — Onion Seed - - - - -   | the lb.     | 0 1 0                |
| — Parsley Seed - - - - -   | the lb.     | 0 0 1                |
| — Peony or Peony Seed - - - - -  | the lb.     | 0 0 0                |
| — Quince Seed - - - - -  | the lb.     | 0 3 0                |
| — Rape Seed - - - - -  | the Quarter | 0 1 0                |
| — Salsadilla or Cevadilla Seed - - - - -   | the lb.     | 0 1 0                |
| — Shrub or Tree Seed not otherwise enumerated - - - - -  | the lb.     | 0 0 0                |
| — Trefoil Seed - - - - -   | the cwt.    | 1 0 0                |
| — Worm Seed - - - - -  | the cwt.    | 0 2 0                |
| — All Seeds not particularly enumerated or described, nor<br>otherwise charged with Duty, commonly made use of for<br>extracting Oil therefrom - - - - - | the Quarter | 0 1 0                |
| — All other Seed not particularly enumerated or described,<br>nor otherwise charged with Duty,<br>for every 100L of the Value                            |             | 30 0 0               |
| Segars. See Tobacco, manufactured.   |             |                      |
| Sens - - - - -   | the lb.     | 0 0 0                |
| Shaving for Hats. See Plating.   |             |                      |
| Ships to be broken up, with their Tackle, Apparel, and Furni-<br>ture (except Sails), &c.  |             |                      |
| — Foreign Ships or Vessels - for every 100L of the Value   |             | 50 0 0               |
| — British Ships or Vessels entitled to be registered as<br>such, not having been built in the United Kingdom,<br>for every 100L of the Value             |             | 15 0 0               |
| Shrubs. See Plants.  |             |                      |
| Shuruck - - - - -  | the Ton     | 0 1 0                |
| Silk, raw,   |             |                      |
| — <i>Fine</i> or <i>Heavy</i> of Silk, and <i>Waste</i> Silk   |             | 0 0 0                |

| INWARDS.  | Duty.   | TABLE<br>OF<br>DUTIES ON CLOTHING<br>INWARDS. |
|---|---------|---|
|   | £ s. d. |   |
| Silk, continued.  |         |   |
| — Raw Silk - - - - - the lb.  | 0 0 1   |   |
| — Thrown Silk, not dyed, viz.   |         |   |
| - - - - Singles - - - - - the lb.   | 0 1 6   |   |
| - - - - Trains - - - - - the lb.  | 0 2 0   |   |
| - - - - Organzine and Crepe Silk - - - - the lb.  | 0 3 6   |   |
| — Thrown Silk, dyed, viz.   |         |   |
| - - - - Singles or Trains - - - - - the lb.   | 0 3 0   |   |
| - - - - Organzine or Crepe Silk - - - - the lb.   | 0 5 2   |   |
| — Manufactures of Silk, or of Silk mixed with any other Material, the Produce of Europe, viz.   |         |   |
| - - - Silk or Satin, plain - - - - - the lb.  | 0 11 0  |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 25 0 0  |   |
| - - - Silk or Satin, figured or brocaded - - - the lb.  | 0 13 0  |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - Gauze, plain - - - - - the lb.  | 0 17 0  |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - Gauze, striped, figured, or brocaded - - - the lb.  | 1 7 6   |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - Crepe, plain - - - - - the lb.  | 0 16 0  |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - Crepe, figured - - - - - the lb.  | 0 13 0  |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - Velvet, plain - - - - - the lb.   | 1 2 0   |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - Velvet, figured - - - - - the lb.   | 1 7 6   |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - Ribbons, embossed or figured with Velvet - - - the lb.  | 0 17 0  |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 30 0 0  |   |
| - - - and further, if mixed with Gold, Silver, or other Metal, in addition to the above Rates, when the Duty is not charged according to the Value - - - - - the lb.  | 0 10 0  |   |
| - - - Fancy Silk, Net or Tricot - - - - - the lb.   | 1 4 0   |   |
| - - - Plain Silk Lace or Net, called Tulle, the Square Yard   | 0 1 4   |   |
| — Manufactures of Silk, or of Silk mixed with any other Material, the Produce of and imported from British Possessions within the Limits of the East India Company's Charter - - - for every 100 <i>l.</i> of the Value | 20 0 0  |   |
| — Millinery of Silk, or of which the greater Part of the Materials is of Silk, viz.   |         |   |
| - - - Turbans or Caps - - - - - each  | 0 15 0  |   |
| - - - Hats or Bonnets - - - - - each  | 1 0 0   |   |
| - - - Dresses - - - - - each  | 2 10 0  |   |
| - - - or, and at the Option of the Officers of the Customs - - - for every 100 <i>l.</i> of the Value   | 20 0 0  |   |

TABLE  
OF  
DUTIES IN CUSTOMS  
HOUSE.

|   | INWARDS.   | Day.   |
|---|--|--------|
| <i>Silk, continued.</i>                       |  |        |
| —   | Manufactures of Silk, or of Silk and any other Material, not particularly enumerated, or otherwise charged with Duty - - - - - for every 100 <i>l.</i> of the Value                              | 20 0 0 |
| —   | Articles of Manufacture of Silk, or of Silk and any other Material, wholly or in part made up, not particularly enumerated, or otherwise charged with Duty, for every 100 <i>l.</i> of the Value | 20 0 0 |
| —   | Silk Worm Gut - - - - - for every 100 <i>l.</i> of the Value   | 20 0 0 |
| <i>Skins, Furs, Hides, and Tails, &amp;c.</i> |  |        |
| —   | Badger Skins, undressed - - - - - the Skin   | 0 0 0  |
| —   | Bear Skins, undressed - - - - - the Skin   | 0 4 0  |
|   | - - - - - undressed, imported from any British Possession in America - - - - - the Skin  | 0 2 0  |
| —   | Beaver Skins, undressed - - - - - the Skin   | 0 0 8  |
|   | - - - - - undressed, imported from any British Possession in America - - - - - the Skin  | 0 0 4  |
| —   | Calabar Skins. See Squared Skins.  |        |
| —   | Calf Skins and Kip Skins, &c.  |        |
|   | - - - in the Hair, not tanned, towed, carried, or in any way dressed, &c.  |        |
|   | - - - - - dry - - - - - the ewt.   | 0 4 8  |
|   | - - - - - wet - - - - - the ewt.   | 0 2 4  |
|   | - - - - - the Produce of and imported from the West Coast of Africa, each Skin not exceeding 7 lbs. Weight - - - - - the ewt.  | 0 2 4  |
|   | - - - - - the Produce of and imported from any British Possession, &c.   |        |
|   | - - - - - dry - - - - - the ewt.   | 0 2 4  |
|   | - - - - - wet - - - - - the ewt.   | 0 1 2  |
|   | - - - tanned, and not otherwise dressed - - - the lb.  | 0 0 9  |
|   | - - - - - the Produce of and imported from any British Possession - - - the lb.  | 0 0 4½ |
|   | - - - - - cut or trimmed - - - the lb.   | 0 1 2  |
|   | - - - - - the Produce of and imported from any British Possession - - - the lb.  | 0 0 7  |
|   | - - - tanned, carried, or in any way dressed (not being tanned Hides) - - - the lb.  | 0 1 0  |
|   | - - - - - the Produce of and imported from any British Possession - - - the lb.  | 0 0 8  |
|   | - - - - - cut or trimmed - - - the lb.   | 0 1 6  |
|   | - - - - - the Produce of and imported from any British Possession - - - the lb.  | 0 0 9  |
| —   | Cat Skins, undressed - - - - - the Skin  | 0 0 1  |
| —   | Chinchilla Skins, undressed - - - - - the Skin   | 0 0 3  |
| —   | Coney Skins, undressed - - - - - the 100 Skins   | 0 1 0  |
| —   | Deer Skins, undressed - - - - - the Skin   | 0 0 1  |
|   | - - - - - undressed, the Produce of and imported from any British Possession in America,   |        |
|   | - - - - - Indian, half dressed - - - - - the 100 Skins   | 0 1 0  |
|   | - - - - - undressed or shaved - - - - - the Skin   | 0 0 1  |
| —   | Dog Skins in the Hair, not tanned, towed, or in any way dressed - - - - - the Dozen Skins  | 0 2 0  |
| —   | Dog Fish Skins, undressed - - - - - the Dozen Skins  | 0 5 2  |

| INWARDS.   | Duty.                | TABLE<br>OF<br>DUTIES ON CERTAIN<br>INWARDS. |
|--|----------------------|--|
| Skins, &c. continued.  |                      |  |
| — Dog Fish Skins, continued.   |                      |  |
| — — — — — undressed, of British taking, and imported<br>direct from Newfoundland,<br>the Dozen Skins                           | d <sup>s</sup> 4. d. | 0 0 1  |
| — Elk Skins in the Hair, not tanned, tawed, curried, or in<br>any way dressed - - - - - the Skin                               |                      | 0 1 0  |
| — Ermine Skins, undressed - - - - - the Skin   |                      | 0 0 3  |
| — — — — — dressed - - - - - the Skin   |                      | 0 0 6  |
| — Fisher Skins, undressed - - - - - the Skin   |                      | 0 0 6  |
| — — — — — undressed, imported from any British Posses-<br>sion in America - - - - - the Skin                                   |                      | 0 0 3  |
| — Fitch Skins, undressed - - - - - the Dozen Skins   |                      | 0 2 0  |
| — Fox Skins, undressed - - - - - the Skin  |                      | 0 0 6  |
| — — — — — undressed, imported from any British Posses-<br>sion in America - - - - - the Skin                                   |                      | 0 0 4  |
| — — — — — Tails, undressed - - - - - for every 100 <sup>l</sup> of the Value   |                      | 5 0 0  |
| — Goat Skins, &c.  |                      |  |
| — — — — — raw or undressed - - - - - the Dozen Skins   |                      | 0 0 6  |
| — — — — — tanned - - - - - the Dozen Skins   |                      | 2 0 0  |
| — Hare Skins, undressed - - - - - the 100 Skins  |                      | 0 1 0  |
| — Hume Skins, undressed - - - - - the Skin   |                      | 0 0 6  |
| — Kangaroo Skins, raw and undressed, imported from any<br>British Possession - - - - - for every 100 <sup>l</sup> of the Value |                      | 5 0 0  |
| — Kid Skins in the Hair, undressed - - - - - the 100 Skins   |                      | 0 0 4  |
| — — — — — dressed - - - - - the 100 Skins  |                      | 0 10 0                                       |
| — — — — — dressed, and dyed or coloured - - - - - the 100 Skins  |                      | 0 15 0                                       |
| — Kip Skins. See Calf Skins.   |                      |  |
| — Kalishki Skins, undressed - - - - - the Skin   |                      | 0 0 3  |
| — Lamb Skins, raw  |                      |  |
| — — — — — undressed, in the Wool - - - - - the 100 Skins   |                      | 0 0 4  |
| — — — — — tanned or tawed - - - - - the 100 Skins  |                      | 0 10 0                                       |
| — — — — — tanned or tawed, and dyed or coloured,<br>the 100 Skins  |                      | 0 15 0                                       |
| — — — — — dressed in Oil - - - - - the 100 Skins   |                      | 4 0 0  |
| — Leopard Skins, undressed - - - - - the Skin  |                      | 0 2 0  |
| — Lion Skins, undressed - - - - - the Skin   |                      | 0 1 0  |
| — Lynx Skins, undressed - - - - - the Skin   |                      | 0 0 6  |
| — Marten Skins, undressed - - - - - the Skin   |                      | 0 0 6  |
| — — — — — undressed, imported from any British Posses-<br>sion - - - - - the Skin  |                      | 0 0 3  |
| — — — — — Tails, undressed - - - - - the 100 Tails   |                      | 0 5 0  |
| — Mink Skins, undressed - - - - - the Skin   |                      | 0 0 4  |
| — — — — — undressed, imported from any British Posses-<br>sion in America - - - - - the Skin                                   |                      | 0 0 3  |
| — — — — — dressed - - - - - the Skin   |                      | 0 2 0  |
| — Mole Skins, undressed - - - - - the Dozen Skins  |                      | 0 0 6  |
| — Musquash Skins, undressed - - - - - the 100 Skins  |                      | 0 1 0  |
| — Nutria Skins, undressed - - - - - the 100 Skins  |                      | 0 1 0  |
| — Otter Skins, undressed - - - - - the Skin  |                      | 0 1 0  |
| — — — — — undressed, imported from any British Posses-<br>sion in America - - - - - the Skin                                   |                      | 0 1 0  |
| — Ounce Skins, undressed - - - - - the Skin  |                      | 0 7 6  |
| — Panther Skins, undressed - - - - - the Skin  |                      | 0 2 6  |
| — Pelt of Goats, undressed - - - - - the Dozen Pelts   |                      | 0 6 0  |
| — — — — — dressed - - - - - the Dozen Pelts  |                      | 0 6 0  |

TABLE  
OF  
DUTIES ON GOODS  
INWARDS.

| INWARDS.   |  | Duty.  |
|--|--|--------|
| Skins, &c. continued.  |  |        |
| —  | Felts of all other Sorts, undressed - - - - - the 100 Pelts  | 0 17 0 |
| —  | Raccoon Skins, undressed - - - - - the Skin  | 0 0 2  |
| —  | — undressed, imported from any British Possession in America - - - - - the Skin  | 0 0 1  |
| —  | Sable Skins, undressed - - - - - the Skin  | 0 2 6  |
| —  | — - - - - Tails or Tips of Sable, undressed - - - - - the Piece  | 0 0 3  |
| —  | Seal Skins in the Hair, not tanned, tawed, or in any way dressed - - - - - the Skin  | 0 1 0  |
| —  | — - - - - of British making - - - - - the Dozen Skins  | 0 0 1  |
| —  | Sheep Skins, viz.  |        |
| —  | — - - - - undressed, in the Wool - - - - - the Dozen Skins   | 0 1 0  |
| —  | — - - - - tanned or tawed - - - - - the 100 Skins  | 2 0 0  |
| —  | — - - - - dressed in Oil - - - - - the 100 Skins   | 4 0 0  |
| —  | Squirrel or Calabar Skins, viz.  |        |
| —  | — - - - - undressed - - - - - the 100 Skins  | 0 11 6 |
| —  | — - - - - tawed - - - - - the 100 Skins  | 0 17 6 |
| —  | — - - - - Tails, undressed - - - - - for every 100l. of the Value  | 20 0 0 |
| —  | Swan Skins, undressed - - - - - the Skin   | 0 1 0  |
| —  | Tiger Skins, undressed - - - - - the Skin  | 0 2 6  |
| —  | Wassel Skins, undressed - - - - - the 100 Skins  | 0 4 9  |
| —  | Wolf Skins, undressed - - - - - the Skin   | 0 0 6  |
| —  | — - - - - undressed, imported from any British Possession in America - - - - - the Skin  | 0 0 3  |
| —  | — - - - - tawed - - - - - the Skin   | 0 17 6 |
| —  | Wolverings, undressed - - - - - the Skin   | 0 1 0  |
| —  | — - - - - undressed, imported from any British Possession in America - - - - - the Skin  | 0 0 0  |
| —  | Skins and Furs, or Pieces of Skins and Furs, raw or undressed, not particularly enumerated or described, nor otherwise charged with Duty,                              |        |
|  | for every 100l. of the Value   | 30 0 0 |
| —  | Skins and Furs, or Pieces of Skins and Furs, tanned, tawed, carried, or in any way dressed, not particularly enumerated or described, nor otherwise charged with Duty, |        |
|  | for every 100l. of the Value   | 30 0 0 |
| —  | Articles manufactured of Skins or Furs,  |        |
|  | for every 100l. of the Value   | 73 0 0 |
| Slaw.  | See Stone.   |        |
| Smalts   | - - - - - the lb.  | 0 0 4  |
| Souff  | - - - - - the lb.  | 0 6 0  |
| Sasp, viz.   |  |        |
| —  | hard - - - - - the cwt.  | 4 10 0 |
| —  | soft - - - - - the cwt.  | 3 11 3 |
| —  | the Produce of and imported from any British Possession in the East Indies, viz.   |        |
| —  | — - - - - hard - - - - - the cwt.  | 1 0 0  |
| —  | — - - - - soft - - - - - the cwt.  | 1 3 0  |
| Soda.  | See Alkali.  |        |
| Spa Waters   | - - - - - for every 100l. of the Value   | 30 0 0 |
| Specimens of Minerals, Fossils, or Gems not particularly enumerated or described, nor otherwise charged with Duty, each Specimen not exceeding in Weight 14 lbs. | - - - - -  | Free.  |
| —  | — exceeding in Weight 14 lbs. each,  |        |
|  | for every 100l. of the Value   | 5 0 0  |



| INWARDS.   | Duty.                | TABLE<br>OF<br>DUTIES OR CUSTOMS<br>TOWARDS. |
|--|----------------------|--|
| Specimens illustrative of Natural History not otherwise enumerated or described  | d <sup>s</sup> s. d. | Free.  |
| Speckled Wood - - - - - the Ton  | 0 14 2               |  |
| — the Produce of and imported from any British Possession - - - - - the Ton  | 0 16 3               |  |
| Splinter in Cakes - - - - - the cwt.   | 0 2 0                |  |
| — not in Cakes - - - - - the cwt.  | 0 10 0               |  |
| Spruce, fine - - - - - the lb.   | 0 1 0                |  |
| Spirits or Strong Waters of all Sorts, viz.<br>— For every Gallon of such Spirits or Strong Waters of any Strength not exceeding the Strength of Proof by Syden's Hydrometer, and so in proportion for any greater Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz.                               |                      |  |
| - - - not being Spirits or Strong Waters, the Produce of any British Possession in America, or any British Possession within the Limits of the East India Company's Charter, and not being sweetened Spirits, or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer - - - | 1 2 6                |  |
| - - - Spirits or Strong Waters, the Produce of any British Possession in America, not being sweetened Spirits or Spirits so mixed as aforesaid - - -   | 0 9 0                |  |
| - - - Spirits or Strong Waters, the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits or Spirits so mixed as aforesaid - - -  | 0 15 0               |  |
| - - - Spirits, Cordials, or Strong Waters respectively (not being the Produce of any British Possession in America), sweetened or mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer - - -  | 1 10 0               |  |
| - - - Spirits, Cordials, or Strong Waters respectively, being the Produce of any British Possession in America, sweetened or mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer - - -   | 1 0 0                |  |
| - - - Rum Shrub, however sweetened, the Produce of and imported from any British Possession in America, the Gallon   | 0 9 0                |  |
| Sponge - - - - - the lb.   | 0 0 6                |  |
| — the Produce of and imported from any British Possession - - - - - the lb.  | 0 0 1                |  |
| Squills, dried - - - - - the cwt.  | 0 8 0                |  |
| — not dried - - - - - the cwt.   | 0 1 0                |  |
| Starch - - - - - the cwt.  | 0 10 0               |  |
| Stearine - - - - - the cwt.  | 0 4 0                |  |
| Steel, newrought, prepared in and imported from any British Possession in Asia, Africa, or America - the Ton   | 0 1 0                |  |
| — or any Manufacture of Steel not otherwise enumerated or described - - - for every 100l. of the Value   | 20 0 0               |  |
| Sulphur. See Antimony.   |                      |  |
| Sticks, viz. Walking Sticks. See Canes.  |                      |  |

TABLE  
OF  
DUTIES ON  
STONES OF SEVERAL  
KINDS

| INWARDS.   | Duty.    |
|--|----------|
| Stones, viz.   | d. s. d. |
| Beers for Mill Stones - - - - - the 100  | 0 10 0   |
| Dog Stones, not exceeding 4 Feet in Diameter, above<br>6 and under 12 Inches in Thickness - - - - - the Pair   | 6 3 6    |
| Emery Stones - - - - - the Ton   | 0 1 0    |
| Filtering Stones - - - - - for every 100l. of the Value  | 50 0 0   |
| Flint Stones, Feldspar, and other Stones for Pottery   | Free.    |
| Grass Stones of Marble, viz.   |          |
| - - - polished, each not containing more than 2 Feet<br>Square - the Foot Square, Superficial Measure  | 0 3 6    |
| - - - unpolished - the Foot Square, Superficial Measure  | 0 0 10   |
| Grass Stones not of Marble, polished or unpolished,<br>the Foot Square, Superficial Measure  | 0 0 0    |
| Lime Stone - - - - -   | Free.    |
| Marble, rough, Blocks or Slabs - - - - -   | Free.    |
| Marble in any way manufactured, (except Grass Stones<br>and Paving Stones, each not containing more than<br>2 Feet Square) - - - - - the cwt.  | 0 3 0    |
| Marble Paving Stones, each not containing more than<br>2 Feet Square, viz.   |          |
| - - - polished - the Foot Square, Superficial Measure  | 0 0 10   |
| - - - rough - the Foot Square, Superficial Measure   | 0 0 6    |
| Mill Stones above 4 Feet in Diameter, or if 12 Inches<br>in Thickness or upwards - - - - - the Pair  | 11 8 0   |
| Paving Stones, not of Marble,<br>the 100 Feet Square, Superficial Measure  | 0 12 0   |
| Pebble Stones - - - - -  | Free.    |
| Polishing Stones - - - - - for every 100l. of the Value  | 5 0 0    |
| Pumice Stones - - - - - the Ton  | 0 5 0    |
| Quern Stones, viz. under 3 Feet in Diameter, and not<br>exceeding 8 Inches in Thickness - the Pair   | 0 8 6    |
| - - - 3 Feet in Diameter and not above 4 Feet in Di-<br>ameter, and not exceeding 8 Inches in Thickness,<br>the Pair   | 0 17 6   |
| Rag Stones - - - - - for every 100l. of the Value  | 20 0 0   |
| Slates, not otherwise enumerated or described,<br>for every 100l. of the Value   | 66 10 0  |
| Slates in Frames - - - - - the Dozen   | 0 3 0    |
| Slick Stones - - - - - the 100   | 0 8 0    |
| Stone sculptured, or Mosaic Work - - - - - the cwt.  | 0 2 6    |
| Stone to be used for the Purpose of Lithography  | Free.    |
| Whet Stones - - - - - the 100  | 0 8 6    |
| Stones not particularly enumerated or described, (see<br>otherwise charged with Duty,<br>for every 100l. of the Value  | 20 0 0   |
| <p>Note.—If any Stone, Group of Figures, or other<br/>Stone or Mosaic Ornament, carved out of the<br/>same Block, shall exceed One Ton Weight, the<br/>Duty to be charged thereon shall be estimated at<br/>the Rate payable for One Ton Weight and no<br/>more.</p> |          |
| Stones or Syenax. See Glass.   |          |
| Straw or Grass for Plating - - - - - the cwt.  | 0 0 1    |
| Swedes - - - - - the lb.   | 0 1 3    |
| — the Produce of and imported from any British Pos-<br>sessions - - - - - the lb.  | 0 0 1    |

| INWARDS.  | Duty.           |
|---|-----------------|
| Sugar, viz.   | £ s. d.         |
| — Brown or Muscovado or Clayed, not being refined, until the 5th Day of April 1834  | the cwt. 3 3 0  |
| — the Growth, Produce, or Manufacture of any British Possession within the Limits of the East India Company's Charter, and imported from thence | the cwt. 1 12 0 |
| — the Growth, Produce, or Manufacture of any British Possession in America, and imported from thence  | the cwt. 1 4 0  |
| — Molasses  | the cwt. 1 3 0  |
| — the Produce of and imported from any British Possession   | the cwt. 0 0 0  |
| — refined   | the cwt. 8 8 0  |
| — Candy, Brown  | the cwt. 5 12 0 |
| — White   | the cwt. 8 8 0  |
| Sulphur Impurities - - - for every 100L. of the Value   | 5 0 0           |
| — Vitium. See Brimstone.  |                 |
| Sweep-washers Diet, containing Bullion. See Bullion.  |                 |
| Sweet Wood - - - the Ton  | 10 13 0         |
| — the Produce of and imported from any British Possession, the Ton  | 0 16 3          |
| T.  |                 |
| Tails, viz.   |                 |
| — Buffalo, Bull, Cow, or Ox Tails - - - the 100   | 0 6 0           |
| — Fox Tails,  | } See Skins.    |
| — Marten Tails,   |                 |
| — Sable Tails,  |                 |
| — Squirrel or Calabar Tails, }  |                 |
| Tale - - - - - the lb.  | 0 0 8           |
| Tallow - - - - - the cwt.   | 0 8 2           |
| — imported from any British Possession in Asia, Africa, or America - - - - - the cwt.   | 0 1 0           |
| Tamarinds - - - - - the lb.   | 0 0 8           |
| — the Produce of and imported from any British Possession - - - - - the lb.   | 0 0 1           |
| Tapioca - - - - - the cwt.  | 0 1 0           |
| Tar - - - - - the Last containing 12 Barrels, each Barrel not exceeding 31½ Gallons   | 0 15 0          |
| — the Produce of and imported from any British Possession, the Last containing 12 such Barrels  | 0 12 0          |
| — Barbadoes Tar - - - - - the cwt.  | 0 2 6           |
| Taxes - - - - - the Quarter   | 0 10 0          |
| Terra - - - - - the Bushel  | 0 1 3           |
| Tartaric Acid - - - - - the lb.   | 0 0 4           |
| Ten, subject only to the Duty of Esche.   |                 |
| Tonnes - - - - - the 1,000  | 0 1 0           |
| Tooth, viz. Elephants, Sea Cow, Sea Horse, or Sea Marse   |                 |
| — Tooth - - - - - the cwt.  | 1 0 0           |
| Telescopes - - - - - for every 100L. of the Value   | 20 0 0          |
| Terra, viz.   |                 |
| — Japonica or Cassia - - - - - the cwt.   | 0 1 0           |
| — Sarsaparilla - - - - - the cwt.   | 0 4 0           |

TABLA  
DE  
DUTOS DE CANTAS  
TERRAS

TABLE  
OF  
DUTIES ON GOODS  
INWARDS.

|                              | INWARDS.   | Duty.  |
|------------------------------|--|--------|
| <i>Teas, continued.</i>      |  |        |
| -----                        | Unders - - - - - the cwt.  | 0 4 0  |
| -----                        | Verts - - - - - the cwt.   | 0 1 0  |
| <i>Thread, viz.</i>          |  |        |
| -----                        | Bruges Thread - - - - - the Dozen lb.  | 0 15 0 |
| -----                        | Cotton Thread. See Cotton Manufacturers.   |        |
| -----                        | Outral Thread - - - - - the Dozen lb.  | 0 15 0 |
| -----                        | Pack Thread - - - - - the cwt.   | 0 15 0 |
| -----                        | Sicars Thread - - - - - the lb.  | 0 4 0  |
| -----                        | Whited Brown Thread - - - - - the Dozen lb.  | 0 15 0 |
| -----                        | not otherwise enumerated or described,<br>for every 100L of the Value  | 25 0 0 |
| -----                        | Tiles - - - - - for every 100L of the Value  | 30 0 0 |
| -----                        | Dugh Tiles - - - - - for every 100L of the Value   | 15 0 0 |
| -----                        | Tin - - - - - the cwt.   | 3 10 0 |
| -----                        | Manufactures of, not otherwise enumerated or described,<br>for every 100L of the Value   | 30 0 0 |
| -----                        | Ore - - - - - for every 100L of the Value  | 30 0 0 |
| -----                        | Tinical. See Borax.  |        |
| -----                        | Tin Foil - - - - - for every 100L of the Value   | 25 0 0 |
| <i>Tobacco, viz.</i>         |  |        |
| -----                        | unmanufactured - - - - - the lb.   | 0 3 0  |
| -----                        | - - - the Produce of and imported from any British Possession in America - - - the lb. manufactured, or Segars - - - the lb.   | 0 3 0  |
| -----                        | (Manufactured in the United Kingdom at or within Two Miles of any Port into which Tobacco may be imported, made into Shag, Roll, or Carrot Tobacco, Drawback upon Exportation, the lb. 3s. 7½d.) |        |
| -----                        | Tobacco Pipes - - - - - for every 100L of the Value  | 30 0 0 |
| -----                        | Tongues - - - - - the Dozen  | 0 3 0  |
| -----                        | Tortois or Turquoise - - - - - the cwt.  | 0 5 0  |
| -----                        | Tortoiseshell or Turkeishell, unmanufactured - - - the lb.   | 0 2 0  |
| -----                        | imported from any British Possession - - - the lb.   | 0 0 1  |
| <i>Tow. See Flax.</i>        |  |        |
| -----                        | Toys - - - - - for every 100L of the Value   | 20 0 0 |
| <i>Trees. See Plants.</i>    |  |        |
| -----                        | Trafles - - - - - the lb.  | 0 1 0  |
| -----                        | Turmeric - - - - - the cwt.  | 0 10 0 |
| -----                        | imported from any British Possession - - - the cwt.  | 0 3 4  |
| -----                        | Turtery not otherwise enumerated or described,<br>for every 100L of the Value  | 30 0 0 |
| <i>Tursole. See Tursole.</i> |  |        |
| <i>Turpentine, viz.</i>      |  |        |
| -----                        | not being of greater Value than 12s. the cwt. thereof - - - - - the cwt.   | 0 4 4  |
| -----                        | being of greater Value than 12s. and not of greater Value than 15s. the cwt. thereof - - - the cwt.  | 0 5 4  |
| -----                        | being of greater Value than 15s. the cwt. thereof - - - the cwt.   | 1 6 2  |
| -----                        | of Venice, Scio, or Cyprus - - - the lb.   | 0 0 10 |
| -----                        | Twine - - - - - the cwt.   | 1 11 0 |

| INWARDS.   | Duty.            |
|--|------------------|
| V.   |                  |
| Valonia - - - - -  | the cwt. 0 1 0   |
| Vanilla - - - - -  | the lb. 0 5 0    |
| Varnish not otherwise enumerated or described,<br>for every 100l. of the Value   | 30 0 0           |
| Vases, ancient, not of Stone or Marble,<br>for every 100l. of the Value  | 5 0 0            |
| Vellum - - - - -   | the Skin 0 7 3   |
| Verdigris - - - - -  | the lb. 0 1 0    |
| Verjuice - - - - -   | the Tun 75 12 3  |
| Vermicelli - - - - -   | the lb. 0 0 2    |
| Vermillion - - - - -   | the lb. 0 0 6    |
| Vinegar or Acetous Acid - - - - -  | the Tun 16 16 0  |
| W.   |                  |
| Wafers - - - - -   | the lb. 0 1 3    |
| Washing Balls - - - - -  | the lb. 0 1 8    |
| Watches of Gold, Silver, or other Metal,<br>for every 100l. of the Value   | 25 0 0           |
| Water, viz.  |                  |
| ----- Arquebuzade, }<br>----- Citron, }<br>----- Cordial, } See Spirits.<br>----- Hungary, }<br>----- Lavender, }<br>----- Cologne Water, the Flask (Thirty of such Flasks con-<br>taining not more than One Gallon) - - - - - | 0 1 0            |
| ----- Mineral or Natural Water, the Dozen Bottles or Flasks<br>(each Bottle or Flask not exceeding Three Pints) -  | 0 4 0            |
| ----- Strong Water. See Spirits.   |                  |
| Wax, viz.  |                  |
| ----- Bees Wax, viz.   |                  |
| ----- unbleached - - - - -   | the cwt. 1 10 0  |
| ----- in any Degree bleached - - - - -   | the cwt. 3 0 0   |
| ----- imported from any British Possession in Asia,<br>Africa, or America, viz.  |                  |
| ----- unbleached - - - - -   | the cwt. 0 10 0  |
| ----- in any Degree bleached - - - - -   | the cwt. 1 0 0   |
| ----- Myrtle Wax - - - - -   | the lb. 0 1 0    |
| ----- Sealing Wax - - - - - for every 100l. of the Value   | 30 0 0           |
| Weld - - - - -   | the cwt. 0 1 0   |
| Whale Fins - - - - -   | the Ton 95 0 0   |
| ----- taken and caught by the Crew of a British Ship, and<br>imported direct from the Fishery, or from any British<br>Possession, in a British Ship - - - - -  | the Ton 1 0 0    |
| ----- - - - - -  | the lb. 0 1 0    |
| Whispered - - - - -  |                  |
| Wine, viz.   |                  |
| ----- French, Canary, Foyal, Madeira, Portugal, Spanish, and<br>other Wines not enumerated - - - - -   | the Gallon 0 5 6 |
| ----- the Produce of His Majesty's Settlement of the Cape of<br>Good Hope, or the Territories or Dependencies thereof,<br>imported directly from thence - - - - -  | the Gallon 0 2 9 |
| ----- (The full Duties on Wine are drawn back upon Exporta-<br>tion.)  |                  |

TABLE  
OF  
DUTIES ON CUSTOMS  
PRODUCE

TABLE  
OF  
DUTIES ON EXPORTS  
BEFORE

| INWARDS.                |   | Duty.   |
|-------------------------|---|---------|
| <i>Wine, continued.</i> |   |         |
| —                       | Lees, subject to the same Duty as Wine, but no Draw-<br>back is allowed on the Lees of Wine exported.   | ℥ s. d. |
| <i>Wine, vit.</i>       |   |         |
| —                       | Brass or Copper - - - - - the cwt.  | 2 10 0  |
| —                       | Gold or Plated - - - for every 100L of the Value  | 25 0 0  |
| —                       | Iron - - - - - the cwt.   | 1 0 0   |
| —                       | Latens - - - - - the cwt.   | 1 0 0   |
| —                       | Silver - - - - - for every 100L of the Value  | 25 0 0  |
| —                       | Steel - - - - - the lb.   | 0 1 10  |
| —                       | Wood - - - - - the cwt.   | 0 1 0   |
| <i>Wood, vit.</i>       |   |         |
| —                       | Anchor Stocks - - - - - the Piece   | 0 8 4   |
|                         | - - - imported from any British Possession in America,<br>the Piece   | 0 0 10  |
| <i>Bolks, vit.</i>      |   |         |
| —                       | - - - under 3 Inches Square, and under 24 Feet in<br>Length - - - - - the 120   | 18 2 7  |
| —                       | - - - under 3 Inches Square, and 24 Feet in Length or<br>upwards - - - - - the 120  | 27 0 0  |
|                         | - - - 3 Inches Square or upwards are subject and liable<br>to the Duties payable on Fir Timber.   |         |
| —                       | Bolks imported from any British Possession in America, vit.   |         |
| —                       | - - - under 3 Inches Square, and under 24 Feet in<br>Length - - - - - the 120   | 3 5 0   |
| —                       | - - - under 3 Inches Square, and 24 Feet in Length or<br>upwards - - - - - the 120  | 4 17 6  |
|                         | - - - 3 Inches Square or upwards are subject and liable<br>to the Duties payable on Fir Timber.   |         |
| —                       | Battens imported into Great Britain, vit.   |         |
| —                       | - - - 6 Feet in Length and not exceeding 16 Feet in<br>Length, not above 7 Inches in Width, and not<br>above 2½ Inches in Thickness - - - the 120                             | 10 0 0  |
| —                       | - - - exceeding 16 Feet in Length and not exceeding<br>21 Feet in Length, not above 7 Inches in<br>Width, and not exceeding 2½ Inches in Thick-<br>ness - - - - - the 120     | 11 10 0 |
| —                       | - - - exceeding 21 Feet in Length and not exceeding<br>45 Feet in Length, not above 7 Inches in Width,<br>and not exceeding 2½ Inches in Thickness,<br>the 120                | 20 0 0  |
| —                       | - - - exceeding 45 Feet in Length, or above 2½ Inches<br>in Thickness (not being Timber 8 Inches Square)<br>the Load, containing 50 Cubic Feet                                | 2 10 0  |
|                         | - - - and further - - - - - the 120   | 0 0 0   |
| —                       | Battens of the Growth and Produce of any British Pos-<br>session in America, and imported directly from<br>thence into Great Britain, vit.                                    |         |
| —                       | - - - 6 Feet in Length and not exceeding 16 Feet<br>in Length, not above 7 Inches in Width,<br>and not exceeding 2½ Inches in Thickness,<br>the 120                           | 1 0 0   |
| —                       | - - - exceeding 16 Feet in Length and not exceeding<br>21 Feet in Length, and not above 7 Inches in<br>Width, and not exceeding 2½ Inches in Thick-<br>ness - - - - - the 120 | 1 2 0   |

| INWARDS.   | Duty.        | TABLE<br>OF<br>DUTIES ON COMMERCE<br>INWARDS. |
|--|--------------|---|
| Wood, continued.   | s.   s.   d. |   |
| — Batten of the Growth and Produce of any British Possession in America, &c., continued.   |              |   |
| - - - exceeding 21 Feet in Length, not above 7 Inches in Width, or if exceeding 3½ Inches in Thickness   | the 120      | 2   0   0                                     |
| — Batten imported into Ireland, viz.   |              |   |
| - - - 8 Feet in Length and not exceeding 12 Feet in Length, not above 7 Inches in Width, and not exceeding 3½ Inches in Thickness                | the 120      | 0   0   0                                     |
| - - - exceeding 12 Feet in Length and not exceeding 14 Feet in Length, not above 7 Inches in Width, and not exceeding 3½ Inches in Thickness     | the 120      | 2   14   0                                    |
| - - - exceeding 14 Feet in Length and not exceeding 16 Feet in Length, not above 7 Inches in Width, and not exceeding 3½ Inches in Thickness     | the 120      | 11   1   0                                    |
| - - - exceeding 16 Feet in Length and not exceeding 18 Feet in Length, not above 7 Inches in Width, and not exceeding 3½ Inches in Thickness     | the 120      | 12   9   4                                    |
| - - - exceeding 18 Feet in Length and not exceeding 20 Feet in Length, not above 7 Inches in Width, and not exceeding 3½ Inches in Thickness     | the 120      | 13   17   2                                   |
| - - - exceeding 20 Feet in Length and not exceeding 45 Feet in Length, and not above 7 Inches in Width, and not exceeding 3½ Inches in Thickness | the 120      | 34   0   1                                    |
| - - - exceeding 45 Feet in Length, or above 3½ Inches in Thickness (not being Timber 8 Inches Square), the Load, containing 50 Cubic Feet        | the 120      | 2   10   0                                    |
| - - - and further  | the 120      | 0   0   0                                     |
| — Batten Ends imported into Great Britain, viz.  |              |   |
| - - - under 6 Feet in Length, not above 7 Inches in Width, and not exceeding 2½ Inches in Thickness  | the 120      | 0   0   0                                     |
| - - - under 6 Feet in Length, not above 7 Inches in Width, and exceeding 2½ Inches in Thickness,   | the 120      | 0   0   0                                     |
| — Batten Ends of the Growth and Produce of any British Possession in America, and imported directly from thence into Great Britain, viz.         |              |   |
| - - - under 6 Feet in Length, not above 7 Inches in Width, and not exceeding 2½ Inches in Thickness  | the 120      | 0   7   0                                     |
| - - - under 6 Feet in Length, not above 7 Inches in Width, and exceeding 2½ Inches in Thickness,   | the 120      | 0   15   0                                    |
| — Batten Ends imported into Ireland, viz.  |              |   |
| - - - under 6 Feet in Length, not above 7 Inches in Width, and not exceeding 2½ Inches in Thickness  | the 120      | 0   0   0                                     |

TABLE  
OF  
DUTIES ON CERTAIN  
IMPORTS.

|                  | INWARDS.  | Duty.          |
|------------------|---|----------------|
| Wood, continued. |   |                |
| -----            | Batten Ends imported into Ireland, continued.   | d. s. d.       |
| - - -            | under 8 Feet in Length, if exceeding 3½ Inches in Thickness - - - the 180   | 9 3 1          |
| -----            | Battens and Batten Ends of all Sorts of the Growth and Produce of any British Possession in America, and imported directly from thence into Ireland, - - - the 180  | 0 8 3          |
| -----            | Beech Plank, 2 Inches in Thickness or upwards, the Load, containing 50 Cubic Feet - - - of all Sorts, of the Growth and Produce of any British Possession in America, and imported directly from thence - - - the 180 | 2 8 9<br>0 8 4 |
| -----            | Beech Quarters, viz.  |                |
| - - -            | under 5 Inches Square, and under 24 Feet in Length - - - the 180  | 4 10 6         |
| - - -            | 5 Inches Square and under 8 Inches Square, or if 24 Feet in Length or upwards - - - the 180   | 12 3 0         |
| - - -            | of all Sorts under 5 Inches Square, of the Growth and Produce of any British Possession in America, and imported directly from thence, - - - the 180  | 0 16 3         |
| -----            | Beech, viz.   |                |
| - - -            | Beech Boards, viz.  |                |
| - - -            | under 3 Inches in Thickness, and under 15 Feet in Length - - - the 180  | 4 9 6          |
| - - -            | under 3 Inches in Thickness, and if 15 Feet in Length or upwards - - - the 180  | 0 19 0         |
| - - -            | Clap Boards, viz.   |                |
| - - -            | not exceeding 5 Feet 3 Inches in Length, and under 5 Inches Square - - - the 180  | 0 3 0          |
| - - -            | of the Growth and Produce of any British Possession in America, and imported directly from thence - - - the 180   | 0 12 4         |
| - - -            | Linn Boards or White Boards for Shoemakers, viz.  |                |
| - - -            | under 4 Feet in Length, and under 6 Inches in Thickness - - - the 180   | 6 16 6         |
| - - -            | 4 Feet in Length, or 6 Inches in Thickness, or upwards - - - the 180  | 13 13 0        |
| - - -            | Oak Boards, viz.  |                |
| - - -            | under 3 Inches in Thickness, and under 15 Feet in Length - - - the 180  | 18 1 0         |
| - - -            | under 3 Inches in Thickness, and if 15 Feet in Length or upwards - - - the 180  | 26 2 0         |
| - - -            | Outside Sills or Paling Boards, hewed on One Side, not exceeding 7 Feet in Length, and not above 1½ Inch in Thickness - - - the 180   | 2 0 0          |
| - - -            | Outside Sills or Paling Boards, hewed on One Side, exceeding 7 Feet in Length, and not exceeding 12 Feet in Length, and not above 1½ Inch in Thickness - - - the 180  | 4 0 0          |
| - - -            | Outside Sills or Paling Boards, hewed on One Side, exceeding 12 Feet in Length, or exceeding 1½ Inch in Thickness, are subject and liable to the Duties payable on Timber.  |                |



| INWARDS.   | Duty.                        | TABLE<br>of<br>DUTIES OF CUSTOMS<br>INWARDS. |
|--|------------------------------|--|
| Wood, cuttimed.  |                              |  |
| — Boards, cuttimed.  | <i>l</i> <i>s</i> <i>d</i> . |  |
| — - - Outside Sials or Piling Boards, hewed on One Side, of the Growth and Produce of any British Possession in America, and imported directly from thence, &c.                                    |                              |  |
| — - - not exceeding 7 Feet in Length, and not above 1½ Inch in Thickness - the 120   | 0 5 0                        |  |
| — - - exceeding 7 Feet in Length and not exceeding 12 Feet in Length, and not above 1½ Inch in Thickness - the 120   | 0 10 0                       |  |
| — - - exceeding 12 Feet in Length, or exceeding 1½ Inch in Thickness, are subject and liable to the Duties payable on Deals.   |                              |  |
| — - - Pipe Boards, &c.   |                              |  |
| — - - above 5 Feet 3 Inches in Length and not exceeding 6 Feet in Length, and under 6 Inches Square - - the 120  | 9 3 0                        |  |
| — - - exceeding 6 Feet in Length, and under 8 Inches Square - - - the 120  | 18 0 0                       |  |
| — - - of all Sorts, exceeding 5 Feet 3 Inches in Length and under 6 Inches Square, of the Growth and Produce of any British Possession in America, and imported directly from thence - - - the 120 | 0 10 0                       |  |
| — - - Wainscot Boards, &c.   |                              |  |
| — - - the Foot, containing 12 Feet in Length, and 1 Inch in Thickness, and so in proportion for any greater or lesser Length or Thickness  | 0 4 0                        |  |
| — Boards of all Sorts not otherwise enumerated or described, of the Growth and Produce of any British Possession in America, and imported directly from thence, the 120                            | 0 8 4                        |  |
| — Boards. See Masts.   |                              |  |
| — Deals to be used in Mines, &c.   |                              |  |
| — - - above 7 Inches in Width, being 8 Feet in Length and not above 10 Feet in Length, and not exceeding 1½ Inch in Thickness - the 120  | 8 2 6                        |  |
| — Deals imported into Great Britain, &c.   |                              |  |
| — - - above 7 Inches in Width, being 6 Feet in Length and not above 10 Feet in Length, and not exceeding 3¼ Inches in Thickness - the 120  | 10 0 0                       |  |
| — - - above 7 Inches in Width, above 10 Feet in Length and not above 21 Feet in Length, and not exceeding 3¼ Inches in Thickness - the 120   | 22 0 0                       |  |
| — - - above 7 Inches in Width, above 21 Feet in Length and not above 45 Feet in Length, and not above 3¼ Inches in Thickness - the 120   | 44 0 0                       |  |
| — - - above 45 Feet in Length, or above 3¼ Inches in Thickness (not being Timber 8 Inches Square or upwards) the Load containing 50 Cubic Feet - - - the 120                                       | 2 10 0                       |  |
| — - - and further - - - the 120  | 0 0 0                        |  |
| — Deals of the Growth and Produce of any British Possession in America, and imported directly from thence into Great Britain, &c.  |                              |  |
| — - - above 7 Inches in Width, being 6 Feet in Length and not above 10 Feet in Length, and not exceeding 3¼ Inches in Thickness - the 120  | 2 0 0                        |  |

Printed (continued) 1833-1834: the First Part Length and Width in Feet and Inches. Duty Expressions Unit

TABLE  
OF  
DUTIES ON FOREIGN  
TIMBER.

| INWARDS.  | Duty.                    |
|---|--------------------------|
| Wood, continued.  | <i>d. s. d.</i>          |
| — Deal of the Growth and Produce of any British Possession in America, &c., continued.  |                          |
| - - - above 7 Inches in Width, above 16 Feet in Length and not above 21 Feet in Length, and not exceeding 3½ Inches in Thickness              | the 120<br>2 10 0        |
| - - - above 7 Inches in Width, being 6 Feet in Length and not above 21 Feet in Length, and exceeding 3½ Inches in Thickness                   | - - - the 120<br>4 0 0   |
| - - - above 7 Inches in Width, exceeding 21 Feet in Length, and not exceeding 4 Inches in Thickness   | - - - the 120<br>5 0 0   |
| - - - above 7 Inches in Width, exceeding 21 Feet in Length, and exceeding 4 Inches in Thickness (not being Timber 6 Inches Square or upwards) | - - - the 120<br>10 0 0  |
| — Deal imported into Ireland, viz.  |                          |
| - - - above 7 Inches in Width and not exceeding 12 Inches in Width, and not exceeding 3½ Inches in Thickness, viz.                            |                          |
| - - - 8 Feet in Length and not exceeding 12 Feet in Length  | - - - the 120<br>12 0 5  |
| - - - exceeding 12 Feet in Length and not exceeding 14 Feet in Length   | - - - the 120<br>14 11 0 |
| - - - exceeding 14 Feet in Length and not exceeding 16 Feet in Length   | - - - the 120<br>16 12 6 |
| - - - exceeding 16 Feet in Length and not exceeding 18 Feet in Length   | - - - the 120<br>18 14 1 |
| - - - exceeding 18 Feet in Length and not exceeding 20 Feet in Length   | - - - the 120<br>20 15 7 |
| - - - above 7 Inches in Width and not exceeding 12 Inches in Width, and exceeding 3½ Inches in Thickness, viz.                                |                          |
| - - - 8 Feet in Length and not exceeding 20 Feet in Length  | - - - the 120<br>41 11 3 |
| - - - above 7 Inches in Width and not exceeding 12 Inches in Width, and not exceeding 4 Inches in Thickness, and exceeding 20 Feet in Length, | the 120<br>51 9 2        |
| - - - above 7 Inches in Width and not exceeding 12 Inches in Width, and exceeding 4 Inches in Thickness, and exceeding 20 Feet in Length,     | the 120<br>100 6 1       |
| — Deal Ends imported into Great Britain, viz.   |                          |
| - - - above 7 Inches in Width, being under 6 Feet in Length, and not exceeding 3½ Inches in Thickness   | - - - the 120<br>6 0 0   |
| - - - above 7 Inches in Width, being under 6 Feet in Length, and exceeding 3½ Inches in Thickness,  | the 120<br>12 0 0        |
| — Deal Ends of the Growth and Produce of any British Possession in America, and imported directly from thence into Great Britain, viz.        |                          |
| - - - above 7 Inches in Width, being under 6 Feet in Length, and not exceeding 3½ Inches in Thickness   | - - - the 120<br>6 15 0  |

| INWARDS   | Duty.   | TABLE<br>OF<br>DUTIES ON GOODS<br>INWARDS |
|---|---------|---|
| Wood, continued.  | £ s. d. | ✓   |
| — Deal Ends of the Growth and Produce of any British Possession in America, &c., continued.   |         |   |
| - - - above 7 Inches in Width, being under 6 Feet in Length, and exceeding 3½ Inches in Thickness, the 120  | 1 10 0  |   |
| — Deal Ends imported into Ireland, viz.   |         |   |
| - - - above 7 Inches in Width and not exceeding 12 Inches in Width, and under 6 Feet in Length, viz.  | 7 1 8   |   |
| - - - not exceeding 3½ Inches in Thickness, the 120   |         |   |
| - - - exceeding 3½ Inches in Thickness the 120  | 12 14 8 |   |
| — Deals and Deal Ends, viz.   |         |   |
| - - - of all Sorts, of the Growth and Produce of any British Possession in America, and imported directly from thence into Ireland - - - the 120                                  | 0 8 8   |   |
| - - - And further, on all Deals and Deal Ends imported into Ireland, of the aforesaid Lengths and Thicknesses, but of the following Widths, the additional Duties following, viz. |         |   |
| - - - If exceeding 12 Inches in Width and not exceeding 15 Inches in Width, Twenty-five per Cent., or One Fourth of the aforesaid Rates.  |         |   |
| - - - If exceeding 15 Inches in Width and not exceeding 18 Inches in Width, Fifty per Cent., or One Half of the aforesaid Rates.  |         |   |
| - - - If exceeding 18 Inches in Width and not exceeding 21 Inches in Width, Seventy-five per Cent., or Three Fourths of the aforesaid Rates.                                      |         |   |
| - - - If exceeding 21 Inches in Width, One hundred per Cent., or an additional Duty equal to the aforesaid Rates respectively.  |         |   |
| — Firewood not fit or proper to be used other than as such, viz.  |         |   |
| - - - the Fashion, 6 Feet wide and 6 Feet high -  | 0 10 0  |   |
| - - - imported from any British Possession in America, the Fashion 6 Feet wide and 6 Feet high  | 0 0 10  |   |
| — Fir Quarters, viz.  |         |   |
| - - - under 3 Inches Square, and under 24 Feet in Length, the 120   | 18 8 7  |   |
| - - - under 3 Inches Square, and 24 Feet in Length or upwards - - - the 120   | 27 0 0  |   |
| - - - 3 Inches Square or upwards are subject and liable to the Duties payable on Fir Timber.  |         |   |
| — Fir Quarters of the Growth and Produce of any British Possession in America, and imported directly from thence, viz.  |         |   |
| - - - under 3 Inches Square, and under 24 Feet in Length - - - the 120  | 3 5 0   |   |
| - - - under 3 Inches Square, and 24 Feet in Length or upwards - - - the 120   | 4 17 6  |   |
| - - - 3 Inches Square, or upwards, are subject and liable to the Duties payable on Fir Timber.  |         |   |

TABLE  
OF  
DUTIES ON CUSTOMS  
DUTIES.

| INWARDS.  |   | Duty.   |
|---|---|---------|
| Wood, continued.  |   | £ s. d. |
| --- Fir Timber. See Timber.   |   |         |
| --- Handpikes, viz.   |   |         |
| - - -   | under 7 Feet in Length - - the 120  | 2 9 0   |
| - - -   | 7 Feet in Length or upwards - the 120   | 4 0 0   |
| --- Handpikes imported from any British Possession in America, viz.                                       |   |         |
| - - -   | under 7 Feet in Length - - the 120  | 0 2 6   |
| - - -   | 7 Feet in Length or upwards - the 120   | 0 5 0   |
| --- Knees of Oak, viz.  |   |         |
| - - -   | under 5 Inches Square - - the 120   | 0 10 0  |
| - - -   | 5 Inches Square and under 6 Inches Square, the 120  | 4 0 0   |
| - - -   | 6 Inches Square or upwards,<br>the Load containing 50 Cubic Feet                                    | 1 6 0   |
| --- Knees of Oak imported from any British Possession in America, viz.                                    |   |         |
| - - -   | under 5 Inches Square - - the 120   | 0 2 0   |
| - - -   | 5 Inches Square and under 6 Inches Square, the 120  | 0 15 0  |
| - - -   | 6 Inches Square or upwards,<br>the Load containing 50 Cubic Feet                                    | 0 5 0   |
| --- Larchwood, viz.   |   |         |
| - - -   | in Pieces under 5 Feet in Length,<br>the Fathom 6 Feet wide and 6 Feet high                         | 4 5 0   |
| - - -   | in Pieces 5 Feet in Length and under 6 Feet<br>in Length,<br>the Fathom 6 Feet wide and 6 Feet high | 6 16 0  |
| - - -   | 6 Feet in Length and under 12 Feet in Length,<br>the Fathom 6 Feet wide and 6 Feet high             | 10 4 0  |
| - - -   | 12 Feet long or upwards,<br>the Fathom 6 Feet wide and 6 Feet high                                  | 13 12 0 |
| --- Larchwood imported from any British Possession in America, viz.                                       |   |         |
| - - -   | in Pieces under 5 Feet in Length,<br>the Fathom 6 Feet wide and 6 Feet high                         | 0 15 0  |
| - - -   | in Pieces 5 Feet in Length or upwards,<br>the Fathom 6 Feet wide and 6 Feet high                    | 1 5 0   |
| --- Mast, Yards, or Bowsprits, viz.   |   |         |
| - - -   | 6 Inches in Diameter and under 8 Inches, each   | 0 8 0   |
| - - -   | 8 Inches in Diameter and under 12 Inches, each  | 1 2 0   |
| - - -   | 12 Inches in Diameter or upwards,<br>the Load containing 50 Cubic Feet                              | 2 15 0  |
| --- Mast, Yards, or Bowsprits, imported from any British Possession in America, viz.                      |   |         |
| - - -   | 6 Inches in Diameter and under 8 Inches, each   | 0 1 6   |
| - - -   | 8 Inches in Diameter and under 12 Inches, each  | 0 4 0   |
| - - -   | 12 Inches Diameter or upwards,<br>the Load containing 50 Cubic Feet                                 | 0 10 0  |
| --- Oak Plank, viz.   |   |         |
| - - -   | 3 Inches in Thickness or upwards,<br>the Load containing 50 Cubic Feet                              | 4 0 0   |
| --- Oak Plank of the Growth of any British Possession in America, and imported directly from thence, viz. |   |         |
| - - -   | 2 Inches in Thickness or upwards,<br>the Load containing 50 Cubic Feet                              | 0 15 0  |

| INWARDS.   | Duty.           | TABLE<br>OF<br>SERIES OF CUSTOMS<br>INWARDS. |
|--|-----------------|--|
| Wood, confined.  | <i>l. s. d.</i> |  |
| — — — — — Oak - - - - - the 120  | 14 10 3         |  |
| - - - of the Growth of any British Possession in America, and imported directly from thence, the 120   | 0 10 0          |  |
| — — — — — Spars, <i>viz.</i>   |                 |  |
| - - - under 22 Feet in Length, and under 4 Inches in Diameter, exclusive of the Bark - - - the 120   | 2 8 0           |  |
| - - - 22 Feet in Length or upwards, and under 4 Inches in Diameter, exclusive of the Bark - - - the 120  | 4 5 0           |  |
| - - - 4 Inches in Diameter and under 2 Inches in Diameter, exclusive of the Bark - - - the 120   | 3 0 0           |  |
| - - - of the Growth of any British Possession in America, and imported directly from thence; <i>viz.</i>   |                 |  |
| - - - under 22 Feet in Length, and under 4 Inches in Diameter, exclusive of the Bark, the 120  | 0 0 0           |  |
| - - - 22 Feet in Length or upwards, and under 4 Inches in Diameter, exclusive of the Bark, the 120   | 0 10 0          |  |
| - - - 4 Inches in Diameter and under 6 Inches in Diameter, exclusive of the Bark, the 120  | 1 15 0          |  |
| — — — — — Spokes for Wheels, <i>viz.</i>   |                 |  |
| - - - not exceeding 3 Feet in Length - - - the 1,000   | 3 7 4           |  |
| - - - exceeding 3 Feet in Length - - - the 1,000   | 6 14 8          |  |
| - - - of all Sorts, of the Growth of any British Possession in America, and imported directly from thence - - - the 1,000  | 0 0 4           |  |
| — — — — — Staves, <i>viz.</i>  |                 |  |
| - - - not exceeding 38 Inches in Length, not above 3 Inches in Thickness, and not exceeding 7 Inches in Breadth - - - the 120  | 1 3 0           |  |
| - - - above 38 Inches in Length and not exceeding 50 Inches in Length, not above 3 Inches in Thickness, and not exceeding 7 Inches in Breadth, the 120                     | 2 6 0           |  |
| - - - above 50 Inches in Length and not exceeding 60 Inches in Length, not above 3 Inches in Thickness, and not exceeding 7 Inches in Breadth, the 120                     | 3 0 0           |  |
| - - - above 60 Inches in Length and not exceeding 72 Inches in Length, not above 3 Inches in Thickness, and not exceeding 7 Inches in Breadth, the 120                     | 4 4 0           |  |
| - - - above 72 Inches in Length, not above 3 Inches in Thickness, and not exceeding 7 Inches in Breadth - - - the 120  | 4 10 0          |  |
| - - - above 3 Inches in Thickness, or above 7 Inches in Breadth, and not exceeding 63 Inches in Length, shall be deemed Clap Boards, and be charged with Duty accordingly. |                 |  |
| - - - above 3 Inches in Thickness, or above 7 Inches in Breadth, and exceeding 63 Inches in Length, shall be deemed Pipe Boards, and be charged with Duty accordingly.     |                 |  |

TABLE  
OF  
DUTIES ON CERTAIN  
IMPORTS.

| INWARDS.  | Duty.                |
|---|----------------------|
| <i>Wood, continued.</i>   |                      |
| — Staves imported from any British Possession in America, and imported directly from thence; viz.   | d <sup>s</sup> s. d. |
| - - - not exceeding 36 Inches in Length, not above 3½ Inches in Thickness, and not exceeding 7 Inches in Breadth - - - - - the 120  | 0 2 0                |
| - - - above 36 Inches in Length and not exceeding 50 Inches in Length, not above 3½ Inches in Thickness, and not exceeding 7 Inches in Breadth, - - - - - the 120           | 0 4 0                |
| - - - above 50 Inches in Length and not exceeding 60 Inches in Length, not above 3½ Inches in Thickness, and not exceeding 7 Inches in Breadth - - - - - the 120            | 0 8 0                |
| - - - above 60 Inches in Length and not exceeding 72 Inches in Length, not above 3½ Inches in Thickness, and not exceeding 7 Inches in Breadth - - - - - the 120            | 0 8 0                |
| - - - above 72 Inches in Length, not above 3½ Inches in Thickness, and not exceeding 7 Inches in Breadth - - - - - the 120  | 0 10 0               |
| - - - not exceeding 1½ Inch in Thickness shall be charged with One Third Part of the Duty herein proposed on such Staves.   |                      |
| - - - above 3½ Inches in Thickness, or above 7 Inches in Breadth, and not exceeding 63 Inches in Length, shall be deemed Clap Boards, and be charged with Duty accordingly. |                      |
| - - - above 3½ Inches in Thickness, or above 7 Inches in Breadth, and exceeding 63 Inches in Length, shall be deemed Pipe Boards, and be charged with Duty accordingly.     |                      |
| — Teak Wood - the Load, containing 50 Cubic Feet  | 1 10 0               |
| - - - imported from any British Possession in Africa, the Load, containing 50 Cubic Feet  | 0 10 0               |
| - - - imported from any British Possession within the Limits of the East India Company's Charter, the Load, containing 50 Cubic Feet  | 0 0 1                |
| - - - imported from any other Place within those Limits, the Load, containing 50 Cubic Feet   | 0 10 0               |
| — Timber, viz.  |                      |
| - - - Fir Timber, 8 Inches Square or upwards, the Load, containing 50 Cubic Feet  | 2 15 0               |
| - - - Fir Timber imported from any British Possession in America, 8 Inches Square or upwards, the Load, containing 50 Cubic Feet  | 0 10 0               |
| - - - Oak Timber, 8 Inches Square or upwards, the Load, containing 50 Cubic Feet  | 2 15 0               |
| - - - Oak Timber of the Growth of any British Possession in America, and imported directly from thence, 8 Inches Square or upwards, the Load, containing 50 Cubic Feet      | 0 10 0               |
| - - - Timber of all Sorts, not particularly enumerated or described, nor otherwise charged with Duty, being 8 Inches Square or upwards, the Load, containing 50 Cubic Feet  | 0 10 0               |

| INWARDS.   | Duty.   | TABLE<br>OF<br>DUTIES ON GOODS<br>INWARDS. |
|--|---------|--|
| Wood, continued.   | £ s. d. |  |
| — Timber, continued.   |         |  |
| — - - Timber of all Sorts not particularly enumerated or described, nor otherwise charged with Duty, being of the Growth of any British Possession in America, and imported directly from thence, being 8 Inches Square or upwards, the Load, containing 50 Cubic Feet   | 0 5 0   |  |
| — Ulex, viz.   |         |  |
| — - - under 5 Inches Square, and under 24 Feet in Length - - - - - the 120   | 18 2 7  |  |
| — - - under 5 Inches Square, and 24 Feet in Length or upwards - - - - - the 120  | 27 0 0  |  |
| — - - 5 Inches Square or upwards are subject and liable to the Duties payable on Fir Timber.   |         |  |
| — - - Ulex imported from any British Possession in America, viz.   |         |  |
| — - - under 5 Inches Square, and under 24 Feet in Length - - - - - the 120   | 3 5 0   |  |
| — - - under 5 Inches Square, and 24 Feet in Length or upwards - - - - - the 120  | 4 17 6  |  |
| — - - 5 Inches Square or upwards are subject and liable to the Duties payable on Fir Timber.   |         |  |
| — Walnut Logs, viz.  |         |  |
| — - - 8 Inches Square or upwards, the Load, containing 50 Cubic Feet   | 2 15 0  |  |
| — Walnut Logs of the Growth of any British Possession in America, and imported directly from thence, the Load, containing 50 Cubic Feet  | 0 12 0  |  |
| — Wood, manufactured, of the Growth of any British Possession in America, not particularly enumerated or described, nor otherwise charged with Duty, for every 100f of the Value   | 5 0 0   |  |
| — Wood, unmanufactured, not particularly enumerated or described, and on which the Duties due on the Importation are payable according to the Value thereof, being of the Growth of the British Limits within the Province of Yucatan in the Bay of Honduras, and imported directly from the said Bay, for every 100f of the Value | 5 0 0   |  |
| — Wood, unmanufactured, not particularly enumerated or described, nor otherwise charged with Duty, for every 100f of the Value   | 20 0 0  |  |
| Wool, viz.   |         |  |
| — Beaver Wool - - - - - the lb.  | 0 1 7   |  |
| — - - cut and combed - - - - - the lb.   | 0 4 6   |  |
| — Corcy Wool - - - - - the lb.   | 0 0 2   |  |
| — Cotton Wool, or Waste of Cotton Wool - the ewt.  | 0 2 11  |  |
| — - - the Produce of and imported from any British Possession - - - - - the ewt.   | 0 0 4   |  |
| — Goat's Wool or Hair - - - - - the lb.  | 0 0 1   |  |
| — - - the Produce of and imported from any British Possession - - - - -  | Free.   |  |
| — Hare's Wool - - - - - the lb.  | 0 0 2   |  |
| — Lamb's Wool. See Sheep's Wool.   |         |  |
| — Red or Vicunia Wool - - - - - the lb.  | 0 0 6   |  |

TABLE  
OF  
DUTIES ON GOODS  
INWARDS.

| INWARDS.   |  | Duty.   |
|--|--|---------|
| Wool, continued.   |  | £ s. d. |
| — Sheep or Lamb's Wool, viz.   |  |         |
| — - - not being of the Value of 1s. the lb. thereof, the lb.   |  | 0 0 0½  |
| — - - being of the Value of 1s. the lb. or upwards, the lb.  |  | 0 0 1   |
| — - - the Produce of and Imported from any British Possession - - - - -  |  | Free.   |
| Woolens, viz.  |  |         |
| — Manufactures of Wool not being Goat's Wool, or of Wool mixed with Cotton, not particularly enumerated or described, nor otherwise charged with Duty - - - for every 100L of the Value  |  | 15 0 0  |
| — Articles of Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton, wholly or in part made up, not otherwise charged with Duty, for every 100L of the Value   |  | 20 0 0  |
| Wreck. See Derelict.   |  |         |
| Yarn, viz.   |  | Y.      |
| — Cable Yarn - - - - - the cwt.  |  | 0 10 2  |
| — Camel or Mohair Yarn - - - - - the lb.   |  | 0 0 1   |
| — Raw Linen Yarn - - - - - the cwt.  |  | 0 1 0   |
| — Wooted Yarn - - - - - the lb.  |  | 0 0 6   |
|  |  | Z.      |
| Zeffe - - - - - the cwt.   |  | 0 1 0   |
| Zebra Wood - - - - - the Ton   |  | 2 0 0   |
| Goods, Wares, and Merchandize, being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland, for every 100L of the Value  |  | 20 0 0  |
| Goods, Wares, and Merchandize, not being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - for every 100L of the Value   |  | 5 0 0   |
| <p>Note.—All Goods, the Produce or Manufacture of the Island of Mauritius, are subject to the same Duties as are imposed in this Table on the like Goods, the Produce or Manufacture of the British Possessions in the West Indies.</p> <p>All Goods, the Produce or Manufacture of the Cape of Good Hope or the Territories or Dependencies thereof, are subject to the same Duties as are imposed in this Table on the like Goods, the Produce or Manufacture of the British Possessions within the Limits of the East India Company's Charter, except when any other Duty is expressly imposed thereon.</p> |  |         |



## DUTIES OF CUSTOMS OUTWARDS.

TABLE  
OF  
DUTIES OF CUSTOMS  
OUTWARDS.

A TABLE of DUTIES of CUSTOMS payable on Goods, Wares, and Merchandize exported from the United Kingdom to Foreign Parts.

| OUTWARDS.  | Duty.   |
|--|---------|
| COALS, NOT being Small Coals, exported to any Place not being a British Possession; viz.   | ℥ s. d. |
| ——— in a British Ship - - - - - the Ton  | 0 3 4   |
| ——— in a Ship not British - - - - - the Ton  | 0 6 8   |
| Small Coals, Cakes, and Clinders exported to any Place not being a British Possession; viz.  |         |
| ——— in a British Ship - - - - - the Ton  | 0 2 0   |
| ——— in a Ship not British - - - - - the Ton  | 0 4 0   |
| Hare Skins and Coney Skins - - - - - the 100 Skins   | 0 1 0   |
| Hare Wool and Coney Wool - - - - - the cwt.  | 0 1 0   |
| Sheep and Lamb Wool - - - - - the cwt.   | 0 1 0   |
| Woolfels, Moorlings, Shortlings, Yarn, Worsted, Woolflocks, Crewels, Coverlets, Washings, or other Manufactures or pretended Manufactures, slightly wrought up, so as that the same may be reduced to and made use of as Wool again, Mattresses or Beds stuffed with combed Wool or Wool fit for combing or carding - - - - - the cwt. | 0 1 0   |
| Goods, Wares, and Merchandize of the Growth, Produce, or Manufacture of the United Kingdom (not being subject to other Export Duty, nor particularly exempted from Export Duty) - - - - - for every 100℔ of the Value  | 0 10 0  |
| Except the following Articles, viz.  |         |
| Bullion and Coin.  |         |
| Corn, Grain, Meal, Malt, Flour, Biscuit, Bran, Grits, Pearl Barley and Scotch Barley.  |         |
| Cotton Yarn or other Cotton Manufactures.  |         |
| Fish.  |         |
| Linen, or Linen with Cotton mixed.   |         |
| Melasses or Treacle.   |         |
| Military Clothing, Accoutrements, or Appointments exported under the Authority of the Commissioners of His Majesty's Treasury, and sent to any of His Majesty's Forces serving Abroad.   |         |
| Military Stores exported to India by the East India Company.   |         |
| Salt.  |         |
| Sugar, refined, of all Sorts, and Sugar Candy.   |         |
| Goods, Wares, and Merchandize exported to the Isle of Man by virtue of any Licence which the Commissioners of His Majesty's Customs may be empowered to grant.   |         |
| Any Sort of Craft, Food, Victuals, Clothing, or Implements or Materials necessary for the British Fisheries established in any of the British Possessions in North America, and exported direct thence.  |         |
| Wool.  |         |
| Woollen Goods, or Woollen and Cotton mixed, or Woollen and Linen mixed, exported to any Place within the Limits of the East India Company's Charter.   |         |

## G A P. LVII.

## An Act for the Warehousing of Goods.

[28th August 1833.]

4 G. 4. c. 112.

Commissioners of Act.

Treasury to appoint warehousing Ports.

Commissioners to appoint Warehouses, and require Bond.

Warehouses of special Security by Appointment.

of special Security without Appointment.

Bonds given previous to Act to continue in force.

Commissioners to provide Warehouses for Tobacco, and Treasury to fix Bond.

Power to re-warehouse Appointments.

Publication of Appointments in Gazette.

Warehouses in which general Bond, if willing; or Depositor give particular Bond.

Sale of Goods in Warehouses by Proprietor to be valid, although they be made there.

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Warehousing of Goods*, whereby the Laws of Customs in relation to the warehousing of Goods were consolidated and amended: And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Acts should be consolidated into one Act; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty-three, except where any other Commencement is herein particularly directed.

II. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury by their Warrant from Time to Time to appoint the Ports in the United Kingdom which shall be warehousing Ports for the Purposes of this Act; and that it shall be lawful for the Commissioners of His Majesty's Customs, subject to the Authority and Directions of the Commissioners of His Majesty's Treasury, by their Order from Time to Time to appoint in what Warehouses or Places of special Security, or of ordinary Security, as the Case may require, in such Ports, and in what different Parts or Divisions of such Warehouses or Places, and in what Manner any Goods, and what Sorts of Goods, may and may only be warehoused and kept and secured without Payment of any Duty upon the first Entry thereof, or for Exportation, only, in Cases wherein the same may be prohibited to be imported for Home Use; and also in such Order to direct in what Cases (if any) Security by Bond, in manner herein-after provided, shall be required in respect of any Warehouse so appointed by them.

III. And be it further enacted, That whenever any Warehouse shall have been approved of by the said Commissioners, as being a Warehouse of special Security, it shall be stated in their Order of Appointment that such Warehouse is appointed as a Warehouse of special Security: Provided always, that all Warehouses connected with Wharfs for the landing of the Goods to be lodged therein, and enclosed together with such Wharfs within Walls, such as are or shall be required by any Act for the constructing of such Warehouses and Wharfs, and being appointed to be legal Quays, shall without any Order of the Commissioners of the Customs be Warehouses for the Purposes of this Act, for all Goods landed at such Wharfs or Quays at any Port appointed by the Commissioners of His Majesty's Treasury to be a warehousing Port as aforesaid, and all such Warehouses shall be Warehouses of special Security.

IV. And be it further enacted, That all Appointments of Warehouses for the warehousing of Goods made under the Authority of any other Act in force at the Time of the Commencement of this Act shall continue in force as if the same had been made under the Authority of this Act, and all Bonds given in respect of any Goods warehoused or entered to be warehoused under any Act in force at the Time of the Commencement of this Act shall continue in force for the Purposes of this Act.

V. And be it further enacted, That the Commissioners of His Majesty's Customs shall, out of the Moneys arising from the Duties of Customs, provide from Time to Time the Warehouses for the warehousing of Tobacco at the Ports into which Tobacco may be legally imported: Provided always, that for every Hogshead, Chest, or Case of Tobacco so warehoused the Importer or Proprietor thereof shall pay, as and for Warehouse Rent, such Sum or Sums, not exceeding any Sum payable under any Act in force at the Time of the Commencement of this Act, and at such Periods and in such Manner as the Commissioners of His Majesty's Treasury shall from Time to Time by their Warrant appoint and direct; and all such Sums shall be paid, received, and appropriated as Duties of Customs.

VI. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury by their Warrant, and for the said Commissioners of the Customs by their Order, from Time to Time to revoke any former Warrant or any former Order, or to make any Alteration in or Addition to any former Warrant or any former Order made by them as aforesaid respectively.

VII. And be it further enacted, That every Notice made by the said Commissioners of the Customs in respect of Warehouses of special Security, as well those of original Appointment as those of Revocation, Alteration, or Addition, shall be published in the London Gazette for such as shall be appointed in Great Britain, and in the Dublin Gazette for such as shall be appointed in Ireland.

VIII. And be it further enacted, That before any Goods shall be entered to be warehoused in any Warehouse in respect of which Security by Bond shall be required as aforesaid, the Proprietor or Occupier of such Warehouse, if he be willing, shall give general Security by Bond, with Two sufficient Sureties, for the Payment of the full Duties of Importation on all such Goods as shall at any Time be warehoused therein, or for the due Exportation thereof; and if such Proprietor or Occupier be not willing to give such general Security, the different Importers of the separate Quantities of Goods shall upon each Importation, give such Security in respect of the particular Goods imported by them respectively before such Goods shall be entered to be warehoused.

IX. And be it further enacted, That if any Goods lodged in any Warehouse shall be the Property of the Occupier of such Warehouse, and shall be *bona fide* sold by him, and upon such Sale there shall have been a written Agreement, signed by the Parties, or a written Contract of Sale made, executed, and delivered by a Broker or other Person legally authorized for or on behalf of the Parties respectively, and the Receipt of the Price stipulated in the said Agreement or Contract shall have been actually

paid or secured to be paid by the Purchaser, every such Sale shall be valid, although such Goods shall remain in such Warehouse; provided that a Transfer of such Goods, according to such Sale, shall have been entered in a Book to be kept for that Purpose by the Officer of the Customs having the Charge of such Warehouse, who is hereby required to keep such Book, and to enter such Transfers, with the Dates thereof, upon Application of the Owners of the Goods, and to produce such Book upon Demand made.

X. And be it further enacted, That all Goods warehoused shall be stored in such Manner as that any Access may be had to every Package and Parcel of the same; and if the Occupier of the Warehouse shall omit so to store the same he shall for every such Offence forfeit the Sum of Five Pounds; and if any Goods shall be taken out of any Warehouse without due Entry of the same with the proper Officers of the Customs, the Occupier of the Warehouse shall be liable to the Payment of the Duties due thereon.

XI. And be it further enacted, That if any Goods warehoused shall be fraudulently concealed, or removed from the Warehouse, the same shall be forfeited; and if any Importer or Proprietor of any Goods warehoused, or any Person in his Employ, shall by any Contrivance fraudulently open the Warehouse or gain Access to the Goods, except in the Presence of the proper Officer acting in the Execution of his Duty, such Importer or Proprietor shall forfeit and pay for every such Offence the Sum of Five hundred Pounds.

XII. And be it further enacted, That within One Month after any Tobacco shall have been warehoused, and upon the Entry and landing of any other Goods to be warehoused, the proper Officer of the Customs shall take a particular Account of the same, and shall mark the Customs on each Package, and shall mark the Word "Prohibited" on such Packages as contain Goods prohibited to be imported for Home Use, and that all Goods shall be warehoused and kept in the Packages in which they shall have been imported, and no Alteration shall be made in the Packages or the packing of any Goods in the Warehouse, except in the Cases herein-after provided.

XIII. And be it further enacted, That all Goods entered to be warehoused, or to be re-warehoused, shall be carried to the Warehouse under the Care or with the Authority or Permission of the proper Officer of the Customs, and in such Manner, and by such Persons, and by such Roads or Ways, and within such Spaces of Time, as the proper Officer of the Customs shall authorize, permit, or direct; and all such Goods not so carried shall be forfeited.

XIV. And be it further enacted, That all Goods which have been so warehoused shall be duly cleared, either for Exportation or for Home Use, within Three Years, and all surplus Stores of Ships within One Year, from the Day of the first Entry thereof (unless further Time be given by the Commissioners of the Majesty's Treasury); and if any such Goods be not so cleared it shall be lawful for the Commissioners of His Majesty's Customs to cause the same to be sold, and the Proceeds shall be applied to the Payment of Warehouse Rent and other Charges, and the Overplus, if any, shall be paid to the Proprietor; and such Goods, when sold, shall be held subject to all the Conditions to which they were subject previous to such Sale, except that a further Time of Three Months from the Date of the Sale shall be allowed to the Purchaser for the clearing of such Goods from the Warehouse; and if the Goods so sold shall not be duly cleared from the Warehouse within such Three Months, the same shall be forfeited. Provided always, that if the Goods so to be disposed of shall have been reported by the East India Company, or shall be of the Description called "Picco Goods," imported from Places within the Limits of their Charter into the Port of London, the same shall, at the Request of the Commissioners of Customs, be duly exposed to Sale by the said Company at their next ensuing Sale, and shall be then sold for the highest Price which shall be then publicly offered for the same.

XV. And be it further enacted, That if any Goods entered to be warehoused, or entered to be delivered from the Warehouse, shall be lost or destroyed by any unavoidable Accident, either on Shipboard or in the landing or shipping of the same, or in the receiving into or delivering from the Warehouse, it shall be lawful for the Commissioners of His Majesty's Customs to remit or return the Duties payable or paid on the Quantity of such Goods so lost or destroyed.

XVI. And be it further enacted, That no Goods which have been so warehoused shall be taken or delivered from the Warehouse, except upon due Entry, and under Care of the proper Officers for Exportation, or upon due Entry and Payment of the full Duties payable thereon for Home Use, if they be such Goods as may be used in the United Kingdom; and except Goods delivered into the Charge of the Searchers to be shipped as Stores, and which shall and may be so shipped without Entry or Payment of any Duty for any Ship of the Burthen of Seventy Tons at least, bound upon a Voyage to Foreign Parts, the probable Duration of which out and Home will not be less than Forty Days; Provided always, that such Stores shall be duly borne upon the Ship's Vettinging Bill, and shall be shipped in such Quantities and subject to such Directions and Regulations as the Commissioners of Customs shall direct and appoint.

XVII. Provided always, and be it enacted, That any Run of the British Plantations may be delivered into the Charge of the Searchers, to be shipped as Stores for any Ship without Entry or Payment of any Duty, and any surplus Stores of any Ship may be delivered into the Charge of the Searchers, to be re-shipped as Stores for the same Ship, or for the same Master in another Ship, without Entry or Payment of any Duty, such Run and such surplus Stores being duly borne upon the Vettinging Bills of such Ships respectively; and if the Ship for the future Use of which any surplus Stores have been warehoused shall be broken up or sold, such Stores may be then delivered for

Transfer of such Goods to be entered in a Book.

Storage in Warehouse to afford easy Access.

Fidelity &c.

Goods fraudulently concealed or removed.

Fidelity on opening Warehouse.

Examination on Entry and landing.

Marking Packages.

Goods to be carried to Warehouse under Authority of Officers.

Regulations as to clearing Goods.

Company's Goods and "Picco Goods" to be sold at their Sale.

In case of Accident in landing or shipping Goods, Duty is to be remitted.

Entry for Exportation or Home Use.

Goods permitted to be shipped from the Warehouse Duty-free as Ship's Stores.

Runs for Stores and surplus Stores may be shipped without Entry, if borne on Vettinging Bill.

as entered for private Use.

the Use of any other Ship belonging to the same Owners, or may be entered for Payment of Duty, and delivered for the private Use of such Owners, or any of them, or of the Master or Purser of such Ship.

Duties to be paid on original Quantities, except in certain Cases.

XVIII. And be it further enacted, That upon the Entry of any such Goods to be cleared from the Warehouse, if the same be for Home Use, the Person entering such Goods upwards shall deliver a Bill of the Entry and Duplicate thereof in like Manner as is directed by Law in the Case of Goods entered to be landed, as far as the same is applicable, and at the same Time shall pay down to the proper Officer of the Customs the full Duties of Customs payable thereon, and not being less in Amount than according to the Account of the Quantity first taken of the respective Packages or Parcels of the Goods in such Entry at the Examination thereof at the Time of the first Entry and landing of the same, without any Abatement on account of any Deficiency, except as by this Act is otherwise provided; and that if the Entry be for Exportation or for Removal to any other Warehouse, and any of the Packages or Parcels of the Goods be deficient of the respective Quantities of the same, according to the Account first taken as aforesaid, a like Entry upwards shall also be passed in respect of the Quantities so deficient, and the full Duties shall be paid on the Amount thereof before such Packages or Parcels of Goods shall be delivered or taken for Exportation or Removal, except as by this Act is otherwise provided; and if any Goods as deficient in Quantity shall be such as are charged to pay Duty according to the Value thereof, such Value shall be estimated at the Price for which the like Sorts of Goods of the best Quality shall have been last or lately sold, either at any Sale of the East India Company or in any other Market, as the Case may be.

If the Exportation or Removal, Duties on Deficiencies to be paid.

How Values estimated.

Duties on Tobacco, Sugar, and Spirits to be charged on Quantities delivered, except in certain Cases.

XIX. Provided always, and be it further enacted, That the Duties payable upon Tobacco, Sugar, and Spirits respectively, when taken out of Warehouse for Home Use, shall be charged upon the Quantities ascertained by the Weight, Measure, or Strength of the same actually delivered: save and except that if the Sugar shall not be in a Warehouse of special Security, no greater Abatement on account of Deficiency of the Quantity first ascertained as aforesaid shall be made than shall be after the Rate of Three per Centum of such Quantity for the first Three Months, and One per Centum for every subsequent Month during which such Sugar shall have been warehoused; and also save and except, that if the Spirits (being any other Spirits than Rum of the British Plantations) shall not be in a Warehouse of special Security, no greater Abatement on account of Deficiency of the Quantity or Strength first ascertained as aforesaid shall be made than shall be after the several Rates of Allowances following: (that is to say,)

|  |                |
|--|----------------|
| For every Hundred Gallons, Hydrometer Proof, (without)                 |                |
| For any Time not exceeding Six Months                                  | One Gallon:    |
| For any Time exceeding Six Months and not exceeding Twelve Months      | Two Gallons:   |
| For any Time exceeding Twelve Months and not exceeding Eighteen Months | Three Gallons: |
| For any Time exceeding Eighteen Months and not exceeding Two Years     | Four Gallons:  |
| For any Time exceeding Two Years                                       | Five Gallons:  |

No Abatement for Leakage.

Provided always, that no Abatement shall be made in respect of any Deficiency in Quantity of any Spirit ascertained either by Leakage or Accident, and not by general Evaporation, in whatever Warehouse the same may be, except as by this Act is otherwise specially provided.

Importer may enter Goods for Home Use or for Exportation, although not warehoused.

XX. And be it further enacted, That if after any Goods shall have been duly entered and landed to be warehoused, and before the same shall have been actually deposited in the Warehouse, the Importer shall further enter the same or any Part thereof for Home Use or for Exportation as from the Warehouse, the Goods so entered shall be considered as actually and constructively warehoused, although not actually deposited in the Warehouse, and shall and may be delivered and taken for Home Use or for Exportation, as the Case may be.

Goods may be removed to other Ports to be re-warehoused.

XXI. And whereas it is expedient to make Regulations for the Removal of warehoused Goods from one warehousing Port to another, and from one Warehouse to another in the same Port: be it therefore enacted, That any Goods which have been warehoused at some Port in the United Kingdom may be removed by Sea or Inland Carriage to any other Port in the same, in which the like Goods may be warehoused upon Importation to be re-warehoused at such other Port, and again as often as may be required to any other such Port, to be there re-warehoused, subject to the Regulations herein-after mentioned: (that is to say,) Twelve Hours Notice in Writing of the Intention to remove such Goods shall be given to the Warehouse Officer, specifying the particular Goods intended to be removed, and the Marks, Numbers, and Descriptions of the Packages in which the same are contained, in what Ship exported, when and by whom entered upwards to be warehoused, and if subsequently re-warehoused when and by whom re-warehoused, and to what Port the same are to be removed, and thereupon the Warehouse Officer shall take a particular Account of such Goods, and shall mark the Contents on every Package in preparation for the delivering of the same for the Purpose of such Removal, and previous to the Delivery thereof may cause the proper Seals of Office to be affixed thereto: Provided always, that Tobacco, the Produce of the British Possessions in America or of the United States of America, and purchased for the Use of His Majesty's Navy, may be removed by the Purser of any Ship of War in actual Service to the Ports of Rochester, Portsmouth, or Plymouth, to be there re-warehoused, in Name of such Purser, on such Warehouse as shall be approved for that Purpose by the Commissioners of His Majesty's Customs.

and no Notice given, Offences to prepare for Removal, under Seals of Office.

Tobacco for Use of Navy may be removed to certain Ports.

Entry of Goods for Removal.

XXII. And be it further enacted, That before such Goods shall be delivered to be removed that Entry of the same shall be made, and a proper Bill of such Entry, with Duplicate thereof, be delivered

to the Collector or Controller, containing the before-mentioned Particulars, and an exact Account of the Quantity of the different Sorts of Goods; and such Bill of the Entry, signed by the Collector and Controller, shall be the Warrant for the Removal of such Goods; and an Account of such Goods, containing all such Particulars, shall be transmitted by the proper Officers of the Port of Removal to the proper Officers of the Port of Destination; and upon the Arrival of such Goods at the Port of Destination the Entry of the same to be re-warehoused shall in like Manner be made with the Collector and Controller at such Port, containing all the Particulars and Accounts before mentioned, together with the Name of the Port from which such Goods have been removed, and the Description and Situation of the Warehouse in which they are to be warehoused; and the Bill of such Entry, signed by such Collector and Controller, shall be the Warrant to the Landing Officer and the Warehouse Officer to admit such Goods to be there re-warehoused, under such Examination as is made of the like Goods when first warehoused upon Importation from Ports beyond the Seas; and the Particulars to be contained in such Notice and in such Entries shall be written and arranged in such Form and Manner as the Collector and Controller shall require; and the Officers at the Port of Arrival shall transmit to the Officers at the Port of Removal an Account of the Goods as arrived, according as they shall upon Examination prove to be, and the Warehouse Officers at the Port of Removal shall certify such Arrival in their Books.

XXIII. And be it further enacted, That the Persons removing such Goods shall at the Time of entering the same give Bond, with One sufficient Surety, for the due Arrival and re-warehousing of such Goods within a reasonable Time (with reference to the Distance between the respective Ports, to be fixed by the Commissioners of His Majesty's Customs), which Bond may be taken by the Collector and Controller either of the Port of Removal or of the Port of Destination, as shall best suit the Residence for Convenience of the Persons interested in the Removal of such Goods; and if such Bond shall have been given at the Port of Destination, a Certificate thereof under the Hands of the Collector and Controller of such Port shall, at the Time of entering such Goods, be produced to the Collector or Controller of the Port of Removal.

XXIV. And be it further enacted, That such Bond shall not be discharged unless such Goods shall have been duly re-warehoused at the Port of Destination within the Time allowed for such Removal, or shall have been otherwise accounted for to the Satisfaction of the said Commissioners, nor until the full Duties due upon any Deficiency of such Goods shall have been paid, nor until fresh Security shall have been given in respect of such Goods in manner hereinafter provided, unless such Goods shall have been lodged in some Warehouse in respect of which general Security shall have been given by the Proprietor or Occupier thereof, or in some Warehouse in respect of which no Security is required.

XXV. And be it further enacted, That such Goods when as re-warehoused may be entered and shipped for Exportation, or carried and delivered for Home Use, as the like Goods may be when first warehoused upon Importation, and the Time which such Goods shall be allowed to remain re-warehoused at such Port shall be reckoned from the Day when the same were first entered to be re-warehoused.

XXVI. And be it further enacted, That if upon the Arrival of such Goods at the Port of Destination the Parties shall be desirous forthwith to export the same, or to pay Duty thereon for Home Use, without actually lodging the same in the Warehouse for which they have been entered and explained to be re-warehoused, it shall be lawful for the Officers of the Customs at such Port, after all the Formalities of entering and examining such Goods for re-warehousing have been duly performed (except the actual Labour of carrying and lodging the same in the Warehouse), to consider the same as virtually or constructively re-warehoused, and to permit the same to be entered and shipped for Exportation, or to be carried and delivered for Home Use, upon Payment of the Duties due thereon in like Manner as if such Goods had been actually so carried and lodged in such Warehouse; and the Account taken for the re-warehousing of such Goods may serve to the Account for delivering the same as if from the Warehouse, either for Shipment or for Payment of Duties, or the Case may be; and all Goods so exported, or for which the Duties have been so paid, shall be deemed to have been duly cleared from the Warehouse.

XXVII. And be it further enacted, That any Goods which have been warehoused in some Warehouse at the Port of London may, with the Permission of the Commissioners of Customs first obtained, be removed to any other Warehouse in the said Port in which the like Goods may be warehoused on Importation; and any Goods which have been warehoused in some Warehouse in any other Port, with the Permission of the Collector and Controller of such Port first obtained, be removed to any other Warehouse in the same Port in which the like Goods may be warehoused on Importation, under such general Regulations as the Commissioners of the Customs shall direct.

XXVIII. And be it further enacted, That all Goods which shall have been removed from one Warehouse for or to another, whether in the same Port or in a different Port, and all Proprietors of such Goods, shall be held subject in all respects to all the Conditions to which they would have been held subject if such Goods had remained in the Warehouse where the same had been originally warehoused.

XXIX. And be it further enacted, That if any Goods shall have been warehoused in any Warehouse in respect of which general Security by Bond, as herein-before provided, shall not have been given by the Proprietor or Occupier of such Warehouse, and particular Security, as in such Case is required, shall have been given by the Importer of such Goods in respect of the same, and such Goods shall have been sold or disposed of, so that the original Bondholder shall be no longer interested in or have

Control over such Goods, it shall be lawful for the proper Officers to return such Bond to the original

Account and to other Port

Entry at Port of Arrival in re-warehoused.

Form of Entries.

Examination of Officers.

Certificate of Arrival sent to Port of Removal.

Bond to re-warehoused, which may be given at either Port.

Bond how to be discharged

As to Goods re-warehoused

On Arrival after Form of re-warehousing. Duties may enter to export, or take for Home Use, without first carrying to the Warehouse.

Removal to the same Port.

Goods and Parties subject to original Conditions.

Goods sold, new Owner may give Bond, and release the original Bondholder.

by the Bond of the new Proprietor of such Goods or Persons having the Control over the same, with his sufficient Surety, and to cancel the Bond given by the original Bondholder of such Goods, or to exonerate him and his Surety to the Extent of the fresh Security so given.

Bond of Re-warehouse to be in favor of new Warehouse and all fresh Bond to given by new Owner.

XXX. And be it further enacted, That if the Person removing any Goods from one Port to another, and who shall have given Bond in respect of such Removal and Re-warehousing, shall be and continue to be intimated to such Goods after the same shall have been duly re-warehoused, and such Goods shall have been so re-warehoused in some Warehouse, in respect of which Security is required, and the Proprietor or Occupier of the same shall not have given general Security, the Bond in respect of such Removal and Re-warehousing shall be conditioned and continue in Force, for the re-warehousing of such Goods, until fresh Bond be given by some new Proprietor or other Person, in manner herein-before provided.

To sort, separate, and repack in same or equal Packages.

XXXI. And be it further enacted, That it shall be lawful to the Warehouse to sort, separate, pack, and repack any Goods, and to make such lawful Alterations therein or Arrangements thereof, as may be necessary either for the Preservation of such Goods, or in order to the Sale, Shipment, or legal Disposal of the same; provided that such Goods be repacked in the same Packages in which the same Goods, or some Part of the whole Quantity of the same Parcel of Goods, were imported, or in Packages of entire Quantity equal thereto, or in such other Packages as the Commissioners of His Majesty's Customs shall permit (not being less in any Case, if the Goods be to be exported or to be removed to another Warehouse, than may be required by Law for the Importation of such Goods); and also in the Warehouse to draw off any Wine or any Run of the British Plantations into repeated Quart Bottles or repeated Pint Bottles, for the Purpose only of being exported from the Warehouse; and also in the Warehouse to draw off any such Run into Casks containing not less than Twenty Gallons each, for the Purpose only of being disposed of as Stores for Ships; and also in the Warehouse to draw off any other Spirits into repeated Quart Bottles, under such Regulations as the Commissioners of Customs shall from Time to Time direct, for the Purpose only of being exported from the Warehouse; and also in the Warehouse to draw off and mix with any Wine any Brandy secured in the same Warehouse, not exceeding the Proportion of Ten Gallons of Brandy to One hundred Gallons of Wine; and also in the Warehouse to fill up any Casks of Wine or Spirits from any other Casks of the same, respectively secured in the same Warehouse; and also in any Warehouse of special Security to rack off any Wine from the Lees, and in such Warehouse to mix any Wines of the same Sort, coming from the Casks all import Brandy; and also in the Warehouse to take such moderate Samples of Goods as may be allowed by the Commissioners of His Majesty's Customs, without Entry and without Payment of Duty, except in the same may eventually become payable, as on a Deficiency of the original Quantity.

To draw off Wine or Run for Re-Exportation.

To mix Brandy with Wine for Exportation.

To fill up or rack off Casks of Wine.

Total Quantity.

No Alteration to be made in Goods or Packages but as the Commissioners shall direct.

Repacking in proper Packages.

XXXII. Provided always, and be it further enacted, That no Alteration shall be made in any such Goods or Packages, nor shall any such Wine, Run, Brandy, or Spirits be bottled, drawn off, mixed, or filled up, nor shall any such Samples be taken, except after such Notices given by the respective Importers or Proprietors, and at such Times and in such Manner, and under such Regulations and Restrictions, as the Commissioners of Customs shall from Time to Time require and direct.

Where Packages damaged Ware may be destroyed.

Disposal of surplus Quantity.

Quantities in new Packages to be marked and Deficiency to be ascertained.

Abatement of Goods for the Duty.

XXXIII. And whereas it may happen, that after the repacking into proper Packages of any Parcel of Goods which have been unpacked and separated or drawn off from the original Package in any of the Cases herein-before provided for, there may remain some surplus Quantities of the respective Parcels of such Goods, which may not be sufficient to make or fill up any One of such proper Packages, or it may happen that some Part of such Goods, when separated from other Parts, may be such Refuse, or so damaged or Sores as to be worthless, or that the total Quantity of such Parcel of Goods may be reduced by the Separation of Dunt or Sediment, or by the Disposition of Dunt or otherwise And whereas the Duties payable on such Goods may have been levied at a Rate having regard to a just Allowance for the Same in which such Goods are supposed, and it is not proper that any manufacturing Process should be performed in such Warehouses to the Detriment of the Revenue; be it therefore enacted, That after such Goods have been so repacked in proper Packages it shall be lawful for the Commissioners of the Customs, at the Request of the Importer or Proprietor of such Goods, to cause or permit any of such refuse, damaged, or surplus Goods not contained in any of such Packages, to be destroyed, and of the Goods, be such as may be delivered for Home Use, the Duties shall be immediately paid upon any Part of such Surplus as may remain, and the same shall be delivered for Home Use accordingly; and if they be such as may not be so delivered, such Surplus as may so remain shall be disposed of for the Purpose of Exportation in such Manner as the Commissioners of the Customs shall direct; and thereupon the Quantity contained in each of such proper Packages shall be ascertained and marked upon the same, and the Deficiency shall be ascertained by a Comparison of the total Quantity in such proper Packages with the total Quantity first warehoused, and the Proportion which such Deficiency may bear to the Quantity in such Package shall also be marked on the same, and added to such Quantity, and the Total shall be deemed to be the imported Contents of such Package, and be held subject to the full Duties of Importation, except as otherwise in any Case provided by this Act: Provided always, that it shall be lawful for the Commissioners of His Majesty's Customs to accept the Abatement, for the Duties, of any Quantity of Tobacco or Coffee, or Pepper or Cocoa, or Lees of Wine, and also of any whole Packages of other Goods, and to cause or permit the same to be destroyed, and to deduct such Quantity of Tobacco or Coffee, or Pepper or Cocoa, or the Contents of such whole Packages, from the total Quantity of the same Importation, in computing the Amount of the Deficiency of such said Packages by the University of Southampton Library Digitisation Unit



Misconduct of Officers, Damages to be made good to the Proprietors.

housed in Warehouses under the Authority of this Act, by or through any wilful Misconduct of any Officer or Officers of Customs or Excise, such Officer or Officers shall be deemed guilty of a Misdemeanor, and shall upon Conviction suffer such Punishment as may be inflicted by Law in Cases of Misdemeanor; and if such Officer shall be so prosecuted to Conviction by the Inspector, Comptroller, or Proprietor of the Goods or Merchandise so embossed, wasted, spoiled, or destroyed, then and in such Case no Duty of Customs or Excise shall be payable for or in respect of such Goods or Merchandise so embossed, wasted, spoiled, or destroyed, and no Proprietor or Seowner shall take place of any Goods and Merchandise so warehoused in respect of any Deficiency caused by such Embossment, Waste, Spoil, or Destruction, and the Damage sustained by such Embossment, Waste, Spoil, or Destruction of such Goods or Merchandise shall be repaid and made good to such Inspector, Comptroller, or Proprietor by the Commissioners of Customs or Excise, under such Orders, Regulations, and Directions as shall be for this Purpose made and given by the Commissioners of His Majesty's Treasury or any Three of them.

On Entry into Warehouse Bond for duty shipping and landing shall be given

**XLII.** And whereas it is expedient to make Regulations for the exporting of such Goods to Parts beyond the Seas as have been imported into the United Kingdom from Parts beyond the Seas, and warehoused without Payment of any Duty on the Importation thereof, or notwithstanding that the same may be prohibited to be used in the United Kingdom: be it therefore enacted, That upon the Entry outwards of any Goods to be exported from the Warehouse to Parts beyond the Seas, and before Cocker be granted, the Person in whose Name the same be entered shall give Security by Bond in Double the Value of such Goods, with One sufficient Surety, that such Goods shall be duly shipped and exported, and shall be landed at the Place for which they be entered outwards, or otherwise accounted for in the Satisfaction of the Commissioners of His Majesty's Customs.

Bond for Beef and Pork, entered from Warehouse.

**XLIII.** Provided always, and be it further enacted, That upon the Entry outwards of any salted Beef or salted Pork to be exported from the Warehouse to Parts beyond the Seas, and before Cocker be granted, the Person in whose Name the same be entered shall give Security by Bond in Treble the Value of the Goods, with Two sufficient Sureties, of whom the Master of the exporting Ship shall be One, that such Beef or Pork shall be duly shipped and exported, and that no Part thereof shall be consumed on board such Ship, and that the same shall be landed at the Place for which it be entered outwards; and that a Certificate of such landing shall be produced within a reasonable Time, according to the Voyage, to be fixed by the Commissioners of the Customs, and mentioned in the Bond, such Certificate to be signed by the Officers of the Customs or other British Officer, if the Goods be landed at a Place in the British Dominions, or by the British Consul, if the Goods be landed at a Place not in the British Dominions, or that such Goods shall be otherwise accounted for to the Satisfaction of the said Commissioners; and such Master shall make and sign a Declaration that such Beef or Pork is to be laden on board such Ship as Merchandise to be carried to and landed at Parts beyond the Seas, and not as Stores for the said Ship; and if such Ship shall not have so board at the Time of Clearance outwards a reasonable Supply or Stock of Beef or Pork according to the intended Voyage before upon the Visiting Bill, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

Beef and Pork exported from Warehouse not to be used as Stores.

**XLIV.** And be it further enacted, That no Goods shall be exported from the Warehouse to the *Isle of Man*, except such Goods as may be imported into the said Island with License of the Commissioners of His Majesty's Customs, and in virtue of any such License first obtained.

Removal as to the Isle of Man.

**XLV.** And be it further enacted, That all Goods taken from the Warehouse for Removal or for Exportation shall be removed or shall be carried to be shipped, under the Care or with the Authority or Permission of the proper Officer of the Customs, and in such Manner, and by such Persons, and within such Spaces of Time, and by such Roads or Ways as the proper Officer of the Customs shall authorize, permit, or direct; and all such Goods not so removed or carried shall be forfeited.

Goods removed from Warehouse for Shipments under Care of Officers.

**XLVI.** And be it further enacted, That it shall not be lawful for any Person to export any Goods so warehoused, nor to enter for Exportation to Parts beyond the Seas any Goods so warehoused, on any Ship which shall not be of the Burthen of Seveny Tons or upwards.

Ships for re-puting warehoused Goods.

**XLVII.** And be it further enacted, That all Goods or Merchandise which shall be landed in Docks, and lodged in the Custody of the Proprietors of the said Docks, under the Provisions of this Act, not being Goods seized as forfeited to His Majesty, shall, when so landed, continue and be subject or liable to such and the same Claim for Freight in favour of the Master and Owner or Owners of the respective Ships or Vessels, or of any other Person or Persons interested in the Freight of the same, then or out of which such Goods or Merchandise shall be so landed, as such Goods, Wares, or Merchandise respectively were subject and liable to whilst the same were on board such Ships or Vessels, and before the landing thereof; and the Directors and Proprietors of any such Docks or in which any such Goods or Merchandise may be landed and lodged as aforesaid, or their Servants or Agents, or any of them, shall and may, and they are hereby authorized, empowered, and required, upon due Notice to that Effect given to them by such Master or Masters, Owner or Owners, or other Persons as aforesaid, to detain and keep such Goods and Merchandise, not being seized as forfeited to His Majesty, in the Warehouse belonging to the said Docks as aforesaid, until the respective Freight to which the same shall be subject and liable as aforesaid shall be duly paid or satisfied, together with the Rates and Charges to which the same shall have been subject and liable, or until a Deposit shall have been made by the Owner or Owners, or Consignor of such Goods or Merchandise, equal in Amount to the Claim or Demands made by the Master, Owner or Owners of the respective Ships or Vessels, or other Persons as aforesaid, for or in respect of such Goods or Merchandise; which

Goods landed in Docks liable to Claims for Freight as before landing



Deposit the said Duties or Proportions of such Duties, or their Agents respectively, are hereby authorized and directed to receive and hold in Trust until the Claim or Demand for Freight upon such Goods shall have been satisfied: upon Proof of which, and Demand made by the Person or Persons, their Executors, Administrators, or Assigns, by whom the said Deposit shall have been made, and the Rates and Charges due upon the said Goods being first paid, the said Deposit shall be returned to him or them by the said Directors or Proprietors, or their Agents on their Behalf, with whom the said Deposit shall have been made as aforesaid.

XLVIII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in the present Session of Parliament.

Act may be altered this Session.

## C A P. LVIII.

An Act to grant certain Bounties and Allowances of Customs

[25th August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to grant certain Bounties and Allowances of Customs*, whereby the Laws of Customs in relation to Bounties and Allowances of Customs were consolidated and amended: And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have been passed necessary; and it will be of advantage to the Trade and Commerce of the Country that the said Acts should be consolidated into One Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty three, except where any other Commencement is herein particularly directed.

C. 4. 137

Commencement of Act.

II. And be it further enacted, That so long as the Duties which are now made due and payable upon the Importation of Sugar until the Fifth Day of April One thousand eight hundred and thirty-four shall be continued, there shall be allowed upon the Exportation of Refined Sugar made in the United Kingdom the several Bounties set forth in the Table hereinafter contained; (that is to say,)

Bounty allowed upon the Exportation of Refined Sugar

Refined Sugar, *refined*,

£ s. d.

|  |   |   |         |
|--|---|---|---------|
| — Eastern Sugar, or Refined Leaf Sugar broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded, crushed, or broken,   |   |   |         |
| ... exported in a British Ship, for every Hundred Weight   | - | - | 1 4 0   |
| ... exported in a Ship not British, for every Hundred Weight   | - | - | 1 5 0   |
| — Other refined Sugar as Leaf, complete and whole, or Lump duty refined, having been perfectly clarified and thoroughly dried in the Store, and being of a uniform Whiteness throughout, or such Sugar pounded, crushed, or broken, and Sugar Candy, |   |   |         |
| ... exported in a British Ship, for every Hundred Weight   | - | - | 1 15 10 |
| ... exported in a Ship not British, for every Hundred Weight   | - | - | 1 18 8  |
| — Double Refined Sugar, and Sugar equal in Quality to Double Refined Sugar, additional Bounty for every Hundred Weight   | - | - | 0 5 4   |

III. And be it further enacted, That the Exporter of any Goods in respect of which any Bounty is claimed under this Act, or the Person in whose Name the same are entered Outwards, shall at the Time of Entry and before Cocker be granted, give Security by Bond in Double the Value of the Goods, with One sufficient Surety, that the same shall be duly exported to the Place for which they are entered, or be otherwise accounted for to the Satisfaction of the Commissioners of the Customs, and shall not be re-landed in the United Kingdom, or landed in the *Ile of Man*, unless expressly ordered to be re-ported thereto.

Bond to be given for duties Exportation

IV. And be it further enacted, That no Bounty shall be given upon the Exportation of any Refined Sugar called Candy, unless it be properly refined and manufactured, and free from Dirt and Scum, and packed in Packages, each of which shall contain Half a Hundred Weight of such Candy at the least.

Candy in Packages of Half Cwt.

V. And be it further enacted, That if any Sugar in Lumps or Leaves is to be powdered, crushed, or broken before the same be exported, for the Bounty payable thereon, such Lumps or Leaves shall, after due Entry thereof, be lodged in some Warehouse provided by the Exporter and approved by the Commissioners of the Customs for such Purpose, to be then first examined by the Officers of Customs with or such Lumps or Leaves, as if for immediate Shipment; and afterwards to be thus powdered, crushed, or broken, and packed for Exportation, in the Presence of such Officers and at the Expense of the Exporter; and such Sugar shall be kept in such Warehouse, and be removed from thence for Shipment, and be shipped under the Care and in the Charge of the Seaman, in order that the Shipment and Exportation thereof may be duly certified by them upon the Declaration, according to the Quality ascertained by them of the same while in such Lumps or Leaves.

Sugar weighed for Exportation

VI. And be it further enacted, That the different Sorts of such Sugar shall be kept apart from each other in such Manner and in such distinct Rooms or Divisions of such Warehouse as shall be directed and appointed by the Commissioners of the Customs, and of any Sort of such Sugar shall be found in any Part of such Warehouse appointed for the keeping of Sugar of a Sort superior in Quality thereto, the same shall be forfeited; and if any Sort of such Sugar shall be brought to such Warehouse to be powdered, crushed, or broken, which shall be of a Quality inferior to the Sort of Sugar expressed in the Duty for the same, such Ship shall be forfeited.

Different Sorts of crushed Sugar to be kept separate.

Commission of  
Sugar Refiners  
to provide Sam-  
ple Leaves of  
Double Refined  
Sugar.

How Sample  
Leaves shall be  
made.

Sugar entered  
not equal to  
the Standard  
shall be forfeited.

Drawbacks up-  
on Exports of  
Silk Goods.

VII. And be it further enacted, That there shall be provided by and at the Expence of the Commission of Sugar Refiners in London, and in like Manner by and at the Expence of the Commission of Merchants in Dublin, as many Leaves of Double Refined Sugar, prepared in manner herein after directed, as the Commissioners of Customs shall think necessary; which Leaves, when approved of by the said Commissioners, shall be deemed and taken to be Standard Samples; one of which Leaves shall be lodged with the said Commissions respectively, and one other with such Person or Persons as the said Commissioners shall direct, for the Purpose of comparing therewith Double Refined Sugar, or Sugar equal in Quality to Double Refined Sugar, entered for Exportation for the Bounty; and fresh Standard Samples shall in like Manner be again furnished by such Commissions respectively, and in like Manner lodged, whenever it may be deemed expedient by the said Commissioners: Provided always, that no Leaf of Sugar shall be deemed to be a proper Sample Leaf of Double Refined Sugar as aforesaid if it be of greater Weight than Fourteen Pounds, nor unless it be a Leaf complete and whole, nor unless the same shall have been made by a distinct Second Process of Refinement from a Quantity of Single Refined Sugar, every Part of which had first been perfectly clarified and duly refined, and had been made into Leaves or Loaves which were of a uniform Whiteness throughout, and had been thoroughly dried in the Stove.

VIII. And be it further enacted, That in case any Sugar which shall be entered in order to obtain the Bounty on Double Refined Sugar, or Sugar equal in Quality to Double Refined Sugar, shall, on Examination by the proper Officer, be found to be of a Quality not equal to such Standard Sample, all Sugar so entered shall be forfeited and may be sold.

IX. And be it further enacted, That upon the Exportation of Silk Goods there shall be allowed the several Drawbacks of the Duties payable on the Importation of Thrown Silks set forth in the Table herein-after contained: (that is to say.)

DRAWBACKS ON THE EXPORTATION OF SILK GOODS MANUFACTURED IN THE UNITED KINGDOM:

|   |         |
|---|---------|
| For every Pound of Stuffs or Ribbons of Silk, composed of Silk only, and being of the Value of Fourteen Shillings at least  | £ s. d. |
| -   | 0 3 6   |
| For every Pound of Stuffs or Ribbons of Silk and Cotton mixed, whereof One Half at least shall be Silk, and being of the Value of Four Shillings and Eight-pence at least | 0 1 3   |
| For every Pound of Stuffs or Ribbons of silk and Worsted mixed, whereof One Half at least shall be Silk, and being of the Value of Two Shillings and Four-pence at least  | 0 0 7   |

To whom only  
Drawbacks shall  
be allowed.

Drawbacks to  
be allowed,  
if Silks are ship-  
ped within Two  
Years.

Drawback on  
Timber used in  
Mines.

Amount to be  
paid by Timber  
used in Mines.

Drawbacks to  
be made to the  
Profit of such Account.

X. And be it further enacted, That such Drawbacks shall be allowed only in respect of Exportations to be made by the Persons in whose Name the Amount of Duties to be drawn back had been paid, or to be made by any Holder of any written Order signed by any such Person transferring the Right of making such Exportations and of receiving such Drawbacks thereupon.

XI. And be it further enacted, That the said Drawbacks shall be allowed although the manufactured Silks in respect of which the same shall be claimed shall not have been made of the Thrown Silks in respect of which the Amount of Duties to be drawn back had been paid, and whether such Amount of Duties shall have been received under the Authority of this Act or of any former Act: Provided always, that the said Drawbacks shall not be allowed unless such manufactured Silks be shipped for Exportation within Two Years after the Payment of such Duties.

XII. And be it further enacted, That for and in respect of all Deals and Timber herein-after described, being of the Growth of Norway and imported direct from thence, and used in the Mines of Tin, Lead, or Copper in the Counties of Devon or Cornwall, or in Ireland, and on which the Duties of Customs shall have been paid, there shall be allowed and paid the several Drawbacks herein-after mentioned: (that is to say,) on any such Deals being above Seven Inches in Width, Eight Feet in Length and not above Ten Feet in Length, and not exceeding One Inch and a Half in Thickness, for every One hundred and twenty the Sum of Four Pounds One Shilling and Three-pence; and on any such Timber being Five Inches Square and not exceeding Ten Inches square, for every Load containing Fifty Cubic Feet the Sum of Two Pounds Five Shillings and Three-pence.

XIII. And be it further enacted, That the several Drawbacks hereby allowed for and in respect of such Deals and such Timber so used shall be paid to the Owner of any such Mine, under the following Regulations: (that is to say,) the Purser, Agent, or Captain of any such Mine, intending to claim the Drawback under this Act, shall enter or cause to be entered in a Book to be kept for that Purpose an Account of the Quantity of such Deals and Timber used and employed in such Mine, stating of what such Deals and Timber were purchased, and at what Port the same were staved by the Vendor to have been imported, and when in each Year he shall deliver on Account thereof to the Collector or Comptroller of the Customs of the Port where the Duty upon such Deals and Timber shall have been staved to have been paid, and shall make and subscribe a Declaration before him to the Truth of such Account, and shall, if required by such Collector or Comptroller, produce the Copy Book of such Mine.

XIV. And be it further enacted, That the Person or his Agent who shall have supplied the said Deals and Timber shall make and subscribe a Declaration before the Collector or Comptroller to the Truth of his Account for the same, and, referring to the Importation thereof and Payment of Duties thereon, shall certify and declare that such Deals and Timber were supplied according to such Declaration and Declaration

and Timber for which the Duties of Customs had been so paid; and thereupon the Collector and Comptroller, being satisfied that such Deals and Timber were supplied for the Use of such Mine, and that the full Duties of Customs had been paid thereon, a Debiture shall be issued for the Payment of the Drawback allowed by this Act: Provided always, that no Debiture for any such Drawback shall be paid after the Expiration of Three Years from the Day on which the Duty on any of the Deals or Timber mentioned in such Debiture had been paid.

XV. And be it further enacted, That if the Purser, Agent, or Captain of such Mine shall deliver any false Account of the Quantity of Deals or Timber used and employed, with an Intent to defraud His Majesty, such Purser, Agent, or Captain shall, on being convicted of any such Offence, for the First Offence forfeit the Sum of Two hundred Pounds, and for every Second or further Offence the Sum of Four hundred Pounds, to be paid for within Three Months after the Delivery of the Account.

XVI. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Powerty on the  
Hearing false  
Accounts

Act may be al-  
tered this  
Session.

C A P. LIX.

An Act to regulate the Trade of the British Possessions Abroad. [26th August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to regulate the Trade of the British Possessions Abroad*, whereby the Laws of Customs in relation to the Trade of the British Possessions Abroad were consolidated and amended: And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have been found necessary, and it will be of advantage to the Trade and Commerce of the Country that the said Acts should be consolidated into One Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the First Day of September One thousand eight hundred and thirty three, except where any other Commencement is therein particularly directed.

2 G. 4. c. 114.

Commencement  
of Act.

II. And be it further enacted, That no Goods shall be imported into, nor shall any Goods, except the Produce of the Fisheries in British Ships, be exported from, any of the British Possessions in America by Sea from or to any Place other than the United Kingdom, or some other of such Possessions, except into or from the several Ports in such Possessions, called "Free Ports," enumerated or described in the Table following: (that is to say,)

Importation and  
Exportation of  
Goods confined  
to Free Ports.

TABLE OF FREE PORTS.

|  |                         |          |
|--|-------------------------|----------|
| Kingston, Savannah Le Mar, Montego Bay, Santa Lucia, Antigua, Saint Ann, Falmouth, Maria, Mount Bay, Annetta Bay, Black River, Rio Bueno, Port Morant; | } Jamaica.              |          |
| St. George   |                         | Grandia. |
| Borran   | Dominica.               |          |
| Saint John's   | Antigua.                |          |
| San José   | Trinidad.               |          |
| Scarborough  | Tobago.                 |          |
| Road Harbour   | Trinidad.               |          |
| Nassau   | New Providence.         |          |
| Phil's Town  | Cooked Island.          |          |
| Kingston   | Saint Vincent.          |          |
| Port Saint George and Port Hamilton  | Bermuda.                |          |
| Any Port where there is a Customs House  | Bahamas.                |          |
| Bridgetown   | Barbados.               |          |
| Saint John's, Saint Andrew's   | New Brunswick.          |          |
| Halifax, Picton  | New Scotia.             |          |
| Quebec   | Canada.                 |          |
| Saint Johns  | Newfoundland.           |          |
| George Town  | Demerara.               |          |
| New Amsterdam  | Hyblee.                 |          |
| Catrina  | Saint Lucia.            |          |
| Basseterre   | Saint Kitt's.           |          |
| Charles Town   | Nevis.                  |          |
| Plymouth   | Montserrat.             |          |
| Sydney   | Cape Pecten.            |          |
| Charlotte Town   | Prince Edward's Island. |          |
| Anguilla   | Anguilla.               |          |

And if any Goods shall be imported into any Port or Place in any of the said Possessions contrary hereto, such Goods shall be forfeited.

III. Provided always, That if His Majesty shall deem it expedient to extend the Provisions of this Act to any Port or Place not enumerated in the said Table, He shall be lawful for His Majesty His Privy

His Majesty  
may appoint  
other Ports to  
be Free Ports.

in Council, to extend the Provisions of this Act to such Port or Ports; and from and after the Day mentioned in such Order in Council all the Privileges and Advantages of this Act, and all the Provisions, Penalties, and Prohibitions therein contained, (subject nevertheless to the Limitations and Restrictions herein-after provided,) shall extend, and be deemed and construed to extend, to any such Port or Ports respectively, as fully as if the same had been inserted and enumerated in the said Table at the Time of passing this Act: Provided also, that nothing herein-before contained shall extend to prohibit the Importation or Exportation of Goods into or from any Ports or Places in Newfoundland or Labrador in British Ships.

His Majesty may appoint Ports for limited Purposes.

IV. And whereas there are in the said Possessions many Places situated in Rivers and in Bays at which it may be necessary to establish Ports for particular and limited Purposes only; be it therefore enacted, That it shall be lawful for His Majesty, in any Order in Council made for the Appointment of any Free Port, to limit and confine such Appointments respectively to any and such Purposes only as shall be expressed in such Order.

Privileges granted to Foreign Ships if equal to the Ships of those Countries which, having Colonial Possessions, shall grant the like Privileges to British Ships, &c.

V. And whereas by the Law of Navigation Foreign Ships are permitted to import into any of the British Possessions Abroad, from the Countries to which they belong, Goods the Produce of those Countries, and to export Goods from such Possessions to be carried to any Foreign Country wherever: And whereas it is expedient that such Privileges should be subject to certain Conditions; be it therefore enacted, That the Privileges thereby granted to Foreign Ships shall be limited to the Ships of those Countries which, having Colonial Possessions, shall grant the like Privileges of trading with those Possessions to British Ships, or which, not having Colonial Possessions, shall place the Commerce and Navigation of this Country, and of its Possessions Abroad, upon the Footing of the most favoured Nation, unless His Majesty by His Order in Council shall in any Case deem it expedient to grant the whole or any of such Privileges to the Ships of any Foreign Country, although the Conditions aforesaid shall not in all respects be fulfilled by such Foreign Country: Provided always, that no Foreign Country shall be deemed to have fulfilled the before-mentioned Conditions, or to be entitled to the Privileges aforesaid, unless and until His Majesty shall, by some Order or Orders to be by His Majesty by the Advice of His Privy Council, have declared that such Foreign Country hath so fulfilled the said Conditions and is entitled to the said Privileges: Provided also, that every Order in Council in force at the Time of the Commencement of this Act whereby Declaration is made of the Countries which are entitled in whole or in part to the Privileges of the Law of Navigation herein-before referred to and recited shall continue in force as effectually as if the same had been afterwards made under the Authority of this Act.

This Act not to take effect till the 1<sup>st</sup> of June, 1834, and 5 G. 4. c. 11. for regulating the Trade of Foreign Ships.

VI. And be it further enacted, That nothing contained in this Act, or any other Act passed in the present Session of Parliament, shall extend to repeal or in any way alter or affect an Act passed in the fourth Year of the Reign of His late Majesty, intituled *An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels, and to exempt certain Foreign Goods from Payment, nor to repeal or in any way alter or affect an Act passed in the fifth Year of the Reign of His late Majesty, among other Things, to amend the last-mentioned Act; and that all Trade and Intercourse between the British Possessions and all Foreign Countries shall be subject to the Powers granted to His Majesty by those Acts.*

Goods prohibited or restricted to be imported into Colonies.

VII. And be it further enacted, That the several Sorts of Goods enumerated or described in the Table following, denominatid "A Table of Prohibitions and Restrictions," are hereby prohibited to be imported or brought, either by Sea or by Land Carriage or Navigation, into the British Possessions in America, or shall be so imported or brought only under the Restrictions mentioned in such Table, according as the several Sorts of such Goods are set forth therein; (that is to say,)

A TABLE OF PROHIBITIONS AND RESTRICTIONS.

|  |   |
|--|---|
| Gunpowder,<br>Arms,<br>Amunitions or Utensils of War,<br>Prohibited to be imported, except from the United Kingdom, or from some other British Possession.   | } |
| Tea,<br>Prohibited to be imported, except from the United Kingdom, or from some other British Possession in America, unless by the East India Company or with their Licence during the Continuance of their exclusive Right of Trade.  |   |
| Fish, dried or salted.<br>Oil, Blubber, Fins, or Bones, the Produce of Creatures being in the Sea,<br>Prohibited to be imported, except from the United Kingdom, or from some other British Possession, or unless taken by British Ships fitted out from the United Kingdom or from some British Possession, and brought in from the Fishery, and except Herring from the Isle of Man, taken and cured by the Inhabitants thereof. |   |
| Coffee,<br>Sugar,<br>Melasses,<br>Rice,<br>Prohibited (unless imported by the University of Southampton Library Digitisation Unit  |   |
|  |   |

Bring of Foreign Production, or the Production of any Place within the Limits of the East India Company's Charter, prohibited to be imported into any of the British Possessions on the Continent of South America or in the West Indies (the Bahama and Bermuda Islands not included), except to be warehoused for Exportation only; and may also be prohibited to be imported into the Bahama or the Bermuda Islands by His Majesty's Order in Council.

Base or Counterfeit Coins.

Books, such as are prohibited to be imported into the United Kingdom: Prohibited to be imported.

And if any Goods shall be imported or brought into any of the British Possessions in America contrary to any of the Prohibitions or Restrictions mentioned in such Table in respect of such Goods, the same shall be forfeited; and if the Ship or Vessel in which such Goods shall be imported be of less Burthen than Seventy Tons, such Ship or Vessel shall also be forfeited.

VIII. And be it further enacted, That all Coffee, Sugar, Melasses, and Rum (although the same may be of the British Plantations) exported from any of the British Possessions in America into which the like Goods of Foreign Production can be legally imported, shall, upon subsequent Importation from thence into any of the British Possessions in America into which such Goods, being of Foreign Production, cannot be legally imported, or into the United Kingdom, be deemed to be of Foreign Production, and shall be liable, on such Importation respectively, to the same Duties or the same Forfeitures as Articles of the like Description, being of Foreign Production, would be liable to, unless the same shall have been warehoused under the Protection of this Act, and exported from the Warehouse direct to such other British Possession, or to the United Kingdom, as the Case may be.

IX. And be it further enacted, That there shall be raised, levied, collected, and paid unto His Majesty the several Duties of Customs, as the same are respectively set forth in Figures in the Table of Duties hereon after contained, upon Goods, Wares, and Merchandize imported or brought into any of His Majesty's Possessions in America, (that is to say.)

TABLE OF DUTIES.

DUTIES payable upon Spirits, being of the Growth, Production, or Manufacture of the United Kingdom, or of any of the British Possessions in America or the West Indies, imported into Newfoundland or Canada.

Goods imported contrary hereto forfeited.

Coffee, &c., though British, deemed Foreign in certain Cases.

Duties of Importation in America.

DUTIES.

| Spirits; <i>whisket</i> ,   | Duty.   |
|---|---------|
| imported into Newfoundland; <i>whisket</i> ,  |         |
| . . . . . the Produce of any of the British Possessions in South America or the West Indies; <i>whisket</i> ,   | £ s. d. |
| . . . . . imported from any British Possession in America, or from the United Kingdom, the Gallon   | 0 0 6   |
| . . . . . Imported from any other Place, to be deemed Foreign, and to be charged with Duty as such.   |         |
| . . . . . the Produce of any British Possession in North America, or of the United Kingdom, and imported from the United Kingdom, or from any British Possession in America, the Gallon | 0 1 6   |
| . . . . . Imported from any other Place, to be deemed Foreign, and to be charged with Duty as such.   |         |
| imported into Canada; <i>whisket</i> ,  |         |
| . . . . . the Produce of any British Possession in South America or the West Indies, and exported from any British Possession in America, or from the United Kingdom, the Gallon        | 0 0 8   |
| . . . . . Imported from any other Place, to be deemed Foreign, and to be charged with Duty as such.   |         |

Note.—When exported from the United Kingdom, this Duty is not to be abated upon the Ground of any Duty under any Colonial Law.

DUTIES payable upon Goods, Wares, and Merchandize, not being of the Growth, Production, or Manufacture of the United Kingdom, or of any of the British Possessions in America, imported or brought into any of the British Possessions in America, by Sea or by Inland Carriage or Navigation.

|  | Duty.   |
|--|---------|
| Imported into the British Possessions in the West Indies, or on the Continent of South America, or into the Bahama or Bermuda Islands, viz.                                      | £ s. d. |
| Wheat Flour . . . . . the Barrel   | 0 5 0   |
| . . . . . Imported from any British Possession in North America, or from the United Kingdom, or from any other Place, to be deemed Foreign, and to be charged with Duty as such. |         |

## DUTIES

|   |   | Duty.  |
|---|---|--------|
|   |   | £ s d. |
| Imported into the British Possessions in the West Indies, &c. — continued.  |   |        |
| Shingles, not more than 12 Inches in Length   | the 1,000                               | 0 7 0  |
| " more than 12 Inches in Length   | the 1,000                               | 0 14 0 |
| " reported from any British Possession in North America, or from the Warehouse in the United Kingdom  |   | Free.  |
| Red Oak Staves and Headings; viz.   |   |        |
| " until the 1st January 1834  | the 1,000                               | 1 6 3  |
| " on and from the 1st January 1834 until the 1st January 1836, the 1,000  |   | 1 2 3  |
| " on and from the 1st January 1836  | the 1,000                               | 0 13 0 |
| " imported from any British Possession in North America, or from the Warehouse in the United Kingdom  |   | Free.  |
| White Oak Staves and Headings, viz.   |   |        |
| " until the 1st January 1834  | the 1,000                               | 1 8 0  |
| " on and from the 1st January 1834 until the 1st January 1836, the 1,000  |   | 0 19 0 |
| " on and from the 1st January 1836  | the 1,000                               | 0 12 6 |
| " imported from any British Possession in North America, or from the Warehouse in the United Kingdom  |   | Free.  |
| Pine Fir Lumber, One Inch thick   | the 1,000                               | 1 1 0  |
| " imported from any British Possession in North America, or from the Warehouse in the United Kingdom  |   | Free.  |
| White and Yellow Pine Lumber, One Inch thick, the 1,000; viz.   |   |        |
| " until the 1st January 1834  |   | 1 8 0  |
| " on and from the 1st January 1834 until the 1st January 1836   |   | 1 0 0  |
| " on and from the 1st January 1836  |   | 1 1 0  |
| " imported from any British Possession in North America, or from the Warehouse in the United Kingdom  |   | Free.  |
| Dye Wood and Cabinet Makers Wood  |   | Free.  |
| Other Kinds of Wood and Lumber, One Inch thick, the 1,000 Feet  |   | 1 8 0  |
| Wood Hoops  | the 1,000                               | 0 5 3  |
| " imported from any British Possession in North America, or from the Warehouse in the United Kingdom  |   | Free.  |
| Beef and Pork, salted of all Sorts  | the Cwt.                                | 0 12 0 |
| " imported from any British Possession in North America   |   | Free.  |
| Imported into New Brunswick, Nova Scotia, or Prince Edward's Island; viz.   |   |        |
| Wheat Flour   | the Barrel                              | 0 5 0  |
| Beef and Pork, salted of all Sorts  | the Cwt.                                | 0 12 0 |
| " fresh, brought by Land or Inland Navigation   |   | Free.  |
| Imported into any of the British Possessions in America; viz.   |   |        |
| Spirits; viz.   |   |        |
| " Brandy, Geneva, or Cordials, and other Spirits, except Rum,   | the Gallon                              | 0 1 0  |
| " and further, the Amount of any Duty payable for the Time being on Spirits the Manufacture of the United Kingdom.  |   |        |
| " Rum   | the Gallon                              | 0 0 0  |
| " and further, the Amount of any Duty payable for the Time being on Rum of the British Possessions in South America or the West Indies.   |   |        |
| " N. B.—Rum, although British, if imported from any British Possession in which Foreign Rum is not prohibited, is treated as Foreign, unless it had been warehoused, and exported from the Warehouse. |   |        |
| Wine in Bottles   | the Tun                                 | 7 7 0  |
| " and further   | for every 100 <sup>l</sup> of the Value | 7 10 0 |
| " and on the Bottles  | the Dozen                               | 0 1 0  |
| " bottled in and imported from the United Kingdom   |   |        |
| " the Bottles   | for every 100 <sup>l</sup> of the Value | 7 10 0 |
| Wine not in Bottles   | for every 100 <sup>l</sup> of the Value | 7 10 0 |
| " imported into the British Possessions in North America from Gibraltar or Malta, subject to no higher Duty than if imported from the United Kingdom; see One Tenth of the Duty remitted.             |   |        |
| Printed and Published by the University of Southampton Library Acquisition Unit   |   | 0 5 0  |

## DUTIES.

|  |  | Duty. |       |
|--|--|-------|-------|
|  |  | £     | s. d. |
| Imported into any of the British Possessions in America— <i>continued.</i>   |  |       |       |
| Cocon  | the Cwt.                               | 0     | 5 0   |
| Sugar  | the Cwt.                               | 0     | 5 0   |
| Molasses   | the Cwt.                               | 0     | 5 0   |
| . . . . . and further, the Amount of any Duty payable for the Time being on Coffee, Cocoa, Sugar, and Molasses respectively, being the Produce of the British Possessions in South America or the West Indies. |  |       |       |
| Clarks and Watches   | } For every 100 <i>l.</i> of the Value | 50    | 0 0   |
| Leather Manufactures   |  |       |       |
| Loon   |  |       |       |
| Musical Instruments  |  |       |       |
| Wares of all Sorts   |  |       |       |
| Books and Papers   |  |       |       |
| Silk Manufactures  |  |       |       |
| Glass Manufactures   |  |       |       |
| Soap   |  |       |       |
| Refined Sugar  |  |       |       |
| Sugar Candy  | } For every 100 <i>l.</i> of the Value | 20    | 0 0   |
| Tobacco, manufactured  |  |       |       |
| Cotton Manufactures  |  |       |       |
| Alabaster  |  |       |       |
| Anchovies  |  |       |       |
| Argol  |  |       |       |
| Assised  |  |       |       |
| Ashes  |  |       |       |
| Almonds  |  |       |       |
| Brunswick  |  |       |       |
| Butyrs   | } For every 100 <i>l.</i> of the Value | 7     | 10 0  |
| Burwood  |  |       |       |
| Cassia   |  |       |       |
| Capers   |  |       |       |
| Castoreo   |  |       |       |
| Cassia Seed  |  |       |       |
| Coral  |  |       |       |
| Cork   |  |       |       |
| Cresidar   |  |       |       |
| Dates  |  |       |       |
| Essence of Bergamot  |  |       |       |
| of Lemon   |  |       |       |
| of Roses   |  |       |       |
| of Citron  |  |       |       |
| of Oranges   |  |       |       |
| of Lavender  |  |       |       |
| of Rosemary  |  |       |       |
| Essy Stone   | } For every 100 <i>l.</i> of the Value | 7     | 10 0  |
| Fish, preserved in Sugar or Brandy   |  |       |       |
| Figs   |  |       |       |
| Honey  |  |       |       |
| Iron in Bars, wrought, and Pig Iron  |  |       |       |
| Jamun Berries  |  |       |       |
| Jessens of Frankincense  |  |       |       |
| Lime and Maha Stone for building   |  |       |       |
| Lentils  |  |       |       |
| Marble, rough and worked   |  |       |       |
| Mosaic Work  |  |       |       |
| Moulds   |  |       |       |
| Musk   |  |       |       |
| Maccaron   |  |       |       |
| Nuts of all Kinds  |  |       |       |
| Oil of Olives  |  |       |       |
| Oil of Almonds   |  |       |       |
| Orris Root   |  |       |       |

## DUTIES

|  | Duty. |    |    |
|--|-------|----|----|
|  | £     | s  | d. |
| Imported into any of the British Possessions in America — <i>continued.</i>  |       |    |    |
| Ostrich Feathers   | .     | .  | .  |
| Oilives  | .     | .  | .  |
| Orange Buds and Peel   | .     | .  | .  |
| Olivea   | .     | .  | .  |
| Pitch  | .     | .  | .  |
| Pickles in Jars and Bottles  | .     | .  | .  |
| Peasbraps  | .     | .  | .  |
| Peasolans  | .     | .  | .  |
| Plumbe Stone   | .     | .  | .  |
| Post   | .     | .  | .  |
| Parmesan Cheese  | .     | .  | .  |
| Pickles  | .     | .  | .  |
| Prunes   | .     | .  | .  |
| Pearls   | .     | .  | .  |
| Precious Stones, except Diamonds   | .     | .  | .  |
| Quicksilver  | .     | .  | .  |
| Ramms  | .     | .  | .  |
| Sauages  | .     | .  | .  |
| Sponges  | .     | .  | .  |
| Tar  | .     | .  | .  |
| Terpetine  | .     | .  | .  |
| Vermillion   | .     | .  | .  |
| Yermicelli   | .     | .  | .  |
| Whitstones   | .     | .  | .  |
| Goods, Wares, and Merchandise, not otherwise charged with Duty, and not herein declared to be free of Duty, for every 100£ of the Value  | 3     | 10 | 0  |
| Corn, Bottom, and Diamonds   | .     | .  | .  |
| Horses, Mules, Asses, New Cattle, and all other Live Stock   | .     | .  | .  |
| Tallow and Raw Hides   | .     | .  | .  |
| Rice   | .     | .  | .  |
| Corn and Grain, unground   | .     | .  | .  |
| Flour or Bread   | .     | .  | .  |
| Meal or Flour, except Wheat Flour  | .     | .  | .  |
| Fresh Meat   | .     | .  | .  |
| Fresh Fish   | .     | .  | .  |
| Carriages of Travellers  | .     | .  | .  |
| Wheat Flour  | .     | .  | .  |
| Beef and Pork  | .     | .  | .  |
| Hams and Bacon   | .     | .  | .  |
| Wood and Lumber  | .     | .  | .  |
| Wood and Lumber, imported into New Brunswick, Nova Scotia, or Prince Edward's Island   | .     | .  | .  |
| Hay and Straw  | .     | .  | .  |
| Fruit and Vegetables, fresh  | .     | .  | .  |
| Salt   | .     | .  | .  |
| Cotton Wool  | .     | .  | .  |
| Goods, the Produce of Places within the Limits of the East India Company's Charter, imported from those Places, or from the United Kingdom, or from some Place in the British Dominions  | .     | .  | .  |
| Berriege taken and cured by the Inhabitants of the Isle of Man and imported from thence  | .     | .  | .  |
| Lumber, the Produce of and imported from any British Possession on the West Coast of Africa  | .     | .  | .  |
| Any Sort of Craft, Food, and Victuals, except Spirits, and any Sort of Cloathing, and Implements and Materials, fit and necessary for the British Fisheries in America, imported into the Place at or from whence such Fishery is carried on | .     | .  | .  |
| Drugs  | .     | .  | .  |
| Gums or Resins   | .     | .  | .  |
| Dye Wood and Hard Wood   | .     | .  | .  |
| Cabinet-makers' Wood   | .     | .  | .  |
| Tanned-Hell  | .     | .  | .  |
| Hemp, Flax, and Tow  | .     | .  | .  |



|   | Duty.           |
|---|-----------------|
| Imported into any of the British Possessions in America — continued.  | <i>l. s. d.</i> |
| Wheat Flour — Brims — Pickles — Waste of all Sorts — Oakum — Pitch — Tar — Turpentine — Ocher — Brimstone — Sulphur — Vegetable Oils — Barr Sticks — Dog Sticks — Hops — Cork — Bags — Yarns — Sponges — Stainers — Cheese — Lard — Wax — Spices — Tallow | Duty-free.      |
| Imported direct from the Warehouse in the United Kingdom  |                 |
| All Goods imported from the United Kingdom, after having there paid the Duties of Consumption, and being exported from thence without Drawback  | Duty-free.      |

## DUTIES.

And if any of the Goods herein-before mentioned shall be imported through the United Kingdom, (having been warehoused therein, and exported from the Warehouse, or the Duties thereon, if there paid, having been drawn back,) the Treaty Part of the Duties herein expressed shall be remitted in respect of such Goods.

X. And be it further enacted, That nothing in this Act or in any other passed in the present Session of Parliament shall extend to repeal or abrogate, or in any way to alter or affect an Act passed in the Eighth Year of the Reign of His Majesty King George the Third, intitled *An Act for removing all Doubts and Apprehensions concerning Taxation by the Parliament of Great Britain in any of the Colonies, Provinces, and Plantations in North America and the West Indies, and for requiring so much of an Act made in the Seventh Year of the Reign of His present Majesty or imposed a Duty on Tea imported from Great Britain into any Colony or Plantation in America, as relates thereto; nor to repeal or in any way alter or affect any Act now in force which was passed prior to the last-mentioned Act, and by which any Duties in any of the British Possessions in America were granted and still continue payable to the Crown; nor to repeal or in any way alter or affect an Act passed in the Thirty-first Year of the Reign of His Majesty King George the Third, intitled *An Act to repeal various Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intitled 'An Act for making more effectual Provisions for the Government of Quebec in North America, and to make further Provisions for the Government of the said Province.'**

XI. And be it further enacted, That the Duties imposed by any of the Acts herein-before mentioned or referred to, passed prior to the said Act of the Eighth Year of His Majesty's Reign, shall be received, accounted for, and applied for the Purposes of those Acts: Provided always, that no greater Proportion of the Duties imposed by this Act, except as herein-before excepted, shall be charged upon any Article which is subject also to Duty under any of the said Acts, or subject also to Duty under any Colonial Law, than the Amount, if any, by which the Duty charged by this Act shall exceed such other Duty or Duties: Provided nevertheless, that the full Amount of the Duties mentioned in this Act, whether on account of such former Acts, or on account of such Colonial Law, or on account of the Act, shall be levied and recovered and removed under the Regulations and by the Means and Powers of this Act.

XII. And be it further enacted, That all Sums of Money granted or imposed by this Act, either as Duties, Penalties, or Forfeitures, in the British Possessions in America, shall be deemed and are hereby declared to be Sterling Money of Great Britain, and shall be collected, recovered, and paid to the Amount of the Value which such several Sums bear in Great Britain; and that such Moneys may be received and taken according to the Provisions and Value of Five Shillings and Sixpence the Ounce in Silver; and that all Duties shall be paid and received in every Part of the British Possessions in America according to British Weights and Measures in use on the Sixth Day of July One thousand eight hundred and twenty five; and that in all Cases where such Duties are imposed according to any specific Quantity or any specific Value, the same shall be deemed to apply in the same Proportion to any greater or less Quantity or Value; and that all such Duties shall be under the Management of the Commissioners of the Customs.

XIII. And be it further enacted, That the Produce of the Duties so received by the Means and Powers of this Act, except such Duties as are payable to His Majesty under any Act passed prior to the Eighteenth Year of His Majesty King George the Third as aforesaid, shall be paid by the Collector of the Customs into the Hands of the Treasurer or Receiver General of the Colony, or other proper Officer authorized to receive the same in the Colony in which the same shall be levied, to be applied to such Uses as shall be directed by the local Legislatures of such Colonies respectively; and that the Produce of such Duties so received as aforesaid in the Colonies which have an local Legislature shall be applied in such Manner as shall be directed by the Commissioners of His Majesty's Treasury.

XIV. And whereas in some of His Majesty's Possessions Abroad certain Duties of Tonnage are, by Acts of the local Legislatures of such Possessions, made payable in respect of or are levied upon British Vessels, to which Duties the like Vessels built within such Possessions, or owned by Persons resident there, are not subject; be it further enacted, That there shall be levied and paid at the several British Possessions Abroad upon all Vessels built in any such Possession, or owned by any Persons or Persons there resident, other than Coasting or Dragooning Vessels employed in coasting or dragooning, all such and the like Duties of Tonnage and Shipping Duties, as shall be payable in any British Possession upon the like British Vessels built in other Parts of His Majesty's Dominions, or owned by Persons not resident in such Possessions.

Statements of Duty in certain Cases.

Not to repeal Annot. Statutes, 18 G. 3 c. 12.

Not to repeal Duties granted prior to this Act; nor to repeal 21 G. 2 c. 5.

Duties imposed by Acts prior to Act 18 G. 3 c. 12, to be applied to Purposes of those Acts.

Currency, Weights, and Measures.

Duties paid by Collector to Treasurer of Colony in which levied.

All British Vessels subject to equal Duties in the Colonies, except Coasting Vessels.

Drawback on  
Rum, &c.  
of British Posses-  
sions, imported  
from New  
foundland to  
Canada, &c.

XV. And be it further enacted, That there shall be allowed upon the Exportation from Newfoundland to Canada of Rum or other Spirits being the Produce of the British Possessions in *South America* or the *West India* a Drawback of the full Duties of Customs which shall have been paid upon the Importation thereof from any of the said Places into Newfoundland, provided Proof on Oath be made to the Satisfaction of the Collector and Controller of the Customs at the Port from whence such Rum or other Spirits shall be so exported, that the full Duties on the Importation of such Rum or other Spirits at the said Port had been paid, and that a Certificate be produced under the Hands and Seals of the Collector and Controller of the Customs at *Quebec*, that such Rum or other Spirits had been duly landed in Canada: Provided always, that no Drawback shall be allowed upon any such Rum or other Spirits unless the same shall be shipped within One Year from the Day of the Importation of the same, nor unless such Drawback shall be duly claimed within One Year from the Day of such Shipment.

Licences as to  
Drawbacks.

Ships and Cargo  
to be reported  
on Arrival.

Particulars of  
Reports.

XVI. And be it further enacted, That the Master of every Ship arriving in any of the British Possessions in *America*, or the Islands of *Guernsey, Jersey, Alderney, or Sark*, whether laden or is ballast, shall come directly, and before Sail, be broken, to the Custom House for the Port or District where he arrives, and there make a Report in Writing to the Collector or Controller, or other proper Officer, of the Arrival and Voyage of such Ship, stating her Name, Country, and Tonnage, and if British the Port of Registry, the Name and Country of the Master, the Country of the Owners, the Number of the Crew, and how many are of the Country of such Ship, and whether she be laden or is ballast, and if laden the Marks, Numbers, and Contents of every Package and Parcel of Goods on board, and where the same was laden, and where sold to whom consigned, and where any and what Goods, if any, had been landed during the Voyage, as far as any of such Particulars can be known to him; and the Master shall further answer all such Questions concerning the Ship and the Cargo and the Crew and the Voyage as shall be demanded of him by such Officer; and if any Goods be unloaded from any Ship before such Report be made, or if the Master fail to make such Report, or make an untrue Report, or do not truly answer the Questions demanded of him, he shall forfeit the Sum of One hundred Pounds; and if any Goods be not reported, such Goods shall be forfeited.

Penalty for  
false Reports.

Entry Out-  
wards of Ship  
for Cargo.

Particulars of  
Entry.

Penalty for  
false Entry.

Contents of  
the Cargo to  
be delivered to  
the Deputees.

XVII. And be it further enacted, That the Master of every Ship bound from any British Possession in *America*, or the Islands of *Guernsey, Jersey, Alderney, or Sark*, shall, before any Goods be laden thereon, deliver to the Collector or Controller, or other proper Officer, an Entry Outwards under his Hand of the Destination of such Ship, stating her Name, Country, and Tonnage, and if British the Port of Registry, the Name and Country of the Master, the Country of the Owners, the Number of the Crew, and how many are of the Country of such Ship; and if any Goods be laden on board any Ship before such Entry be made, the Master of such Ship shall forfeit the Sum of Fifty Pounds; and before such Ship depart the Master shall bring and deliver to the Collector or Controller, or other proper Officer, a Consent in Writing under his Hand of the Goods laden, and the Names of the respective Shippers and Consignees of the Goods, with the Marks and Numbers of the Packages or Parcels of the same, and shall make and subscribe a Declaration to the Truth of such Consent as far as any of such Particulars can be known to him; and the Master of every Ship bound from any British Possession in *America*, or from the Islands of *Guernsey, Jersey, Alderney, or Sark*, whether in ballast or laden, shall before Departure come before the Collector or Controller or other proper Officer, and answer upon Oath all such Questions concerning the Ship, and the Cargo, if any, and the Crew and the Voyage, as shall be demanded of him by such Officer; and whereas the Collector and Controller or other proper Officer, of such Ship be laden, shall make out and give to the Master a Certificate of the Clearance of such Ship for her intended Voyage, containing an Account of the total Quantities of the several Sorts of Goods laden thereon, or a Certificate of her Clearance in ballast, as the Case may be; and if the Ship shall depart without such Clearance, or if the Master shall deliver a false Consent, or shall not truly answer the Questions demanded of him, he shall forfeit the Sum of One hundred Pounds.

Clearance of  
Ship for the  
Voyage.

Penalty for not  
obeying order.

Consent stated  
in Certificate to  
be Produce of  
British Posses-  
sions, to be  
demanded of  
Foreign Posses-  
sions.

Newfoundland  
Fishing Certi-  
ficates in lieu  
of Clearance,  
during the Fish-  
ing Season.

XVIII. And be it further enacted, That no Goods shall be stated in such Certificates of Clearance of any Ship from any British Possession in *America* to be the Produce of such Possession unless such Goods shall have been expressly stated as to be in the Entry Outwards of the same; and that all Goods not expressly stated in such Certificates of Clearance to be the Produce of the British Possessions in *America* shall at the Place of Importation in any other such Possession, or in the United Kingdom, be deemed to be Foreign Produce.

XIX. Provided always, and be it further enacted, That whenever any Ship shall be cleared out from any Port in Newfoundland, or in any other Part of His Majesty's Dominions, for the Fishery on the Banks or Coasts of Newfoundland or Labrador, or the Dependencies thereof, without having on board any Article of Traffic (except only such Provisions, Nets, Tackle, and other Things as are usually employed in and about the said Fishery, and for the Landing and carrying on of the same) the Master of any such Ship shall be entitled to demand from the Collector or other principal Officer of the Customs at such Port a Certificate under his Hand that such Ship hath been specially cleared out for the Newfoundland Fishery; and such Certificate shall be in Force for the Fishing Season for the Year in which the same may be granted, and no longer; and upon the first Arrival in any Port in the said Colony of Newfoundland, or its Dependencies, of any Ship having on board any such Certificate as aforesaid, a Report thereof shall be made by the Master of such Ship to the principal Officer of the Customs at such Port, and all Ships having such Certificate which has been so reported on board, being actually engaged in the said Fishery, or in any other Fishery, or in any other Trade, or put on board any other Ships engaged in the said Fishery any Salt, Oil, Salt, Provisions or other Necessary

for the Use and Purpose thereof, shall be exempt from all Obligations to make an Entry at or obtain any Clearance from any Custom House at New/foundland upon Arrival at or Departure from any of the Ports or Harbours of the said Colony or its Dependencies during the Continuance of the Fishing Season for which such Certificate may have been granted; and previously to obtaining a Clearance at the End of such Season for any other Voyage at any of such Ports, the Master of such Ship shall deliver up the before-mentioned Certificate to the principal Officer of the Customs of such Port: Provided always, that in case any such Ship shall have on board, during the Time the same may be engaged in the said Fishery, any Goods or Merchandises whatsoever other than Fish, Seals, Oil made of Fish or Seals, Salt, Provisions, and other Things, being the Produce of or usually employed in the said Fishery, such Ship shall forfeit the said Fishing Certificate, and shall thenceforth become and be subject and liable to all such and the same Rules, Restrictions, and Regulations as Ships in general are subject or liable to.

XX. And be it further enacted, That no Goods shall be laden, or waterborne to be laden, on board any Ship, or vessel from any Ship, in any of the British Possessions in America, or the Islands of Guernsey, Jersey, Alderney, or Sark, until due Entry shall have been made of such Goods, and Warrant granted for the lading or unlading of the same; and that no Goods shall be so laden or waterborne, or so unladen, except at some Place at which an Officer of the Customs is appointed to attend the lading and unlading of Goods, or at some Place for which a Licence shall be granted by the Collector and Controller for the lading and unlading of such Goods; and that no Goods shall be so laden or unladen except in the Presence or with the Permission in Writing of the proper Officer: Provided always, that it shall be lawful for the Commissioners of His Majesty's Customs to make and appoint such other Regulations for the carrying Coastwise of any Goods, or for the removing of any Goods for Shipment, as in them shall appear expedient; and that all Goods laden, waterborne, or unladen contrary to the Regulations of this Act, or contrary to any Regulations so made and appointed, shall be forfeited.

XXI. And be it further enacted, That the Person entering any such Goods shall deliver to the Collector or Controller, or other proper Officer, a Bill of the Entry thereof, truly written in Words at Length, containing the Name of the Exporter or Importer, and of the Ship, and of the Master, and of the Place to or from which laded, and of the Place within the Port where the Goods are to be laden or unladen, and the Particulars of the Quality and Quantity of the Goods, and the Packages containing the same, and the Marks and Numbers on the Packages, and setting forth whether such Goods be the Produce of the British Possessions in America or not: and such Person shall at the same Time pay down all Duties due upon the Goods; and the Collector and Controller, or other proper Officer, shall thereupon grant their Warrant for the lading or unlading of such Goods.

XXII. And be it further enacted, That if the Importer of any Goods shall make and subscribe a Declaration before the Collector or Controller, or other proper Officer, that he cannot, for Want of full Information, make perfect Entry thereof, it shall be lawful for the Collector and Controller to make an Entry by Bill of Sight for the Packages or Parcels of such Goods by the best Description which can be given, and to grant a Warrant thereupon, in order that the same may be landed and secured to the Satisfaction of the Officer of the Customs, and at the Expense of the Importer, and may be seen and examined by such Importer in the Presence of the proper Officers: and within Three Days after the Goods shall have been so landed the Importer shall make a perfect Entry thereof, and pay down all Duties due thereon; and in default of such Entry such Goods shall be taken to the King's Warehouse, and if the Importer shall not, within One Month after such landing, make perfect Entry of such Goods, and pay the Duties due thereon, together with Charges of Removal and Warehouse Rent, such Goods shall be sold for the Purpose thereof, and the Proceeds, if any, shall be paid to the Proprietor of the Goods.

XXIII. And be it further enacted, That in all Cases where the Duties imposed by this Act upon the Importation of Articles into His Majesty's Possessions in America are changed, and according to the Weight, Tare, Gauge, or Measure, but according to the Value thereof, such Value shall be ascertained by the Declaration of the Importer of such Articles, or his known Agent, in Manner and Form following; (that is to say,)

A. B. do hereby declare, That the Articles mentioned in the Entry, and contained in the Packages,  
 [here specifying the several Packages, and describing the several Marks and Numbers, as the Case may  
 be.] are of the Value of \_\_\_\_\_ Witness my Hand the \_\_\_\_\_ Day of \_\_\_\_\_  
 A. B.  
 The above Declaration, signed the \_\_\_\_\_ Day of \_\_\_\_\_ in the Presence of C. D.  
 Collector [or other principal Officer].

Which Declaration shall be written on the Bill of Entry of such Articles, and shall be subscribed with the Hand of the Importer thereof, or his known Agent, in the Presence of the Collector or other principal Officer of the Customs at the Port of Importation; provided that if upon View and Examination of such Articles by the proper Officer of the Customs shall appear to him that the said Articles are not valued according to the true Price or Value thereof, and according to the true Tare and Mowring of this Act, then and in such Case the Importer or his known Agent shall be required to declare on Oath before the Collector or Controller what is the Invoice Price of such Articles, and that he verily believes such Invoice Price is the current Value of the Articles in the Place from whence the said Articles were imported; and such Invoice Price, with the Addition of Ten Pence per Centum thereon, shall be deemed to be the Value of the Articles, in lieu of the Value so declared by the Importer or his known Agent, and upon which the Duties imposed by this Act shall be charged and paid; provided, that, should the Invoice Price

At the End of the Season the Certificate to be delivered up.  
 Ships making, to forfeit their Certificate.  
 Entry of Goods to be laden or unladen.  
 Regulations towards and Outwards.  
 Regulations Coastwise.  
 Forfeiture.  
 Particulars of Entry of Goods towards and Outwards.  
 Entry towards by Bill of Sight.  
 Within Three Days after landing of Goods, perfect Entry to be made and Duties paid.  
 Goods subject to an arbitrary Duty.  
 Value to be declared on Entry.  
 Mode of Proceeding if Goods be mis-valued.  
 Proof of Invoice Price.

If necessary,  
Two Persons  
may be appointed  
to fix the Price.

to the Collector and Controller, or other proper Officers, that such Articles have been invoiced below the real and true Value thereof, at the Place from whence the same were imported, or if the Invoice Price is not known, the Articles shall in such Case be examined by Two competent Persons, to be nominated and appointed by the Governor or Commander-in-Chief of the Colony, Plantation, or Island into which the said Articles are imported, and such Persons shall declare on Oath before the Collector or Controller, or other proper Officers, what is the true and real Value of such Articles in such Colony, Plantation, or Island; and the Value so declared on the Oath of such Persons shall be deemed to be the true and real Value of such Articles, and upon which the Duties imposed by this Act shall be charged and paid.

If Importer re-  
fuses to pay  
such Duty, the  
Goods may be  
sold.

XXIV. And be it further enacted, That if the Importer of such Articles shall refuse to pay the Duties hereby imposed thereon, it shall and may be lawful for the Collector or other chief Officer of the Customs where such Articles shall be imported, and he is hereby respectively required, to take and secure the same, with the Cases or other Package thereof, and to cause the same to be publicly sold within the Space of Twenty Days or the most after such Refusal made, and at such Time and Place as such Officer shall, by Four or more Days public Notice, appoint for that Purpose; which Articles shall be sold to the best Bidder; and the Money arising from the Sale thereof shall be applied in the first place in Payment of the said Duties, together with the Charges that shall have been occasioned by the said Sale, and the Overplus, if any, shall be paid to such Importer or Proprietor, or any other Person authorized to receive the same.

Respecting  
the Entry of  
Goods and  
and Payment  
of Duties.

XXV. And be it further enacted, That every Importer of any Goods shall, within Twenty Days after the Arrival of the importing Ship, make due Entry inwards of such Goods, and land the same; and in default of such Entry and Landing it shall be lawful for the Officers of the Customs to convey such Goods to the King's Warehouse; and if the Duties due upon such Goods be not paid within Three Months after such Twenty Days shall have expired, together with all Charges of Removal and Warehouse Rent, the same shall be sold, and the Produce thereof shall be applied first to the Payment of Freight and Charges, next of Duties, and the Overplus, if any, shall be paid to the Proprietor of the Goods.

Goods im-  
ported from  
United King-  
dom or British  
Possessions  
need appear in  
Cockets, &c.

XXVI. And be it further enacted, That no Goods shall be imported into any British Possession as being imported from the United Kingdom, or from any other British Possession (if any Advantage attach to such Destination), unless such Goods appear upon the Cockets or other proper Documents for the same to have been duly cleared Onwards at the Port of Exportation in the United Kingdom, or in such other British Possession, nor unless the Ground upon which such Advantage be claimed be stated in such Cocket or Document.

Goods im-  
ported from, or  
be deemed of  
the Growth of,  
United King-  
dom.

XXVII. And be it further enacted, That no Goods shall, upon Importation into any of the British Possessions in America, be deemed to be of the Growth, Production, or Manufacture of the United Kingdom, or of any British Possession in America, unless imported from the United Kingdom, or from some British Possession in America.

Entry not to be  
called if Goods  
be not properly  
described in it.

XXVIII. And be it further enacted, That no Entry nor any Warrant for the landing of any Goods, or for the taking of any Goods out of any Warehouse, shall be deemed valid unless the Particulars of the Goods and Packages in such Entry shall correspond with the Particulars of the Goods and Packages purporting to be the same in the Report of the Ship, or in the Certificate or other Document, where any is required, by which the Importation or Entry of such Goods is authorized, nor unless the Goods shall have been properly described in such Entry by the Descriptions and with the Characters and Circumstances according to which such Goods are charged with Duty or may be imported; and any Goods taken or delivered out of any Ship or out of any Warehouse by virtue of any Entry or Warrant not corresponding or agreeing in all such Respects, or not properly describing the same, shall be deemed to be Goods landed or taken without due Entry thereof, and shall be forfeited.

Certificates of  
Production for  
Sugar, Coffee,  
Cocoa, or Spi-  
ces.

XXIX. And be it further enacted, That before any Sugar, Coffee, Cocoa, or Spices shall be shipped for Exportation in any British Possession in America or in the Island of Mauritius, as being the Produce of such Possession or of such Island, the Proprietor of the Estate on which such Goods were produced, or his known Agent, shall make and sign an Affidavit in Writing before the Collector or Controller at the Port of Exportation, or before One of His Majesty's Justice of the Peace, or other Officer duly authorized to administer such Oath, residing in or near the Place where such Estate is situated, declaring that such Goods are the Produce of such Estate; and such Affidavit shall set forth the Name of the Estate, and the Description and Quantity of the Goods, and the Packages containing the same, with the Marks and Numbers thereon, and the Name of the Person to whose Charge the Place of Shipment they are to be sent; and if any Justice of the Peace or other Officer aforesaid shall subscribe his Name to any Writing purporting to be such Affidavit, unless the Person purporting to make such Affidavit shall actually appear before him and he swear to the Truth of the same, such Justice of the Peace or Officer aforesaid shall forfeit and pay for any such Offence the Sum of Fifty Pounds, and the Person entering and shipping such Goods shall deliver such Affidavit to the Collector or Controller or other proper Officer, and shall make and subscribe a Declaration before him that the Goods which are to be shipped by virtue of such Entry are the same as are mentioned in such Affidavit; and the Master of the Ship in which such Goods shall be laden shall, before Clearance, make and subscribe a Declaration before the Collector or Controller that the Goods shipped by virtue of such Entry are the same as are mentioned and intended in such Affidavit, to the best of his Knowledge and Belief; and thereupon the Collector and Controller, or other proper Officer, shall sign and give to the Master a Certificate of Production, stating that Proof has been made in manner aforesaid in favor of the said Goods, and that the same

Declaration of  
Shippers.

Declaration of  
the Master.

are the same as are mentioned and intended in such Affidavit, to the best of his Knowledge and Belief; and thereupon the Collector and Controller, or other proper Officer, shall sign and give to the Master a Certificate of Production, stating that Proof has been made in manner aforesaid in favor of the said Goods, and that the same

see the Produce of such British Possession or of such Island, and setting forth in such Certificate the Name of the Exporter and of the exporting Ship, and of the Master thereof, and the Destination of the Goods, and if any Sugar, Coffee, Cocoa, or Spice be imported into any British Possession in America, as being the Produce of some other such Possession or of such Island, without such Certificate of Production, the same shall be forfeited.

XXX. And be it further enacted, That before any Sugar, Coffee, Cocoa, or Spice shall be shipped for Exportation in any British Possession in America, as being the Produce of some other such Possession, the Person exporting the same shall in the Entry Outwards state the Place of the Production, and refer to the Entry Inwards and landing of such Goods, and shall make and subscribe a Declaration before the Collector or Controller to the Identity of the same; and thereupon, if such Goods shall have been duly imported with a Certificate of Production within Twelve Months prior to the shipping for Exportation, the Collector and Controller shall sign and give to the Master a Certificate of Production founded upon and referring to the Certificate of Production under which such Goods had been so imported, and containing the like Particulars, together with the Date of such Importation.

XXXI. And whereas it is expedient to make Regulation respecting the Inland Trade of the British Possessions in America: be it therefore enacted, That it shall be lawful to bring or import by Land or by Inland Navigation into any of the British Possessions in America from any adjoining Foreign Country any Goods which might be lawfully imported by Sea into such Possession from such Country, and so to bring or import such Goods in the Vessels, Boats, or Carriages of such Country, as well as in British Vessels, Boats, or Carriages.

XXXII. And be it further enacted, That no Vessel or Boat shall be admitted to be a British Vessel or Boat on any of the Inland Waters or Lakes in America except such as shall have been built at some Place within the British Dominions, and shall be wholly owned by British Subjects, and shall not have been repaired at any Foreign Place to a greater Extent than to the Proportion of Ten Shillings for every Ton of such Vessel or Boat as any One Time: Provided always, that nothing herein-before contained shall extend to prevent the Employment of any Vessel or Boat as a British Vessel or Boat on such Inland Waters or Lakes which shall have wholly belonged to British Subjects before the Fifth Day of July One thousand eight hundred and twenty-five, and which shall not have been since that Day repaired as aforesaid in any Foreign Place.

XXXIII. Provided always, and be it further enacted, That it shall not be lawful so to bring or import any Goods except into some Port or Place of Entry at which a Custom House now is or hereafter may be lawfully established: Provided also, that it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government of any of the said Possessions respectively, by and with the Advice and Consent of the Executive Council thereof for the Time being, if any Executive Council be there established, from Time to Time to diminish or increase, by Proclamation, the Number of Ports or Places of Entry which are or hereafter may be appointed in such Province for the Entry of Goods brought or imported as aforesaid.

XXXIV. And be it further enacted, That the Duties imposed by this Act shall be ascertained, levied, and recovered for and upon all Goods so brought or imported in the same Manner, and by the same Means, and under the same Rules, Regulations, Restrictions, Penalties, and Particulars, as the Duties on the like Goods imported by Sea may and can be ascertained, levied, or recovered, as far as the same are applicable; and if any Goods shall be brought or imported contrary hereto, or if any Goods so brought or imported shall be removed from the Station or Place appointed for the Examination of such Goods by the Officers of the Customs before all Duties payable thereon shall have been paid or satisfied, such Goods shall be forfeited, together with the Vessel, Boat, or Carriage, and the Horses or other Cattle, in or by which such Goods shall have been so imported or brought, or so removed.

XXXV. And be it further enacted, That the same Tonnage Duties shall be paid upon all Vessels or Boats of the United States of America importing any Goods into either of the Provinces of Upper or Lower Canada as are or may be for the Time being payable in the United States of America on British Vessels or Boats entering the Harbours of the State from whence such Goods shall have been imported.

XXXVI. And whereas it is expedient to constitute and appoint some of the free Ports and other Ports in America to be free warehousing Ports or to be warehousing Ports for all or any of the Goods which may be legally imported into the said Ports respectively, and it is also expedient to empower His Majesty to constitute and appoint from Time to Time any other Ports in any of the said British Possessions in America to be in like Manner warehousing Ports for such Goods as may be legally imported into such Ports respectively; and it is therefore necessary to make Regulations for the appointing of proper Warehouses at such Ports, and for the lodging and securing of Goods therein; be it therefore enacted, That the several Ports herein-after mentioned, (that is to say,)

*Philadelphia in Barbadoes,  
Quebec in Canada,  
Smyrna in Cape Breton,  
Boston in Demerara,  
St. George in Grenada,  
Kingston and Montego Bay in Jamaica,  
Charleston in Nevis,  
Saint John's and Saint Andrew's in New Brunswick,  
Saint John's in Newfoundland,*

Certificates of Production on Re-exports from another Colony.

Goods brought over Land, or by Inland Navigation.

What Vessels shall be admitted British on the Lakes in America.

Goods must be brought to a Place where there is a Custom House. Governor may appoint Custom Houses.

Duties to be collected in same Manner as on Goods imported by Sea.

Duties on Canada in American Boats, as in America on British Boats. Ports herein mentioned to be free warehousing Ports.

*Nones in New Providence,  
Malaga and Puerto in Nova Scotia,  
Buenos Aires in Saint Kitt's,  
Kingston in Saint Vincent,  
Road Harbour in Tortola,  
San Joseph in Trinidad.*

shall be Free Warehouses Ports for all the Purposes of this Act; and that Kingston and Montreal in the Canadas, and

*Liverpool and Yarmouth in Nova Scotia,*

shall be Warehousing Ports for the warehousing of Goods brought by Land or by Inland Navigation, or imported in *Ballast Ships*; and that it shall be lawful for the several Collectors and Controllers of the said Ports respectively, by Notice in Writing under their Hands, to appoint from Time to Time such Warehouses at such Ports respectively as shall be approved of by them for the free warehousing and securing of Goods therein for the Purposes of this Act, and also in such Notice to declare what Sort of Goods may be so warehoused, and also by like Notice to revoke or alter any such Appointment or Declaration: Provided always, that every such Notice shall be transmitted to the Governor of the Place, and shall be published in such Manner as he shall direct.

XXXVII. And be it further enacted, That it shall be lawful for the Importer of any such Goods into the said Ports to warehouse the same in the Warehouse to be appointed, without Payment of any Duty on the first Entry thereof, subject nevertheless to the Rate, Regulations, Restrictions, and Conditions herein-after contained.

XXXVIII. And be it further enacted, That upon the Arrival of any Goods at any frontier Port in the Canadas, such Goods may be entered, with the proper Officer of the Customs at such Port, to be warehoused at some warehousing Port in the Canadas, and may be delivered by such Officer to be passed on to such warehousing Port, under Bond, to the Satisfaction of such Officer, for the due Arrival and warehousing of such Goods at such Port.

XXXIX. And be it further enacted, That all Goods so warehoused shall be stored in such Parts or Divisions of the Warehouse and in such Manner as the Collector and Controller shall direct; and that the Warehouse shall be locked and secured in such Manner, and shall be opened and visited only at such Times, and in the Presence of such Officers, and under such Rules and Regulations, as the Collector and Controller shall direct; and that all such Goods shall, after being landed upon Importation, be carried to the Warehouse, or shall, after being taken out of the Warehouse for Exportation, be carried to be shipped, under such Rules and Regulations as the Collector and Controller shall direct.

XL. And be it further enacted, That upon the Entry of any Goods to be warehoused the Importer of such Goods, instead of paying down the Duties due thereon, shall give Bond with Two sufficient Sureties, to be approved of by the Collector or Controller, in Treble the Duties payable on such Goods, with Conditions for the safe depositing of such Goods in the Warehouse mentioned in such Entry, and for the Payment of all Duties due upon such Goods, or for the Exportation thereof, according to the first Account taken of such Goods upon the landing of the same; and with further Conditions, that no Part thereof shall be taken out of such Warehouse and cleared from thence upon due Entry and Payment of Duty, or upon due Entry for Exportation; and with further Conditions, that the Whole of such Goods shall be so cleared from such Warehouse, and the Duties, upon any Deficiency of the Quantity according to such first Account, shall be paid, within Two Years from the Date of the first Entry thereof; and if after such Bond shall have been given the Goods or any Part thereof shall be sold or disposed of, so that the original Bonders shall be no longer interested in or have any Control over the same, it shall be lawful for the Collector and Controller to admit fresh Security to be given by the Bond of the new Proprietor or other Person having Control over such Goods, with his sufficient Sureties, and to cancel the Bond given by the original Bonders of such Goods, or to consent to his to the Extent of the fresh Security so given.

XLI. And be it further enacted, That if any Goods which have been entered to be warehoused shall not be duly carried and deposited in the Warehouse, or shall afterwards be taken out of the Warehouse without due Entry and Clearance, or having been entered and cleared for Exportation from the Warehouse shall not be duly carried and shipped, or shall afterwards be re-landed except with Permission of the proper Officer of the Customs, such Goods shall be forfeited.

XLII. And be it further enacted, That upon the Entry and Landing of any Goods to be warehoused the proper Officer of the Customs shall take a particular Account of the same, and shall mark the Contents on each Package, and shall enter the same in a Book to be kept for that Purpose; and no Goods which have been so warehoused shall be taken or delivered from the Warehouse except upon due Entry, and under Care of the proper Officers for Exportation, or upon due Entry and Payment of Duty for Home Use; and whenever the Whole of the Goods warehoused under any Entry shall be cleared from the Warehouse, or whenever further Time shall be granted for any such Goods to remain warehoused, an Account shall be made out of the Quantity upon which the Duties have been paid, and of the Quantity exported, and of the Quantity (to be then accounted) of the Goods still remaining in the Warehouse as the Case may be, deducting from the Whole the Quantity contained in any whole Packages (if any) which may have been abandoned for the Duties; and if upon such Account there shall in either Case appear to be any Deficiency of the original Quantity, the Duty payable upon the Amount of such Deficiency shall then be paid.

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Goods may be  
imported  
without Pay-  
ment of Duty.

Regulation as  
to warehousing  
of Goods on  
Arrival in Ca-  
nada.

Storage of  
Goods in  
Warehouses.

Locking Ware-  
houses.

Carrying  
Goods.

Bond upon  
Entry of Goods  
to be ware-  
housed.

Forfeiture of  
Goods may  
give Bond in  
lieu of original  
Bond.

Goods not duly  
warehoused,  
&c. to be for-  
feited.

Account of  
Goods to be  
taken on land-  
ing.

No Goods to  
be taken and  
without Entry.

Deficiencies to  
be ascertained.

Duties to be  
paid upon De-  
ficiencies.

XLIII. And be it further enacted, That it shall be lawful for the Collector and Controller, under such Regulations as they shall see fit, to permit moderate Samples to be taken of any Goods so warehoused, without Entry, and without Payment of Duty, except as the same shall eventually become payable, as a Deficiency of the original Quantity.

Samples may be taken.

XLIV. And be it further enacted, That it shall be lawful for the Collector and Controller, under such Regulations as they shall see fit, to permit the Proprietor or other Persons having Control over any Goods so warehoused to sort, separate, and pack and re-pack any such Goods, and to make such lawful Alterations therein, or Arrangements and Assortments thereof, as may be necessary for the Preservation of such Goods, or in order to the Sale, Shipment, or legal Disposal of the same; and also to permit any Parts of such Goods so appressed to be destroyed, but without Prejudice to the Claim for Duty upon the Whole original Quantity of such Goods: Provided always, that it shall be lawful for any Person to abstract any whole Packages to the Officers of the Customs for the Duties, without being liable to any Duty upon the same.

Goods may be sorted and re-packed.

Duty due on lost Quantity.

Packages may be abstracted for Duty.

XLV. And be it further enacted, That Goods warehoused at any warehousing Port in any of the British Possessions in America, being first duly entered, may be delivered, under the Authority of the proper Officer of the Customs, without Payment of Duty, except for any Deficiency thereof, for the Purpose of Removal to another warehousing Port in the same Possession, under Bond, to the Satisfaction of such Officer, for the due Arrival and re-warehousing of such Goods at such other Port.

Goods warehoused may be delivered for Removal without Payment of Duty.

XLVI. And be it further enacted, That all Goods which have been so warehoused or re-warehoused shall be duly cleared, either for Exportation or for Home Consumption, within Two Years from the Day of first Entry for the warehousing thereof; and if any such Goods be not so cleared, it shall be lawful for the Collector and Controller to cause the same to be sold, and the Produce shall be applied, first to the Payment of the Duties, next of Warehouse Rent and other Charges, and the Overplus (if any) shall be paid to the Proprietor: Provided always, that it shall be lawful for the Collector and Controller to grant further Time for any such Goods to remain warehoused, if they shall see fit so to do.

All Goods to be cleared within Two Years, or more.

Further Time.

XLVII. And be it further enacted, That upon the Entry Outwards of any Goods to be exported from the Warehouse, the Person entering the same shall give Security by Bond in Treble the Duties of Importation on the Quantity of such Goods, with Two sufficient Sureties, to be approved by the Collector or Controller, that the same shall be landed at the Place for which they be entered Outwards, or be otherwise accounted for to the Satisfaction of the Collector and Controller.

Bond on Entry for Exportation.

XLVIII. And be it further enacted, That it shall be lawful for His Majesty, by Order in Council, from Time to Time to appoint any Part in His Majesty's Possessions in America to be a free warehousing Port for all or any of the Purposes of this Act; and every such Port so appointed by His Majesty shall be, for all the Purposes expressed in such Order, a free warehousing Port under this Act, as if appointed by the same.

Power to appoint other Ports.

XLIX. And whereas it is expedient that all Duties and Regulations relating to Importation and Exportation into and from His Majesty's Islands in the West Indies, should be extended to the Island of Mauritius; be it therefore enacted, That all Goods, Wares, and Merchandise, the Growth, Produce, or Manufacture of the Island of Mauritius, and all Goods, Wares, and Merchandise which having been imported into the said Island of Mauritius shall be imported from thence into any Part of the United Kingdom of Great Britain and Ireland, or into any Possessions of His Majesty, His Heirs or Successors, shall be liable, upon such Importation into the United Kingdom or into any such Possessions respectively, to the Payment of the same Duties, and shall be subject to the same Regulations as the like Goods, Wares, and Merchandise being of the Growth, Produce, or Manufacture of His Majesty's Islands in the West Indies, or having been imported into and exported from any of the said Islands, and imported from the same into the said United Kingdom or into any such Possessions respectively, would in such Importation be liable to the Payment of or would be subject unto, and that upon the Exportation of any Goods, Wares, or Merchandise from the United Kingdom to the Island of Mauritius such Goods, Wares, or Merchandise shall be liable to the same Duties and shall be entitled to the like Drawbacks respectively as would or might by Law be charged or allowed upon the like Goods from the United Kingdom to any of His Majesty's Islands in the West Indies; and that all Goods, Wares, and Merchandise which shall be imported into or exported from the said Island of Mauritius from or to any Place whatsoever, other than the United Kingdom of Great Britain and Ireland, shall upon such Importation or Exportation respectively be liable to the Payment of the same Duties, and shall be subject to the same Regulations, so far as any such Regulations can or may be applied, as the like Goods, Wares, and Merchandise, so far as any such Regulations can or may be subject to upon Importation or Exportation into or from any of His Majesty's Islands in the West Indies; and that all Ships and Vessels whatever which shall arrive at or depart from the said Island of Mauritius shall be liable to the Payment of the same Duties and shall be subject to the same Regulations as such Ships or Vessels would be liable to the Payment of or would be subject to if arriving at or departing from any of His Majesty's Islands in the West Indies.

Goods from Mauritius liable to same Duties and Regulations as West India Goods.

L. And be it further enacted, That in all Trade with the British Possessions in America, the Cape of Good Hope, and the Territories and Dependencies thereof, shall be deemed to be within the Limits of the East India Company's Charter.

Cape of Good Hope.

LI. And be it further enacted, That it shall be lawful for any of the Subjects of the King of the Netherlands, being Dutch Proprietors in the Colonies of Demerara and Essequibo and of Berbice, to import as Dutch Ships, from the Netherlands into the said Colonies all the usual Articles of Supply for their Estates therein, and also to import, for the Support of their Families, such other Goods, as they shall see fit, and to export, for the Support of their Families, such other Goods, as they shall see fit, and to import, for the Support of their Families, such other Goods, as they shall see fit, and to export, for the Support of their Families, such other Goods, as they shall see fit.

Dutch Proprietors in Demerara, Essequibo, and Berbice, may import their

Merch from  
Holland.

Dutch Pro-  
prietors not to  
export to U. K.  
or Colonies.

What Persons  
shall be  
deemed Dutch  
Proprietors.

Proprietors of  
Estates.

Holders of  
Mortgages.

Persons not  
wishing to be  
deemed  
Dutch Proprietors  
to sign a  
Declaration to  
that Effect.

No Ship to sail  
from Jamaica  
to West  
India, or from  
Spain, Domingo,  
to Jamaica.

Colonial Law  
opposite to  
any Act of  
Parliament to  
be null and  
void.

As to Exemption  
from  
Duties.

Officers may  
board Ships ho-  
vering on the  
Coast.

inble to a Duty of Ten Shillings per Ton, and no more; and in case Seizure be made of any Articles so imported, upon the Ground that they are not such Supplies, or are for the Purpose of Trade, the Proof to the contrary shall lie on the Dutch Proprietor importing the same, and not on the seizing Officer; Provided always, that if sufficient Security be Bond be given in Court to abide the Decision of the Commissioners of Customs upon such seizure, the Goods so seized shall be admitted to Entry and released.

LII. And be it further enacted, That it shall not be lawful for such Dutch Proprietors to export the Produce of their Estates in the United Kingdom, or to any of His Majesty's Sugar Colonies in America, except under the Conditions hereinafter provided.

LIII. And be it further enacted, That all Subjects of His Majesty the King of the Netherlands resident in His said Majesty's European Dominions who were at the Date of the Signature of the Convention between His late Majesty King George the Third and the King of the Netherlands, dated the Twelfth Day of August One thousand eight hundred and fifteen, Proprietors of Estates in the said Colonies, and all Subjects of His said Majesty who may hereafter become possessed of Estates then belonging to Dutch Proprietors therein, and all such Proprietors as being their resident in the said Colonies, and being Natives of His said Majesty's Dominions in the Netherlands, may have declared, within Three Months after the Publication of the aforesaid Convention in the said Colonies, that they wish to continue to be considered as such, and all Subjects of His said Majesty the King of the Netherlands who may be the Holders of Mortgages of Estates in the said Colonies made prior to the Date of the Convention, and who may under their Mortgage Bonds have the Right of exporting from the said Colonies to the Netherlands the Produce of such Estates, shall be deemed Dutch Proprietors under the Provisions of this Act, provided that whereas both Dutch and British Subjects have Mortgages upon the same Property in the said Colonies, the Produce to be assigned to the different Mortgagees shall be in proportion to the Debts respectively due to them.

LIV. And whereas it is expedient to permit any of such Persons, at their Option, to relinquish such Character of Dutch Proprietors: be it therefore enacted, That if any such Person shall make and sign a Declaration in Writing, attested by Two credible Witnesses, setting forth that he is desirous and has elected not to be deemed to be a Dutch Proprietor within the Meaning of the said Act in respect of any such Estate or Mortgage to be mentioned and named in such Declaration, and shall cause such Declaration to be delivered to the Commissioners of His Majesty's Customs, such Person shall thenceforth be no longer nor again deemed a Dutch Proprietor within the Meaning of the said Act in respect of the Estate or Mortgage so mentioned in such Declaration aforesaid, and such Declaration shall have effect in respect of any Goods the Produce of any such Estate of which such Person so far as relates to those Goods was a Dutch Proprietor, although such Goods may have been exported from the Colony before the delivering of such Declaration as aforesaid.

LV. And be it further enacted, That no British Merchant Ship or Vessel shall visit any Place in the Island of Jamaica in any Place in the Island of Saint Domingo, nor from any Place in the Island of Saint Domingo to any Place in the Island of Jamaica, under the Penalty of the Forfeiture of each Ship or Vessel, together with her Cargo; and that no Foreign Ship or Vessel which shall have come from, or shall in the Course of her Voyage have touched at, any such Place in the Island of Saint Domingo, shall come into any Port or Harbour in the Island of Jamaica; and if any such Ship or Vessel, having come into any such Port or Harbour, shall continue there for Forty-eight Hours after Notice shall have been given by the Officer of the Customs to depart thereon, such Ship or Vessel shall be forfeited; and if any Person shall be landed in the Island of Jamaica from on board any Ship or Vessel which shall have come from or touched at the Island of Saint Domingo, except in case of urgent Necessity, or unless License shall have been given by the Governor of Jamaica to land such Person, such Ship shall be forfeited, together with her Cargo.

LVI. And be it further enacted, That all Laws, Bye Laws, Orders, or Customs at this Time or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of the British Possessions in America, which are in any way repugnant to this Act, or to any Act of Parliament made or hereafter to be made in the United Kingdom, so far as such Act shall relate to and mention the said Possessions, are and shall be null and void to all Intents and Purposes whatsoever.

LVII. Provided always, and be it enacted and declared, That no Exemption from Duty in any of the British Possessions Abroad, contained in any Act of Parliament, does or shall extend to any Duty not imposed by Act of Parliament, unless and so far only as any Duty not so imposed is or shall be expressly mentioned in such Exemption.

LVIII. And be it further enacted, That it shall be lawful for the Officers of Customs to go on board any ship in any Port in any British Possession in America, and to runnages and search all Parts of such Ship for prohibited and uncustomed Goods, and also to go on board any Ship hovering within One League of any of the Coasts thereof, and in either Case freely to stay on board such Ship so long as she shall remain in such Port or within such Distance: and if any such Ship be boarded elsewhere, and shall continue so hovering for the Space of Twenty-four Hours after the Master shall have been required to depart, it shall be lawful for the Officer of the Customs to bring such Ship into Port, and to search and examine her Cargo, and to examine the Master upon Oath touching the Cargo and Voyage; and if there be any Goods on board prohibited to be exported into such Possession, such Ship and her Cargo shall be forfeited; and if the Master shall not truly answer the Questions which shall be demanded of him in such Examination, he shall forfeit the Sum of One hundred Pounds.



LIX. And be it further enacted, That all Vessels, Boats, Carriages, and Cattle made use of in the Removal of any Goods liable to Forfeiture under this Act shall be forfeited, and every Person who shall assist or be otherwise concerned in the unshipping, loading, or Removal, or in the harbouring of such Goods, or into whose Hands or Possession the same shall knowingly come, shall forfeit the Treble Value thereof, or the Penalty of One hundred Pounds, at the Election of the Officers of the Customs; and the Assessor in any Information or Label to be exhibited for the Recovery of such Penalty, that the Officer proceeding has elected to sue for the Sum mentioned in the Information, shall be deemed sufficient Proof of such Election, without any other or further Evidence of such Fact.

LX. And be it further enacted, That all Goods, and all Ships, Vessels, and Boats, and all Carriages, and all Cattle, liable to Forfeiture under the Act, shall and may be seized and secured by any Officer of the Customs or Navy, or by any Person employed for that Purpose by or with the Concurrence of the Commissioners of His Majesty's Customs; and every Person who shall in any way hinder, oppose, molest, or obstruct any Officer of the Customs or Navy, or any Person so employed as aforesaid, in the Exercise of his Office, or any Person acting in his Aid or Assistance, shall for every such Offence forfeit the Sum of Two hundred Pounds.

LXI. And be it further enacted, That, under Authority of a Writ of Assistance granted by the Superior or Supreme Court of Justice or Court of Vice Admiralty having Jurisdiction in the Place (who are hereby authorized and required to grant such Writ of Assistance upon Application made to them for that Purpose by the principal Officers of His Majesty's Customs, it shall be lawful for any Officer of the Customs, acting with him a Peace Officer, to enter any Building or other Place in the Kingdom, and to search for and seize and secure any Goods liable to Forfeiture under this Act, and, in case of Necessity, to break open any Doors and any Chests or other Packages for that Purpose; and such Writ of Assistance, when issued, shall be deemed to be in force during the whole of the Reign in which the same shall have been granted, and for Twelve Months from the Conclusion of such Reign.

LXII. And be it further enacted, That if any Person shall by Force or Violence assault, resist, oppose, molest, hinder, or obstruct any Officer of the Customs or Navy, or other Person employed as aforesaid, in the Exercise of his Office, or any Person acting in his Aid or Assistance, such Person being thereof convicted shall be adjudged a Felon, and shall be proceeded against as such, and punished at the Discretion of the Court before whom such Person shall be tried.

LXIII. And be it further enacted, That all Things which shall be seized as being liable to Forfeiture under the Act, or under any Act made for the Prevention of Smuggling, or relating to the Revenue of the Customs, or to Trade or Navigation, shall be taken forthwith and delivered into the Custody of the Collector and Controller of the Customs at the Custom House next to the Place where the same were seized, who shall secure the same by such Means and in such Manner as shall be provided and directed by the Commissioners of His Majesty's Customs; and after Comprehension thereof the Collector and Controller shall cause the same to be sold by public Auction to the best Bidder: Provided always, that it shall be lawful for the Commissioners of the Customs to direct in what Manner the Produce of such Sale shall be applied, or, in case of such Sale, to direct that any of such Things shall be destroyed, or that they be reserved for the public Service.

LXIV. And be it further enacted, That all Penalties and Forfeitures which may have been heretofore or may be hereafter incurred under this or any other Act relating to the Customs or to Trade or Navigation shall and may be prosecuted, sued for, and recovered in any Court of Record or of Vice Admiralty having Jurisdiction in the Colony or Plantation where the Cause of Prosecution arises, and in Cases where those shall happen to be in such Courts, then in any Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Cause of Prosecution arises: provided that in Cases where a Seizure is made in any other Colony than that where the Forfeiture occurs, such Seizure may be prosecuted in any Court of Record or of Vice Admiralty having Jurisdiction either in the Colony or Plantation where the Forfeiture occurs, or in the Colony or Plantation where the Seizure is made, at the Election of the Seizer or Prosecutor; and in Cases where there shall happen to be no such Courts in either of the last-mentioned Colonies or Plantations, then in the Court of Record or of Vice Admiralty having Jurisdiction in some British Colony or Plantation near to that where the Forfeiture occurs or to that where the Seizure is made, at the Election of the Seizer or Prosecutor.

LXV. And be it further enacted, That if any Goods or any Ship or Vessel shall be seized as forfeited under this Act, or any Act heretofore to be made, and detained in any of the British Possessions or Colonies, it shall be lawful for the Judge or Judges of any Court having Jurisdiction to try and determine such Seizures, with the Consent of the Collector and Controller of the Customs, to order the Delivery thereof on Security by Bond, with Two sufficient Sureties, to be first approved by such Collector and Controller, to answer Double the Value of the same in case of Contumaciousness; and such Bond shall be taken to the Use of His Majesty in the Name of the Collector of the Customs in whose Custody the Goods or the Ship or Vessel may be lodged, and such Bond shall be delivered and kept in the joint Custody of such Collector and his Controller, and in case the Goods or the Ship or Vessel shall be condemned, the Value thereof shall be paid into the Hands of such Collector, who shall thereupon, with the Consent or Privy of his Controller, cancel such Bond.

LXVI. And be it further enacted, That no Suit shall be commenced for the Recovery of any Penalty or Forfeiture under this Act except in the Name of some superior Officer of the Customs or Navy, or other Person employed under this Act, or in the Name of His Majesty's Attorney or Solicitor General, or

Forfeiture of Vessels, Carriages, &c. occurring Goods liable to Forfeiture.

Goods, Vessels, &c. liable to Forfeiture may be seized by Officers.

Writ of Assistance may be issued for and to secure Goods liable to Forfeiture.

Obstruction of Officers by Force.

Goods seized to be secured at the next Custom House, and sold by Auction.

Jurisdiction for Prosecution of Penalties and Forfeitures.

Bail may be given for Goods or Ships seized.

Suits to be commenced in Name of Officers.

Issues of Customs, &c.

for the Place where such Suit shall be commenced; and if a Question shall arise, whether any Person is an Officer of the Customs or Navy, or such other Person as aforesaid, such oral Evidence may be given of such Fact, and shall be deemed legal and sufficient Evidence.

Owner prohibits to be an Party.

LXVII. And be it further enacted, That if any Goods shall be seized for Nonpayment of Duties, or any other Cause of Forfeiture, and any Dispute shall arise whether the Duties have been paid for the same, or the same have been lawfully imported, or lawfully taken or exported, the Proof thereof shall be on the Owner or Claimer of such Goods, and not on the Officer who shall seize and stop the same.

Claims to Things seized to be entered in Name of the Owner.

LXVIII. And be it further enacted, That no Claim to any Thing seized under this Act, and returned into any of His Majesty's Courts for Adjudication, shall be admitted, unless such Claim be entered in the Name of the Owner, with his Residence and Occupation, nor unless Oath to the Property in such Thing be made by the Owner, or by his Attorney or Agent by whom such Claim shall be covered, to the best of his Knowledge and Belief; and every Person making a false Oath thereto shall be deemed guilty of a Misdemeanor, and shall be liable to the Fines and Penalties to which Persons are liable for a Misdemeanor.

No Person allowed to enter Claim for any Thing seized, unless Security first given.

LXIX. And be it further enacted, That no Person shall be admitted to enter a Claim to any Thing seized in pursuance of this Act, and prosecuted in any of the British Possessions in America, until sufficient Security shall have been given in the Court where such Seizure is prosecuted, in a Penalty not exceeding Forty Pounds, to answer and pay the Costs occasioned by such Claim, and in default of giving such Security, such Things shall be adjudged to be forfeited, and shall be condemned.

A Month's Notice of Action to be given in Office.

LXX. And be it further enacted, That no Writ shall be sued out against, nor a Copy of any Process served upon, any Officer of the Customs or Navy, or other Person as aforesaid, for any thing done in the Execution of his Office, until One Calendar Month after Notice in Writing shall have been delivered to him, or left at his usual Place of Abode, by the Attorney or Agent to the Party who intends to sue out such Writ or Process, in which Notice shall be clearly and explicitly contained the Cause of the Action, the Name and Place of Abode of the Person who is to bring such Action, and the Name and Place of Abode of the Attorney or Agent; and no Evidence of the Cause of such Action shall be produced except as aforesaid shall be contained in such Notice; and no Verdict shall be given for the Plaintiff unless he shall prove on the Trial that such Notice was given; and in default of such Proof the Defendant shall receive in such Action a Verdict and Costs.

Actions to be brought within Three Months of the Cause of them.

LXXI. And be it further enacted, That every such Action shall be brought within Three Calendar Months after the Cause thereof, and shall be laid and tried in the Place or District where the Facts were committed; and the Defendant may plead the General Issue and give the special Matter in Evidence; and if the Plaintiff shall become nonsuited, or shall discontinue the Action, or if upon a Verdict of Demurrer Judgment shall be given against the Plaintiff, the Defendant shall receive Treble Costs, and have such Recovery for the same as any Defendant can have in other Cases where Costs are given by Law.

Judge may certify probable Cause of Seizure.

LXXII. And be it further enacted, That in case any Information or Suit shall be brought on Trial on account of any Seizure made under this Act, and a Verdict shall be found for the Claimant thereof, and the Judge or Court before whom the Cause shall have been tried shall certify on the Record that there was probable Cause of Seizure, the Claimant shall not be entitled to any Costs of Suit, nor shall the Person who made such Seizure be liable to any Action, indictment, or other Suit or Prosecution on account of such Seizure; and if any Action, Indictment, or other Suit or Prosecution shall be brought on Trial against any Person on account of such Seizure, where a Verdict shall be given against the Defendant, the Plaintiff, besides the Thing seized, or the Value thereof, shall not be entitled to more than Two-pence Damages, nor to any Costs of Suit, nor shall the Defendant in such Prosecution be fined more than One Shilling.

Officer may tender Amends.

LXXIII. And be it further enacted, That it shall be lawful for such Officer, within One Calendar Month after such Notice, to tender Amends to the Party complainant, or his Agent, and to plead such Tender in Bar to any Action, together with other Pleas; and if the Jury shall find the Amends sufficient, they shall give a Verdict for the Defendant; and in such Case, or in case the Plaintiff shall become nonsuited, or shall discontinue his Action, or Judgment shall be given for the Defendant upon Demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to in case he had pleaded the General Issue only: Provided always, that it shall be lawful for such Defendant, by Leave of the Court where such Action shall be brought, at any Time before Issue joined, to pay Money into Court as in other Actions.

Judge may certify probable Cause of Action.

LXXIV. And be it further enacted, That in any such Action, if the Judge or Court before whom such Action shall be tried shall certify upon the Record that the Defendant or Defendants in such Action acted upon probable Cause, then the Plaintiff in such Action shall not be entitled to more than Two-pence Damages, nor to any Costs of Suit.

Recovery and Application of Penalties.

LXXV. And be it further enacted, That all Penalties and Forfeitures recovered in any of the British Possessions in America under this Act, or under any Act made for the Prevention of Smuggling, or relating to the Revenue of Customs, or to Trade or Navigation, shall be paid into the Hands of the Collector or Controller of the Port or Place in the British Possessions in America where the same shall have been recovered, and shall be divided, paid, and applied as follows, (that is to say) after deducting the Charges of Prosecution from the Proceeds thereof, One Third Part of the net Proceed shall be paid into the Hands of the Collector of His Majesty's Customs at the Port or Place where such Penalties or For-

in-Chief of the said Colony or Plantation, and the other Third Part to the Person who shall seize, inform, and sue for the same; excepting such Seizures as shall be made at Sea by the Commanders or Officers of His Majesty's Ships of War, fully authorized to make Seizures, One Moiety of which Seizures, and of the Penalties and Forfeitures recovered thereon, first deducting the Charges of Prosecution from the gross Produce thereof, shall be paid as aforesaid to the Collector of His Majesty's Customs, to and for the Use of His Majesty, and the other Moiety to him or them who shall seize, inform, and sue for the same, any Law, Custom, or Usage to the contrary notwithstanding: subject nevertheless to such Distribution of the Produce of the Seizures so made at Sea, as well with regard to the Moiety herein-before granted to His Majesty as with regard to the other Moiety given to the Seizer or Prosecutor, as His Majesty shall think fit to order and direct by any Order or Orders of Council, or by any Proclamation or Proclamations to be made for that Purpose.

LXXVI. And be it further enacted, That all Actions or Suits for the Recovery of any of the Penalties or Forfeitures imposed by this Act may be commenced or prosecuted at any Time within Three Years after the Offence committed by reason whereof such Penalty or Forfeiture shall be incurred, any Law, Usage, or Custom to the contrary notwithstanding.

LXXVII. And be it further enacted, That no Appeal shall be prosecuted from any Decree or Sentence of any of His Majesty's Courts in America touching any Penalty or Forfeiture imposed by this Act, or by any Act made for the Prevention of Smuggling, or relating to the Revenue of Customs, or to Trade and Navigation, unless the Inhibition shall be applied for and doctored within Twelve Months from the Time when such Decree or Sentence was pronounced.

LXXVIII. Provided always, and be it further enacted, That in any Case in which Proceedings shall have been or shall hereafter be instituted in any Court of Vice Admiralty or other competent Court in any of His Majesty's Possessions Abroad against any Ship, Vessel, Boat, Goods, or Effects, for the Recovery of any Penalty or Forfeiture under any Act for the Prevention of Smuggling, or relating to the Revenue of Customs, or to the Trade or Navigation of the United Kingdom or of any of His Majesty's Possessions Abroad, the Execution of any Sentence or Decree respecting such Ship, Vessel, Boat, Goods, or Effects to the Crewmen thereof, which shall be pronounced by the said Vice Admiralty Court in which such Proceedings shall have been had, shall not be suspended by reason of any Appeal which shall be prayed and allowed from such Sentence, provided that the Party or Parties appellants shall give sufficient Security, in the approval of by the Court, to render and deliver the Ship, Vessel, Boat, Goods, or Effects concerning which such Sentence or Decree shall be pronounced, or the full Value thereof, to be accretized either by Agreement between the Parties, or in case the said Parties cannot agree, then by Appointment under the Authority of the said Court, to the Appellant or Appellants in case the Sentence or Decree to appealed from shall be reversed, and such Ship, Vessel, Boat, Goods, or Effects be ultimately condemned.

LXXIX. And be it further enacted, That all Persons authorized to make Seizures under an Act passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, shall, in making and prosecuting any such Seizures, have the Benefit of all the Provisions granted to Persons authorized to make Seizures under this Act.

LXXX. And be it further enacted, That all Penalties and Forfeitures created by the said Act passed in the Fifth Year of His late Majesty, whether pecuniary or specific, shall (except in Cases specially provided for by the said Act) go and belong to such Persons as are authorized by that Act to make Seizures, in such Shores, and shall and may be used for and prosecuted, tried, recovered, distributed, and applied in such and the like Manner, and by the same Ways and Means, and subject to the same Rules and Directions, as any Penalties and Forfeitures incurred in Great Britain and in the several Possessions in America respectively now go and belong to, and may be used, prosecuted, tried, recovered, and distributed respectively, in Great Britain or in the said Possessions, under and by virtue of this Act.

LXXXI. And be it further enacted, That it shall be lawful for His Majesty, by and with the Advice and Consent of His Privy Council, by any Order or Orders in Council to be issued from Time to Time, to give such Directions and make such Regulations touching the Trade and Commerce to and from any several Possessions as or in any Part of the Continent of Europe, or within the Mediterranean Sea, or in Africa, or within the Limits of the East India Company's Charter (excepting the Possessions of the said Company), as to His Majesty in Council shall appear most expedient and salutary, any thing in this Act to the contrary notwithstanding; and if any Goods shall be imported or exported in any Manner contrary to any such Order of His Majesty in Council, the same shall be forfeited, together with the Ship importing or exporting the same.

LXXXII. And be it further enacted, That it shall be lawful for the East India Company, during the Continuance of their exclusive Privileges of Trade (a), to trade in and export from any Place within the Limits of their Charter any Goods for the Purpose of being carried to some of His Majesty's Possessions in America, and so to carry and to import the same into any of such Possessions, and also to carry Return Carriage from such Possessions to any Place within the Limits of their Charter, or to the United Kingdom; and that it shall be lawful for any of His Majesty's Subjects, with the License in Writing granted by or under the Authority of the said Company, to trade in and export from any of the Dominions of the Emperor of China any Goods, and to trade in and export from any Place within the Limits of the said Company's Charter any Tea, for the Purpose of being carried to some of His Majesty's Possessions in America, and also so to carry and to import the same into any of such Possessions.

Limitation of Suits.

Limitation of Appeals.

Security to abide an Appeal from Decree of Vice Admiralty Court.

Persons authorized to make Seizures under 24 G. 3. c. 24, to have the Benefit of this Act.

Application of Penalties under 24 G. 3. c. 24.

The King may regulate the Trade of several Colonies.

East India Company may carry Goods from India to Colonies.

Private Persons may trade in China or in Tea, for the Benefit of the Company of the Colonies.

Certificate of  
Production of  
E. India Sugar.

LXXXIII. And be it further enacted, That it shall be lawful for any Person, being the Shipper of any Sugar the Produce of some British Possession within the Limits of the East India Company's Charter, to be exported from any Place in such Possession, to go before the Collector or Controller or other chief Officer of the Customs at such Place, or if there be no such Officer of the Customs, to go before the principal Officer of such Place, or the Judge or Commercial Resident of the District, and make and sign an Affidavit before him that such Sugar was really and lawfully the Produce of such British Possession, to the best of his Knowledge and Belief; and such Officer, Judge, or Resident is hereby authorized and required to administer such Affidavit, and to grant a Certificate thereof, setting forth in such Certificate the Name of the Ship in which the Sugar is to be exported, and the Destination of the same.

Ships built  
prior to 14th  
January 1834  
owned British  
ships within  
certain Limits.

LXXXIV. And be it further enacted, That all Ships built at any Place within the Limits of the East India Company's Charter prior to the First Day of January One thousand eight hundred and sixteen, and which then were and have continued ever since to be solely the Property of His Majesty's Subjects, shall be deemed to be British Ships for all the Purposes of Trade within the said Limits, including the Cape of Good Hope, any thing in this Act, or in any other Act or Acts passed in the present Session of Parliament, to the contrary notwithstanding.

Certificate of  
Production of  
Cape Wine.

LXXXV. And be it further enacted, That it shall be lawful for the Shipper of any Wine the Produce of the Cape of Good Hope or of its Dependencies, which is to be exported from thence to go before the chief Officer of the Customs, and make and sign an Affidavit before him that such Wine was really and lawfully the Produce of the Cape of Good Hope or of its Dependencies; and such Officer is hereby authorized and required to administer such Affidavit, and to grant a Certificate thereof, setting forth in such Certificate the Name of the Ship in which the Wine is to be exported, and the Destination of the same.

Certificate of  
Production of  
Goods in  
Garnsey, &c.

LXXXVI. And be it further enacted, That it shall be lawful for any Person who is about to export from any of the Islands of Guernsey, Jersey, Alderney, or Sark to the United Kingdom, or to any of the British Possessions in America, any Goods of the Growth or Produce of any of those Islands, or any Goods manufactured from Materials which were the Growth or Produce thereof, or of the United Kingdom, to go before any Magistrate of the Island from which the Goods are to be exported, and make and sign before him a Declaration that such Goods, describing the same, are of such Growth or Produce, or of such Manufacture, and such Magistrate shall administer and sign such Declaration; and thereupon the Governor, Lieutenant Governor, or Commander-in-Chief of the Island from which the Goods are to be exported shall, upon the Delivery to him of such Declaration, grant a Certificate under his Hand of the Proof contained in such Declaration, stating the Ship or Vessel and the Port to which, in the United Kingdom or in any such Possession, the Goods are to be exported, and such Certificate shall be the proper Document to be produced at such Ports respectively in proof that the Goods mentioned therein are of the Growth, Produce, or Manufacture of such Islands respectively.

Tea may not  
be imported  
into Guernsey,  
&c. except from  
United Kingdom.

LXXXVII. And be it further enacted, That during the Continuance of the exclusive Right of Trade now enjoyed by the East India Company it shall not be lawful to import into any of the Islands of Guernsey, Jersey, Alderney, or Sark, any Tea, except from the United Kingdom, and if any Tea shall be brought into any of such Islands from any other Place than from the United Kingdom, or not having been duly entered and cleared in the United Kingdom to be exported to such Island, the same shall be forfeited.

Guernsey, &c.  
Tonnage of  
Ships and Boats  
at Port for  
Spirits.

LXXXVIII. And be it further enacted, That no Brandy, Geneva, or other Spirits (except Rum of the British Possessions) shall be imported into or exported from the Islands of Jersey, Guernsey, Alderney, or Sark, or either of them, or removed from any one to any other of the said Islands, or otherwise from any one Part to any other Part of either of the said Islands, or shall be shipped in order to be so removed or carried, or shall be waterborne for the Purpose of being so shipped at any Ship, Vessel, or Boat of less Burthen than One hundred Tons (except when imported from the United Kingdom on Ships of the Burthen of Seventy Tons at least), nor in any Cask or Package of less Size or Content than Forty Gallons, (except when in Bottles, and carried in a Square-rigged Ship,) nor any Tobacco or Snuff in any Ship, Vessel, or Boat of less Burthen than One hundred Tons (except when imported from the United Kingdom in Ships of the Burthen of Seventy Tons at least), nor in any Cask or Package containing less than Four hundred and fifty Pounds Weight, save and except any such Spirits or loose Tobacco as shall be for the Use of the Seamen belonging to and on board any such Ship, Vessel, or Boat, not exceeding Two Gallons of the former, and Five Pounds Weight of the latter, for each Seaman, and also except such manufactured Tobacco or Snuff as shall have been duly exported as Manufactures from Great Britain or Ireland, or paid of Duties of all such Foreign Brandy, Geneva, or other Spirits, Tobacco, or Snuff respectively, together with the Casks or Packages containing the same, and also of every such Ship, Vessel, or Boat, together with all the Guns, Pistols, and Ammunition, Tackle and Apparel thereof.

Not to exceed  
in Tonnage of  
Ten Tons  
excepting  
Boats of Sark,  
having Licences  
as to do.

LXXXIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to subject to Duties or Senses, under any of the Provisions of this Act, any Boat not exceeding the Burthen of Ten Tons for having on board at any one Time any Foreign Spirits of the Quantity of Ten Gallons or under, in Casks or Packages of less Size or Content than Forty Gallons, or any Tobacco, Snuff, or Tea, not exceeding Fifty Pounds Weight of each, for the Supply of the said Island of Sark, such Boat having a Licence from the proper Officer of Customs at either of the Islands of Guernsey or Jersey for the Purpose of being employed in carrying Commodities for the Supply of the said Island of Sark, which Licence such Officer of Customs is hereby required to grant without taking any Fee or Reward for the same: Provided always, that every such Boat having on board at any one

Time any greater Quantity of Spirits than Ten Gallons, or any greater Quantity of Tobacco or Snuff than

Fifty Pounds Weight of each of the said Articles, unless such greater Quantity of Spirits, Tobacco, or Snuff shall be in Casks or Packages of the Size, Content, or Weight herein-before required, or having on board at any one Time any greater Quantity of Tea than Fifty Pounds Weight, shall be forfeited.

XC. And be it further enacted, That every Person who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture under any Act relating to the Revenue of Customs, for being found within One League of the Islands of Guernsey, Jersey, Alderney, or Sark, having on board or in any Manner attached or affixed thereto, or conveying or having conveyed, in any Manner, such Goods or other Things as subject such Vessel or Boat to Forfeiture, or who shall be found or discovered to have been on board any Vessel or Boat from which any Part of the Cargo shall have been thrown overboard during Chase, or seized or destroyed, shall forfeit the Sum of One hundred Pounds.

XCI. And be it further enacted, That it shall not be lawful for any Person to re-export from any of His Majesty's Possessions Abroad to any Foreign Place any Coals the Produce of the United Kingdom, except upon Payment of the Duty to which such Coals would be liable upon Exportation from the United Kingdom to such Foreign Place; and that no such Coals shall be shipped at any of such Possessions, to be exported to any British Place, until the Repurser or the Master of the exporting Vessel shall have given Bond, with One sufficient Surety, to Double the Value of the Coals, that such Coals shall not be landed at any Foreign Place.

XCI. And be it further enacted, That if any Person shall, in any of His Majesty's Possessions Abroad, counterfeit or falsify, or wilfully use when counterfeited or falsified, any Letter, Warrant, Cuckoo, Transcript, or other Document for the raising, issuing, entering, returning, or clearing any Ship or Vessel, or for the landing, shipping, or removing of any Goods, Stores, Baggage, or Articles whatsoever, or shall by any false Statement procure any Writing or Document to be made for any such Purpose, or shall falsely make any Oath or Affirmation required by any Act for regulating the Trade of the British Possessions Abroad, or shall forge or counterfeit a Certificate of the said Oath or Affirmation, or shall publish such Certificate knowing the same to be so forged or counterfeited, every Person so offending shall for every such Offence forfeit the Sum of Two hundred Pounds; and such Penalty shall and may be prosecuted, and for, and recovered in like Manner and by such Ways and Means as any Penalty may be prosecuted, and for, and recovered under the Provisions and Directions of the said last-mentioned Act.

XCI. And be it further enacted, That this Act may be altered, varied, or repealed by any Act to be passed in the present Session of Parliament.

## CAP. LX.

An Act for regulating the Trade of the *Isle of Man*.

[10th August 1833.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for regulating the Trade of the Isle of Man*, whereby the Laws of Customs, in relation to the Trade of the *Isle of Man*, were consolidated and amended: And whereas since the passing of the said Act divers Acts for the further Amendment of the Law have been found necessary; and it will be of advantage to the Trade and Commerce of the Country that the said Acts should be consolidated into One Act; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence upon the first Day of September One thousand eight hundred and thirty-three, except where any other Commencement is herein particularly directed.

II. And be it further enacted, That there shall be raised, levied, collected, and paid unto His Majesty, His Heirs and Successors, the several Duties of Customs as the same are respectively set forth in Figures in the Table herein-after contained, denominated "Table of Duties," upon Importation into the *Isle of Man* of the several Goods, Wares and Merchandises, according to the Quantity or Value thereof specified in such Table, and so in proportion for any greater or less Quantity or Value of the same; (that is to say.)

## TABLE OF DUTIES.

A TABLE of the DUTIES of CUSTOMS payable on Goods, Wares, and Merchandises imported into the *Isle of Man*.

|   | £ | s.                                   | d.     |
|---|---|--------------------------------------|--------|
| Coals from the United Kingdom   |   |                                      | Free.  |
| Coffee, the Duties of Consumption in the United Kingdom not having been then paid |   |                                      |        |
| thereon   |   | the lb.                              | 0 0 4  |
| thereon   |   | the Cwt.                             | 0 0 1  |
| Hemp  |   | the lb.                              | 0 0 1  |
| Hops, from the United Kingdom   |   | the lb.                              | 0 0 1  |
| Wine, from Foreign Ports  |   | for every 100l. of the Value thereof | 10 0 0 |
| Spirits; rectified,   |   |                                      |        |
| Foreign Spirits   |   | the Gallon                           | 0 4 6  |
| Rum of the British Possessions, not exceeding the Strength of Proof by Shew's     |   |                                      |        |
| Hydrogenator, and so in proportion for any greater Strength                       |   | the Gallon                           | 0 2 0  |

Printed and Published by the Printers of the Admiralty and the Admiralty Office, Whitehall.

Penalty on Persons found on board Vessels liable to Forfeiture under One League of Guernsey, &c.

British Coals not to be re-exported from British Possessions, &c. without Duty.

Penalty for using Documents counterfeited or falsified.

Act may be altered this Session.

2 G. 4. c. 112.

Commencement of Act.

Duties specified in Table payable on the Importation of Goods, only the *Isle of Man*.

|   |                                       | ℥  | s  | d. |
|---|---------------------------------------|----|----|----|
| Sugar, Muscovado  | - the Cwt.                            | 0  | 1  | 0  |
| Tea, <i>indico</i> ,  |                                       |    |    |    |
| — <i>Bela</i>   | - the lb.                             | 0  | 0  | 6  |
| — <i>Green</i>  | - the lb.                             | 0  | 1  | 0  |
| Tobacco   | - the lb.                             | 0  | 1  | 6  |
| Wine, <i>indico</i> ,   |                                       |    |    |    |
| — <i>French</i>   | - the Tun of 252 Gallons              | 10 | 0  | 0  |
| — any other Sort  | - the Tun of 252 Gallons              | 12 | 0  | 0  |
| Wood from Foreign Parts; <i>valicid</i> ,   |                                       |    |    |    |
| — <i>Deal Boards</i>  | - for every 100℥ of the Value thereof | 10 | 0  | 0  |
| — <i>Timber</i>   | - for every 100℥ of the Value thereof | 10 | 0  | 0  |
| Goods, Wares, and Merchandize imported from the United Kingdom, and entitled to any Bounty or Drawback of Excise on Exportation from thence, and not heretofore enumerated or charged with Duty | - for every 100℥ of the Value thereof | 5  | 0  | 0  |
| Goods, Wares, and Merchandize imported from the United Kingdom, and not heretofore charged with Duty  | - for every 100℥ of the Value thereof | 2  | 10 | 0  |
| Goods, Wares, or Merchandize imported from any Place from whence such Goods may be lawfully imported into the Isle of Man, and not heretofore charged with Duty                                 | - for every 100℥ of the Value thereof | 15 | 0  | 0  |

## Exemptions

Except the several Goods, Wares, and Merchandize following, and which are to be imported into the Isle of Man Duty-free; (that is to say,)

## Certain Goods on any Ship from any Place.

Flax, Flat Seed, Ray or Brown Linen Yarn, Wood Ashes, Wood Char, Pitch of all Sorts; also Corn, Grain, or Meal of all Sorts, when importable; any of which Goods, Wares, or Merchandize may be imported into the said Isle from any Place in any Ship or Vessel.

## British Goods in British Ships from United Kingdom.

Any Sort of White or Brown Linen Cloth, Hemp, Hemp Seed, Horses, Black Cattle, Sheep, all Domestic and Instruments fit and necessary to be employed in Manufactures, in Fisheries, or in Agriculture, Bricks, Tiles, all Sorts of young Trees, Sea Shells, Lanes, Seapens Waste, Parkwood, small Cordage for Nets, Salt, Boards, Tirdies, Wood Hoops, being the Growth, Production, or Manufacture of the United Kingdom, and imported from thence in British Ships.

## British Colonial Goods in British Ships from United Kingdom.

Iron in Rods or Bars, Cast-iron, Indigo, Naval Stores, and any Sort of Wood commonly called Lumber, (including Deals of all Sorts; Timber, Barks of all Sizes, Barrel Boards, Clap Boards, Pipe Boards, or Pipe Bauld, White Boards for Shoemakers, Broom and Coat Spars, Bow Staves, Caperon, Clap Bauld, Ebony Wood, Headings for Pipes and for Hoopheads and for Barrels, Hoops for Coopers, Daws, Pipe and Hoophead Staves, Barrel Staves, Pitin Staves, Trunnets, Spicified Wood, Sweet Wood, small Spars, Oak Plank, and Waincot), being of the Growth, Production, or Manufacture of any British Colony or Plantation in America or the West Indies, and imported from the United Kingdom in British Ships.

## British Goods from United Kingdom to appear upon the Coast.

III. And be it further enacted, That no Goods shall be entered in the Isle of Man as being the Growth, Produce, or Manufacture of the United Kingdom, or as being imported from thence, except such Goods as shall appear upon the Casket or Cocks of the Ship or Vessel importing the same to have been duly cleared at some Port in the United Kingdom, so to be exported to the said Isle.

## Goods enumerated in the following Schedule importable only under License.

IV. And be it further enacted, That the several Sorts of Goods enumerated or described in the Schedule herein-after contained, denominated "Schedule of License Goods," shall not be imported into the Isle of Man, nor exported from any Place to be carried to the Isle of Man, without the License of the Commissioners of Customs first obtained, nor in greater Quantities in the whole, in any one Year, than the respective Quantities of such Goods specified in the said Schedule; and that such Goods shall not be so exported nor so imported, except from the respective Places set forth in the said Schedule, and according to the Rules and Orders therein; (that is to say,)

## SCHEDULE OF LICENSE GOODS.

|  |   |                           |
|--|---|---------------------------|
| Wine   | - | One hundred and ten Tuns. |
| Spirits; <i>indico</i> ,   |   |                           |
| — Foreign Brandy   | - | Two thousand Gallons.     |
| — Foreign Gin  | - | Ten thousand Gallons.     |
| From the United Kingdom, or from any Place from which the same might be imported into the United Kingdom, for Consumption therein. |   |                           |
| — Rum, of the British Plantations,   | - | Sixty thousand Gallons.   |
| From Great Britain.  |   |                           |
| Bela Tea   | - | Seventy thousand Pounds.  |
| Green Tea  | - | Five thousand Pounds.     |
| Coffee (unless the Duties of Consumption in the United Kingdom shall have been first paid thereon)                                 | - | Eight thousand Pounds.    |

|   |                               |
|---|-------------------------------|
| Tobacco                                       | Sixty thousand Pounds.        |
| Manufacture Sugar, of the British Possessions | Two thousand Hundred Weight.  |
| Playing Cards                                 | Four thousand Packs.          |
| From England.                                 |                               |
| Refined Sugar                                 | Eight hundred Hundred Weight. |
| From the Port of Liverpool.                   |                               |

And such additional Quantities of any of such several Sorts of Goods as the Commissioners of His Majesty's Treasury shall from Time to Time, under any special Circumstances of Necessity, direct, from such Ports respectively;

Subject to the Rules following; (that is to say,)

(1.) All such Goods to be imported into the Port of Douglas, and by His Majesty's Subjects, and in British Ships or Vessels of the Burthen of Fifty Tons or upwards:

(2.) Such Tobacco to be shipped only in Ports in England where Tobacco is allowed to be imported and warehoused without Payment of Duty:

(3.) Such Wine to be so imported only in Casks or Packages containing not less than a Hogshead each, or in Cases containing not less than Three Dozen repeated Quart Bottles or Six Dozen repeated Pint Bottles each:

(4.) Such Brandy and Geneva to be imported only in Casks containing One hundred Gallons each, at least:

(5.) Such Brandy and Geneva not to be of greater or higher Degree of Strength than that of One to Nine over Hydrometer Proof:

(6.) Such Goods, when exported from Great Britain, may be so exported from the Warehouse in which they may have been received without Payment of Duty:

(7.) If the Duties of Importation have been paid in the United Kingdom on such Goods, a full Drawback of such Duties shall be allowed on the Exportation:

(8.) Upon the Exportation from Liverpool of such refined Sugar, the same Bounty shall be allowed as could be allowable on Exportation to Foreign Parts:

(9.) Upon Exportation from the United Kingdom of any such Goods from the Warehouse, or for Drawback, or for Bounty, as much of the Form of the Bond, or of the Declaration, or of any other Document, required in the Case of Exportation of such Goods generally to Foreign Parts, as is intended to prevent the landing of the same in the Isle of Man, shall be omitted:

(10.) No Drawback or Bounty to be allowed, nor Export Bond executed, until a Certificate of the due landing of the Goods at the Port of Douglas be produced from the Collector and Controller of the Customs at that Port:

(11.) If any Goods be laden at any Foreign Port or Place, the Species and Quantity of such Goods, with the Marks, Numbers, and Designations of the Casks or Packages containing the same, shall be entered on the License, and signed by the British Consul at the Port of lading, or if there be no British Consul, by Two known British Merchants:

(12.) Upon Importation into the Port of Douglas of any such Goods, the License for the same shall be delivered up to the Collector or Controller of that Port.

V. And he it further enacted, That every Application for License to import any of the Goods aforesaid into the Isle of Man shall be made in Writing, and delivered, between the Fifth Day of May and the Fifth Day of July in each Year, to the Collector or Controller of the Port of Douglas in the said Isle, and such Application shall specify the Date thereof, and the Name, Residence, and Occupation of the Person applying, and the Description and Quantity of each Article for which such License is required, and of each Application with such Particulars shall be entered in a Book to be kept at the Custom House at the Port of Douglas, and to be there open for public Inspection during the Hours of Business; and on the Fifth Day of July in each Year such Book shall be closed; and within Fourteen Days thereafter the Collector and Controller shall make out and sign a true Copy of such Entries, specifying the Applicants resident and the Applicants not resident in the said Isle, and deliver or transmit such Copy to the Governor or Lieutenant Governor of the said Isle for the Time being.

VI. And he it further enacted, That within Fourteen Days after the Receipt of such Copy the Governor or Lieutenant Governor of the said Isle shall affix the whole Quantity of such Article, in the said place, among the Applicants resident in the said Island; in case the whole Quantity of any Article shall not have been applied for by Residents, then shall affix the Quantity not so applied for among the non-resident Applicants, in such Proportions in all Cases as he shall judge most fair and equitable; and shall cause a Report thereon to be drawn up in Writing, and sign and transmit the same to the Lords Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland, and shall cause a Duplicate of such Report or signed to be transmitted to the Commissioners of Customs.

VII. And he it further enacted, That upon the Receipt of such Duplicate Report the Commissioners of Customs shall grant Licenses, to continue in force for any Period until the Fifth Day of July, then next ensuing, for the Importation into the Isle of Man of the Quantities of such Goods as are allowed by Law to be so imported, with their License, according to the Allowments in such Report, and dividing the whole Parties allotted to any one Applicant into several Licenses, as they shall be desired and required; and such Licenses shall be directed to the said Collector and Controller of Customs, and

Subject to certain Rules, Ports and Ships.

Tobacco.

Wine.

Spirits.

Strength of Spirits.

Warehouses Goods.

Drawbacks.

Sugar Bounty.

Export Bond in United Kingdom made applicable.

Certificate of Landing.

Goods laden in Foreign Ports.

License to be delivered up.

Application for License to be delivered to the Collector or Controller of Douglas, between 5th May and 5th July.

Account to be delivered to the Governor.

Quantity to be Quantified.

and report to Treasury and transmit statement of Customs.

Commissioners of Customs to grant Licenses according to copies of Certificates.

to be by them delivered to the different Applicants, after taking Bond for the same under the Provisions of this Act.

Before Delivery of Licences, Bond to be given.

VIII. And be it further enacted, That previous to the Delivery of any such Licences to the Persons to whom they are granted, the Collector and Controller of Douglas shall take the Bond of such Persons to His Majesty, His Heirs and Successors, with sufficient Security, for the Imporation of the Articles for which the said Licences are respectively granted on or before the Fifth Day of July succeeding the Delivery of such Licences, with such Conditions, and for the Forfeiture of such Bount, not exceeding the whole Amount of Duties payable in Great Britain on Articles similar to those specified in such Licences, as the Commissioners of Customs shall think fit: Provided always, that if any Person to whom such Licence shall be granted shall not have given such Bond prior to the Fifth Day of January next after the granting such Licence, it shall be lawful for the Governor or Lieutenant Governor of the said Isle, if he shall see fit, to transfer any such Licence to any other Person who shall be desirous to take up the same, and willing and able to give such Bond, and such Transfer shall be ratified by Indorsement on the Licence signed by such Governor or Lieutenant Governor.

Licence not to be transferred by Governor.

Cautioning or falsifying Licences, Penalty 1000.

IX. And be it further enacted, That if any Person or Persons shall counterfeits or falsify any Licence or other Document required for the Importation into the Isle of Man of any Goods which would otherwise be prohibited to be imported into the said Isle, or shall knowingly or wilfully make use of any such Licence or other Document so counterfeited or falsified, such Person or Persons shall for every such Offence forfeit the Sum of Five hundred Pounds.

Licence Goods not to be re-exported, unless in Vessels of 20 Tons.

X. And be it further enacted, That it shall not be lawful to re-export from the Isle of Man any Goods which have been imported into the said Isle with Licence of the Commissioners of Customs as aforesaid; and that it shall not be lawful to carry any such Goods Containeur from one Part of the said Isle to another, except in Vessels of Fifty Tons Burthen at the least, and in the same Packages in which such Goods were imported into the said Isle, and that it shall not be lawful to remove any Wine from one Part of the said Isle to another, by and except in such Packages or in Bottles.

Wine re-exported, &c. Foreign Goods not to be re-exported to U. Kingdom.

XI. And be it further enacted, That it shall not be lawful to export from the Isle of Man to any Part of the United Kingdom any Goods which are of the Growth, Produce, or Manufacture of any Foreign Country.

Goods imported or exported, &c. contrary to Law, forfeited.

XII. And be it further enacted, That if any Goods shall be imported into or exported from the Isle of Man, or carried Containeur from one Part of the said Isle to another Part of the same, or shall be warehoused, or brought to any Wharf or other Place with Intent to be warehoused, or to be carried, or shall be removed by Land within the said Isle, contrary to any of the Directions or Provisions of this Act, the same and the Packages containing the same shall be forfeited, together with all Stays, Yarns, or Hoops, and all Carts and Carriages used or employed therein; and every Person offending therein shall forfeit for every such Offence the Sum of One hundred Pounds, or the full Amount of all Duties which would be payable in respect of such or similar Goods for Home Consumption of the same in the United Kingdom, at the Election of the Commissioners of Customs.

Penalty

Goods prohibited in the Importation into the Isle of Man.

XIII. And be it further enacted, That the several Sorts of Goods enumerated or described in the Schedule hereinafter contained, denominated "Schedule of Prohibitions," shall not be imported into the Isle of Man; (that is to say,)

#### SCHEDULE OF PROHIBITIONS.

Goods, the Produce or Manufacture of Places within the Limits of the United East India Company's Charter, except from the United Kingdom:

Cotton Yarn, Cotton Cloth, Linen Cloth, Glass Manufactures, Woolen Manufactures, unless *bona fide* made in and imported directly from the United Kingdom:

Spirits of greater Strength than One to Nine over Hydrometer Proof, except Spirits the Produce of the British Possessions in America, or of the Cape of Good Hope:

*British* distilled Spirits:

All Goods prohibited to be imported into the United Kingdom to be used or consumed therein, on account of the Sort or Description of the same.

Limiting the Quantity of Spirits, Tea, and Tobacco for the Use of Seamen.

XIV. And whereas it is expedient that the Quantities of Spirits, and Tobacco, and Tea, allowed to be exported in decked Vessels or open Boats respectively, hoard from the Isle of Man to Great Britain or Ireland, for the Use of the Seamen then belonging to and on board such decked Vessels or open Boats, should be limited, be it therefore enacted, That if any decked Vessel, bound from the Isle of Man to any Part of Great Britain or Ireland, shall have on board for the Use of the Seamen any Spirit exceeding the Quantity of Half a Gallon for each Seaman, or any Tobacco exceeding One Pound Weight for each Seaman, or any Tea exceeding Two Pounds Weight for the whole of the Seamen on board such Vessel, or if any open Boat bound from the Isle of Man to any Part of Great Britain or Ireland, shall have on board for the Use of the Seamen any Spirit exceeding One Quart for each Seaman, or any Tobacco exceeding One Half of a Pound Weight for each Seaman, or any Tea exceeding One Pound Weight for the whole of the Seamen on board such Boat, all such Foreign Spirits, Tobacco, and Tea respectively, together with the Casks or Packages containing the same, and also every such Vessel or Boat together with all the Guns, Furniture, Ammunition, Tackle, and Apparel thereof, shall be forfeited.

In decked Vessels; In open Boats.

Certificates for Goods the Produce of the Isle of Man.

XV. And be it further enacted, That before any Goods shall be shipped in the Isle of Man for Exportation to the United Kingdom, or being the Produce or Manufacture of that Island, Proof shall be made by the said Collector and Controller of Douglas, or some other Person named in the Regulations of the Collector and



Controller of the Customs at the Port of Shipment, that such Goods, describing and identifying the same, are the Produce or the Manufacture, as the Case may be, of the said Island, and in such Declaration shall be stated the Name of the Person by whom such Goods are intended to be entered and shipped; and such Person at the Time of Entry (not being more than One Month after the Date of such Declaration) shall make and subscribe a Declaration before such Collector or Controller that the Goods to be shipped in virtue of the Entry are the same as are mentioned in such Declaration; and thereupon the Collector and Controller shall, on Demand, give to the Master of the Ship in which the Goods are to be exported a Certificate of such Proof of Produce or of Manufacture having been made in respect of such Goods, describing the same, and setting forth the Name of the Exporter and of the exporting Ship, and of the Master thereof, and the Destination of the Goods; and such Certificate shall be received at the Port of Importation in the United Kingdom instead of the Certificate of the Governor, Lieutenant Governor, or Commander-in-Chief of the said Island heretofore required.

XVI. And be it further enacted, That the Duties of Customs shall be raised, levied, collected, paid, recovered, and accounted for under the Authority and Direction and under the Management and Control of the Commissioners of His Majesty's Customs, and, except the necessary Charges of raising, collecting, levying, recovering, and accounting for the same, the said Rates and Duties shall from Time to Time (subject to the Deductions herein-after mentioned) be brought and paid into the Receipts of His Majesty's Exchequer, distinctly and apart from all other Branches of the Public Revenue, and shall go to and make Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided always, that any of the Collectors of Customs of the said Isle shall and he and they it and he lawfully authorized and required, agreeably to such Directions as shall from Time to Time be given for that Purpose by the Commissioners of His Majesty's Customs, to retain such Sums or Sums of Money in his or their Hands as may be sufficient to defray the necessary Expenses attending the Government of the said Isle of Man, and the Administration of Justice there, and other Charges incurred in the said Isle, which have heretofore been or may hereafter be deemed fit and proper Charges to be deducted from and paid out of the Duties of Customs collected in the said Isle of Man; and upon the Amount of the said Expenses and Charges being ascertained, the said Commissioners are lawfully authorized to direct the same to be paid out of the said Moneys so retained to such Person or Persons as may be needed to receive the same.

XVII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A P. LXL

An Act to admit Sugar without Payment of Duty to be refined for Exportation.

[20th August 1833.]

WHEREAS it is expedient to admit Sugar without Payment of Duty to be refined for Exportation, under the Lock of the Crown; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the Application to the Commissioners of His Majesty's Customs of any Person actually carrying on the Business of a Sugar Refiner in the Ports of London, Liverpool, Bristol, Hull, Greenwich, or Glasgow, or any other Port to be approved of by any Three of the Lords Commissioners of His Majesty's Treasury, it shall be lawful for the Commissioners of His Majesty's Customs, by their Order, to approve of such Person as Bonded Sugar Houses for the refining of Sugar for Exportation only, on it being made appear to the Satisfaction of the said Commissioners that the said Premises are fit in every respect for receiving such Sugars, and wherein the same may be safely deposited.

II. And be it further enacted, That on the Approval of any Premises as Bonded Sugar Houses as aforesaid, it shall be lawful for the Officers of the Customs at the Ports respectively where such Premises are situated to deliver, without Payment of Duty, to the Party or Parties so applying as aforesaid, on Entry with the proper Officer of Customs, any Quantity of Foreign Sugar, or of Sugar the Produce of any British Possession, for the Purpose of being there refined, under the Lock of the Crown, for Exportation only; and that all Sugars so delivered shall be lodged and secured in such Premises, under such Conditions, Regulations, and Restrictions as the said Commissioners shall from Time to Time direct: Provided always, that it shall be lawful for the said Commissioners by their Order to revoke or alter any former Order of Approval of any such Premises.

III. And be it further enacted, That upon the Entry of Sugar to be refined in any Premises approved of under the Authority of this Act, the Refiner on whose Premises the same is to be refined shall give Bond, to the Satisfaction of the Officers of the Customs, in the Penalty of Double the Amount of the Duty payable upon a like Quantity of Sugar of the British Plantations, with a Condition that the whole of such Sugar shall be actually subjected to the Process of Refinement upon the said Premises, and that within Four Months from the Date of such Bond the whole of the Refined Sugar and Treacle produced by such Process shall be either duly exported from the said Premises, or delivered into an approved Bonded Warehouse, under the Lock of the Crown, for the Purpose of being eventually exported to Foreign Parts.

Management of Duties.

Duties to be paid into the Exchequer.

Part of Duties may be retained for Expenses of the Government.

Act may be altered this Session.

Commissioners of His Majesty's Customs may approve of Premises for Bonded Sugar Houses.

Officers empowered to deliver Foreign Sugar Duty-free, to be there refined for Exportation.

Bond to be given.

## C A P. LXII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Sergeants, Assistant Sergeants, Sergeants Mates, and Sergeant Majors of the Militia, until the First Day of July One thousand eight hundred and thirty-four. [25th August 1833.]

[This Act is the same, except as to Dates and the Sections here inserted, as 24:2 W. 4. c. 70.]

Subalterns,  
Mates, &c. to  
attend 150: 150: 150:  
Army, &c.

XII. AND be it further enacted, That every Paymaster, Surgeon, Quartermaster, on the reduced Allowance, and every Subaltern Officer, Sergeant's Mate, and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled to any Allowance as aforesaid, shall regularly attend the Exercise and Training of the Regiment, Battalion, or Corps to which he belongs during the whole of the Time it shall be ascribed for that Purpose, and shall during the said Time punctually do and perform his Duty as a Paymaster, Surgeon, Quartermaster, Subaltern Officer, Sergeant's Mate, or Assistant Surgeon of such Regiment, Battalion, or Corps, on pain of forfeiting the said Allowance, as well as all Arrears of the said Allowance and of Pay; and a Certificate of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, or Corps to which he may belong, shall be transmitted to the Paymaster General by the Officer claiming the Allowance: Provided always, that in case any such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Sergeant's Mate, or Assistant Surgeon, claiming to be entitled to such Allowance, shall by his Commanding Officer be permitted or suffered, in any special Cause or unavoidable Necessity, to be absent during the Whole or any Part of such Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Sergeant's Mate, or Assistant Surgeon, who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowance and every Part thereof in like Manner as if he had attended during the whole of the said Exercise; provided always, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in a Certificate (in lieu of that before mentioned), to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster General.

Commanding  
Officer may  
grant Leave of  
Absence

Pay, &c. to be  
received under  
Direction of  
the Secretary  
at War

XXIX. And be it further enacted, That all Sums of Money granted for the Pay, Clothing, contingent and other Expenses, and for the Allowance to the Officers and Men of the Regular and Local Militia when disembodied, shall be issued and paid, under the Direction of the Secretary at War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

## C A P. LXIII.

An Act to render valid Indentures of Apprenticeship allowed only by Two Justices acting for the County in which the Parish from which such Apprentices shall be bound, and for the County in which the Parish into which such Apprentices shall be bound; and also for remedying defective Executions of Indentures by Corporations. [25th August 1833.]

WHEREAS by an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act to regulate the binding of Parish Apprentices*, it is amongst other things enacted, that in all Cases where the Residence or Establishment of Business of the Person or Persons to whom any Child shall be bound shall be within a different County or Jurisdiction of the Peace from that within which the Place by the Officers whereof such Child shall be bound shall be situated, and in all other Cases where the Justices of the Peace for the District or Place within which the Place by the Officers whereof such Child shall be bound shall be situated, and who shall give the Allowance of the Indenture by which such Child shall be bound, shall not have Jurisdiction, except Indentures by which such Child shall be bound, at any Time after the First Day of October therein mentioned, shall be allowed, as well by Two Justices of the Peace for the County or District within which the Place by the Officers of which such Child shall be bound shall be situated, as by Two Justices of the Peace for the County or District within which the Place shall be situated wherein such Child shall be intended to serve: Provided always, that no Indenture shall be allowed by any Justice of the Peace for the County into which such Child shall be bound, who shall be engaged in the same Business, Employment, or Manufacture in which the Person to whom such Child shall be bound is engaged; and Statute shall be given to the Overseers of the Poor of the Parish or Place in which such Child shall be intended to serve as Apprenticeship, before any Assize of the Peace for the County or District within which such Parish or Place shall be shall allow such Indenture, and such Notice shall be given before such Justice shall sign such Indenture, unless one of such Overseers shall attend such Justice and admit such Statute: And whereas, in many Instances, Petty Sessions are held weekly in Market Towns near adjoining the Borders of the County in which such Market Towns are situated, and the Justices holding such Petty Sessions act as well for the County adjoining as for the County where such Petty Sessions are held, and transact the Business for large Districts in both Counties at such weekly Petty Sessions on Market Days, to the great Advantage, Convenience, and Saving of Expence

24:2 c. 130

to the several Parishes and Villages whose Officers have to attend such Petty Sessions: And whereas since the passing of the said Act of the Fifty-sixth Year of the Reign of His late Majesty King George the Third numerous Indentures of Apprenticeship have been allowed by Two Justices acting and acting at such Petty Sessions for the County within which the Place by the Officers whereof such Child shall be bound is situated, and by the same Two Justices acting also as Justices for the County within which the Place is situated wherein such Child shall be intended to serve, such Justices concerning that, as they were acting Justices for both Counties, they were entitled to allow such Indenture accordingly: And whereas Doubts have lately arisen whether the Allowances of such Two Justices, accordingly they act as Justices for both Counties, are valid and effectual, or whether it is not necessary that such Indentures should be allowed by Four Justices, Two acting for one County, and Two for the other only; and the Settlement of the numerous Persons who have already served and are now serving under Indentures allowed by Two Justices acting for both Counties in manner aforesaid will be set aside, to their manifest Injury: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Indentures for the binding of Parish Apprentices which have been previous to the passing of this Act allowed, and shall hereafter be allowed, by Two Justices of the Peace acting as well for the County or District within which the Place by the Officers of which such Child shall be bound shall be intended, as for the County or District where which the Place shall be situated wherein such Child shall be intended to serve, shall be deemed and taken to be as good, valid, and effectual, so all Intents and Purposes, as if the same had been allowed by Two Justices of the Peace acting only for the County or District in which the Place from which such Child shall be bound is situated, and also by Two other Justices of the Peace acting only for the County or District within which the Place shall be situated in which such Child shall be intended to serve.

II. And whereas by divers Acts of Parliament heretofore made and passed, the Directors, Guardians, Acting Guardians, or other Officers of incorporated Hundreds, Parishes, and other Districts are by the said Acts of Parliament respectively authorized to bind poor Children Apprentices in the Manner by the said Acts of Parliament respectively prescribed and directed: And whereas the said Directors, Guardians, Acting Guardians, and other Officers have bound out poor Children Apprentices by Indentures, to which the said Directors, Guardians, Acting Guardians, and other Officers have been, by their Descriptions as Directors, Guardians, Acting Guardians, or other Officers of such incorporated Hundreds, Parishes, and other Districts respectively, made Parties of the one Part, or to which they have, by their said Descriptions respectively, been binding Parties, and which Indentures have been executed by the said Directors, Guardians, Acting Guardians, and other Officers by affixing thereto the Seal of the Corporation of which they are Directors, Guardians, Acting Guardians, and Officers respectively, and in no other Manner by them: And whereas Doubts have been entertained as to the Effect and Validity of Indentures so executed; and it is desirable to remove such Doubts: be it declared and enacted, That from and after the passing of this Act in all Cases where any Indenture for the binding out poor Children Apprentices have been heretofore or shall be hereafter executed by any Directors, Guardians, Acting Guardians, or other Officers of any Hundreds, Parishes, or other Districts now incorporated or hereafter to be incorporated under and by virtue of any Act of Parliament, by affixing thereto the Seal of the Corporation of which they are or shall be Directors, Guardians, Acting Guardians, or other Officers respectively, such Execution of the said Indentures respectively shall be deemed and taken to be as good, valid, and effectual Execution of the said Indentures respectively by the said Directors, Guardians, Acting Guardians, or other Officers of such incorporated Hundred, Parishes, or other Districts respectively.

III. And whereas it is expedient that Justices of the Peace in every City, Borough, or Town Corporate should have concurrent Jurisdiction with County Magistrates in apprehending any Child or Children within the Limits of such City, Borough, or Town Corporate: be it therefore enacted, That from and after the passing of this Act every Indenture for the binding of Parish Apprentices within any City, Borough, or Town Corporate, shall be allowed by Two Justices of the Peace, one of such Justices acting for and on behalf of the County, and the other of such Justices acting for and on behalf of the City, Borough, or Town Corporate within the Limits of which such Child shall be bound.

IV. Provided always, and be it further enacted and declared, That nothing in this Act contained shall be construed to effect or set aside any Decrees or Judgments made or given in any Court of Judicature respecting any such Indentures.

#### C A P. LXIV.

An Act to amend an Act of the Second and Third Year of His present Majesty, for regulating the Care and Treatment of Insane Persons in England. [25th August 1833.]

WHEREAS an Act was passed in the Second and Third Year of the Reign of His present Majesty, intitled *An Act for regulating for Three Years, and from thence until the End of the then next Session of Parliament, the Care and Treatment of Insane Persons in England*: And whereas it is expedient that some of the Provisions of the said Act should be amended: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Tem-

Indentures allowed by Justices acting for Two Counties, to be as valid as if granted by Justices acting for different Counties.

Indentures with Seal of Corporations executed to be valid.

Indentures to be allowed by Two Justices, one of them acting for the County and one for the City, &c.

This Act not to set aside Decrees already come to.

Notice of Meetings of Visitors to be so printed as possible.

Clerk of Metropolitan Commissioners and Clerks of the Peace to preserve a Copy of all Orders, Certificates, and Notices.

Penalty for Neglect, &c.

Notice of Deaths or Removals of Persons to be transmitted to Clerk of Metropolitan Commissioners.

All Copies of Orders, Certificates, &c. which have been transmitted to the Clerk of the Metropolitan Commissioners, shall be registered.

Notice of Deaths or Removals, &c. after August 1833 if not already transmitted shall be forthwith transmitted to Clerk of Metropolitan Commissioners. Commissioners, being practicing Barristers, to be paid for the Time employed.

Proprietors, &c. neglecting to comply with this Act to be deemed guilty of a Misdemeanor.

penal, and Commissions, in this present Parliament assembled, and by the Authority of the same, That whenever the Justices in Session shall, under the Provisions of the said recited Act, appoint a Time and Place for the Visitors to meet for the Purpose of executing the Duties imposed on them by the said Act, every such Appointment shall be made as privately as may be, and in such Manner that no Proprietor or resident Superintendent of any House to be visited shall at any Time have Notice of the Day or Time appointed for the Visitation of such House.

II. And be it enacted, That the Clerk of the Metropolitan Commissioners in Law shall preserve every Notice and Copy of Order and Medical Certificate transmitted to him when any Patient is removed into any House licensed under the said Act, and also every Notice of Death, Removal, or Discharge of any Patient or Patients transmitted to him under the said recited Act or the Act, and that every Clerk of the Peace shall also preserve every Duplicate Copy of Order and Medical Certificate and Notice transmitted to him in every such Case as aforesaid; and that each of them the said Clerk of the said Commissioners and Clerk of the Peace shall, at all Times within Five clear Days next after he shall receive every such Notice or Copy of Order and Medical Certificate as aforesaid, enter in a Register to be provided for that Purpose the Christian and Surname of the Inmate Person to whom such Notice or Copy shall relate, and also of the Person by whose Order and upon whose Medical Certificate or Certificates such Inmate Person shall be confined, and the House in which such Inmate Person shall be confined, according to the Form directed by the said Act; and if the said Clerk of the said Commissioners and Clerk of the Peace, or either of them, shall omit or neglect any thing by them or him lawfully directed to be done, then each of them so offending shall for every such Omission or Neglect forfeit and pay, on Conviction before any One of His Majesty's Justices of the Peace, the Sum of Five Pounds.

III. And be it enacted, That whenever any Patient confined in any House licensed under the said recited Act shall be removed or discharged therefrom, or shall die therein, the Proprietor or resident Superintendent of such House shall, within Two clear Days next after such Removal, Discharge, or Death, transmit a written Notice thereof, and (in case the Patient so dying shall be a Parish Pauper Patient) then also a Copy of the Statement of the Cause of his or her Death, in the said Act directed to be made, certified and according to the Tenor respectively prescribed by the said Act, or as near thereto as may be, to the said Clerk of the said Commissioners, if the House wherein the Patient died then have died, or from which he shall have been removed or discharged, shall have been licensed by the said Commissioners, but if such House shall have been licensed by the Justices in Session, then such Proprietor or resident Superintendent shall transmit one such Notice to the Clerk of the Commissioners, and one other such Notice to the Clerk of the Peace.

IV. And be it enacted, That all Copies of Orders and Medical Certificates, and Notices of Admissions, and also of Removals and Deaths, which have been transmitted to the Clerk of the Metropolitan Commissioners or to any Clerk of the Peace since the Eleventh Day of August One thousand eight hundred and thirty-two under the said recited Act, and which have not been registered by the said Clerk of the Metropolitan Commissioners or the said Clerk of the Peace, as the Case may be, shall be registered forthwith by the said Clerk of the Metropolitan Commissioners or Clerk of the Peace, as the Case may require, in the same Manner as in this Act is provided for the Registry of Orders, Medical Certificates, and Notices of Admissions, Removals, and Deaths, hereafter to be transmitted to the said Clerk of the Metropolitan Commissioners and Clerk of the Peace respectively.

V. And be it enacted, That where any Inmate Person shall, since the Eleventh Day of August One thousand eight hundred and thirty-two, have died in or been removed from any House licensed under the said Act, and the Proprietor or resident Superintendent thereof shall not have transmitted Notice of such Death or Removal, with a Copy of the Statement of the Cause of Death in every Case where the Inmate Person so dying shall have been a Parish Pauper Patient, to the Clerk of the Metropolitan Commissioners, and also, in case such House shall have been licensed by the Justices in Session, to the Clerk of the Peace, then and in every such Case such Proprietor or resident Superintendent shall forthwith transmit every such Notice and Copy of Statement as aforesaid to be sent or transmitted to the Clerk of the Metropolitan Commissioners or Clerk of the Peace, or to the Clerk of the Metropolitan Commissioners and Clerk of the Peace, as the Case may require.

VI. And be it enacted, That every Metropolitan Commissioner appointed or to be appointed under the said recited Act, being a practicing Barrister, shall be allowed and paid for the Time he shall be employed in executing the Duties of his Office after the same Rate, and in the same Manner and out of the same Fund or Funds, as by the said Act is provided concerning the Payment or Allowance of Commissioners being Physicians: Provided always, that not more than Two of the said Commissioners at any one Time shall be capable of executing such Payment or Allowance; and if more than Two of such Commissioners shall be practicing Barristers, such Payment or Allowance shall be made to such Two of such Barristers as the Lord Chancellor or the Lord Keeper or Commissioner of the Great Seal of Great Britain, or either the Person or Persons for the Time being intrusted by virtue of the King's Sign Manual with the Care and Commission of the Custody of the Person and Estates of Persons found idiot, lunatic, or of unsound Mind, shall direct.

VII. And be it enacted, That every Proprietor and resident Superintendent of any House licensed under the said recited Act who shall knowingly and wilfully neglect to transmit any Notice, Copy of Order, Medical Certificate, or Statement by this Act required to be by him transmitted, shall be deemed guilty of a Misdemeanor; and that all Complaints, Informations, and Prosecutions, and all Offences against this Act shall be made and prosecuted, and all Fines, Penalties, or Forfeitures shall be recovered

issued, and applied, by such Persons and in such and the same Manner respectively as in the said recited Act is provided respectively concerning the Offences against the said Act, and the Fines, Penalties, and Forfeitures thereby imposed; and every Provision whatsoever in the said recited Act contained concerning Actions and Suits commenced and brought against any Person for any thing done in pursuance of the said Act shall be applicable and applied to all Actions and Suits which shall be commenced or brought against any Person for any thing done in pursuance of this Act, as if the same Provisions were here repeated and applied to the said last-mentioned Actions and Suits.

VIII. And be it enacted, That the Provisions in the said recited Act contained concerning the Meaning and Construction of Words and Phrases in the said recited Act shall extend and be applied to the like Words and Phrases in this Act.

Provisions to be construed to be construed and Penalties imposed in the same Manner as under second Act.

Construction of Words

## C A P. LXV.

An Act to enable the Commissioners for executing the Office of Lord High Admiral of the United Kingdom to acquire certain Lands at Woodcock in the County of Kent, for better securing His Majesty's Docks there, and for the Improvement of the same.

[28th August 1833.]

WHEREAS a certain Wharf situate on the Southern Shore of the River Thames at Woodcock in the County of Kent, to the Westward of His Majesty's Dockyard there, called *Trinity Wharf* otherwise *Heaven's Wharf*, and also a certain other Wharf situate to the Westward thereof, and near or adjoining thereto, called *Long's Wharf*, do, by projecting into the River, impede the Current of the Water, and, by projecting Edges and otherwise, form an increasing Bank of Mud on the Shore, to the great Obstruction of His Majesty's Ships and Vessels having Occasion to lay near to or to enter the Docks and Basin of the said Dockyard, and it is necessary and expedient that such Obstructions should be removed and removed: And whereas, with a view to the Attainment of that End, the Commissioners for executing the Office of Lord High Admiral of the United Kingdom have recently purchased, in Trust for the King's most Excellent Majesty, His Heirs and Successors, for the Public Service, the aforesaid Wharf called *Trinity Wharf* otherwise *Heaven's Wharf*, with the Buildings thereon, and the Site for laying Ships and Vessels on each Side of the said Wharf, together with other Lands, Tenements, and Hereditaments, for the Residue of a certain Term of Ninety-nine Years from the Twelfth Day of February One thousand eight hundred and ten, granted therein by John Bowyer Esquire (since deceased), by an Indenture of Demise, bearing Date the Twenty-first Day of February One thousand eight hundred and ten, at the yearly Rent of One hundred and eighty-six Pounds: And whereas, for further and more fully and effectually enabling the said Commissioners to abate and remove the Obstructions aforesaid, and also for the Improvement of the said Dockyard, and for the permanent Use and Convenience of His Majesty's Naval Service, it is necessary that the Freehold and Indebtedness appertaining to the Determination of the said Term of Ninety-nine Years, of and in the said last-mentioned Wharf and Ships, and also the immediate Possession of Part of the said Wharf called *Long's Wharf*, and the Indebtedness thereof in Fee Simple, should be acquired for the Public Service from the respective Owners of the same, and that the said yearly Rent of One hundred and eighty-six Pounds, or an appropriate Part thereof, should be extinguished; but as Difficulties and Delays in attaining these Objects have arisen and may arise in respect of the Title of Parties claiming Interests in the said Wharf and Premises, and from various other Causes, so that a Remedy for such Public Inconvenience and Obstructions cannot be effected, nor the Purposes aforesaid accomplished, without the Aid and Authority of Parliament: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland for the Time being shall be and they are hereby appointed Commissioners for carrying the Purposes of this Act into execution, and all Acts, Matters, and Things authorized or necessary to be done or executed by the said Commissioners in pursuance of this Act may be done and executed by any Two of them, and the same shall be as valid and effectual as if done and executed by all the said Commissioners.

II. And be it further enacted, That all that and those the said Wharf now commonly called or known by the Name or Names of *Trinity Wharf* otherwise *Heaven's Wharf*, and the slips on each Side thereof, as the same Premises are described in and denoted by the said Indenture of the Twenty-first Day of February One thousand eight hundred and ten, together with the Erection and Buildings now being thereon, and the Rights, Members, and Appurtenances to the same Premises belonging, from and after the Expiration or other sooner Determination of the said Term of Ninety-nine Years, and subject and without Prejudice to the same Term and the aforesaid Indenture respectively, and also all that Piece or Parcel of Land or Ground, being such Part of the said other Wharf called *Long's Wharf* as is or has to the North of a straight Line to be drawn through the same Wharf called *Long's Wharf*, is continuation of and in the same Direction as the Line formed by the River Wall which is now the Boundary next the River Thames of the said Dockyard at the Western End thereof, such Part of the same Wharf consisting by Admeasurement Two hundred and fifty-three square Yards, be the same more or less, together with all Erection and Buildings thereon, and the Rights, Members, and Appurtenances to the same Piece or Parcel of Land or Ground and Premises belonging, from and immediately after the passing of this Act, shall be and the same are hereby vested in the Commissioners for executing the Office of Lord

Appointing of Commissioners.

Quorum.

Title, Wharf and Part of Long's Wharf at Woodcock vested in the Commissioners.

upon Trust, as to  
County Wharf,  
or the Owners,  
his, and the  
Parliament of  
Purchase Money

and afterwards,  
as in such Part  
as lies to the  
South of a certain  
straight  
Line, to be  
held in Trust  
for His Majesty  
for the  
Public Service;  
I A 2 G. 4.  
c. 26.  
2 R. 6. c. 10.

and as to the  
projecting  
Part, to be  
held on like  
Manner, and  
demolished  
and when the  
aforesaid, the  
Site to be laid  
out and given  
to the  
Public Service;

and as to  
Long's Wharf,  
for the Owners,  
his, and the  
Parliament  
and the sum of  
Purchase  
Money and In-  
terest;

and afterwards,  
said demolished,  
to be  
held in Trust  
for His Majesty  
and when de-  
molished, in  
the same Use  
as the Site  
herein before  
described.

Compensation  
to be made.

Power to take  
Possession of  
so much of the  
Lands hereby  
vested as is not  
in the Posses-  
sion of the  
Commissioners,  
and to do, and  
cause to be  
done, all such  
things as shall  
be necessary  
for the better  
execution of  
the purposes  
herein expressed.

High Admiral aforesaid, and their Successors the Lord High Admiral or Commissioners for executing the said Office of Lord High Admiral for the Time being, nevertheless to, for, and upon the several Uses, Trusts, Interests, and Purposes herein-after enacted and declared of and concerning the same respectively; that it is my, as to the said Wharf and Hereditaments herein-before fully described and vested, it is hereby declared and enacted, that the same shall be and the same are hereby so vested in the said Commissioners upon Trust for such Person or Persons as at or immediately before the Time of making this Act was or were the lawful Owner or the several and respective lawful Owners thereof, or had any lawful Estates, Rights, or Interests therein, according to their said several Estates, Rights, and Interests in Possession, Reversion, Remainder, or otherwise, until the Purchase Money or Purchase Money for the same, which shall be agreed upon or assessed as herein-after mentioned as the true Value thereof, shall be paid; and from and after the Time of such Payment as aforesaid, then, as to such Part of the same Wharf and Hereditaments as is or lies to the Southward of a straight Line to be drawn as herein before mentioned, to the Use of the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, and their Successors in Office, in Fee Simple, in Trust nevertheless for His Majesty, His Heirs and Successors, for the Public Service, to the Intent that the same may therewith remain vested in the same Manner as Lands and Hereditaments purchased for the Naval Service are vested by virtue of Two several Acts of Parliament respectively passed in the First and Second Year of the Reign of His late Majesty, King George the Fourth, and in the Second Year of the Reign of His present Majesty, intituled respectively *An Act for vesting all Estates and Property acquired by or for the Naval Service of the Kingdom in the principal Officers and Commissioners of His Majesty's Navy, and for granting certain Powers to the said principal Officers and Commissioners, and An Act to amend the Laws relating to the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Business of the said Departments, and to be held and disposed of under the Provisions and Regulations of the same Acts; and as to the remaining Part of the same Wharf and Hereditaments, being the projecting Part thereof which is or lies to the Northward of the straight Line to be drawn as aforesaid, and the Demolition and Removal thereof as herein-after mentioned, in and upon the same Use, Trusts, and Interests as are herein before lastly enacted and declared concerning the other Part of the same Wharf and Hereditaments; and from and after such Demolition and Removal as aforesaid, to the Use and Intent that the Site thereof, for ever freed and discharged from the said yearly Rent of One hundred and eighty-one Pounds, and every Part of the same, shall therewith be and be deemed a Part of the River Thames, and be laid open and subject to the Flow and Ebb of the Tide, and become common to His Majesty and all His Majesty's Subjects to pass and repass upon and over the same, and shall be under, subject, and liable to the same Jurisdictions, Rights, Powers, Authorities, and Privileges of Council, Superintendance, and Conservancy as the adjacent Parts of the said River and of the Thames thereof are or may be by Law subject and liable to; and as to the said Piece or Parcel of Land or Ground and Hereditaments (Part of the said Wharf called Long's Wharf) herein before recently described, and vested upon Trust for such Person or Persons as at or immediately before the Time of making this Act was or were the lawful Owner, or the several and respective lawful Owners thereof, or had any lawful Estates, Rights, or Interests therein according to their said several Estates, Rights, and Interests in Possession, Reversion, Remainder, or otherwise, and Possession of the same Land and Hereditaments shall be taken as herein-after mentioned by the said Commissioners hereby appointed, and the Purchase Money or Purchase Money for the same, together with Interest from the Time of taking Possession after the Rate of Five Pounds per Centum per Annum for the Sum or Sums that shall be agreed upon or assessed as herein-after mentioned as the true Value thereof, shall be paid; and from and after the Time of such Possession taken and Payment as aforesaid, then, and the Demolition and Removal thereof as herein-after mentioned, to the Use of the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, and their Successors in Office, in Trust for His Majesty, His Heirs and Successors, for the Public Service, as other Lands purchased for the Use of the Naval Department are vested under the Provisions of the before-mentioned Acts of Parliament; and from and after such Demolition and Removal as last aforesaid, then and from thenceforth to the same Use and Intent as are herein-before enacted and declared concerning the Site of such Part of the said Wharf and Hereditaments herein-before fully described and vested as is or lies to the Northward of the straight Line to be drawn as aforesaid, from and after such Demolition and Removal thereof, as in the same Enactment is mentioned or referred to.*

III. And be it further enacted, That such Compensation and Satisfaction as shall be agreed upon or shall be assessed and awarded as herein-after mentioned, for or in respect of the Lands and Hereditaments hereby vested, or any Estates or Interests therein, shall be made out of the next Aids to be granted by Parliament.

IV. And be it further enacted, That it shall be lawful for the said Commissioners, and their Engineers and other Officers, Workmen, and Servants acting under their Authority, or any of them, from and immediately after the passing of this Act, to enter into and upon and take complete and entire Possession of such Part or Parts of the Lands and Hereditaments hereby vested as shall not then be in the Possession of the said Commissioners; and it shall also be lawful for the same Parties, or any of them, and they are hereby authorized and empowered (notwithstanding any Purchase Money for the Lands and Hereditaments hereby vested, or any Part thereof, shall then have been agreed upon, or assessed or paid) to pull down and entirely demolish and remove so much of the said Wharf called Trinity Wharf aforesaid, Morda's Wharf, and the Buildings thereon, hereby vested as aforesaid, as lies to the Northward of the straight Line herein before mentioned, and, also, so much of the said Wharf called Long's Wharf as is

herein-before particularly described and hereby vested as aforesaid, as to render the Line of the Remainder of the said Wharf next the Shore of the said River straight and even with that formed by the River Wall of His Majesty's said Dockyard at the Western End thereof; and thereupon they the said Commissioners shall with all convenient Speed, at the Costs and Charges of His Majesty, His Heirs and Successors, build and construct in the aforesaid straight Line along the Remainder of the said Wharf called *Long's Wharf*; and along so much, if any, of the Remainder of the said Wharf called *Twenty Wharf* otherwise *Heriot's Wharf*; whereof the Freehold and Inheritance may not be purchased for the Purposes of this Act, a Frontage Wall towards the River, equal in Substance and Quality to the present Frontages thereof respectively, as to render such Remainder of the same Wharfs fit and serviceable to be used for the Purposes for which such Wharfs respectively now are or lawfully may be used, and to complete the same, and shall at the like Costs and Charges fill in and make good the Ground and Soil up to the said Frontage Walls so to be made as aforesaid, such Wall nevertheless to extend Westward only to the Western End of the said Wharf called *Long's Wharf*; unless the said Commissioners shall think fit further to extend the same; and it shall be lawful for the said Commissioners, if they shall so think fit, at the like Costs and Charges as aforesaid, to build and construct in the aforesaid straight Line along the Space between the Remainder of the said Wharf called *Long's Wharf* and the Remainder of the said Wharf called *Twenty Wharf* otherwise *Heriot's Wharf*; or along any Part of the said Space, a Frontage Wall towards the River, of such Substance and Quality as they shall think proper, and to fill in and make good the Ground and Soil at the Back thereof to the Level of the adjacent Ground: Provided always, that in constructing the said Frontage Wall or Walls it shall be lawful for the said Commissioners, in case they shall deem it expedient so to do, to elevate Southwards in such Manner and to such Extent as they may think proper from the straight Line herein-before specified for the same, with the Consent of the Owners of and Parties interested in the Lands and Hereditaments to be affected by such Elevation, or such Persons on their respective Behalf as are herein-after authorized or empowered to contract for the Sale of the Lands and Hereditaments hereby vested, any thing in this Act contained to the contrary thereof notwithstanding.

V. And whereas it may be expedient for the Use of His Majesty's said Dockyard and the Purposes of this Act that the present Landing Place situate at the Western Extremity of the said Dockyard should be abolished, and that the Way or Passage leading from the said Landing Place into the Road which runs on the Outside of the Western Boundary Wall or Fence of the said Dockyard should be stopped up; be it therefore further enacted, That if the said Commissioners at the Expense of His Majesty, His Heirs or Successors, shall form and construct, at any Spot within the Boundaries of the Wharf or Piece of Ground herein-before fully decreed and vested, a new Hard or Landing Place fit and proper for all such Purposes for which the said present Landing Place now is or lawfully may be used, and shall set out and make a Way or Passage of not less than Two Feet in Width from such new Hard or Landing Place into the aforesaid Road to communicate therewith, and shall complete and open the same to the Use of such Persons, if any, as are or may be lawfully entitled to use the said present Landing Place and Way, or Passage thereto, then and from thenceforth the Ground or Soil leaving the Site of the said last-mentioned Landing Place and Way or Passage (and which is now vested in the Commissioners for executing the Office of Lord High Admiral aforesaid, in Trust for His Majesty, His Heirs and Successors, for the Naval Department of the Public Service, under the Provisions of the before-mentioned Acts of Parliament,) shall be and remain freed and discharged from all public and private Rights and Claims of using or passing over the same, if any such there be.

VI. And be it further enacted, That, for effecting any of the Purposes of this Act, it shall be lawful for the said Commissioners, and their Engineers and other Officers, Workmen, and Servants, or any of them, and they are hereby authorized, with Horses, Carts, and Carriages, or otherwise, from Time to Time and at all Times successively after the passing of this Act, and until the Purposes thereof shall have been completely effected, to enter into and upon all or any of the Lands adjoining the said Lands and Hereditaments hereby vested, and to deposit thereon, or on any Part or Parts thereof, and there to keep, make up, and use, any Materials whatsoever which shall or may be necessary or required for the building, erecting, and constructing the aforesaid Walls, Passage, and Landing Place, or otherwise for carrying into effect all or any of the Purposes of this Act, if they the said Commissioners, at the Expense of His Majesty, His Heirs and Successors, making Compensation or Satisfaction to the Person or Persons in whose Occupation any Lands which may be so used shall be, for all Damages to be by them sustained by access thereto, such Compensation or Satisfaction shall and may be agreed for or ascertained and assessed in the same Manner, and under the same Powers and Provisions, so far as the same are or can be made applicable, as are herein-after provided with respect to the Purchase Money of the Lands and Hereditaments hereby authorized to be purchased.

VII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to treat and agree with all or any of the Owners or Proprietors of and Persons interested in or herein-after empowered to contract and agree for the Sale of the Lands and Hereditaments hereby vested as aforesaid, for the absolute Purchase thereof, and of all Estates and Interests therein, and for the Apportionment of the said yearly Rent of One hundred and eighty-seven Pounds, and for the Extinguishment of the Whole or of a proportionable Part thereof, for such Compensation or Equivalent as herein-after mentioned, and for that Purpose the said Commissioners shall and they are hereby required, within Twenty-one Days next after the Day on which they shall have begun to carry into effect the Powers of this Act, to cause public Notice in Writing, of such Tender and in such

Commissioners to build a new Frontage Wall, &c. along the Remainder of Long's Wharf, and to make it may not be purchased of Twenty Wharf, be a straight Line with the River Wall of the Dockyard.

Power to build a Wall in the same Line in the Space between Twenty Wharf and Long's Wharf. Power to deviate from such straight Line, with Consent of Owners, &c.

It may be expedient for the Purposes of this Act that the present Landing Place, &c. at the Western Extremity of the Dockyard should be discharged from all Rights of using the same.

Power to enter adjoining Lands, and to deposit Materials, &c. for the Purposes of this Act, making Compensation for Damages.

Commissioners empowered to purchase Lands hereby vested, and Compensation, &c. may extend for the Sale thereof, and also for Compensation or Satisfaction.

to be made for  
Damages.

Form as they shall think fit, for ascertaining the Estates, Rights, and Interests to be purchased or paid for in pursuance of this Act, and the Compensation, Equivalent, or Satisfaction claimed or required for or in respect of the same, and subscribed by them, to be affixed on the principal Door of the Parish Church of *Woolwich* aforesaid, and to be published in the *London Gazette*, and be given to the Tenants or Occupiers of the said Premises, or affixed on some Part thereof; and it shall be lawful for all Corporations, and for all Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husband, Guardians, Trustees, or Professors in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and other Persons whatsoever, not only for and on behalf of themselves, and their own respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and all other Persons and Parties having or who shall or may have or be entitled to any Charge, Incumbrance, Claim, or Demand upon the same Lands and Hereditaments, or any Part thereof, depending upon any Controversy or uncertain Event, or which cannot or shall not be ascertained, got in, paid off, or discharged, and as to such Husband and Guardians, also for and on behalf of their respective Wives and Widows, and as to such Committees, also for and on behalf of the Lunatics and Idiots of whom they shall be the Committees respectively, and as to all such Corporations, Tenants, Trustees, and Professors in Trust, Executors, Administrators, and other Persons as aforesaid, also for and on behalf of their Castlegate Trusts, whether Indent, Lease without, Limited, Idiots, Fees Coverd, or other Persons, and for all Fees Coverd in the same Manner as if they were sole and unmarried, seized, possessed, or interested in their own Right, whether in Fee Simple, Fee Tail, or for Life, or otherwise, or entitled to Dower or any other Interest in, and for all other Persons whatsoever who at or immediately before the making of this Act were seized or possessed of or interested in the said Lands and Hereditaments hereby vested, or any of them, or who may be seized or possessed of or interested in any of the other Lands or Hereditaments hereby authorized to be taken or used for the Purpose of this Act, to contract and agree with the said Commissioners for the absolute Sale of all or any of the said Lands and Hereditaments hereby vested as aforesaid, and all Estates and Interests therein, for the Purposes of this Act, and for the Apportionment of the said yearly Rent of One hundred and eighty-six Pounds, and for the Encumbrance of the Whole or of a proportionable Part thereof, and also for the Compensation or Satisfaction to be made for and on account of any Damage or Injury done or sustained, or for any future, temporary, or perpetual or recurring Damages to be done or sustained by reason or means of the Execution of any of the Works by this Act authorized, or of any of the Powers of this Act, for such Compensation, Equivalent, or Satisfaction in Money, or Lands or other Hereditaments, or any Estate or Interest in Land or Hereditaments, or partly in Money and partly in Land or Hereditaments, or any Estate or Interest in Land or Hereditaments, (and which Compensation, Equivalent, or Satisfaction, so far as regards the said Whatland Hereditaments herein before fully described and vested, may be or include the Surrender or Assignment of the before-mentioned Lease, or any Part of the Premises therein comprised,) so as the contracting Parties shall seem expedient and reasonable; and all such Contracts and Agreements shall be valid and effectual in the Law to all Intents and Purposes whatsoever, and may be effected or confirmed in any Manner which the Force of Law may admit; and for the Purpose only of every such Contract, Agreement, and Sale, and for preventing any Question or Dispute respecting the Validity thereof, by reason of any Want or Defectiveness of Title in the Party making the same, the Person or Persons who shall have been or shall be in possession of the Lands and Hereditaments hereby vested, or of the Rents and Profits thereof, at the Time from which the Purchase thereof respectively shall take effect, and all Persons claiming under such Persons, or under or co-extensively with the Possession of such Persons, shall be deemed to have been or to be lawfully entitled to such Lands and Hereditaments according to such Possession.

VIII. And for settling all Differences which may arise between the said Commissioners and the several Owners and Occupiers of or Persons interested in any of the Lands and Hereditaments which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation, Trustee, or other Person so interested as aforesaid and capacitated to sell, contract, or agree as aforesaid, shall not agree with the said Commissioners as to the Amount of such Compensation, Equivalent, or Satisfaction as aforesaid, or if any of the Parties entitled to receive such Purchase Money or Satisfaction or other Compensation as aforesaid shall refuse to accept such Purchase Money or Satisfaction or other Compensation aforesaid as shall be offered by the said Commissioners, and shall give Notice thereof in Writing to the said Commissioners within Thirty Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall for the Space of Thirty Days next after such public Notice as aforesaid shall have been offered, published, and given, as herein-before mentioned, neglect or refuse to meet, or shall not agree, or by reason of Absence or other Cause shall be prevented from treating with the said Commissioners for the Sale of their respective Estates and Interests in any such Lands or Hereditaments, or the respective Estates and Interests which they respectively are hereby capacitated to sell therein, or shall by reason of any Impediment or Disability not provided for by this Act be incapable of effectually making such Agreement or Sale thereof, or shall not disclose and prove the State of the Title to the Premises of which they respectively may have been in possession at the Time Possession had been taken thereof under the Powers of this Act, or which they respectively claim to be entitled unto

to be made for any other than above-mentioned Damages, incurred in the Execution

Notice of  
resolving in  
the 15<sup>th</sup> Part  
of the  
Act, shall be  
inserted from  
1833 to 1834



Execution of this Act cannot be made, or in case any Dispute or Difference shall arise respecting the Appraisalment of the said yearly Rent of One hundred and eighty-six Pounds, or the Sum to be paid for the Extentment of the Whole or a proportionate Part thereof, or in case the said Commissioners shall not within the Period of Three Calendar Months next after the Expiration of each Notice as aforesaid have ascertained to their entire Satisfaction in whose the said Lands and Hereditaments, Estates and Interests, or of them respectively, were lawfully vested at or immediately before the passing of this Act, or who was or were the Person or Persons entitled or by this Act empowered to sell, contract, or agree as aforesaid, then and in every such Case the said Commissioners shall and they are hereby required from Time to Time to issue a Warrant under their Hands and the Seal of the Office of Admiralty to the Sheriff of the said County, requiring him to summon, return, and impower, and the said Sheriff is hereby accordingly empowered and required to summon, return, and impower, a Jury of not less than Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to serve on Special Juries for Trials of Issues in His Majesty's Courts of Record at Westminster; and the Persons so to be summoned, returned, and impowered are hereby required to appear before the said Sheriff or his Under Sheriff at such Time and Place within the said County as in such Warrant shall be appointed, and to attend from Day to Day until fully discharged; and out of the Persons so to be summoned, returned, and impowered, or out of such of them as shall appear, a Jury of Twelve Men shall be appointed by the said Sheriff or Under Sheriff, or by some Person to be by them respectively appointed, in such Manner as Special Juries for Trials of Issues joined in His Majesty's Courts of Record at Westminster by Law directed to be appointed, and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff or Under Sheriff is hereby empowered and required to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and shall and may use all such other lawful Ways and Means, as well for his own as for the said Jury's better Information, as shall be requisite in the Premises; and such Jury shall upon their Oaths, or being Quakers upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff or Under Sheriff is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the true and real Value of each of the said Lands and Hereditaments hereby vested as shall have been taken and used or as shall be required for the Purposes of this Act, or of any Part thereof, at the true and real Value of any Estates or Interests therein which may be the Occasion or Subject of such Inquiry, and shall settle and determine, if thereto required, the Appraisalment of the said Rent, and the Sum to be paid for the Extentment of the Whole or a proportionate Part thereof, and also the Sum of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages which shall have been so done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Commissioners, and which cannot or will not be further obviated, removed, or repaired by them, which Satisfaction or Compensation for such Damages or Loss shall be inquired into and assessed separately and distinctly from the Value of the Lands and Hereditaments so to be taken or used as aforesaid; and the said Sheriff or Under Sheriff shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation, and for such Appraisalment as shall be assessed and settled by such Jury, which said Verdict and the Judgment thereon to be pronounced as aforesaid shall be binding and conclusive to all Intents and Purposes upon all Complainants and Persons whatsoever: Provided always, that not less than Forty-two Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by or on the Part of the said Commissioners to the Party with whom any such Controversy shall arise, by causing the same to be affixed upon the parsonal Door of the Parish Church of Walsley aforesaid, and to be published in the *London Gazette*; and by leaving such Notice at the Dwelling House of the Person, or the Clerk or Agent or principal Officer of the Corporation, or with some Tenant or Occupier of the Premises intended to be valued, or respecting which or any Damage to which any such Question shall arise, or affixing the same on some Part thereof: provided also, that in every Proceeding before any such Jury as aforesaid the Party claiming Compensation shall be deemed to be the Plaintiff, and the said Commissioners the Defendants.

IX. And be it further enacted, That in case a sufficient Jury to take the Inquiry shall not appear upon the Return of the said Warrant, it shall be lawful for the said Sheriff or Under Sheriff, and he is hereby required, from Time to Time, until a sufficient Jury shall have been obtained by the Means aforesaid, to assign the Inquiry to any future Day not exceeding Fourteen Days nor less than Four Days from the Adjournment thereof, and when a sufficient Number of Jurors shall appear he shall proceed to swear and impower Twelve of them, who shall inquire as aforesaid.

X. And be it further enacted, That no Person shall be heard before the said Sheriff or Under Sheriff and Jury touching the Matter of the Inquiry unless a previous Notice in Writing of Fourteen Days at the least before the taking of such Inquiry shall be given to the said Commissioners or the Solicitor of the Admiralty for the Time being, containing a full and particular Statement and Account of the Nature and Extent of the Estate or Interest in respect whereof such Person shall claim to be heard.

XI. And be it further enacted, That the said Jury, at the Time of assessing as aforesaid the true and real Value of the said Lands and Hereditaments, or any Part thereof, shall and they are hereby required so to assess the Value of either or both respectively vested as aforesaid. Whereas the said Statute, in relation to the

In default of Jurors, Sheriff is empowered to assign the Inquiry to any future Day not exceeding Fourteen Days nor less than Four Days from the Adjournment thereof.

No Person to be heard upon the Inquiry unless a previous Notice of Fourteen Days at the least before the taking of such Inquiry shall be given to the said Commissioners or the Solicitor of the Admiralty for the Time being, containing a full and particular Statement and Account of the Nature and Extent of the Estate or Interest in respect whereof such Person shall claim to be heard.

Jury to determine the Value of either or both respectively vested as aforesaid.

of the Pardon, and in such the Proprietors to be allowed to the Owners of particular Estates.

After Appointment of Rent, Lands not purchased subject only to the Remainder and Arrears.

Rights of Action and Recovery reserved to the Persons entitled to the Remainder or Reversion on the Lease.

In case no Person shall appear pursuant to the Statute, Inquest to be taken upon the best Information.

Penalties imposed on Sheriffs, Jurors, and Witnesses for Neglect of Duty.

How to be recovered.

Justices may proceed by Summons without written Information.

Witnesses giving false Evidence may be prosecuted. Penalties.

Penalties to be recovered as Rewards, and to be good Evidence.

the other Lands and Hereditaments, and shall and they are hereby empowered, if thereto required, to settle what Sheriffs and Proprietors of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person for any his or her particular Estate, Term, or Interest in the Premises that may be shown to have been or to be existing thereto respectively at the Time Possession shall have been taken thereof as aforesaid in the Case of the said Wharf called Long's Wharf, and at the Time of the taking of the said Inquisition in the Case of Trinity Wharf or otherwise Hereditaments aforesaid.

XII. Provided always, and be it further enacted, That if and when any Part of the said Rent of One hundred and eighty-six Pounds shall be released or extinguished, by reason of the Purchase of the Land and Hereditaments in respect whereof the same shall have been appointed, or otherwise, by virtue or in pursuance of this Act, the other Lands, Tenements, and Hereditaments out of or in respect of which, jointly with the Land and Hereditaments so to be purchased, the said Rent is now issuing or payable, shall be chargeable only with the Remainder of such Rent, and with the Arrears, if any, of the whole at the said Rent.

XIII. Provided also, and be it further enacted, That all and every the Person or Persons who are or for the Time being shall be entitled to the Reversion or Reversions on the Term granted by the said Lease shall and may have and use and exercise all the same Rights of Action and Recovery, and all other Rights and Remedies whatsoever, as against the Holders of the Property comprised in the said Lease which shall or may not be taken or used for the Purposes of this Act, and all Persons whatsoever who are or may be interested therein under the said Lease, for and in respect of any Nonpayment of the said Rent, or any Part thereof, to be appointed or fixed thereon by virtue of this Act, or any Arrears thereof, or for or in respect of any Breach or Nonperformance of any of the Covenants or Conditions contained in the said Lease, and otherwise, to all Intents and Purposes as if the said Lease had been originally granted of such Rent as of the said Rent of One hundred and eighty-six Pounds, or of such appointed Part thereof, if any such Appointment shall be made, and subject to such Covenants and Conditions applying exclusively to such Rent as of the said Premises; and if at the Time of the passing of this Act there shall have accrued and be due any Arrear of the said Rent of One hundred and eighty-six Pounds, the whole Amount thereof shall be chargeable upon such Rent as of the said Premises in like Manner as if such Arrear had been originally only charged thereon.

XIV. Provided always, and be it further enacted, That in case no Person shall appear pursuant to such Notice as to be given and affixed as aforesaid, then the said Sheriff or Under Sheriff as aforesaid, and also the said Jury, shall proceed, upon the best Information they can procure or obtain, to make such Inquest and Judgment as herein-before directed; and such Inquest and Judgment shall be final, binding, and conclusive, in like Manner as if all Parties concerned had appeared and been heard upon the making thereof.

XV. And be it further enacted, That if the Sheriff or Under Sheriff so directed to summon, return, and impanel a Jury, and take such Inquest as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing shall refuse to be examined upon Oath, or upon solemn Affirmation if one of the People called Quakers, or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justice herein after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied, by virtue of any Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the County or Place within which the Party so offending shall reside, by Distress and Sale of his Goods and Chattels, returning the Overplus (if any) after each Penalty and the Charge of such Distress and Sale shall have been deducted; and it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to commit the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

XVI. And be it further enacted, That all Persons who, in any Examination to be taken upon Oath or Affirmation in any Proceeding under this Act, shall wilfully give false Evidence before any such Sheriff or Under Sheriff and Jury, as aforesaid, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Fines and Penalties as Persons guilty of criminal and corrupt Perjury may be by the Laws in being subject and liable to.

XVII. And be it further enacted, That the said Inquisitions, Verdicts, and Judgments shall be deposited with the Clerk of the Peace of the said County, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County, and shall be deemed to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof, certified by such Clerk of the Peace for the Time being, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty

deposited or Extracts thereof, paying for every Copy or Extract after the Rate of Sixpence for every One hundred Words.

XVIII. And be it further enacted, That each Jurymen who shall be summoned and appear as aforesaid, and be ready to be sworn, shall be allowed his reasonable travelling Expenses to and from the Place of meeting; and that each Jurymen who shall be sworn shall, in addition thereto, be allowed for his Trouble and Subsistence the Sum of One Pound One Shilling for each Day's Attendance, and no more; and that the Sheriff or Under Sheriff, for summoning, returning, and impowering the Jury, and taking and recording their Verdict, and the Judgment to be given thereon, shall be allowed the Sum of Ten Pounds and no more, and for his Subsistence the further Sum of One Pound One Shilling for each Day's Attendance, in addition to his reasonable travelling Expenses to and from the Place of meeting; which said respective Allowances, in case of Deputies, shall be determined by Two Justices of the Peace to and for the said County, and shall be paid by the said Commissioners at their Order.

XIX. And be it further enacted, That every Sum of Money to be agreed upon or assigned as aforesaid for the Purchase of all or any of the said Lands and Hereditaments hereby vested, or of any Estate or Interest therein, together with the Interest thereon after the Rate and from the Time aforesaid, in case any such Interest shall be payable, or for any such Compensation or Satisfaction as herein mentioned (except as herein otherwise provided), shall be paid by the said Commissioners, either to the Person or Persons thereto entitled, or into the Bank of England, as herein-after mentioned (as the Case may require), on a clear Title to the Lands or Hereditaments, Estate or Interest in respect whereof the same shall be payable, being delivered and shown; or in case no such Title shall be shown within Two Years after the said Sum of Money shall have been so agreed upon or assigned as aforesaid, then such Money, and the Interest thereof, if any, shall, at the Expiration of the said Two Years, be paid into the Bank of England, under the Provisions in that Behalf herein-after contained.

XX. And be it further enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the said Commissioners, their Engineers, Officers, Agents, Servants, or Workmen, in such Property in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall be ascertained and determined by some Two or more Justices of the Peace for the said County, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners, provided such Compensation do not exceed the Sum of Twenty Pounds; and the Sum of Money to be so awarded and settled shall be from Time to Time paid by the said Commissioners on behalf of His Majesty, His Heirs and Successors, within the Space of Ten Days after the same shall have become due.

XXI. Provided always, and be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any of the Lands and Hereditaments to be taken or used by virtue of the Powers of this Act, or any Estate or Interest therein, or for the Exchange of the said Lands or any Part thereof, or for any Compensation or Satisfaction under this Act, which any Corporation, Trust for Life or in Tail, or Fee-fine or Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Contingent Trust, or any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or any Person or Persons under any other Disability or Incapacity, shall be entitled unto, situated in, or hereby proposed to sell, or in case the Lands, Hereditaments, Estate, or Interest, for the Purchase whereof the same shall be agreed or assigned to be paid, shall be subject to or charged or otherwise chargeable with any Incumbrances, Liabilities, Claims, or Debts which cannot or shall not be incumbered, got in, paid off, or discharged; such Money shall, in case the same shall exceed the Sum of Twenty Pounds, with all convenient Speed be paid, together with the Interest payable in respect of the same, if any, into the Bank of England, with the Privy of the Accountant General of His Majesty's High Court of Chancery (for whose Certificate to be granted in that Behalf the Direction or Request of the said Commissioners shall be a sufficient Warrant), to be placed to his Account there on such Accountant General, and to the Credit of an Account to be entitled "Ex parte the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland in the Matter of *Trent's Wharf*" (or *Long's Wharf*, as the Case may be,) or *Woodcock*, pursuant to the Regulations and General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain and the same shall by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rent and Profits of the said Lands or Hereditaments, or to the Rent which shall have become extinguished, be applied either as the Purchase or Redemption of the Land Tax, or as or towards the Discharge of any Debt or other Incumbrance affecting the Lands or Hereditaments in respect whereof such Sum shall have been paid, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Interests, or Purposes, which the said Court of Chancery shall otherwise to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall upon the like Application be laid out by Order of the said Court, made in a summary Way, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Interests, and Purposes, and in the same Manner as the Lands or Hereditaments in respect whereof such Purchase Money, Compensation, or Satisfaction shall have been paid, stored settled or limited; and such of them as in the said Court of Chancery shall be charged and settled shall be charged, and shall be deemed or capable of taking effect; in the execution, and until such Purchase can be made, the said

Allowance to Sheriff and Jurors.

How to be settled and paid.

Payment of Purchase Money.

Differences between Commissioners and Owners as to Damages to be settled by Two Justices.

Application of Compensation Money when exceeding 20*l*.

Money may by Order of the said Court, upon Application thereon, be invested by the said Accountant General or his Name in the Purchase of Three Pounds per Centum Consolidated or Three Pounds per Centum Reduced Bank Annuities, or in Government or Real Securities; and as the moneys, and said such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and several Profits thereof shall from Time to Time by Order of the said Court be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased and settled.

Application of  
Commissioner  
Money when not exceeding  
700.

XXII. Provided always, and be it further enacted, That where any Money so agreed or awarded to be paid as herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so taken or used for the Purposes of this Act, or in respect of which such Compensation or Satisfaction shall be paid, for their own Use and Benefit; or in case of Coverture, Infancy, Minority, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husband, Guardian, Committee, or Tutor, or to and for the Use and Benefit of the Parties respectively entitled thereto.

In case of the  
said Order, Money to be  
paid into the  
Bank.

XXIII. And be it further enacted, That in case any Party to whom any Money shall be agreed or awarded to be paid for the Purchase of any Lands or Hereditaments to be taken or used, and/or as by virtue of the Powers of this Act, or any Estate or Interest therein, or for the Establishment of the said Rent or any Part thereof, or for Compensation or Satisfaction as aforesaid, shall refuse to accept the same, or cannot be found, or shall be absent from England, or shall refuse, neglect, or be unable to make a Title to such Lands, Hereditaments, Estate, or Interest, to the Satisfaction of the Counsel of the said Commissioners for the Purposes of this Act; or if any Party entitled to contract or agree for the Sale of such Lands or Hereditaments, Estate or Interest, shall not be known, or shall be absent from England, or shall refuse to execute any proper Contract or Agreement for the Sale thereof respectively; then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Commissioners to order the Money so agreed or awarded as aforesaid to be paid into the Bank of England in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments, Estate or Interest (describing the same so far as the said Commissioners can do), subject to the Control and Disposition of the said Court, which said Court, on the Application of any Party making claim to such Money or to any Part thereof by Petition, or lawfully empowered in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, so order the same to be had out and received at the Public Funds, or in Government or Real Securities, and to order Distribution thereof, or Payment of the Dividends or Interest thereof, according to the Estate, Title, or Interest of the Party making claim thereto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of England who shall receive such Money is hereby required to give to the said Commissioners, or to any Party paying any Money into the Bank of England under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

Persons in possession  
possessively en-  
titled.

XXIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of England in pursuance of this Act, for the Purchase of, or as Compensation or Satisfaction for any Damage or Injury to any Lands or Hereditaments, or of any Estate, Right, Title, or Interest to any Lands or Hereditaments to be purchased, taken, or used in pursuance of this Act, or for the Establishment of the said Rent or any Part thereof, or to any Annuities or Securities to be purchased with any such Money as herein mentioned, or to the Dividends or Interest of any such Annuities or Securities, or to any Part of such Money, Annuities, Securities, Dividends, or Interest respectively, the Person who shall have been in possession of such Lands and Hereditaments, or of the Rents and Profits thereof, at the Time from which such Part of the said Title shall take effect, or at the Time when such Damage or Injury shall have occurred, and all Persons claiming under such Person, or under or successively with the Possession of such Person, shall be deemed to have been lawfully entitled to such Lands or Hereditaments according to such Possession, and the contrary shall be shewn to the Satisfaction of the said Court, and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some and what other Person or Persons was or were lawfully entitled to such or to some and what Part of such Lands or Hereditaments, or to some and what Estate or Interest therein.

Land may  
order Lands of  
Persons to be  
paid for Com-  
missioners.

XXV. Provided also, and be it further enacted, That where the Purchase Money for any Lands or Hereditaments to be taken or used for the Purposes of this Act, or the Money paid for any such Compensation or Satisfaction as aforesaid, shall be paid into the Bank of England under or in pursuance of this Act, it shall be lawful for the said Court to order the Costs, Charges, and Expenses of and attending all such Petitions or Applications as aforesaid and the Proceedings to be had thereon, (to be ascertained of between Solicitor and Clerk, if the said Court shall think fit,) or so much of such Expenses as the said Court shall deem reasonable under the Circumstances of the Case, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Lands given by  
Exchange to  
be settled in

XXVI. Provided also, and be it further enacted, That in case any Lands, Tenements, or Hereditaments shall be given to be given by the said Commissioners is or by way of Compensation, Equivocation, or Satisfaction for any of the Lands and Hereditaments to be purchased under the Authority and for the Purpose

Provisions of this Act, the Lands, Tenements, and Hereditaments to be given shall be conveyed, linked, and settled to, for, and upon such and the like Uses, Trusts, Interests, and Purposes, and in the same Manner, as the Lands or Hereditaments for or in respect of the Purchase whereof the same shall be given good settled or limited at or immediately before the passing of this Act, or each of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect.

XXVII. And whereas it is necessary and expedient, for the greater Improvement and Security of the Navigation of the said River in front of and near to the said Dockyard, to abate and prevent such other Embankments or Obstructions which do or may tend to impede the free Current of the Water, or to occasion any Deposit or Accumulation of Mud or other Matter in front of the said Dockyard, as aforesaid, or may tend to be occasioned along the Southern Bank or Shore of the said River to the Westward of the said Dockyard within certain Limits; be it therefore further enacted, That it shall be lawful for the said Commissioners, and their Engineers and other Officers, Workmen, and Servants acting under their Authority, or any of them, at any Time, and from Time to Time at all Times from and after the passing of this Act, to enter into and upon and take possession of, and, with the Consent of the Mayor or of the City of London for the Time being, as Conservators of the said River, in Writing for that Purpose first had and obtained, to demolish, remove, and lay open to the Flow and Reflow of the River, and to vary or alter the Lane, Passage, Skoot, or Construction of all or any Part or Parts of any Land, River, Wall, Retaining, Embankment, Erection, or Building whatsoever, and to dig, cut, excavate, and remove, and also to embank and fill in, and to deposit, lay, and work, any Stone, Rubble, Gravel, or other Materials or Things whatsoever, upon, over, or into any Part or Parts of the Bank or Shore Ground on the Southern Side of the said River, which is or are situate or lying, or which shall or may be made or occasioned or arise, within the Distance of Three hundred and fifty Yards Westwards from the Western Extremity of the said Wharf called Long's Wharf, in such Manner as the said Commissioners shall deem necessary or advisable for effecting the Objects and Purposes of the Powers hereby given, they the said Commissioners, their Engineers, Officers, Workmen, and Servants, doing as little Damage as may be in the Execution of the Powers to the Property by this present Enactment granted, and the said Commissioners, at the Expence of His Majesty, His Heirs and Successors, repairing and making good the Embankment, or River Frontage of any Land or River Wall or other Frontage which may be laid open, cut, demolished, or removed, and strengthening, sustaining, and protecting any Embankment, Dike, or Shore Ground that may be weakened, undermined, or endangered, and also making Compensation or Satisfaction to all Persons interested in any Lands or Hereditaments which shall be taken, used, or injured, for all Damages to be by them sustained in or by the Execution of all or any of such last-mentioned Powers: Provided always, that the Powers in this Act granted shall and are hereby declared to be without Prejudice to any other Power or Remedy for the Abatement or Prevention of any Obstruction or Nuisance to the said Navigation within the Limits aforesaid, or for the Punishment of any Offences in relation thereto.

XXVIII. And be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in execution or pursuance of this Act until after Twenty-eight Days Notice thereof shall have been given to the Secretary of the Admiralty for the Time being, clearly and distinctly specifying the Cause of Action or Suit, and Name and Place of Abode of the Person or Persons bringing the same, and of his, her, or their Attorney or Agent, nor after a sufficient Compensation or Tender thereof made to the Party aggrieved, may after Three Calendar Months next after the Fact committed, and every such Action or Suit shall be laid, brought, and tried in the County of Kent, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her, or their Election, plead specially to the General Issue, and give the Act or the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in the Execution and in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-eight Days Notice thereof shall have been given as aforesaid, or after sufficient Compensation made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought or tried in any other County than the said County of Kent, the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinued his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for his Costs in any other Cause by Law.

XXIX. And be it further enacted, That in case any Action, Suit, Indictment, or other Prosecution shall be commenced or brought to Trial against any Person or Persons whatsoever, as aforesaid, by this Act, Matter, or Thing done in or arising out of the Execution of the Powers given by or otherwise in effecting and completing the Purposes of this Act, wherein a Verdict shall be given against the Defendant or Defendants, if the Court or Judge before whom such Action, Indictment, Suit, or other Prosecution shall be tried shall certify on the Record that there was a reasonable Cause for the doing such Act, Matter, or Thing as aforesaid, then the Plaintiff or Plaintiffs in such Action or Suit shall not be entitled to any Costs, nor shall the Defendant or Defendants in any such Prosecution be subject to a greater Punishment than a Fine of One Shilling.

XXX. Provided always, and be it further enacted, That if any Part or Parts of the Wharfs, Lands, and Hereditaments heretofore described and rented shall appear to the said Commissioners unnecessary to be purchased, taken, or used for the Purposes of this Act, or if they shall determine not to purchase, take, or use the same (and they are hereby empowered in case to some Determination in that Behalf within

the same Uses as those for which they are discharged.

Power to remove and prevent Obstructions along the Southern Bank of the River within 150 Yards West of Long's Wharf.

Powers hereby granted not to prejudice other Remedies. Extension of Actions.

In an Action for any thing done, if the Court or Judge shall certify reasonable Cause, the Plaintiff shall not be entitled to Costs.

Many of the Lands hereby rent shall not be required until Five Years, they

shall be re-  
sented from  
the Operation  
of the Act.

Seeing the  
Rights of the  
Commons of  
London.

Public Act.

Five Years next after the passing of this Act) they shall cause Notice thereof to be published in the *London Gazette*, and then and from thenceforth of each Part or Parts of the same Wharfs, Lands, and Hereditaments shall be far ever freed and exempted from the Operation and Provisions of this Act, so far as regards the voting or Purchase thereof, in the same Manner as if this Act had not been made; any thing herein contained to the contrary thereof in anywise notwithstanding.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of London, or their Successors, or the Lord Mayor for the Time being, or prebids, defend, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, or Conservator of the River Thames, did or might lawfully claim, use, or exercise, nor authorize or empower the said Commissioners to disturb, encroach upon, or interfere with any Part of the Bed or Bed of the said River, or the Shore thereof, except so far as is herein-before mentioned.

XXXII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

### C. A. P. LXVI.

An Act to authorize the Commissioners of His Majesty's Treasury to purchase the Duties of Package, Scavage, Ballage, and Portrage belonging to the Corporation of London.

[29th August 1833.]

WHEREAS it is expedient that the Offices, Occupations, or Employments of Package, Scavage, Ballage, and Portrage given, granted, or confirmed by divers Charters of His Majesty King Edward the Fourth, and of His Majesty King Charles the First, and by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King Henry the Eighth, intitled *An Act ratifying Letters Patent granted to the City of London by King Edward the Fourth*, to and now held and enjoyed by the Mayor and Commonalty and Citizens of the City of London, and the Duties, Fees, and Emoluments thereof, should be abolished: And whereas the Mayor, Aldermen, and Commoners of the City of London, in Common Council assembled, are willing and have consented that the said Offices, and the Duties, Fees, and Emoluments thereof, shall be relinquished and abolished, in consideration of a Sum of Money to be paid to them for the same, and provided they are authorized to lay out and expend the same in the Purchase of Land or other Hereditaments: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them, to pay, from and out of all or any of the Duties, Revenues, and Income composing the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing Produce of the said Fund, to the Chamberlains of the City of London, on behalf of the said Mayor and Commonalty and Citizens, such Sum of Money as may be agreed upon between the said Commissioners and the said Mayor and Commonalty and Citizens as a Compensation or Satisfaction for the said Offices, Occupations, or Employments of Package, Scavage, Ballage, and Portrage, and the Fees and Emoluments thereof; and also to pay, out of the said Fund or the growing Produce thereof, the Costs and Charges in any Manner incident or relating to the preparing and passing the Act.

II. And be it further enacted, That the said Sum to be paid as aforesaid shall be paid and received as a full Satisfaction and Compensation to the said Mayor and Commonalty and Citizens for the Loss of the said Offices, and of the Fees and Emoluments thereof; and that on the Day after the Day on which the said Sum shall be paid as aforesaid the Offices, Occupations, or Employments of Package, Scavage, Ballage, and Portrage granted or confirmed to the said Mayor and Commonalty and Citizens by the said Charters and Act of Parliament, or intimated as to be, and the future Duties, Fees, and Emoluments thereof, and all the Estate and Interest of the said Mayor and Commonalty and Citizens, and their Successors, of, in, and to the same, whether they may be created thereto respectively by virtue of the said Charters and Act of Parliament or by virtue of any other Charters or Acts of Parliament, or by Prescription or otherwise, and every of them, shall cease and determine and be utterly void to all intents and Purposes whatsoever.

III. Provided always, and be it further enacted, That nothing in this Act contained shall abridge, prejudice, or otherwise affect, or be deemed or construed to abridge, prejudice, or otherwise affect, any of the Rights of the said Mayor and Commonalty and Citizens of the City of London, so long as they are or may be entitled to them by virtue of the aforesaid Charters or Act of Parliament, or otherwise, so long and so far as any of the Offices or Employments granted or confirmed to the said Mayor and Commonalty and Citizens by the aforesaid Charters or Act of Parliament, except the said Offices or Employments of Package, Scavage, Ballage, and Portrage, or any of them, or to receive and enjoy the Duties, Fees, Profits, and Emoluments to such Offices or any of them (except as aforesaid) belonging or appertaining to or any other Rights or Privileges to which the said Mayor and Commonalty and Citizens are entitled; but that the same shall be and continue in full Force and Virtue, and may be enforced and recovered by the same Recession, and chased or pleaded in the same Manner, as if this Act had not been passed.

IV. And be it further enacted, That it shall be lawful for the Mayor, Aldermen, and Commoners of the City of London, in Common Council assembled, and they are hereby authorized, to lay out

Part of the  
Treasury may  
be used out of  
the Consolidated  
Fund, to purchase  
the Offices or Em-  
ployments of  
Package,  
Scavage, &c.

The sum paid  
to be a full  
Satisfaction for  
the Office,  
as it may be  
used in favour  
of the Office in  
some.

Not to affect  
the Rights of  
the Citizens  
of London in  
other Offices.

The Corpora-  
tion may lay

and invest the said Sum, to be paid as aforesaid, in the Name of the said Mayor and Commonalty and Citizens, in the Purchase of any Lands, Tenements, or Hereditaments, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Y. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Commoners, in Common Council assembled, if they shall think proper, with the Approbation of the Lord High Treasurer for the Time being, or Three or more of the Commissioners of His Majesty's Treasury (to be named by some Writing under his or their Hands), to lay out all or any Part of the said Sum in the Purchase of any of the Grounds reserved, and of the Reversion and Inheritance in Fee Simple of the Houses and Buildings, Pieces or Parcels of Ground, comprised in any Leases or Demises made or to be made by the Mayor and Commonalty and Citizens of the City of London, by virtue of the Powers for that Purpose contained or referred to in an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the rebuilding of London Bridge, and for improving and making suitable Approaches thereto*, and in Acts of Parliament passed in the Seventh and Eighth and Tenth Years of the Reign of His said Majesty King George the Fourth, and in the First and Second Years of the Reign of His present Majesty, relating to London Bridge and the Approaches thereto, or any of them; and which Grounds and Reversions and Inheritances the said Mayor, Aldermen, and Commoners, in Common Council assembled, are authorized and empowered to sell and dispose of by the said Acts respectively; and such Price or Prices, or Sum or Sums of Money, shall be paid, with or out of the said Sum, for such Grounds, Reversions, and Inheritances respectively as the said Lord High Treasurer, or Three or more Commissioners of His Majesty's Treasury, shall think reasonable; and upon Payment of such Price or Prices, or Sum or Sums of Money, by the Chamberlain of the said City of London, in like Manner as the same would be payable in pursuance of the said Acts respectively if any other Body Corporate or Person or Persons had been the Purchaser or Purchasers of the same Grounds, Reversions, and Inheritances, the said Mayor and Commonalty and Citizens shall and they are hereby empowered to convey the Pieces or Parcels of Ground so purchased, with the Houses, Erections, and Buildings thereon erected and built thereon, and the Fee Simple and Inheritance thereof, with the Appurtenances, to any Person or Persons, and his or their Heirs, to the Use of the said Mayor and Commonalty and Citizens, their Successors and Assigns for ever, free from all Incumbrances (except the Building Leases granted or to be granted thereof respectively as aforesaid); and all such Conveyances shall be adjudged sufficient to vest the Pieces or Parcels of Ground and Premises thereby conveyed, with the Appurtenances and the Fee Simple and Inheritance thereof, in the said Mayor and Commonalty and Citizens, for their proper Use and Benefit, free from all Incumbrances (except the said Building Leases thereof) and from all Taxes and other Claims and Demands whatsoever.

and the Mayor in the Purchase of Land.

Corporation may lay out the Money in the Purchase of Grounds, Reversions, &c. under 2 G. 4. c. 20. 7 & 8 G. 4. c. 11. 10 G. 4. c. 1. 11 G. 4. c. 1. 12 G. 4. c. 1. 13 G. 4. c. 1. 14 G. 4. c. 1. 15 G. 4. c. 1. 16 G. 4. c. 1. 17 G. 4. c. 1. 18 G. 4. c. 1. 19 G. 4. c. 1.

## C. P. LXVII.

An Act to amend an Act of the Second Year of His present Majesty, for the Uniformity of Process in Personal Actions in His Majesty's Courts of Law at Westminster. [28th August 1833.]

WHEREAS by an Act passed in the Second Year of His Majesty's Reign, intituled *An Act for Uniformity of Process in Personal Actions in His Majesty's Courts of Law at Westminster*, it is enacted, that the Process in certain Actions therein mentioned shall be according to the Form contained in a Schedule to the said Act annexed, and shall be called a Writ of Summons, and that such Writ shall be issued by the Officer of the said Courts respectively by whom Process serviceable in the County therein mentioned hath been heretofore issued from such Court: And whereas since the Commencement of the said Act the Writ of Summons, and other Writs mentioned therein, issued into the County of Middlesex, have been used, signed, and sealed by the Signer of the Bills of Middlesex in the King's Bench, whilst such Writs into all other Counties and Cities have been issued and signed by a different Officer, and have been sealed by the Seal of the Writs, under and by virtue of an Order of the Judges of the said Court: And whereas it is expedient that all Writs issued into the County of Middlesex from the Court of King's Bench should be signed and sealed by the same Person and in like Manner as all other Writs issued from the said Courts into other Counties and Cities; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commoners, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act passed in the Second Year of His Majesty's Reign as provides that the Writ of Summons therein mentioned shall be issued by the Officer of the said Courts respectively by whom Process serviceable in the County therein mentioned hath been heretofore issued from such Court, shall be and the same is hereby repealed; and that from and after the passing of this Act all Writs of Summons, Distringas, Capias, and Detainers, issued into the County of Middlesex from the Court of King's Bench, shall be signed, sealed, and issued, and the Fees thereon shall be taken and accounted for, by the same Person or Persons and in like Manner as all other Writs of Summons, Distringas, Capias, or Detainers issued from the said Court of King's Bench under and by virtue of the said recited Act; any Law, Custom, or Usage to the contrary notwithstanding.

II. And whereas by the existing Law, and the Practice of the said Courts of Common Law, Actions may be brought and Issues proceed to Trial and final Judgment, in Vacation, notwithstanding the Close of Action may have accrued antecedent to the Term preceding Term, and Jury Process of Writs of Execution may be used by Law (being in Term Time only), so it is therefore enacted, That from and after the passing

27. v. c. 12.

Part of recited Act repealed. Writs of Summons, Distringas, &c. issued into Middlesex, to be signed, and Fees accounted for in like Manner as Writs under recited Act. Fees and Returns of process Writs.

of this Act the Writ of *Venire facias* jurors may be tested on the Day on which the same shall be issued, and be made returnable forthwith, and that the Writ of *Distingas* jurors or *Habeas corpus* juratorum may be tested in Term or Vacation on a Day subsequent to the Tests of the Writ *Venire facias* jurors, and that all Writs of Execution may be tested on the Day which the same are issued, and be made returnable immediately after Execution thereof: Provided always, that when any Trial is to be had at Bar, the Writ of *Venire facias* jurors shall be made returnable as heretofore.

## C. A. P. LXVIII.

An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in Ireland. [20th August 1833.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to repeal the several Duties payable on Excise Licences in Great Britain and Ireland, and to impose other Duties in lieu thereof, and to amend the Law for granting Excise Licences*, it is amongst other things enacted, that no Excise Licence shall be granted under or by Authority of that Act for the Sale of any Beer, Cider, or Perry by Retail, to be drunk or consumed in the House or Premises of the Person or Persons applying for such Licence, to any Person or Persons who shall not produce, at the Time of applying for such Licence, a Certificate or Authority then in force, to him, her, or them in that behalf granted in due Form of Law by Justices of the Peace or Magistrates, or other competent Persons, for such Person or Persons applying for such Licence to keep a common Inn, Alehouse, or Victualling House; and any Licence granted to any other Person than aforesaid is declared to be null and void: And whereas the Laws for granting such Certificate or Authority by the Justices of the Peace and Magistrates in Ireland have become confused, doubtful, and complicated, and the requiring the said Certificate or Authority imposes great Difficulties and Hardships on Persons applying to be an licensee, and it is expedient to amend the said Laws, and to authorize the proper Officers of Excise in Ireland to grant such Licences as aforesaid to the same Persons and at or for the same Houses as shall have been licensed in the Year last immediately preceding, without requiring the Production of any such Certificate or Authority: And whereas the Laws for regulating the Conduct of Persons licensed to sell Wine, Spirits, Beer, Ale, and Cider by Retail in Ireland, to be drunk or consumed as the Persons, have become very numerous and complicated, and it would greatly tend to the public Benefit to amend and simplify the same, and for that Purpose to collect into One Act the several Regulations and Provisions thereof: He it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of October One thousand eight hundred and thirty-three it shall and may be lawful for the proper Officers of Excise in Ireland to grant to the same Persons and at and for the same Houses as shall have been licensed in the Year last immediately preceding, and whose Licences shall not have been withdrawn or annulled, upon the Production of a Certificate signed by Six Householdors of the Parish (Two of them being Resident of the same or next adjoining Township, or Street if in a City or Town, in which such House is situate) in the good Character of the Applicant, and so for peaceable and orderly Manner in which said House has been conducted in the past Year, a Licence or Licences for the Sale of Beer, Cider, and Spirits, under the Provisions of the said recited Act, to sell in Ireland by Retail, in any House specified in such Licence, Beer, Cider, and Spirits respectively to be consumed in such House, without requiring the Production of any Certificate or other Authority from any Justice or Justices of the Peace, Magistrate, or other Person or Persons whatever, as the Persons respectively applying for such Licences complying with the Conditions of this Act; any thing in any Act or Acts heretofore made or in force at the Time of the passing of this Act to the contrary in anywise notwithstanding.

JL. And in lieu of the Provisions now or heretofore in force for regulating Applications to Justice in order to obtain Licences for the Sale of Beer, Cider, or Spirits by Retail, be it further enacted, That heretofore every Person in Ireland who shall not have been duly licensed in the preceding Year to sell Beer, Cider, or Spirits, to be consumed in the House where sold, and who shall intend to apply for an Excise Licence, under the Provisions of this Act and of the said recited Act, for the Sale of Beer, Cider, or Spirits by Retail, to be consumed as aforesaid, shall, Twenty-one Days at least before the first Day of the three next General Sessions of the Peace to be hold for the District within which the House for which such Person shall desire to be licensed shall be situate, give or cause to be given to each of the Two next resident Magistrates, and to each of the Churchwardens of the Parish or Union wherein such House shall be situate, and to the Clerk of the Peace for the County or County of a City or County of a Town in which such House shall be situate, severally and respectively, a Notice in Writing, signed by such Person, stating the Intention of such Person to make such Application, and setting forth the Situation and Place of such House, as well as respect to the Road or Highway on or adjacent to which it lies, or otherwise in a true and particular Manner, specifying the Town, Township, Parish, Barony, Hall Barony, and if in a City or Town the Street, Square, Lane, or other Description of Place, together with the Number of such House if such House shall have been numbered, and also the Place of Abode of such Person, and the Name and Place of Abode of the Persons whom such Person regarding with Licence proposes to Sustain; and such Churchwardens shall cause a Copy of every such Notice to be posted upon the principal and most public Place for posting Notices within the said Parish or Union; and every such Clerk

of G. C. P. 183.

The proper Officers of Excise shall grant Licences in Pursuant to the Year preceding, upon Production of a Certificate of good Character, without any Authority from Justices of the Peace.

Notice to be given to Two Magistrates, to the Churchwardens, and to the Clerk of the Peace, 21 Days before Appl. unless in the Sessions, by any Person not below 21 years of age, stating Particulars of the same, as well as Name of the Person.



... of ...  
 ...  
 ...  
 ...  
 ...  
 ...



of Mal-  
demeanor or of  
Officers of a  
Higher Station.

visions of this Act or any of them, which Three Officers shall have been committed within the Space of Two Months, then and in every such Case it shall and may be lawful for the Justices of the Peace within whose Jurisdiction such Person shall be licensed to sell Spirits or Beer, assembled at any Quarter Sessions or Adjournment thereof, if they shall so think fit, by Order in open Court made upon due Notice, to annul the License held by such Person; and if any such Person whose License or Licenses shall be so annulled, and on whom a Notice shall have been served of the same being annulled, signed by the said Magistrates or any two of them, shall sell by Retail any Spirits or Beer, every such Person shall be subject to the same Penalties as Persons selling Beer, Cider, or Spirits without having obtained a License for that Purpose are by Law liable.

Persons to  
whom no  
License  
shall be  
granted  
shall  
not  
be  
eligible  
to  
be  
Clerk  
of  
the  
Peace.

X. And be it further enacted, That every Person licensed under this Act to sell Beer, Cider, and Spirits by Retail shall, so long as he shall continue so licensed, be entitled to take out a License to sell Foreign Wine by Retail in the same House or Premises in which he shall be licensed to sell Beer, Cider, and Spirits, without entering into any further or additional Bond.

XI. And be it further enacted, That every Person who shall obtain a License to sell Spirits, Beer, or Cider by Retail, to be consumed in the House where sold, shall, within Six Days next after he shall have so obtained such License, deliver or cause to be delivered to the Clerk of the Peace for the County, City, or Town within which the House specified in such License shall be situate, a Note in Writing, under the Hand of such Person, or under the Hand of some Person by him authorized in that Behalf, in which shall be specified, set forth, and inserted the Christian Name and Surname and Place of Abode of such Person, and a Description of the House and Premises in which Spirits, Beer, or Cider are licensed to be sold by such Person, and the Place where such House and Premises shall be situate, together with the Christian Name and Surname and the Occupation or Profession and actual Residence of each of the Persons who shall have become Sureties for such licensed Person; and such licensed Person shall pay or cause to be paid to such Clerk of the Peace the Sum of Two Shillings and Expenses; and if any Person who shall have obtained such License as aforesaid shall not, within the Time and in the Manner herein-before directed, deliver or cause to be delivered such Note in Writing as aforesaid, every such Person shall forfeit and lose the Sum of Ten Pounds.

Register of Li-  
censes to be  
kept by the  
Clerk of the  
Peace.

XII. And be it further enacted, That a List or Register of every License so to be granted for selling by Retail any Beer, Cider, or Perry, or Spirits, to be drunk or consumed on the Premises, specifying the Name and Place of Abode of every Person licensed, and of each of his Sureties, and the Description and Situation of the House or Place mentioned in such License, shall be kept at the Office of the Clerk of the Peace for the County, County of a City, or County of a Town, as the Case may be, which List or Register shall at all reasonable Times be produced to and shall be open to the Inspection and Perusal of every Magistrate within whose Jurisdiction the House or Place specified in such License respectively shall be situate; and any Copy of or Extract from any such List or Register, which shall or may be at any Time required by any such Magistrate as aforesaid, shall be given to him by such Clerk of the Peace.

Persons who  
obtain Licenses  
for the Sale of  
Spirits within  
the Police Dis-  
trict of Dublin  
shall enter their  
Names, Ac. at  
the Head  
Police Office,  
and pay 20s.  
to the Receiver  
of public Money,  
in the Parish  
of St.

XIII. And be it further enacted, That every Person who shall obtain or renew under this Act a License to sell Spirits in any House or Premises situate within the Police District of Dublin Metropolis shall, within Ten Days next after he shall have so obtained or renewed such License, deliver or cause to be delivered to the Divisional Justice of the Courts Division of the said Police District, or to some Clerk at the Head Office of Police of the said District, a Note in Writing, under the Hand of such Person, or some Person by him authorized in that Behalf, in which shall be specified, set forth, and contained the Christian Name and Surname and Place of Abode of such Person, and the Situation and Description of the House and Premises in which Spirits are licensed to be sold by such Person, together with the Name, Description, and Residence of the existing Sureties for such Person under this Act; and such licensed Person shall pay or cause to be paid to the Receiver of the public Money in the said Police District of Dublin Metropolis the Sum of Ten Shillings; and all Sums so paid to the Receiver shall go in aid of the Funds of the Police District of Dublin Metropolis; and if any Person who shall have obtained or renewed a License under this Act to sell Beer and Spirits within the said Police District shall not, within the Time and in the Manner herein-before directed, deliver or cause to be delivered such Note in Writing as aforesaid, or shall neglect to pay or cause to be paid the said Sum of Ten Shillings, every such Person shall forfeit and lose the Sum of Ten Pounds.

No Dweller,  
Ac. shall hold  
a License for  
Beer, &c.  
Handful  
House shall  
not be open for  
the Sale of Spi-  
rits between 11  
at Night and 7  
in the Morning,  
nor before Ten  
in the After-  
noon on Sun-  
days, &c.

XIII. And be it further enacted, That no Distiller, Brewer, Rectifier or Compounder of Spirits, Distil-  
ler, Gunter, Turnkey, Concoiler, Sheriff, Sub-Sheriff, Sheriff's Officer, Peace Officer, or Keeper of any  
Taverns Gate, nor any Person not being a Householder, shall be capable of receiving or holding a  
License to sell Beer, Cider, or Spirits by Retail, to be drunk or consumed on the Premises.

XIV. And be it further enacted, That no Person selling or licensed to sell Beer or Cider, Spirits or  
Wine, by Retail, to be drunk or consumed on the Premises, shall have or keep his House or other Place  
of Sale open for the Sale of Spirits, Wine, or Beer, nor shall sell or retail Spirits, Wine, or Beer, nor  
shall suffer any Spirits, Wine, or Beer to be drunk or consumed in or at such House or other Place, at  
any Time between the Hours of Eleven of the Clock in the Night and Seven of the Clock in the Morning,  
nor at any Time before Two of the Clock in the Afternoon on any Sunday, Good Friday, Christmas  
Days, or any Day appointed for a Public Fast or Thanksgiving, and if any such Person shall keep his  
House or other Place of Sale open for selling or shall sell Spirits, Wine, or Beer at any Time betwe-  
en the Hour of Eleven of the Clock at Night and the Hour of Seven of the Clock in the Morning, or at  
any Time before Two of the Clock in the Afternoon on any Sunday, Good Friday, Christmas Day,  
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or any Day appointed for a Public Fast or Thanksgiving, such Person shall forfeit the Sum of Two Pounds for any such Offence; and every separate Sale shall be deemed a separate Offence, and all Sales on any one Day shall be deemed and considered and may be prosecuted as separate Offences: Provided always, that nothing herein contained shall extend to prohibit the Sale of Spirits, Wine, or Beer to a Traveller.

XV. And be it further enacted, That it shall and may be lawful for any Justice of the Peace, or for any Chief Constable, or for any Churchwarden or Overseer herein-after mentioned, or for any Constable authorized for the Purpose by any such Justice, within the Limits of his Jurisdiction, to enter into any House or Place kept by any Person selling or having a Licence to sell Spirits, Wine, or Beer by Retail, at any Time between the Hours of Eleven of the Clock on Saturday Night and Two of the Clock on the Afternoon of Sunday, or between the Hours of Eleven of the Clock on any other Night and Seven of the Clock in the Morning, and to remove from and put out of such House or Place any Person who shall be so found within such prohibited Hours in such House or Place (not being a Lodger or Innmate of such House or Place), and who shall appear to be or to have recently been drinking, tipping, or gaming therein; and that if any such Person shall not, when thereto required, by such Justice of the Peace, Chief or other Constable, Churchwarden, or Overseer as aforesaid, remove from and quit such House, or shall forcibly resist such Justice, Constable, Churchwarden, or Overseer, it shall and may be lawful for any Constable, Churchwarden, or Overseer to apprehend and take into Custody any such Person so offending, and to carry and convey, or cause to be carried and conveyed, every and any such Person so apprehended before any Justice of the Peace within whose Jurisdiction such House or Place shall be situate, to be dealt with according to Law; and every such Person who shall so neglect or refuse to remove from or quit such House, or shall so forcibly resist such Justice, Constable, Churchwarden, or Overseer, being duly convicted of such Offence, shall thereupon for every such Offence forfeit any Sum not exceeding Twenty Shillings or less than Five Shillings; and if any Offender so convicted shall not forthwith pay the Sum so forfeited, such Offender shall be committed to the House of Correction for any Time not exceeding One Week.

XVI. And be it enacted, That if any Offender convicted in manner aforesaid shall be a Soldier on Full Pay, and attached to any Regiment in His Majesty's Service stationed or being within the Jurisdiction of such Justice, a Communication of such Conviction shall be forthwith made by such Justice to the Commanding Officer of such Regiment, and the Offender so convicted shall be detained until delivered over to the Commanding Officer, or his Order, to be amenable to Military Discipline.

XVII. And be it further enacted, That if any Person selling or licensed to sell Spirits, Wine, or Beer by Retail, or any Person aiding or assisting such Retailer, shall prevent or endeavour to prevent, by Threats or Violence or otherwise, any such Justice, or Chief or other Constable, Churchwarden, or Overseer, in that behalf authorized under this Act, from entering any House or Place, or for searching for any such Person or Persons as aforesaid, or shall assault or otherwise resist any such Justice, or Chief or other Constable, Churchwarden, or Overseer as aforesaid, every such Person so offending shall forfeit and lose a Sum not exceeding the Sum of Ten Pounds.

XVIII. And be it further enacted, That if any Person selling or licensed to sell Spirits, Wine, or Beer shall for the Space of Ten Minutes after Licensed made of Entertain delay or neglect to admit any Justice, or Chief or other Constable, Churchwarden, or Overseer as aforesaid into any House or Place of such Person, for the Purpose of making such Search as aforesaid, such Person so offending shall forfeit and lose a Sum not exceeding the Sum of Two Pounds.

XIX. And be it further enacted, That every Person selling or licensed to sell Spirits, Wine, or Beer by Retail, in whose House or Place any Person shall be found to be or to have been recently drinking, tipping, or gaming at any Hour or Time at which the Sale of Spirits or Beer is prohibited by this Act, shall upon Conviction thereof forfeit and pay the Sum of Two Pounds.

XX. And be it further enacted, That it shall be lawful for the Parishioners of the several Parishes in England or Vestry assembled, once in every Year, or oftener if necessary, to appoint such Number of Persons, not exceeding Five, as to them shall seem meet, to be Overseers of Houses and Houses to which Spirits or Beer shall be sold by Retail within every such Parish respectively; and every Overseer so appointed shall have as full and ample Power and Authority for carrying the Provisions of this Act into execution within such Parish as any Constable or other Peace Officer hath or may have by virtue of this Act; and every such Overseer shall for the Purposes of this Act be and be deemed and taken to be a Constable or Peace Officer.

XXI. And be it further enacted, That it shall be lawful for any One Justice sitting for any County, City, or Place where any Riot or Tumult shall happen, or for any Two or more Justices where any Riot or Tumult shall be apprehended and expected to take place, to order or direct that every Person selling Spirits or Beer by Retail, and keeping any House or Place for that Purpose, situate within their respective Jurisdictions, and in or near the Place where such Riot or Tumult shall happen, or be expected to take place, shall close his House or Place at any Time and for such Length of Time as such Justice or Justices shall order or direct; and every Person to whom such Order shall be given, and who shall keep open such House or other Place in violation of such Order, shall forfeit and lose the Sum of Two Pounds.

XXII. And be it further enacted, That for the Recovery of any Penalty imposed by this Act (and for the Discovery of which no other Provision is hereby made) an Information may be exhibited by any Person whatsoever before any One or more of His Majesty's Justices of the Peace for the County, City, Town, or Place wherein the Offence shall have been committed or the Person or Persons committing the same shall be found, and such Information shall and may be returned, respectively, and be tried, within the

Justices as to  
Tumults.

Justice and  
Constables may  
enter into any  
House in which  
Spirits are then  
sold, and  
put out Persons  
tippling or gam-  
ing at pre-  
scribed Hours.

Persons so  
arrested, or re-  
moving Justice,  
&c. may be ap-  
prehended.

If a Soldier af-  
fected, Justice  
is empowered  
to be Commis-  
sioned  
Officer.

Justice on  
Persons selling  
Beer, &c. ap-  
proving the  
Entry of Jus-  
tices, &c. 102

Justice on  
Persons selling  
Justice, &c.  
10.

Parish of Per-  
sons are found  
tipping or gam-  
ing at pre-  
scribed Hours.  
Qualifications in  
Vestry may ap-  
point Over-  
seers of Public  
Houses, who  
shall have the  
same Power as  
Peace Officers.

Houses to be  
closed by Chief  
of Justices in  
case of Riot.

Penalties may  
be recovered by  
Informations  
before Justices  
of the Peace.

District of Dublin Metropolis by any Two Divisional Justices in some one of the public Offices therein, and in every other Part of Ireland by any Two or more of His Majesty's Justices of the Peace for such County, City, Town, or Place, in Petty Sessions assembled; and any Two or more of such Divisional Justices or Justices of the Peace shall and they are hereby authorized and required, upon such Information having been so exhibited as aforesaid, and upon the Appearance of the Person and Persons against whom such Information shall have been exhibited, or, in default of such Appearance, upon Proof of the Service of such Summons on such Person or Persons as herein-after mentioned, to proceed to the Examination of the Fact or Facts in such Information alleged, and to give Judgment for any such Penalty or Forfeiture which, upon the due Examination of One or more credible Witnesses or Witnesses upon Oath (and which Oath the said Justices are hereby authorized and empowered to administer), or upon the voluntary Confession the Party accused, shall be found to have been incurred, together with the legal Costs of the Conviction; and such Justices respectively shall and they are hereby authorized and required thereupon to award and grant a Warrant or Warrants under their Hands for the due Execution of and carrying into effect as herein-after mentioned such Judgment.

XXIII. And he it further enacted, That every such Information as aforesaid shall be exhibited within One Calendar Month next after the Offence alleged in such Information shall have been committed; and a Notice in Writing of such Information having been so exhibited shall within One Week after the Exhibition thereof be given to the Person or Persons against whom the same shall have been so exhibited; and the Justice or Justices of the Peace before whom any such Information shall have been exhibited as aforesaid are hereby respectively authorized and required to summon every Person against whom any such Information shall have been exhibited to appear and plead to and to attend the Hearing of such Information at a Time and Place to be stated in such Summons, which Summons shall be served upon every such Person or Persons Two Days at least before the Time appointed in such Summons.

XXIV. And he it further enacted, That it shall be lawful for such Justice or Justices of the Peace respectively to mitigate any Penalty assessed by this Act to the Offence for which any Information shall have been exhibited before such Justice or Justices respectively, as so such Mitigation shall not in any Case reduce such Penalty to less than One Fourth thereof; and that the Cause of such Mitigation shall be set forth upon such Conviction.

XXV. And he it further enacted, That in case any Person or Persons against whom any Information shall have been exhibited under this Act shall feel aggrieved by the Judgment given therein, it shall be lawful for such Person or Persons, upon giving such Notice as herein-after mentioned, to appeal therefrom to the Justice assembled at the next General or Quarter Sessions of the Peace, or if there be not One Week between the Time of the Adjournment and the next General Quarter Sessions, then to the General Quarter Sessions of the Peace next after the Expiration of such Week, to be holden on and for the County, City, Town, or Place in which such Judgment or appeal against shall have been given; and it shall be lawful for the Justice of the Peace at such General or Quarter Sessions to hear, adjudge, and finally determine such Appeal; and if upon any such Appeal any Defect in Form shall be found in the Information, or in any Part of the Proceedings thereon or relating thereto, or in the Record thereof, every such Defect of Form shall and may thereupon be rectified and amended by Order of such Justice or the major Part of them assembled at such General or Quarter Sessions; any thing in this or any other Act or Acts of Parliament to the contrary notwithstanding.

XXVI. Provided always, and he it enacted, That no such Appeal as aforesaid shall be allowed unless the Party or Parties Appellants shall, within Forty-eight Hours after the giving of the Judgment appealed against, give Notice in Writing of such Appeal to the Clerk of the Justice or Sessions from whose Judgment such Appeal shall be made, and shall lodge such Notice at the Office or with the Clerk of the Peace at such General or Quarter Sessions as aforesaid respectively by and before whom such Appeal is to be finally adjudged and determined: Provided also, that nothing herein or in any other Act of Parliament contained shall be deemed or construed to deprive any Person or Persons who shall feel aggrieved by any Conviction, Order, or Proceeding made or had under this Act, of the Writ of Certiorari in respect thereof.

XXVII. And he it enacted, That no Appeal shall stay or prevent the Execution of any Warrant or Process on any Conviction unless the Party convicted shall before the convicting Justice or Justices enter into a Recognizance, with Two sufficient Sureties, in a Sum equal to Double the Amount of the Penalty or Forfeiture in which the said Party shall have been convicted, and of the Costs awarded, if any, which Recognizance shall be conditioned, that the Party so appealing shall personally appear at the proper General Quarter Sessions, and abide the Judgment of the Court thereupon, and pay such Costs, if any, as shall be by the Court awarded; which Recognizance such Justice or Justices it and are hereby authorized to require and take of the Party convicted entering into such Recognizance; and the Justice or Justices who shall take such Recognizances in and are also hereby required to bind the Person who shall make the Charge on which such Judgment shall have been given to a Recognizance conditioned that he shall appear at such General or Quarter Sessions aforesaid, then and there to give Evidence against the Person so charged, and to be like Mariner bound any other Person who shall have any Knowledge of the Circumstances of such Offence.

XXVIII. And he it further enacted, That upon every such Appeal as aforesaid it shall be lawful for the Justice of the Peace at the General or Quarter Sessions to rehear upon Oath the Merits of the Case wherein the original Judgment appealed against shall have been given, and to reverse or confirm in the whole or in part the Judgment appealed against, or to give such new or different Judgment as they in

Information to be laid within One Month, and Notice given within a Week after Parties to be summoned to appear.

Justices of the Peace may mitigate Penalty.

Appeal.

Defect of Form cured upon Appeal.

No Appeal allowed unless Notice thereof given.

Execution shall not be stayed unless the Party convicted shall give Security by Recognizance to prosecute Appeal.

Justices at Sessions, on Appeal, may reverse only the



Justice shall then be acting for any Term not exceeding One Calendar Month if the Penalty or Penalties or Sum remaining due on Foot thereof shall not be above Five Pounds, for any Term not exceeding Two Calendar Months if the Penalty or Penalties or the Sum remaining due on the Foot thereof shall be above Five Pounds: Provided nevertheless, that whenever such Offender shall have been committed to the Common Gaol or House of Correction in consequence of his not having duly paid such Penalty or Penalties or Sum remaining due on Foot thereof, if such Offender shall pay or cause to be paid to the Gaoler or Keeper of the Gaol or House of Correction, or to whomsoever such Justice or Justices shall have appointed, the Penalty or Penalties or Sum remaining due on Foot thereof, at any Time previous to the Expiration of the Time for which such Offender shall as have been committed, such Offender shall be forthwith discharged.

Penalty for  
Offenders pay-  
ing Penalty in  
Gaols.

On default of  
Payment of  
Penalty, Pro-  
ceedings may  
be had against  
the Sureties.

XXXVII. And he is further enacted, That in case any Person convicted of any Offence against this Act shall not pay the Penalty and Costs awarded by such Conviction, or upon any Appeal therefrom, it shall be lawful for the Justice or Justices in Quarter Sessions assembled convicting such Offender, after the Expiration of One Calendar Month next after such Conviction or Order, in case of Appeal, to summon any Surety or Sureties named in the Bond or Recognizance entered into and executed by such Person and his Surety or Sureties at the Time of obtaining his License or making such Appeal, to appear before the said Justice or Justices, and show Cause why the Penalty mentioned in such Bond or Recognizance should not be paid by such Surety or Sureties, or so much thereof as shall be sufficient to pay any Penalty or Costs so incurred, or to satisfy so much of such Penalty or Costs as shall remain unpaid; and in case any such Surety shall not show any sufficient Cause to the contrary, it shall be lawful for such Justice or Justices to adjudge that such Penalty if not paid, or so much thereof as aforesaid, shall be paid by such Surety within Fourteen Days; and in case such Penalty, or so much thereof as aforesaid, shall not be paid within Fourteen Days, it shall be lawful for such Justice or Justices to issue a Warrant, and levy the Amount of such Penalty, or so much thereof as aforesaid, by Distress and Sale of the Goods and Chattels of such Surety, together with the Costs of such Distress and Sale.

No Certificate  
shall be granted  
for Want of  
Farms.

Application of  
Provisions.

XXXVIII. And he is further enacted, That no Conviction under this Act, nor any Adjudication made upon Appeal therefrom, shall be quashed for Want of Form; and no Warrant of Commitment shall be held void by reason of any more formal Defect therein, provided that it be therein alleged that the Party has been convicted, and that there be a good and valid Conviction to sustain the same.

XXXIX. And he is further enacted, That one Moiety of every Fine, Penalty and Forfeitures by this Act imposed, and not expressly directed to be otherwise applied, shall, after deducting all further necessary Charges of Levy not herein-before provided for, be paid to the Use of His Majesty, His Heirs and Successors, and the other Moiety to him who shall reform, discover, or sue for the same, or to the Poor of the Parish in which such Offence shall have been committed, at the Discretion of the Justices who shall award the same.

Any Thing here  
before said  
in regard to  
the Act re-  
pealed.

XL. Provided always, and he is further enacted, That every Provision, Clause, Matter, and Thing contained in any Statute heretofore passed repugnant to the Provisions of this Act or any of them, or for or in lieu of which Provision is hereby made (if any such there be), be and the same are hereby repealed.

#### C. A. P. LXIX.

An Act to extend and enlarge the Powers of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in relation to the Management and Disposition of the Land Revenue of the Crown in Scotland. [18th August 1833.]

WHEREAS by an Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases, of the Land Revenue of the Crown within the Survey of the Exchequer in England, and of the Land Revenue of the Crown in Ireland, and for extending certain Provisions relating to the same to the Isles of Man and Alderney*, it was enacted, that all the Land Revenues whatsoever (Advowsons of Churches and Vicarages only excepted) which belonged to His Majesty within the Ordering or Survey of the Court of Exchequer in England, or Wales, or Ireland, in the Isle of Man and its Dependencies, and the Isle of Alderney, should be under the Management of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and of their Successors; and the said Commissioners were thereby authorized to sell and lease, and otherwise dispose of and manage, the said Land Revenues to which the Act now in verbal relation, as in the said Act is mentioned, and also to purchase, exchange, and take Leases of any Property under the Terms and Conditions and as in the said Act is mentioned, and to appoint and remove Officers and Receivers relating to or otherwise employed in the Receipt and Management of the said Revenue, and generally to administer the same as in the said Act is mentioned: And whereas by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland*, and was (amongst other Things) enacted, that the Produce of the Hereditary Dues and Revenues, (except the Hereditary Dues of Excise on Beer, Ale, and Cider,) which were payable to His said late Majesty King George the Fourth in that Part of Great Britain called Scotland, and also the small Branches of the Hereditary Revenue and the Produce of the Hereditary Casual Revenues arising from any Dues of Admiralty or Dues of the Crown arising in the United Kingdom, which had accrued since the

1833 c. 68, 69.

1833 c. 68, 69.

Decree of His said late Majesty, and which had not been applied and distributed in the Payment of any Charge thereupon respectively, or which should accrue during the Life of His present Majesty, should be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and after the Decree of His present Majesty all the said Hereditary Revenues, including the Duties on Beer, Ale, and Cider, should be payable and paid to His Heirs and Successors: And whereas by an Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act for vesting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and for other Purposes relating to the said Revenues*, it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal, to appoint in the Place of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and of the Surveyor General of His Majesty's Works and Public Buildings, any Persons, not exceeding Three in Number, to be Commissioners for performing the Duties and executing the Powers then performed and exercisable by the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and the Duties and Powers then performed and exercisable by the Surveyor General of His Majesty's Works and Public Buildings, and that the Persons so first appointed, and their Successors, should be called "The Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings;" and the said Commissioners were by the said Act empowered to exercise and carry into effect all the Powers and Provisions contained in the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth, either expressly or by reference to any other Acts: And whereas by virtue of an Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to authorize the Hereditary Land Revenues of the Crown in Scotland being placed under the Management of the Commissioners of the Land Revenues, of the Revenues, Debts, Duties, and Profits, of what Nature or Kind soever, appertaining to the King's Majesty, His Heirs or Successors, within Scotland, and all Houses, Castles, Manors, Lords, Townships, and Hereditaments in Scotland appertaining to the King's Majesty, His Heirs or Successors, by virtue of any Attainder, Outlawry, Seizure for any Crime or Cause of Forfeiture, Debt, or Duty, or upon any Extent, Commission, or otherwise, or by virtue of the Royal prerogative, or by any other Right or Title whatsoever, and all the Reins, Issues, and Profits thereof or of any of them, and also all the Goods, Chattels, Debts, Credits, Rights, Tithes, and Personal Estates within Scotland anywise accruing or belonging to the King's Majesty, His Heirs or Successors, by virtue of the Royal Prerogative, or of any Attainder, Outlawry, Extent, Inquisition, Debt, Duty, or Forfeiture, or by any other Right, Title, Way, or Means whatsoever, and all the Remedies and Means for recovering the same and the Possession thereof, and all Accounts relating thereto, and also all Forfeitures and Penalties which have been incurred, or should be incurred, or become in anywise due and payable in Scotland by virtue of any penal or other Laws or Statutes whatsoever; and also all Fines, Issues, Forfeitures, and Penalties, of what Nature or Kind soever, happening, arising, or accruing to the King's Majesty, His Heirs or Successors, within Scotland (except such as are now under the Management of the Commissioners of His Majesty's Customs and Excise respectively), are under the Management, Control, and Direction of the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings in England and Ireland: And whereas it is expedient that the said Commissioners should have such and the like Powers of selling, leasing, and administering the Hereditary Possessions of His Majesty in Scotland, and of appointing and removing Officers, and of purchasing, exchanging, and taking Leases of Lands in Scotland, in all respects as if by the said Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth provided with respect to the Land Revenue in England, and generally that the several Provisions contained in the said Act passed in the Tenth Year of the Reign of His said late Majesty King George the Fourth should be extended to Scotland: And whereas it is expedient that so much of the said Act passed in the Second and Third Years of the Reign of His present Majesty as relates to such Part of the Revenue of the Crown in Scotland as are after mentioned should be repealed, he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act passed in the Second and Third Years of the Reign of His present Majesty as gives to the said Commissioners the Management, Control, and Direction of all and every Penalties and Penalty which have been incurred, or which shall or may be incurred, or become anywise due and payable, in Scotland, by force or virtue of any penal Statute, shall be repealed, and the same is hereby repealed.*

II. And be it further enacted, That the said Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall, from and after the passing of this Act, have and exercise all and every the Powers and Authorities whatsoever with respect to His Majesty's Land Revenue, Lands, Tithes, Free Rents, and other Duties and Casualties in Scotland under their Management and Control, as are contained in the said Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth with respect to His Majesty's Land Revenue in England, and which the said Commissioners are now entitled to have and exercise with respect to the Land Revenue in England, and in all respects as if His Majesty's Land Revenue, Lands, Tithes, Free Rents, and other Duties and Casualties in Scotland, had been included and named in the said last mentioned Act, and the several Clauses and Provisions therein contained had been made applicable thereto, in the same Manner as the same are made applicable to His Majesty's Land Revenue in England.

179. s. 4. 1.

24. s. 10. 4.  
s. 111.

In each of recited Act of 24 & 3 W. 4. as given the Commissioners Control of Penalties, the under penal Statute repealed.

Commissioners to have the same Powers with respect to Land Revenue in Scotland as with respect to Land Revenue in England.



All the Provisions of 20 G. 4. c. 2. relating to selling, leasing, &c. the Land Revenues, and all the Powers, &c. thereby given to the Commissioners, so far as to this Act.

III. And be it further enacted, That all and every the Provisions, Regulations, Directions, Classes, Matters, Things, Powers, and Authorities in the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth contained, either expressly or by reference to other Acts, relating to the selling, leasing, exchanging, and general Administration of the Possessions and Land Revenues of the Crown in England, and all other the Powers, Provisions, and Authorities in and by the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth given to the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, shall, so far as the same are applicable or may be applied, extend and be construed to extend to the present Act, and effectually, and as fully, and as effectually, in all Intents and Purposes whatsoever, as if the same Provisions, Regulations, Directions, Classes, Matters, Things, Powers, and Authorities were particularly repeated and re-enacted in this present Act, and made applicable to the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or as if the said Possessions and Land Revenues of the Crown in Scotland had been included in the said recited Act of the Tenth Year of the Reign of His said late Majesty, and the aforesaid Powers and Provisions had been thereby made applicable to the Possessions and Land Revenues of the Crown in Scotland (except that in all Cases in which the Statutes of the Court of Exchequer in England in by the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth made necessary, the Statute and Authority of the Court of Session in Scotland shall be sufficient with respect to the said Possessions and Land Revenues of the Crown in Scotland,) and except that all Deeds, Conveyances, or other Documents relating to any Sale, Fee, Exchange, Lease, or Purchase under the Authority of this Act, need not to be enrolled in such Manner as is directed by the said Act of the Tenth Year of the Reign of His late Majesty King George the Fourth with respect to the Instruments whereby any Encroachments in England should be sold under the Authority of the said Act).

Purchase Money, how to be paid.

IV. And be it further enacted, That whenever the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall have contracted or agreed with any Person, Body Politic, Corporate, or Collegiate, under the Authority of this Act, for the Sale, Leasing, letting, exchanging, or otherwise disposing to him or them of any Part of the Lands or other Property or Subjects of the Crown to which this Act extends (not being any subsisting Lease which may have been purchased or taken under the Powers of this Act), the Purchaser, in case the Purchase Money shall amount to the Sum of One hundred Pounds, shall cause the same to be paid into the Bank of England, or any chartered Bank in Scotland, or Branch of the same throughout Scotland, as the said Commissioners may direct; and the Secretary, Cashier, or other proper Officer of the Bank of England, or such chartered Bank or Branch thereof, shall, upon the Production of any Note signed by the said Commissioners, specifying the Sum to be so paid, and that it is to be so paid to their Account, accept and receive the same, and carry the same to the Account of the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and give a Receipt for the same, without Fee or Reward; but if such Purchase Money shall not amount to the Sum of One hundred Pounds, it shall not be necessary for the Purchaser to pay the same into the Bank of England, or such chartered Bank or Branch thereof, but he or they may, at his or their Option, either pay the same into the Bank of England, or any such chartered Bank or Branch thereof, as the said Commissioners may direct, (in which Case the Secretary, Cashier, or other proper Officer of the said Bank of England, or any such chartered Bank or Branch thereof, shall accept and give a Receipt for the same as aforesaid,) or to the said Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or their Collector or Agent to be appointed by them for that Purpose; and the said Commissioners shall, on the Production of the Receipt of the Secretary, Cashier, or other proper Officer of the Bank of England, or such chartered Bank or Branch thereof, for such Purchase Money, or in case the same shall not amount to One hundred Pounds, then either on the Production of such Receipt, or on the Payment to them, their Collector or Agent, of such Purchase Money, execute to the Purchaser a Conveyance, either printed or written, or partly printed and partly written, under their Hands, of the Lands or other Property or Subjects agreed to be sold or exchanged, and give a Receipt for the Purchase Money under their Hand; and every such Conveyance and Receipt may be devised by the said Commissioners with convenient, and every such Conveyance and Receipt shall be attested, as to the Execution and signing thereof, by Two Witnesses; and it is hereby declared, that any Deed, Grant, or Conveyance so made and granted of the Lands, Tenements, Fees Rents, and other Duties, Casualties, Rents, and other the Heritable Property of the Crown in Scotland, by the said Commissioners, on being recorded or registered in the general or particular Register of Sasines, shall be held to operate and dispose from His Majesty, His Heirs and Successors, the Property or other Subjects therein expressed to be conveyed, in as valid a Manner as if a complete Feudal Right Holding, of and under His Majesty, His Heirs and Successors, had been granted, or as if the same had been constituted by a feudal Crown Charter, and followed by Sasine.

If amounting to 100*l*.

Where the Sum is under 100*l*.

Upon Production of Receipts, Collectors, Agents to execute a Conveyance of the Property sold.

Conveyance which is recorded in the Register of Sasines to be held to operate from His Majesty.

The Sale of Tenements, &c. in the Vessel, Receipt for Purchase Money to contain a Discharge thereon that on the next Receipt of

V. And be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on the Sale of any Vessel, Fee Rent, or other Duties, Casualties, or Rents, if such Sale shall be made in the Vessel in the Fee, to grant a Receipt for the Purchase Money or other Consideration agreed to be given for the same, and which Receipt shall also contain a Declaration that on the next Renewal of the Invoice in favour of the Vessel, or of his Heirs or Dispositives, the Charter, Receipt, or other Deed to be granted by or on behalf of the Crown shall contain a Discharge in full and place of the Fee or other Holding or Duty in the one and the same of Sasines and such Receipts and Declarations, delivered to the Vessel on purchasing

on Payment of the Purchase Money, shall be a sufficient Receipt and Voucher to him or her, or his or her Heirs and Successors, until the Renewal of such Inventory, and shall be a sufficient Warrant to the Barons of the Court of Exchequer in Scotland, and all others, when a Renewal of the Inventory shall be required, to grant such renewed Inventory with a Burgh Holding.

Vl. And be it further enacted, That it shall and may be lawful for the Proprietors of entailed Estates in Scotland, and for their Trustees, and the Tutors, Curators, and Administrators as Law of such Proprietors, to purchase the Teind, Feu Retour, and other Duties, Casualties, Rents, and all other the Land Revenues due to and exigible by the Crown, and affecting such Estates, and which the said Commissioners are hereby authorized to sell and dispose of, and either to disburden their Estates from the Payment of such Teind, Feu Retour, or other Duty, Casualty, or Rent, or to make the Purchase Money of the same a Debt and Burden on such entailed Estate, to like Manner as the Sum paid for Redemption of the Land Tax is made a Burden on entailed Property in Terms of an Act passed on the Forty-second Year of the Reign of His late Majesty King George the Third, entitled *An Act for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax into One Act, and for making further Provision for the Redemption and Sale thereof; and for removing Doubts respecting the Right of Persons claiming to vote at Elections for Knights of the Shire and other Members to sit in Parliament, in respect of Wages, Lands, or Tenements, the Land Tax upon which shall have been redeemed or purchased, or of any other Act or Acts of Parliament in relation thereto now in force.*

VII. Provided always, and be it further enacted, That the said Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall cause Duplicates of all Conveyances, Deeds, and Documents whereby any Lands or other Property or Subjects in Scotland shall be hereafter purchased or taken in Exchange by them for or on behalf of His Majesty, His Heirs or Successors, under the Authority of this Act, or which shall be conveyed or leased to His Majesty, His Heirs or Successors, or to any Person in Trust for Him or Them, and of all Leases to be made or granted by the said Commissioners under the Authority of this Act, of any Lands or other Heritable Property or Subjects of the Crown in Scotland, and of all Conveyances, Deeds, and Documents whereby any Part of the Lands of other Property or Subjects of the Crown in Scotland shall be granted, sold, exchanged, or conveyed under the Powers of this Act, to be transmitted to the Office of Chancery of Scotland, there to be recorded or registered; and every such Duplicate shall be there preserved and recorded among the other Records and Memorials relating to the Lands or other Property or Subjects of the Crown preserved in such Office; and a Minute or Docket of every such Conveyance, Deed, or Document shall be entered and preserved by the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in their Office.

VIII. And be it further enacted, That not only the original Conveyance, Deed, or other Document by which any Lands or other Heritable Property or Subjects to which this Act relates shall be disposed of under the Provisions of this Act, but also the Duplicate thereof, to be so transmitted as aforesaid, or a Copy or Extract of such Duplicate, attested by the Officer for the Time being in whose Custody the same shall remain, (and which Copies the said Officer is hereby authorized and required to grant to any Person applying for the same, on Payment of a Fee of One Shilling for every such Copy, and if the same shall consist of more than Seventy-two Words, (two of a further Fee of One Shilling for every Seventy-two Words over the first Seventy-two Words,) shall be admitted in all Courts as Evidence of the Right and Title of the Purchasers, Grantees, Lessees, and all Persons claiming under them, to the Subjects to which such Conveyances, Deeds, or other Documents shall relate.

IX. And be it further enacted, That every Conveyance, Deed, or other Document whereby any Lands or other Heritable Property or Subjects to which this Act relates, or any Term of Years or Interest therein, shall be conveyed or leased to His Majesty, His Heirs or Successors, or to a Trustee or Trustees for His Majesty, His Heirs or Successors, under the Authority of this Act, shall, without any other Instrument or Registration thereof than in the Office of Chancery in Scotland as aforesaid, be of the like Force in favour of His Majesty, His Heirs and Successors, as if the same had been or was intailed or registered in the Books of Council and Session, or in the general or special Register of Business in the County, Shire, or Stewartry within which the Lands or other Heritable Property or Subjects shall be situate.

X. Provided always, and be it further enacted, That a Note or Memorandum of every such Conveyance, Deed, or other Document, setting forth the Date thereof, the Names of the Disposer as Grantor and Disposer or Grantee, and the leading Names of the Lands or Heritages, and of the County or Counties wherein the same are situate, shall, within Fourteen Days after the Execution thereof, or as soon thereafter as possible, be entered by the Grantee in the Minute Book of the Register of Sasines at Edinburgh, of the Date on which such Note or Memorandum is presented, and also upon the Margin of the Entry in the Register of Sasines, general or particular, of the last Instrument of Sasine to the Property of the Lands or Heritages aforesaid, recorded in such Register; and such Entries shall be so made without Fee or Reward payable thereof.

XI. And be it further enacted, That all Sums to be received under the Authority of this Act, for or in respect of any Sale, or for the Equality or Exchange on any Exchange of any of the said Lands or other Property or Subjects to which this Act relates, shall be applied in the Payment of the Purchase Money on the Purchase of any Lands or other Property or Subjects under the Authority of this Act, or in the Purchase of any Lease of any Part of the Lands and other Property or Subjects of the Crown which may be bought in under the Authority of this Act, and in Payment of the Sums to be paid for the Redemption of

Inventory the Clerk shall receive a Minute Book, in the form of the Form, &c.

Proprietors, &c. of entailed Estates may purchase the Teinds, &c. at the Teind's rate.

§ 6. s. 1. 11.

Commissioners to cause Duplicates of all Conveyances, Deeds, &c. to be registered and preserved in the Chancery of Scotland, and a Minute or Docket of every Conveyance, &c. to be entered and preserved in their Office.

Original Conveyance, Deed, or Duplicate intailed, or Copy or Extract of same duly attested, to be in all Courts Evidence of Right and Title.

Every Deed intailed in Chancery to be of the like Force as if registered in Book of Council and Session or Register of Sasines.

A Memorandum of every Conveyance, setting forth the several Particulars, to be entered in the Minute Book of the Register of Sasines within 14 Days after execution thereof.

Application of Purchase Money

Exchange on any Exchange to be made under the Authority of this Act, and of the Expenses of the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings in or relating to such Purchases and Exchanges, and to the Payment of the Moneys to be paid for the Redemption, or Purchase of any Land Tax which may be redeemed or purchased by the said Commissioners, and of the Expenses of the said Commissioners in or relating to such Purchase or Redemption, and to the Discharge of any Incumbrances or Burdens which now or hereafter are or may be charged upon or affect any of the said Lands or other Property and Subjects of the Crown to which this Act relates.

Sum not less than One-hundred, to be invested in the Public Funds.

XII. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to cause any Sums which shall be received for or in respect of any Sales or Exchanges of any of the Lands or other Property or Subjects of the Crown to which this Act relates, and which may not be immediately wanted for the Purposes to which the same are hereby made applicable, to be laid out in the purchase in the Purchase of Three Pounds per Centum Consolidated Bank Annuities, or Three Pounds per Centum Bank of England Annuities, in the Name of the Lord High Treasurer, or of the Commissioners of His Majesty's Treasury, in which Name the Governor and Company of the Bank of England are hereby authorized and required to permit Transfers to be made of the Annuities to be so purchased, and such Transfers shall be accepted by the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings in the Name and on behalf of the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury.

Deposits of Stocks and Annuities to be by Bank of England placed to the Credit of the Commissioners.

XIII. And be it further enacted, That the Amount of the Dividends of the Stocks and Annuities to be purchased as last aforesaid shall from Time to Time, as the said Dividends shall become due, be placed by the Governor and Company of the Bank of England to the Credit of the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings in their Account with the Bank; and so much of the Dividends as shall have become due in respect of Stocks purchased with Moneys which shall have arisen from the Sale or Exchange of any of the Lands or other Property and Subjects of the Crown to which this Act relates shall be applied and disposed of by the said Commissioners in the same Manner and for the same Purposes as and considered in all respects as Part of the annual Income of the Lands and other Property and Subjects of the Crown in Scotland.

Commissioners of Treasury authorized to sell out all or any such Stocks or Annuities, when expedient.

XIV. And be it further enacted, That when, and as often as it shall be necessary or expedient to raise by Sale of any of the Stocks or Annuities so to be purchased as aforesaid any Sum of Money for the Purposes to which Moneys to be received under the Authority of this Act from Sales or Exchanges of any of the Lands and other Property and Subjects of the Crown are hereby respectively made applicable, it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, to sell out all or any Part of the said Stocks or Annuities; and the Sums raised by the Sale of the said Stocks and Annuities shall be paid into the Bank of England, and be placed to the Credit of the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to be applied and disposed of by the said Commissioners in the same Manner and for the same Purposes as and considered in all respects as Part of the Sums to be received under the Authority of this Act for or in respect of any Sales or Exchanges of any of the Lands and other Property and Subjects of the Crown in Scotland.

Transfer of Stock.

XV. And be it further enacted, That all Sums of Stock which shall be sold by the said Lord High Treasurer or the Commissioners of His Majesty's Treasury, under the Provisions herein-before contained, may be transferred by any Person to be appointed by him or them for that Purpose by any Letter of Attorneys, under the Hand and Seal of the said Lord High Treasurer, or under the Hand and Seal of any Three of the said Commissioners, for the Time being, and attested by Two or more credible Witnesses; and the said Governor and Company of the Bank of England shall and they are hereby authorized and required to permit all such Transfers to be so made.

Application of the annual Income to which this Act relates.

XVI. And be it further enacted, That the annual Income of all the said Lands and other Property and Subjects of the Crown to which this Act relates, and all Sums received in respect of Fees, Leases, or otherwise, for or in respect of the said Lands and other Property and Subjects (except from Sales or Exchanges), shall be applied in manner following; (that is to say,) in the first place, in Payment of the Costs, Charges, and Expenses attending the Management of the said Lands and other Property and Subjects of the Crown; in the next place, in Payment and Discharge of any annual Sums or Sums of Money or any Pensions already lawfully charged or to be charged thereon respectively, and in the Payment of any other Principal Sums and the Interest of any Principal Sums or Sums of Money already or which may be hereafter lawfully charged upon the said Lands and other Property and Subjects; and, subject to the Applications aforesaid, the said annual Income shall, during the Life of His present Majesty, be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and from and after the Death of His present Majesty (whom God long preserve) shall be payable and paid to the King's Majesty, His Heirs and Successors.

Annual Income, subject as aforesaid, to be carried to and made Part of Consolidated Fund.

Commissioners may keep Accounts with any of the Chartered Banks of Scotland.

Incomparability of Commissioners.

XVII. And be it further enacted, That the said Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings may, so long as they shall find it necessary so to do, keep an Account with any of the chartered Banks in Scotland; and the said Commissioners, observing the Rules and Regulations hereby or by the said Act passed in the Tenth Year of His late Majesty King George the Fourth prescribed, shall not be answerable, either collectively or individually, for any Money which they the said Commissioners shall have paid into the said Banks, or any of them, or any Branch thereof.

XVIII. And be it further enacted, That the passing of this Act shall not vacate the Appointment of any Chamberlain or Collector of the Revenues and Profits of any of His Majesty's Lands or other Property or Subjects to which this Act relates, or to vacate, render void or voidable any Security given by or for such Chamberlain or Collector, but every such Chamberlain or Collector who shall be so Officer at the Time of the passing of this Act shall continue in Office until his Death or Resignation, or until he shall be removed by the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or until his Appointment shall cease under the Provisions herein contained or referred to; and any Security given for the good Conduct of such Chamberlain or Collector shall stand and remain as a Security for the due Discharge and Performance by him of the Duties hereby imposed upon him.

XIX. And whereas certain Rentor Duties, Cusaries, and other Duties and Rents pertaining to the Land Revenues of the Crown and Prince and Steward of Scotland, have hitherto been received by the Officers of the Courts of Justice, or by the Sheriffs of the Counties, Shires, or Stewartries of Scotland respectively; and it will be most convenient that the same should be collected and received by the Agents or Collectors thereof appointed or to be appointed under the Provisions of this Act; be it therefore further enacted, That when and so soon as such Agents or Collectors shall be appointed, such Rentor Duties, Cusaries, and other Duties and Rents, pertaining to the Land Revenues of the Crown and Prince and Steward of Scotland, shall no longer be collected by the Officers of the Courts of Justice, or by the Sheriffs or other Officers who have heretofore collected and received them, but shall be collected and received by the Collectors to be for that Purpose appointed; and such Collectors shall be entitled to demand and receive the same Fees which the said Officers of the Courts of Justice, Sheriffs, or other Officers have heretofore been entitled to demand and receive upon the Payment of any of the said Rentor Duties, Cusaries, or other Duties or Rents respectively.

XX. And be it further enacted, That all the Powers, and Provisions in this Act contained shall extend, and be held and construed to extend, to the Lands, Revenues, and other Property and Subjects of the Prince and Steward of Scotland; the annual Income thereof, or the Monies to arise by the Sale or other Disposition thereof, to be applied and appropriated by the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to and for such Purposes and in such Manner as the same are now by Law applicable.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to abridge or interfere with any Rights of His Majesty, His Heirs or Successors, or of the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or the Chancellor of the Exchequer, for the Time being, or any Grants of the Crown, in respect of any Appointment lawfully made by His Majesty or the said Lord High Treasurer or Commissioners, or the Chancellor of the Exchequer, or such Grants, previously to the passing of this Act.

XXII. And be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to use and be used in any Court of Law in Scotland in the Name of His Majesty's Lord Advocate of Scotland for the Time being; and it is hereby declared, that Service of any legal Proceedings upon the said Lord Advocate, and an Intimation of such Service to the said Commissioners by Letter addressed to the First Commissioner of Woods, Forests, Land Revenues, Works, and Buildings, London, and put into the General Post Office, shall be deemed and held to be sufficient Service on the said Commissioners; any Law or Practice to the contrary notwithstanding.

#### SCHEDULE to which this Act refers.

Form of Conveyance on Sales by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

TO all and sundry to whose Knowledge these Presents shall come: Know ye, That we whose Names are inserted in the tenour Clause of these Presents, Two of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of His Majesty, and under the Authority of an Act passed [here insert the Title of the Act], in consideration of the Sum of *£* paid by *E. F.* [here describe Mode of Payment], have sold, alienated, and in Fee Farm disposed, as we by these Presents, on behalf of His Majesty, sell, alienate, and in Fee Farm dispose, from His Majesty, His Heirs and Successors, to and in favour of the said *E. F.*, his Heirs and Assigns whomsoever, heritably and irreclaimably, all and whole the Lands of [here describe the Lands or other Subjects sold], [if Tracts are sold without Lands, here omit Description of Lands, and insert] all and whole the Tenants, Parsonage, and Vicarage of the Lands of [here insert Name of Owner], lying in the Parish of [here insert Name of Parish] and Sheriffdom of [here insert Name of Sheriffdom]

with all Burdens imposed or to be imposed thereon, lying within the [here insert Name of Sheriffdom] and Sheriffdom of [here insert Name of Sheriffdom] (and if the Tenants, Mills, and Fisheries be also purchased with the Lands, add,) together with the whole Tenants, both great and small, as well Parsonage as Vicarage thereof, with the Mill of [here insert Name of Mill] with the [here insert Name of Watercourse], and others thereto pertaining, and with the Right of Saloon-fishing in the River [here insert Name of River] as far as the said River runs through or is bounded by the said Lands [here insert any Burdens, Conditions, or Reservations stipulated], to be holden and to hold the whole Lands [if Tracts only be disposed, omit the Words] and Tenants thereto appertaining by the said *E. F.* and his Heirs, assigns,

Not to vacate the Appointment of any Chamberlain or Collector of the Revenues to which this Act relates, or to render void any Security given by or for him.

Rentor Duties, &c. no longer to be received by Officers of Courts of Justice, or by Sheriffs but by Collectors appointed.

Fees as heretofore.

This Act to extend to the Lands, &c. of the Prince and Steward of Scotland; Income to be applied as at present Having of Rights.

Commissioners may use and be used in the Name of the Lord Advocate. Service of Process.

said, of His Majesty, His Heirs and Successors, Superiors of the same, in Free Bench Farms, Fees, and Heritage for ever, giving therefore yearly a Penny Scots Money at Whitsunday yearly, if asked only in Name of Blench Farms. In witness whereof we and The Commissioners aforesaid, have hereunto set our Hands this Day Eighteen hundred

J. K. Witness. A. B.  
G. H. Witness. C. D.

FORM OF RECEIPT AND DECLARATION.

RECEIVED by us, Two of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of His Majesty, from E. F. the Sum of being the Consideration Money paid by him for the Fee Duty [or any other Duty specified] payable to His Majesty for and forth of the Lands of pertaining to the said E. F.; of which Fee Duty [or other Duty] the said E. F., his Heirs and Assigns, are hereby for ever discharged: Henceby declaring, that in any Renewal of the Investiture of the said Lands on behalf of His Majesty, this shall be a sufficient Warranty to the Barons of the Court of Exchequer in Scotland, and all others, to grant such renewed Investiture in the Form of a Blench Holding.

Witness our Hands this Day of J. K. Witness. A. B.  
G. H. Witness. C. D.

C A P. LXX.

An Act to alter and amend an Act of the Forty-first Year of His Majesty King George the Third, for the better Regulation of Public Notaries in England. [28th August 1833.]

WHEREAS by an Act passed in the Forty-first Year of the Reign of His late Majesty King George the Third, intituled *An Act for the better Regulation of Public Notaries in England*, it is enacted, that after the First Day of August One thousand eight hundred and one no Person shall be sworn, admitted, and enrolled as a Public Notary unless such Person shall have been bound by Contract in Writing or by Indenture of Apprenticeship to serve as a Clerk or Apprentice for the Term of not less than Seven Years to a Public Notary, or a Person using the Art and Mystery of a Scrivener, (according to the Privilege and Custom of the City of London, such Scrivener being also a Public Notary,) duly sworn, admitted, and enrolled, and shall have continued in such Service for the said Term of Seven Years; and certain other Enactments are contained in the said Act, regulating the Admission and Practice of Notaries Public: And whereas the Provisions of the said Act are in their Operation found to be extremely inconvenient in some Places distant from the City of London; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Act as requires that Persons to be admitted Notaries Public shall have served a Clerkship or Apprenticeship for Seven Years, as herein-before mentioned, shall, so far as the same affects Persons being Attorneys, Solicitors, or Proctors admitted or heretofore mentioned, be limited and confined to the City of London and Liberties of Westminster, the Borough of Southwark, and the Circuit of Ten Miles from the Royal Exchange in the said City of London.

II. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Master of the Court of Faculties of His Grace the Lord Archbishop of Canterbury in London from Time to Time, upon being satisfied as well of the Fitness of the Person as of the Experience of the Appointee, to appoint, admit, and cause to be sworn and enrolled in the said Court of Faculties any Person or Persons residing at any Place distant more than Ten Miles from the Royal Exchange in the said City of London who shall have been previously admitted, sworn, and enrolled as Attorney or Solicitor in any of the Courts or Westminster, or who shall be a Proctor practising in any Ecclesiastical Court, to be a Notary Public or Notaries Public to practise within any District in which it shall have been made to appear to the said Master of the Court of Faculties that there is not (or shall not hereafter be) a sufficient Number of such Notaries Public admitted or to be admitted under the Provisions of the said recited Act for the due Convenience and Accommodation of such District, as the said Master of the Court of Faculties shall think fit, and so elsewhere; any Law or Usage to the contrary notwithstanding.

III. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize any Notary who shall be admitted by virtue of this Act to practise as a Notary, or to perform or certify any notarial Act whatsoever, within the said City of London, the Liberties of Westminster, the Borough of Southwark, or within the Circuit of Ten Miles from the Royal Exchange in the said City of London.

IV. Provided always, and be it further enacted, That if any Notary admitted by virtue of this Act shall practise as a Notary, or perform or certify any notarial Act whatsoever, out of the District specified and limited in and by the Faculty to be granted to him by virtue of this Act, or within the City of London, the Liberties of Westminster, the Borough of Southwark, or the Circuit of Ten Miles from the Royal Exchange in London aforesaid, then and in every such Case it shall be lawful for the said Court of Faculties, on Complaint made in this behalf by any and every person, to suspend or to annul such Notary

1833, c. 70.

Notarial Act limited to London and Ten Miles thereout.

Attorney may be admitted as Notary out of those Limits.

Not to authorize Notaries appointed thereby to act in London or within Ten Miles thereof. Notary admitted under this Act, practising out of his

as offering to be struck off the Roll of Practisers, and every Person so struck off shall thereforth for ever after be wholly disabled from practicing as a Necessy or performing or certifying any notarial Act whatsoever; any Thing herein contained to the contrary notwithstanding.

Struck off, to be struck off the Roll of Practisers.

## C. A. P. LXXX.

An Act for the Appointment of convenient Places for the holding of Assizes in England and Wales; [20th August 1833.]

**WHEREAS** by a Statute made in the Sixth Year of the Reign of King Richard the Second it was ordained that the Justices assigned to take Assizes and deliver the Gaols should hold their Sessions in the principal and chief Towns of every of the Counties where the Shire Courts of the same Counties should be holden: And whereas by a Statute made in the Eleventh Year of the same Reign, reciting so much of the said Statute of the Sixth Year as is herein-before recited, and stating that the said Statute was in part prejudicial and grievous to the People of divers Counties in England, it was provided that the Chancellor of England for the Time being should have Power thereof to make and provide Remedy, by Advice of the Justices, from Time to Time when Need should be, notwithstanding the said Statute: And whereas the Places at which the Assizes are now held in various Counties of England and Wales are inconvenient to the Inhabitants thereof, and it would conduce to the more cheap, speedy, and effectual Administration of Justice to appoint other Places instead thereof for the holding of Assizes; but Doubts may be entertained whether that Object can be fully effected by virtue of the Statute herein-before referred to; he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of each of the said Statutes as is herein-before recited shall be and the same is hereby repealed.

8 Ric. 2. c. 2.

11 Ric. 2. c. 11

It. And be it declared and enacted, That His Majesty, by and with the Advice of His Most Honourable Privy Council, shall have Power from Time to Time to order and direct at what Place or Places in any County in England or Wales the Assizes and Sessions under the Commission of Gaol Delivery, and other Commissions for the Dispatch of Civil and Criminal Business, shall be holden, and to order and direct such Assizes and Sessions for the Dispatch of Criminal and Civil Business to be holden at more than One Place in the same County on the same Circuit, and to order and direct the Assizes and Sessions under such Commissions for the Dispatch of Criminal Business to be holden for the whole County at One Place, and for the Dispatch of Civil Business at One or more Place or Places in such County, on the same Circuit; and further to order and direct any Special Commissions of Oyer and Terminer and Gaol Delivery to be holden at any One or more Places in any such County.

Repeal Statute in part repealed.

The Majesty in Council may direct at what Place in any County Assizes and Sessions of Gaol Delivery shall be held, and that they may be holden in more than One Place in a County on the same Circuit.

III. And be it enacted, That in case His Majesty, by and with the Advice of His Most Honourable Privy Council, shall think fit to order and direct that the Assizes or any such Special Commissions shall be holden at more than One Place in any One County, it shall be lawful for His Majesty, by and with the Advice aforesaid, to divide any such County for the Purpose of the Act, and to make Rules and Regulations touching the Venue in all Cases, Civil and Criminal, then pending or thereafter to be pending and to be tried within any Division of such County so to be made as aforesaid; and touching the Liability and Attendance of Jurors, whether Grand Jurors, Special Jurors, or Common Jurors, at the Assizes and Sessions as aforesaid, or at any Sessions under any Special Commissions to be holden within any such Division; and touching the Use of any House of Conviction or Prisons as a Cloggeon Court, and the Government and Keeping thereof; and touching the Alterations of any Commissions, Writs, Precepts, or other Proceedings whatsoever for carrying into effect the Purpose of this Act; and touching any other Matters that may be requisite for carrying into effect the Purpose of this Act, and all such Rules and Regulations shall be of the like Force and Effect as if the same had been made by the Authority of Parliament, and shall be notified in the London Gazette, or in such other Manner as His Majesty, by and with the Advice of His Most Honourable Privy Council, shall think fit to direct.

Power to divide Counties for the Purpose of holding Assizes in different Divisions of the same County. *See the Statute*

IV. And be it further enacted, That His Majesty shall have Power from Time to Time, for the Purpose of carrying this Act into effect, to order and direct that the Court of Common Pleas at Lancaster shall be holden at any One or more Places in the County Palatine of Lancaster as He shall think fit, and to divide the said County Palatine for the Purpose of the Trial of Civil Causes and the Transaction of other Civil Business in the said Court, and to make the like Rules and Regulations touching the Venue in Civil Cases to be tried within any Division of the said County, and the Liability and Attendance of Jurors, whether Special or Common, at the Court to be hold within any such Division, and touching the Alterations of Commissions, Writs, Precepts, or other Proceedings for carrying into effect the Purpose of this Act, and touching any other Matter that may be requisite for carrying into effect the Purpose of this Act; and all such Rules and Regulations shall be of the like Force and Effect as if the same had been made by the Authority of Parliament, and shall be notified in the London Gazette, or in such other Manner as His Majesty shall think fit.

Power to direct the Court of Common Pleas at Lancaster to be holden at any One or more Places in the County, and to divide the County for that Purpose.

## C A P. LXXII.

An Act for carrying into effect Two Conventions with the King of the French for suppressing the Slave Trade. [25th August 1833.]

WHEREAS a Convention was concluded between His Majesty and His Majesty the King of the French for rendering more effectual the Means of suppressing the criminal Traffic called the Slave Trade, and signed at Paris on the Thirtieth Day of November in the Year of our Lord One thousand eight hundred and thirty-one: And whereas by the First Article of the said Convention it was agreed that the mutual Right of Search might be exercised on board the Vessels of each Nation, but only within the Waters herein-after described; namely,

First, Along the Western Coast of Africa, from Cape Fied to the Distance of Ten Degrees to the South of the Equator, that is to say, from the Tenth Degree of South Latitude to the Fifteenth Degree of North Latitude, and as far as the Thirtieth Degree of West Longitude, reckoning from the Meridian of Paris;

Second, All round the Island of Madagascar, to the Extent of Twenty Leagues from that Island:

Third, To the same Distance from the Coasts of the Island of Cede;

Fourth, To the same Distance from the Coasts of the Island of Porto Rico:

Fifth, To the same Distance from the Coasts of Brazil:

It was however understood, that a suspected Vessel, despoiled and begun to be chased by the Cruisers, while within the said Space of Twenty Leagues, might be searched by them beyond those Limits, if, without ever having lost sight of her, they should only succeed in coming up with her at a greater Distance from the Coasts;

And whereas by the Second Article it was agreed, that the Right of searching Merchant Vessels of either of the Two Nations in the Waters herein-before mentioned should be exercised only by Ships of War whose Commanders should have the Rank of Captain, or at least that of Lieutenant in the Navy: And whereas by the Third Article it was agreed, that the Number of Ships to be created with the said Right should be fixed each Year by a special Agreement, that the Number for each Nation need not be the same, but that in no Case should the Number of the Cruisers of the one Nation be more than Double the Number of the Cruisers of the other: And whereas by the Fourth Article it was agreed, that the Names of the Ships and of their Commanders should be communicated by each of the contracting Governments to the other, and Information should be respectively given of all Changes which might take place in the Cruisers: And whereas by the Fifth Article it was agreed, that Instructions should be drawn up and agreed upon in common by the Two Governments for the Cruisers of both Nations, which Cruisers should afford to each other mutual Assistance in all Circumstances in which it might be useful that they should act in concert, and that the Ships of War authorized to exercise the reciprocal Right of Search should be furnished with a special Authority from each of the Two Governments: And whereas by the Sixth Article it was agreed, that whenever a Cruiser should have chased and overtaken a Merchant Vessel, so liable to Suspicion, the Commanding Officer, before he should proceed to the Search, should exhibit to the Captain of the Merchant Vessel the special Orders which confer upon him, by Exception, the Right to visit her, and in case he should ascertain the Ship's Papers to be regular, and her Proceedings lawful, he should certify upon the Log Book of the Vessel that the Search took place only in virtue of the said Orders: and that, these Formalities having been completed, the Vessel should be at liberty to continue her Course: And whereas by the Seventh Article it was agreed, that the Vessel captured for being engaged in the Slave Trade, or as being suspected of being fitted out for that infamous Traffic, should, together with their Crews, be delivered over, without Delay, to the Jurisdiction of the Nation to which they should belong, and it was furthermore distinctly understood, that they should only be judged according to the Laws in force in those respective Countries: And whereas by the Eighth Article it was agreed, that in no Case should the Right of mutual Search be exercised upon the Ships of War of either Nation; that the Two Governments should agree on a particular Signal with which these Cruisers only should be furnished which were created with that Right, and which Signal should not be made known to any other Ship not employed upon that Service; and by the Ninth Article the High Contracting Parties to the said Treaty agreed to invest the other Maritime Powers to accede to it within as short a Period as possible; and by the Tenth Article it was agreed, that the then present Convention should be ratified, and the Ratifications of it should be exchanged within One Month, or sooner, if it were possible: And whereas the said Convention was ratified by and between His Majesty and His Majesty the King of the French respectively, and such Ratifications were exchanged on the Sixteenth Day of November One thousand eight hundred and thirty-one: And whereas a Supplementary Convention was concluded between His Majesty and His Majesty the King of the French for the more effectual Suppression of the Traffic in Slaves, and signed at Paris on the Twenty-second Day of March in the Year of our Lord One thousand eight hundred and thirty-three: And whereas by the First Article of the said Supplementary Convention it was agreed, that whenever a Merchant Vessel navigating under the Flag of one of the said Two Nations should have been detained by the Cruisers of the other, duly authorized to that effect, conformably to the Provisions of the said Convention of the Thirtieth Day of November in the Year One thousand eight hundred and thirty-one, and also her Master, her Crew, her Cargo, and the Slaves who might be on board, should be carried up such Places as should here be appointed by the Contracting

Parties respectively, in order that Proceedings might be there instituted respecting them, agreeably to the Laws of each Country, and that they should be delivered over to the Authorities appointed for that Purpose by the respective Governments: and that when the Commander of the Cruiser should not think proper to take upon himself the carrying in and delivering up the detained Vessel, he should not extract that Duty to an Officer below the Rank of Lieutenant in the Navy: And whereas by the Second Article of the said Supplementary Convention it was agreed, that the Cruisers of the Two Nations authorized to exercise the Right of Visit and Detention, in execution of the Convention of the Thirtieth Day of November One thousand eight hundred and thirty-one, should, in all that relates to the Formalities of the Visit and of the Detention, as well as to the Measures to be taken for delivering up Vessels suspected of being engaged in the Slave Trade in the respective Jurisdictions, conform strictly to the Instructions annexed to the said Supplementary Convention, and which should be considered as an integral Part thereof, and the said Two High Contracting Parties reserved to themselves the Power of making in those Instructions, by common Consent, any Modifications which Circumstances might render necessary: And whereas, in conformity with the Second Article of the said Supplementary Convention, it was agreed, that the Instructions next following should be annexed to the said Supplementary Convention, and considered as an integral Partion thereof: (that is to say.)

I N S T R U C T I O N S T O C R U I S E R S.

First. Whenever a Merchant Vessel of either of the Two Nations shall be visited by a Cruiser of the other, the Officer commanding the Cruiser shall exhibit to the Master of such Vessel the special Order which under upon him the exception of the Right of Visit, and shall deliver to him a Certificate signed by him, specifying his Rank in the Navy of his Country, with the Name of the Ship which he commands, and declaring that the only Object of such Visit is to ascertain whether the Vessel is engaged in the Slave Trade, or is fitted out for the Purpose of such Trade: When the Visit is made by another Officer of the Cruiser than her Commander, then Officer shall not be under the Rank of Lieutenant in the Navy, and in this Case such Officer shall exhibit to the Master of the Merchant Vessel a Copy of the special Order above mentioned, signed by the Commander of the Cruiser, and shall likewise deliver to him a Certificate signed by him, specifying the Rank which he holds in the Navy, the Name of the Commander under whose Orders he is acting, and of the Cruiser to which he belongs, and the Object of his Visit, as herein before recited: If it shall be ascertained by the Visit that the Ship's Papers are regular, and her Proceedings lawful, the Officer shall certify upon the Log Book of the Vessel that the Visit took place only in virtue of the special Order above mentioned; and the Vessel shall be permitted to continue her Course.

Secondly. If, in consequence of the Visit, the Officer commanding the Cruiser shall be of opinion that there are sufficient Grounds for believing that the Vessel is engaged in the Slave Trade, or has been fitted out for that Trade, and if he shall in consequence determine to detain her, and to have her delivered up to the respective Jurisdiction, he shall forthwith cause a List to be made out in Duplicate of all the Papers found on board, and he shall sign this List and the Duplicate, adding to his Name his Rank in the Navy, and the Name of the Vessel under his Command: He shall in like Manner make out and sign in Duplicate a Declaration, stating the Place and Time of the Detention, the Name of the Vessel, that of her Master, and those of the Persons composing her Crew, and also the Number and Condition of the Slaves found on board: This Declaration shall further contain an exact Description of the State of the Vessel and her Cargo.

Thirdly. The Commander of the Cruiser shall without Delay carry or send the detained Vessel, with her Crew, Cargo, and the Slaves found on board, to one of the Ports herein after specified, in order that Proceedings may be instituted in regard to them conformably to the respective Laws of each Country; and he shall deliver the same to the competent Authorities, or to the Persons who shall have been specially appointed for that Purpose by the respective Governments.

Fourthly. No Person whatever shall be taken out of the detained Vessel, nor shall any Part of her Cargo, nor of the Slaves found on board, be removed from her until after such Vessel shall have been delivered over to the Authorities of her own Nation, excepting only when the Removal of the Whole or of Part of the Crew, or of the Slaves found on board, shall be deemed necessary either for the Preservation of their Lives, or from any other Consideration of Humanity, or for the Safety of the Person who shall be charged with the Navigation of the Vessel after her Detention: In this Case the Commander of the Cruiser, or the Officer appointed to bring in the detained Vessel, shall make a Declaration of such Removal, in which he shall specify the Reasons for the same, and the Masters, Sailors, Passengers, or Slaves so removed shall be carried to the same Port as the Vessel and her Cargo, and they shall be received in the same Manner as the Vessel, agreeably to the Regulations herein after set forth.

Fifthly. All such French Vessels as shall be detained by the Cruisers of His Britannic Majesty so the African Station shall be carried and delivered up to the French Jurisdiction at Goree:

All such French Vessels as shall be detained by the British Squadron on the West India Station shall be carried and delivered up to the French Jurisdiction at Martinique:

All such French Vessels as shall be detained by the British Squadron on the Madagascar Station shall be carried and delivered up to the French Jurisdiction at the Isle of Bourbon:

All such French Vessels as shall be detained by the British Squadron on the Brabant Station shall be carried and delivered up to the French Jurisdiction at Cap-Haïtien: And in all the said Cases the



- \* All such British Vessels as shall be detained by the Cruisers of His Majesty the King of the French on the African Station shall be carried and delivered up to the Jurisdiction of His Britannic Majesty at Barbours on the River Gambia :
- \* All such British Vessels as shall be detained by the French Squadron on the West India Station shall be carried and delivered up to the British Jurisdiction at Port Royal in Jamaica :
- \* All such British Vessels as shall be detained by the French Squadron on the Madagascar Station shall be carried and delivered up to the British Jurisdiction at the Cape of Good Hope :
- \* All such British Vessels as shall be detained by the French Squadron on the Brazilian Station shall be carried and delivered up to the British Jurisdiction at the Colony of Pernambuco.
- \* Sixthly. As soon as a Merchant Vessel which shall have been detained as aforesaid shall arrive at one of the Ports or Places above mentioned, the Commander of the Cruiser, or the Officer appointed to bring in the detained Vessel, shall forthwith deliver to the Authorities, duly appointed for that Purpose by the respective Governments, the Vessel and her Cargo, together with the Master, Crew, Passengers, and Slaves found on board, as also the Papers which shall have been found on board the Vessel, and one of the Lists made out in Duplicate of the said Papers, the other remaining in his Possession: such Officers shall at the same Time deliver to the said Authorities one of the Declarations made out in Duplicate as herein-before specified, adding thereto a Statement of any Changes which may have taken place from the Time of the Detention to that of the Delivery, as well as a Copy of the Declaration of any Removals which may have taken place as above provided for. In delivering over these several Documents the Officer will make Attention of their Truth on Oath and in Writing.
- \* Seventhly. If the Commander of a Cruiser of either of the High Contracting Parties, who shall be duly furnished with the aforesaid special Instructions, shall have reason to suspect that a Merchant Vessel sailing under Convoy or in Company with a Ship of War of the other Party is engaged in the Slave Trade, or has been fitted out for the Purpose of that Trade, he shall confine himself to the communicating his Suspicions to the Commander of the Convoy or of the Ship of War, and he shall leave it to the latter to proceed alone to a Visit of the suspected Vessel, and to deliver her up, if the Case require it, to the Jurisdiction of her own Country.
- \* Eighthly. The Cruisers of the Two Nations shall conform strictly to the Tenor of these Instructions, which are to be considered as a Development of the Clauses of the Principal Convention of the Thirtieth of November One thousand eight hundred and thirty-one, as well as of the said Supplementary Convention to which they are annexed.
- \* And whereas by the Third Article of the aforesaid Supplementary Convention it was agreed that it was clearly understood, that if the Commander of a Cruiser of one of the Two Nations should have reason to suspect that a Merchant Vessel navigating under Convoy or in Company with a Vessel of War of the other Nation had engaged in the Slave Trade, or had been fitted out for the said Trade, he should make known his Suspicions to the Commander of the Convoy or Vessel of War, who should proceed alone to visit the suspected Vessel, and in case the latter Commander should find that the Suspicion was well founded, he should cause the Vessel to be taken, together with her Master, his Crew, and the Cargo and the Slaves who might be on board, into a Port of his own Nation, in order that Proceedings might be instituted with regard to them agreeably to the respective Law: And whereas by the Fourth Article of the aforesaid Supplementary Convention it was agreed, that as soon as any Merchant Vessel detained and sent before the Tribunals aforesaid should arrive at one of the Ports respectively pointed out, the Commander of the Cruiser which should have detained her, or the Officer appointed to bring her in, should deliver to the Authorities appointed for that Purpose One Copy signed by him of all the Lists, Declarations, and other Documents specified in the before-mentioned Instructions annexed to the said Supplementary Convention; and the said Authorities should in consequence proceed to a Survey of the detained Vessel and her Cargo, and to an Inspection of her Crew and of the Slaves who might be on board, after having previously given Notice of the Time of such Survey and Inspection to the Commander of the Cruiser, or to the Officer who should have brought in the Vessel, in order that he or some Person in his Belief might be present thereat, and that a Declaration of such Proceedings should be drawn up in Duplicate, signed by the Persons who should have acted therein or been present at the same, and One of the said Declarations should be delivered to the Commander of the Cruiser, or to the Officer who should have been appointed to bring in the detained Vessel: And whereas by the Fifth Article to the aforesaid Supplementary Convention it was agreed, that the Vessels detained as before mentioned, their Masters, Crews, and Cargoes, should be forthwith proceeded against before the proper Tribunals in the respective Countries, according to the established Forms, and if, in consequence of such Proceedings, the said Vessels should be found to have been employed in the Slave Trade, or to have been fitted out for the Purpose thereof, the Master, the Crew, and the Accessories, as well as the Ship and Cargo, should be dealt with conformably to the respective Laws of the Two Countries; and that in case the said Vessel should be confiscated, a Portion of the Proceeds arising from her Sale should be paid into the Hands of the Government to which the Captor should belong, to be distributed among the Officers and Crew of the capturing Ship, (and this Portion should be Sixty-five per Centum of the Net Produce of the Sale, as long as such a Distribution of the Proceeds should be consistent with the respective Laws of the Two Countries: And whereas by the Sixth Article of the said Supplementary Convention it was agreed, that any Merchant Vessel of either of the Two Nations visited and detained in pursuance of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, and of the Resolution bearing

before reached, should, unless Proof were given to the contrary, be held and taken of right to have engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, if any of the Particulars therein-after specified should be found in her Oubit or Equipments, or on board of her; *satisfact*,

- First, Having her Hatches fitted with open Grottoes, instead of being close Hatches, as usual in Merchant Vessels;
- Second, Having more Divisions or Bulk Heads in the Hold or on Deck than necessary for trading Vessels;
- Third, Having on board spare Planks, either actually fitted in that Shape, or fit for readily laying a second or movable Deck, or Slave Deck;
- Fourth, Having on board Shackles, Bolts, or Handcuffs;
- Fifth, Having on board a Supply of Water more than sufficient for the Consumption of her Crew as a Merchant Vessel;
- Sixth, Having on board an unreasonable Number of Water Casks or other Vessels for holding Water, unless the Master should produce a Certificate from the Custom House of the Place at which he cleared outwards, stating that a sufficient Security had been given by the Owners of such Vessel that such Casks or other Vessels should only be used for the Reception of Palm Oil, or be employed in any other lawful Trade;
- Seventh, Having on board a greater Quantity of Meats Tubs or Kinds than requisite for the Use of her Crew as a Merchant Vessel;
- Eighth, Having on board two or more Copper Boilers, or even One evidently larger than requisite for the Use of her Crew as a Merchant Vessel;
- Ninth, Having on board a Quantity of Rice or Indian Flour of the Manies of Brazil, or Cassava or Malice, or Indian Corn, beyond any probable requisite Provision for the Use of her Crew, and such Rice, Flour, Malice, or Indian Corn not being entered in the Manifest as Part of the Cargo for Trade;

And whereas by the Seventh Article of the said Supplementary Convention it was agreed, that no Compensation should in any Case be granted either to the Master or to the Owner or to any other Person interested in the Equipment or Lading of a Merchant Vessel in which any of the Particulars specified in the preceding Article should be found, even if the Tribunal should not pronounce any Condemnation, in consequence of her Detention: And whereas by the Eighth Article of the said Supplementary Convention it was agreed, that when a Merchant Vessel of either of the Two Nations should have been visited and detained illegally, or without sufficient Cause of Suspicion, or when the Visit and Detention should have been attended with any Abuse or vexatious Act, the Commander of the Cruiser, or the Officer who should have boarded the said Vessel, or the Officer who should have been appointed to bring her on, as the Case might be, should be liable to Costs and Damages to the Master and to the Owners of the Vessel and Cargo; that those Costs and Damages might be awarded by the Tribunal before which the Proceedings against the detained Vessel, her Master, Crew, and Cargo, should have been instituted; and the Government of the Country to which the Officer who gave Occasion for such a Visit should belong should pay the Amount of the said Costs and Damages within the Period of One Year from the Date of the Award: And whereas by the Ninth Article of the said Supplementary Convention it was agreed, that if in the Visit or Detention of a Merchant Vessel made in virtue of the Provisions of the said Convention of the Thirtieth of November One thousand eight hundred and thirty-one, or of the said present Convention, any Abuse or Vexation should have been committed, but the Vessel should not have been delivered over to the Jurisdiction of her own Nation, the Master of the Vessel should make a Declaration on Oath of the Abuse or Vexations of which he had to complain, and of the Costs and Damages to which he laid claim, before the competent Authorities in the first Part of his own Country at which he might arrive, or before the Consul Agent of his Nation, if the Vessel should proceed to a Foreign Port where there was such an Agent; that the Declaration should be confirmed by an Examination under Oath of the principal Persons of the Crew or Passengers who had witnessed the Visit or Detention, and One formal Declaration of the whole should be drawn up, and Two Copies thereof delivered to the Master, who should forward One of them to his own Government in support of his Claim for Costs and Damages; and that it was understood, that if any compulsory Circumstances should prevent the Master from making his Declaration, it might be made by the Owner or by any other Person interested in the Vessel or in her Cargo; that on the official Transmission of One Copy of the formal Declaration above mentioned through the Channel of the respective Embassies, the Government of the Country to which the Officer charged with Abuse or Vexations should belong should forthwith institute an Inquiry into the Matter, and if the Validity of the Complaint should be admitted, the said Government should cease to be paid to the Master or Owner, or to any other Person interested in the Vessel which should have been visited, or in her Cargo, the Amount of Costs and Damages which might be due to them: And whereas by the Tenth Article of the said Supplementary Convention it was agreed, and the Two Governments did engage reciprocally to communicate each to the other, free of Expence, and upon Application being made, Copies of all the Proceedings instituted and Judgments given relative to Vessels visited or detained in execution of the Provisions of the said Convention of the Thirtieth Day of November in the Year of our Lord One thousand eight hundred and thirty-one, and of the said present Convention: And whereas by the Eleventh Article of the said Supplementary Convention it was agreed, that the Two Governments did agree to make the in addition:

Freedom of all Slaves who should be found on board Vessels visited and detained in virtue of the stipulations of the Principal Convention thence before referred to, or of the said present Convention, whenever the Offices of trafficking in Slaves should have been established by the Sanctions of the respective Tribunals; the Two Governments did however, by the said last-mentioned Article, reserve to themselves, for the Welfare of the Slaves themselves, the Right to employ them as Servants or Free Labourers, conformably to their respective Laws; And whereas by the Twelfth Article of the said Supplementary Convention it was agreed between the Two High Contracting Parties, that in all Cases in which a Vessel under the said Convention of the Thirtieth Day of November in the Year of our Lord One thousand eight hundred and thirty-one, or under the said Supplementary Convention, should be detained by their respective Cruisers as having been engaged in the Slave Trade or fitted out for the Purpose thereof, and should be placed at the Disposal of either Government for the Purpose of being sold in consequence of a Sentence of Confiscation pronounced by a competent Tribunal, the said Vessel should be broken up, in Whole or in Part, before the Sale, whenever in peculiar Construction or Outfit it should give reason to fear that it might be again employed in the Slave Trade or any other illicit Traffic: And whereas by the Thirtieth and last Article of the said Supplementary Convention it was agreed, that the said present Convention should be ratified, and the Ratifications should be exchanged at Paris within the Space of One Month, or sooner if possible: And whereas the said Supplementary Convention was ratified by and between His Majesty and His Majesty the King of the French respectively, and such Ratifications were exchanged on the Twelfth Day of April in the Year of our Lord One thousand eight hundred and thirty-three: And whereas it is expedient and necessary that effectual Provisions should be made for carrying into execution the Provisions of the Convention aforesaid: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of His Majesty or of the King of the French, who shall have such Rank as by the said Second Article of the said last-mentioned Convention is agreed, and shall be duly instructed and authorized and furnished according to the several Provisions of the said Two Conventions, and within the Waters described, and according to the Provisions and Exceptions contained in the First Article of the said first-mentioned Convention, to examine the Right of visiting and searching any Merchant Vessel of either of the said Two Nations liable to Suspicion, and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purposes of such Traffic, according to the several Provisions and Instructions of the said Two Conventions, except as in the said Third Article of the said Supplementary Convention is excepted, and upon sufficient Grounds, of detaining, and of sending or carrying in and delivering over without Delay any such Vessel, together with its Master, Sailors, Passengers, Stores, and Cargo, to the Authorities appointed for the Purposes of the said Two Conventions, by the respective Governments of the said Two Nations, and to One of the Jurisdictions in the said Instructions mentioned, in order that Proceedings may be instituted conformably to the respective Laws of the said Two Countries; and all such Commissioners of His Majesty's Ships are hereby authorized and required, in the Exercise of such Highes of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, to execute, perform, and comply with the said several Provisions and Instructions of the said Two Conventions as apply thereto respectively.

Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion and suspected of being engaged in the Slave Trade

In case of French Officers detaining British Vessels, Proceedings to be conducted in Name of His Majesty

II. And be it further enacted, That where any such Officer of His Majesty the King of the French shall send, carry, or deliver over as aforesaid any such Merchant Vessel, wholly or in part owned by any Subject or Subjects of His Majesty the King of the United Kingdom of Great Britain and Ireland, all and every Proceeding instituted in the Tribunals herein-often mentioned in regard to such Merchant Vessel, and its Crew, Cargo, and Stores, and in respect to the Cause, shall be conducted in the Name of His Majesty the King of the United Kingdom of Great Britain and Ireland by some Person duly thereto authorized; that it is to say, all Ships, Cargoes, and Slaves which shall be detained by the Cruisers of His Majesty the King of the French, and delivered up to the Jurisdiction of His Majesty at Botheram on the River Gambia, shall be proceeded against and adjudicated in the Vice-Admiralty Court at Sierra Leone; and that all other Ships, Cargoes, and Slaves which may in like Manner be detained by the Cruisers of His Majesty the King of the French, and delivered up to the Jurisdiction of His Majesty either at Jamaica, Cape of Good Hope, or Demerara, shall be proceeded against and adjudicated in the Vice-Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice-Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly.

Where a British Vessel is detained by a French Officer

III. And be it further enacted and declared, That any such Merchant Vessel, wholly or in part owned as last aforesaid, visited and detained in pursuance of the said Two Conventions, shall, unless Proof be given to the contrary, be held and taken to have engaged in the Slave Trade, or to have been fitted out for the Purpose of such Traffic, and equipped and employed in the Objects declared unlawful by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King George the Fourth, intitled An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade, if any of the Particulars specified in the said Sixth Article of the said Convention of the Twenty-second Day of March One thousand eight hundred and thirty-three shall be found on her Outfit or Equipment, or on board of her.

Where a British Vessel is captured by a French Officer

IV. And be it further enacted, That in case any such Merchant Vessel, wholly or in part owned as last aforesaid, shall be brought in by any Officer of His Majesty the King of the French duly authorized, and shall be confiscated according to the Laws of this Country and the Provisions of the said Two Conventions, and of the said Act of Parliament passed in the Fifth Year of the Reign of His Majesty King

George the Fourth, it shall be lawful for His Majesty the King of the United Kingdom of Great Britain and Ireland to direct that a Portion of the Proceeds arising from the Sale thereof shall be paid into the Hands of the Government of His Majesty the King of the French, according to the Provisions of the Fifth Article of the said Convention of the Twenty-second Day of March One thousand eight hundred and thirty-three; and that any Portion of the Proceeds arising from the Sale of any Ship captured to be paid into the Hands of the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, according to the Provisions of the said Fifth Article last aforesaid, or Cargo, shall be paid to such Person or Persons as the Commissioners of His Majesty's Treasury may direct or appoint to receive the same, and for the Use of the Captors, according to the Provisions of the said Fifth Article; and that the same, after deducting all necessary Expenses, shall be distributed to and amongst the Officers and Crew of the capturing Ship in the Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessel.

V. And be it further enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Commanders, Officers, and Crews of His Majesty's Ships authorized to make Seizures under the aforesaid Convention of the Twenty-second March One thousand eight hundred and thirty-three, a Bounty of Five Pounds of lawful Money of Great Britain for every Man, Woman, and Child Slave seized and found on Board a British or French Ship or Vessel taken, delivered over, and condemned in pursuance of the Provisions of the said Conventions and of this Act, such Bounty to be issued and paid by Order from the said Commissioners of His Majesty's Treasury, and to be distributed to and amongst the Captains aforesaid in such Manner and Proportions as His Majesty, His Heirs and Successors, shall think fit to order and direct by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

VI. Provided always, and be it further enacted, That, in order to entitle the Captains to receive the said Bounty Money, the Numbers of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of His Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

VII. And be it further enacted, That where any Slaves, or Persons treated, dealt with, carried, kept, or detained as Slaves, shall be taken or seized on Board any British or French Ship or Vessel in pursuance of the Provisions of the said Conventions and of this Act, but who shall not have been condemned or shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstances, it shall and may be lawful for the said Commissioners of His Majesty's Treasury, if in their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of One Month of the Bounty which would have been due in such Case respectively if the said Slaves had been delivered over and condemned.

VIII. Provided also, and be it further enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Slave of the Proceeds of any French Vessel confiscated in pursuance of the Provisions of the aforesaid Conventions, shall and may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall and may be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of Joint Capture which may arise upon any Seizure made in pursuance of this Act, and enforce any Decree or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

IX. And be it further enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Per-centage due thereon to Greenwich Hospital shall be and are hereby extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of His Majesty's Ships or Vessels of War.

X. And be it further enacted, That where any Illegal Visit and Detention, or any Visit and Detention without sufficient Cause of Suspicion, or any Abuse or Tyranny, shall have taken place and have been made by any Officer of His Majesty the King of the United Kingdom of Great Britain and Ireland, as is mentioned in the English and French Articles of the said Convention of the Twenty-second Day of March One thousand eight hundred and thirty-three, it shall be lawful for the Lords Commissioners of His Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, of any Costs and Damages which may be duly awarded according to the Provisions of the said Two last-mentioned Articles: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon by Order of the said Lords Commissioners of His Majesty's Treasury.

XI. And be it further enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of His Majesty's Ships authorized to make Seizures under the aforesaid Convention of the Twenty-second March One thousand eight hundred and thirty-three, and Judgment shall be given against the Seizor, or such Seizure shall be relinquished by him, it shall be lawful for the said Lords Commissioners of His Majesty's Treasury, if in their Discretion it shall seem meet, by Warrant signed by any Three or more of them to direct Payment to be made out of the Consolidated Fund of the United Kingdom

may be appointed according to Fifth Article of Convention.

A Bounty to be given to every Slave found on board of Vessels seized and condemned.

Mode of obtaining such Bounty.

Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Month of the Bounty.

Parties claiming Bounties to be directed to the Court of Admiralty.

Regulations to which Prize Agents are to be extended in Bounties, &c. under this Act.

Where Illegal Detention made, Costs of the Seizure may award Compensation.

Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may

Great Payment  
of the British's  
Crown.

In all Actions  
commenced  
under this Act,  
Defendant may  
plead the  
General Issue.

Kingdom of Great Britain and Ireland of such Costs and Expenses as the said Seizor may have incurred in respect of such Seizure, or any proportionable Part thereof.

III. And be it further enacted, That if any Action or Suit shall be commenced, either in Great Britain or elsewhere, against any Person or Persons for any thing done in pursuance of the said Conventions, or the Instructions or Regulations thereto assented, or of this Act in as far as it relates thereto, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence as may Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Conventions, Instructions, or Regulations, or of this Act; and if it shall appear to be have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be acquitted, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

### C A P. LXXIII.

An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the emancipated Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves. [28th August 1833.]

WHEREAS divers Persons are held in Slavery within divers of His Majesty's Colonies, and it is just and expedient that all such Persons should be manumitted and set free, and that a reasonable Compensation should be made to the Persons hitherto entitled to the Services of such Slaves for the Loss which they will incur by being deprived of their Right to such Services; And whereas it is also expedient that Provision should be made for promoting the Industry and securing the good Conduct of the Persons so to be manumitted, for a limited Period after such their Manumission: And whereas it is necessary that the Laws now in force in the said several Colonies should forthwith be adapted to the new State and Relations of Society thence which will follow upon such general Manumission as aforesaid of the said Slaves; and that, in order to afford the necessary Time for such Adaptation of the said Laws, a short Interval should elapse before such Manumission should take effect; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of August One thousand eight hundred and thirty-four all Persons who in conformity with the Laws now in force in the said Colonies respectively shall as or before the First Day of August One thousand eight hundred and thirty-four have been duly registered as Slaves in any such Colony, and who on the said First Day of August One thousand eight hundred and thirty-four shall be actually within any such Colony, and who shall by such Registers appear to be on the said First Day of August One thousand eight hundred and thirty-four of the full Age of Six Years or upwards, shall by Force and virtue of the Act, and without the previous Execution of any Indenture of Apprenticeship, or other Deed or Instrument for that Purpose, become and be apprenticed Labourers; provided that, for the Purposes aforesaid, every Slave engaged in his ordinary Occupation on the Sea shall be deemed and taken to be within the Colony to which such Slave shall belong.

II. And be it further enacted, That during the Continuance of the Apprenticeship of any such apprenticed Labourer such Person or Persons shall be entitled to the Services of such apprenticed Labourer as would for the Time being have been entitled to his or her Services as a Slave if this Act had not been made.

III. Provided also, and be it further enacted, That all Slaves who may at any Time previous to the passing of this Act have been brought with the Consent of their Possessor, and all apprenticed Labourers who may hereafter with the like Consent be brought, into any Part of the United Kingdom of Great Britain and Ireland, shall from and after the passing of this Act be absolutely and entirely free, to all Intents and Purposes whatsoever.

IV. And whereas it is expedient that all such apprenticed Labourers should, for the Purpose herein after mentioned, be divided into Three distinct Classes, the First of such Classes consisting of predial apprenticed Labourers attached to the Soil, and comprising all Persons who in their State of Slavery were usually employed in Agriculture, or in the Manufacture of Colonial Produce or otherwise, upon Lands belonging to their Owners; the Second of such Classes consisting of predial apprenticed Labourers not attached to the Soil, and comprising all Persons who in their State of Slavery were usually employed in Agriculture, or in the Manufacture of Colonial Produce or otherwise, upon Lands not belonging to their Owners; and the Third of such Classes consisting of non-predial apprenticed Labourers, and comprising all apprenticed Labourers not included within either of the Two preceding Classes: be it therefore enacted, That such Divisions as aforesaid of the said apprenticed Labourers into such Classes as aforesaid shall be carried into effect in such Manner and Form and subject to such Rules and Regulations as shall for that Purpose be established under such Authority, and in and by such Act of Assembly, Ordinance, or Order in Council, as herein after mentioned: Provided always, that no Person of the Age of Twelve Years and upwards shall by or by virtue of any such Act of Assembly, Ordinance, or Order in Council, be included in either of the said Two Classes of predial apprenticed Labourers unless such Person shall for Twelve Calendar Months at the least next before the passing of this present Act have been habitually employed in Agriculture or in the Manufacture of Colonial Produce.

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All Persons  
who on the 1st  
August 1834  
shall have been  
registered as  
Slaves, and  
be Six Years  
old or upwards,  
shall become  
apprenticed  
Labourers.

Who entitled to  
Services of the  
Slave, as an ap-  
prenticed  
Labourer.

Slaves brought  
into the United  
Kingdom with  
Consent of Possessor,  
free.

Apprenticed  
Labourers to  
be divided into  
Three Classes,  
viz. predial at-  
tached, predial  
unattached, and  
non-predial.

Proviso.

V. And he it further enacted, That no Person who by virtue of this Act, or of any such Act of Assembly, Ordinance, or Order in Council as aforesaid, shall become a prindal apprenticed Labourer, whether attached or not attached to the Soil, shall continue in such Apprenticeship beyond the First Day of August One thousand eight hundred and forty; and that during such his or her Apprenticeship as such prindal apprenticed Labourer, whether attached or not attached to the Soil, shall be bound or liable, by virtue of such Apprenticeship, to perform any Labour in the Service of his or her Employer or Employers for more than Forty-five Hours in the whole in any One Week.

VI. And he it further enacted, That no Person who by virtue of this Act or of any such Act of Assembly, Ordinance, or Order in Council as aforesaid, shall become a non-prindal apprenticed Labourer, shall continue in such Apprenticeship beyond the First Day of August One thousand eight hundred and thirty-eight.

VII. And he it further enacted, That if before any such Apprenticeship shall have expired the Person or Persons entitled for and during the Remainder of any such Term to the Services of such apprenticed Labourer shall be desirous to discharge him or her from such Apprenticeship, it shall be lawful for such Person or Persons so to do by any Deed or Instrument to be by him, her, or them for that Purpose made and executed; which Deed or Instrument shall be in such Form, and shall be executed and recorded in such Manner and with such Substantives, as shall for that Purpose be prescribed under such Authority, and in and by such Acts of Assembly, Ordinance, or Orders in Council, as herein-after mentioned: Provided nevertheless, that if any Person so discharged from any such Apprenticeship by any such voluntary Act as aforesaid shall at that Time be of the Age of Fifty Years or upwards, or shall be then labouring under any such Disease or mental or bodily Infirmary as may render him or her incapable of earning his or her Subsistence, then and in every such Case the Person or Persons so discharging any such apprenticed Labourer as aforesaid shall continue to be liable to provide for the Support and Maintenance of such apprenticed Labourer during the remaining Term of such original Apprenticeship, as fully as if such apprenticed Labourer had not been discharged therefrom.

VIII. And he it further enacted, That it shall be lawful for any such apprenticed Labourer to purchase his or her Discharge from such Apprenticeship, even without the Consent, or in opposition, if necessary, to the Will of the Person or Persons entitled to his or her Services, upon Payment to such Person or Persons of the appraised Value of such Services; which Appraisalment shall be effected, and which Purchase Money shall be paid and applied, and which Discharge shall be given and executed, in such Manner and Form, and upon, under, and subject to such Conditions, as shall be prescribed under such Authority, and by such Acts of Assembly, Ordinance, or Orders in Council, as are herein-after mentioned.

IX. And he it further enacted, That no apprenticed Labourer shall be subject or liable to be removed from the Colony in which he or she may belong; and that no prindal apprenticed Labourer who may be Master aforesaid become attached to the Soil shall be subject or liable to perform any Labour in the Service of his or her Employer or Employers except upon or in or about the Works and Business of the Plantations or Estates to which such prindal apprenticed Labourer shall have been attached or to which he or she shall have been usually employed on or previously to the said First Day of August One thousand eight hundred and thirty-four: Provided nevertheless, that, with the Consent in Writing of any Two or more Justices of the Peace holding such Special Commission as herein-after mentioned, it shall be lawful for the Person or Persons entitled to the Services of any such attached prindal apprenticed Labourer or Labourers to transfer his or their Services to any other Estate or Plantation within the same Colony to such Person or Persons belonging; which written Consent shall in no Case be given, or be of any Validity, unless any such Justices of the Peace shall first have ascertained that such Transfer would not have the Effect of separating any such attached prindal apprenticed Labourer from his or her Wife or Husband, Parent or Child, or from any Person or Persons reputed to bear any such Relation to him or her, and that such Transfer would not probably be injurious to the Health or Welfare of such attached prindal apprenticed Labourer; and such written Consent in any such Removal shall be expressed in such Terms, and shall be in each Case given, attested, and recorded in such Manner, as shall for that Purpose be prescribed under such Authority, and by such Acts of Assembly, Ordinance, and Orders in Council, as herein-after mentioned.

X. And he it further enacted and declared, That the Right or Interest of any Employer or Employers to and in the Services of any such apprenticed Labourers as aforesaid shall pass and be transferable by Bargain and Sale, Contract, Deed, Conveyance, Will, or Bequest, according to such Rules and in such Manner as shall for that Purpose be provided by any such Acts of Assembly, Ordinance, or Orders in Council as herein-after mentioned: provided that no such apprenticed Labourer shall, by virtue of any such Bargain and Sale, Contract, Deed, Conveyance, Will, or Bequest, be subject or liable to be separated from his or her Wife or Husband, Parent or Child, or from any Person or Persons reputed to bear any such Relation to him or her.

XI. And he it further enacted, That during the Continuance of any such Apprenticeship as aforesaid the Person or Persons for the Time being entitled to the Services of every such apprenticed Labourer shall be and is and are hereby required to supply him or her with such Food, Clothing, Lodging, Medicine, Medical Attendance, and such other Maintenance and Allowances as by any Law now in Force in the Colony to which such apprenticed Labourer may belong an Owner is required to supply to and for any Slave being of the same Age and Sex as such apprenticed Labourer shall be; and in Cases in which the Food of any such prindal apprenticed Labourer shall be supplied, not by the Delivery to him or her,

Apprenticeship of the prindal Labourers not to continue beyond the August 1840.

of the non-prindal not beyond the August 1838.

Before the Apprenticeship is expired, the Labourer may be discharged by his Employer.

In case of Discharge of aged or infirm Labourers, the Employer is to be liable for their Support.

Apprenticed Labourer may purchase his Discharge against the Will of his Employer, on an Apprenticeship.

Apprenticed Labourers not transferable from the Colony.

Prindal apprenticed Labourers not removable from the Plantation except by Consent of Justices.

Justices to ascertain that the Removal will not separate Members of Families.

Right to the Services of the Apprentices to be transferable Property.

Labourer not to be separated from Wife, &c.

Employer to supply the Labourer with Food, &c. Where the prindal Labourer shall be maintained by

the Cultivation of Freehold Grounds, a proper Quantity of Ground with Labour Time to be set apart by the Employer; How to be regulated.

Provisions, but by the Cultivation by such prœdial apprenticed Labourer of Ground set apart for the Growth of Provisions, the Person or Persons entitled to him or her Services shall and is or are hereby required to provide such prœdial apprenticed Labourer with Ground adequate, both in Quantity and Quality, for his or her Support, and within a reasonable Distance of his or her usual Place of Abode, and to allow to such prœdial apprenticed Labourer, from and out of the annual Time during which he or she may be required to labour, after the Rate of Forty five Hours per Week as aforesaid, in the Service of such his or her Employer or Employers, such a Portion of Time as shall be adequate for the proper Cultivation of such Ground, and for the raising and rearing the Crops thereon grown; the actual Extent of which Ground, and the Distance thereof from the Place of Residence of the prœdial apprenticed Labourer for whose Use it may be so allotted, and the Length of Time to be deducted for the Cultivation of the said Ground from the said annual Term, shall and may, in each of the Colonies aforesaid, be regulated under such Authorities, and by such Acts of Assembly, Ordinances, or Orders in Council as herein-after mentioned.

Subject to the Obligations imposed hereby, all Slaves in the British Colonies emancipated from the 1st August 1834.

XII. And be it further enacted, That, subject to the Obligations imposed by this Act, or to be imposed by any such Act of General Assembly, Ordinance, or Order in Council as herein-after mentioned, upon such apprenticed Labourers as aforesaid, all and every the Persons who on the said First Day of August One thousand eight hundred and thirty-four shall be holden in Slavery within any such British Colony as aforesaid shall upon and from and after the said First Day of August One thousand eight hundred and thirty-four become and be to all Intents and Purposes free and discharged of and from all Manner of Slavery, and shall be absolutely and for ever manumitted; and that the Children, thereafter to be born to any such Persons, and the Offspring of such Children, shall in like Manner be free from their Birth; and that from and after the said First Day of August One thousand eight hundred and thirty-four Slavery shall be and is hereby utterly and for ever abolished and declared unlawful throughout the British Colonies, Plantations, and Possessions Abroad.

Children below the Age of Six on the 1st August 1834, or here after that Time in any Female Apprentices of absolute, may be bound out by any Special Magistrate as an Apprentice to the Person entitled to the Services of the Mother.

XIII. And whereas it may happen that Children who have not attained the Age of Six Years on the said First Day of August One thousand eight hundred and thirty-four, or that Children who after that Day may be born to any Female apprenticed Labourers, may not be properly supported by their Parents, and that no other Person may be disposed voluntarily to undertake the Support of such Children; and it is necessary that Provision should be made for the Maintenance of such Children in any such Colony; be it therefore enacted, That if any Child who on the said First Day of August One thousand eight hundred and thirty-four had not completed his or her Sixth Year, or if any Child to which any Female apprenticed Labourer may give birth on or after the said First Day of August One thousand eight hundred and thirty-four, shall be brought before any Justice of the Peace holding any such Special Commission as herein-after mentioned, and if it shall be made to appear to the Satisfaction of such Justice that any such Child is unsupported with an adequate Maintenance, and that such Child hath not completed his or her Age of Twelve Years, it shall be lawful for such Justice, and he is hereby required, on behalf of any such Child, to execute an Indenture of Apprenticeship, thereby binding such Child as an apprenticed Labourer to the Person or Persons entitled to the Services of the Mother of such Child, or who had been last entitled to the Services of such Mother; but in case it shall be made to appear to any such Justice that such Person or Persons aforesaid is or are unable or unfit to enter into such Indenture, and properly to perform the Conditions thereof, then it shall be lawful for such Justice and he is hereby required by such Indenture to bind any such Child to any other Person or Persons to be by him for that Purpose approved, and who may be willing and able properly to perform such Conditions; and it shall by every such Indenture of Apprenticeship be declared whether such Child shall thereafter belong to the Class of attached prœdial apprenticed Labourers, or to the Class of unattached prœdial apprenticed Labourers, or to the Class of non-prœdial apprenticed Labourers; and the Term of such Apprenticeship of any such Child shall by such Indenture be limited and made to continue in force until such Child shall have completed his or her Twenty-first Year, and no longer; and every Child so apprenticed as aforesaid by the Order of any such Justice of the Peace as aforesaid shall during his or her Apprenticeship be subject to all such and the same Rules and Regulations respecting the Work or Labour to be by them done or performed, and respecting the Food and other Supplies to be to him or her furnished, as any other such apprenticed Labourers as aforesaid: Provided always, that the said Indenture of Apprenticeship shall contain sufficient Words of Obligation upon the Employer to allow reasonable Time and Opportunity for the Education and Religious Instruction of such Child.

Indentures to continue in force until the Child has completed his Years.

His Majesty, or any Governor by His Majesty, may appoint Justices of the Peace by Special Commission to give effect to this Act.

Such Justice may either be included in the General Commission of the Peace.

XIV. And for ensuring the effectual Superintendance of the said apprenticed Labourers, and the Execution of this Act, be it enacted, That it shall and may be lawful for His Majesty to issue, or to authorize the Governor of any such Colony as aforesaid, in the Name and on the Behalf of His Majesty, to issue under the Public Seal of any such Colony, One or more Special Commissions or Commissions to any One or more Persons or Persons, consisting Six or more a Justice or Justices of the Peace for the whole of any such Colony, or for any Parish, Precinct, Quarter, or other District within the same; for this special Purpose of giving effect to this present Act, and to any Laws which may, in manner herein-after mentioned, be made for giving more complete Effect to the same; and every Person so or in pursuance of whom any such Commission may be issued shall by force and virtue thereof, and without any other Qualification, be entitled and competent to act as a Justice of the Peace within the Limits prescribed by such his Commission for such special Purpose aforesaid, but for no other Purpose: Provided nevertheless, that nothing herein contained shall prevent or be construed to prevent any Person commissioned as a Justice of the Peace for such special Purpose as aforesaid from being included in the General Com-

justice of the Peace for any such Colony, or for any Parish, Precinct, Quarter, or other District thereof, in case it shall seem fit to His Majesty, or to the Governor of any such Colony acting by His Majesty's Authority, to address both such Special Commission and such General Commission as aforesaid in any Case to the same Person or Persons.

XV. And be it further enacted, That His Majesty shall be and he is hereby authorized to grant to any Person or Persons, not exceeding One hundred in the whole, holding any such Special Commission or Commissions as aforesaid, and so from Time to Time as Vacancies may occur, Salaries at and after a Rate not exceeding in any Case the Sum of Three hundred Pounds Sterling *per Annum*, which Salary shall be payable as long only as any such Justice of the Peace shall retain any such Special Commission, and shall be actually resident in such Colony, and engaged in the Discharge of the Duties of such his Office: provided that any Person receiving or entitled to receive any Half Pay, Pension, or Allowance for or in respect of any past Services in His Majesty's Naval or Land Forces shall, by the Acceptance of any such Special Commission or Salary as aforesaid, forfeit or become incapable of receiving or losing his Right to receive such Half Pay, Pension, or Allowance, or any Part thereof, any Law, Statute, or Usage to the contrary in anywise notwithstanding: Provided also, that there be usually laid before both Houses of Parliament a List of the Names of all Persons to whom any such Salary shall be so granted, specifying the Date of every such Commission, and the Amount of the Salary assigned to every such Justice of the Peace.

XVI. And whereas it is necessary that various Rules and Regulations should be framed and established for ascertaining, with reference to such apprenticed Labourer within the said Colonies respectively, whether he or she belongs to the Class of attached *prædial* apprenticed Labourers, or to the Class of unattached apprenticed Labourers, or to the Class of non-*prædial* apprenticed Labourers, and for determining the Manner and Form in which and the Substantive with which the voluntary Discharge of any apprenticed Labourer from such his or her Apprenticeship may be effected, and for prescribing the Form and Manner in which and the Substantive with which the Parolance by any such apprenticed Labourer or his or her Discharge from such Apprenticeship without, or in opposition, if necessary, to the Consent of the Person or Persons entitled to his or her Services, shall be effected, and how the necessary Appraisalment of the future Value of such Services shall be made, and how and to whom the Amount of such Apprenticeship shall in such Case be paid and applied, and in what Manner and Form, and by whom the Discharge from any such Apprenticeship shall thereupon be given, accepted, and recorded; and it is also necessary, for the Preservation of Peace throughout the said Colonies, that proper Regulations should be framed and established for the Maintenance of Order and good Discipline amongst the said apprenticed Labourers, and for securing the punctual Discharge of the Services due by them to their respective Employers, and for the Prevention and Punishment of Indiscipline, or the Neglect or improper Performance of Work by any such apprenticed Labourer, and for enforcing the due Performance by any such apprenticed Labourer of any Contract into which he or she may voluntarily enter for any hired Service during the Time in which he or she may not be bound to labour for his or her Employers, and for the Prevention and Punishment of Indiscipline and insubordination on the Part of any such apprenticed Labourers towards their Employers, and for the Prevention or Punishment of Vagrancy or of any Conduct on the Part of any such apprenticed Labourers injuring or tending to the Injury of the Property of any such Employer, and for the Suppression and Punishment of any Riot or combined Resistance of such Laws on the Part of any such apprenticed Labourers, and for preventing the Escape of any such apprenticed Labourers, during their Term of Apprenticeship, from the Colonies to which they may respectively belong: And whereas it will also be necessary for the Protection of such apprenticed Labourers as aforesaid that various Regulations should be framed and established in the said respective Colonies for securing Punctuality and Method in the Supply to them of such Food, Clothing, Lodging, Medicines, Medical Attendance, and such other Necessaries and Allowances as they are herein-before declared entitled to receive, and for regulating the Amount and Quality of all such Articles in Cases where the Laws at present existing in any such Colony may not in the Case of Slaves have made any Regulation or any adequate Regulation for that Purpose; and it is also necessary that proper Rules should be established for the Prevention and Punishment of any Frauds which might be practiced, or of any Omissions or Neglects which might occur, respecting the Quantity or the Quality of the Supplies as to be furnished, or respecting the Periods for the Delivery of the same: And whereas it is necessary, in those Cases in which the Food of any such *prædial* apprenticed Labourers as aforesaid may either wholly or in part be raised by themselves by the Cultivation of Ground to be set apart and allowed for that Purpose, that proper Regulations should be made and established as to the Extent of such Grounds, and as to the Distances at which such Grounds may be so allotted from the ordinary Place of Abode of such *prædial* apprenticed Labourers, and respecting the Deductions to be made from the Cultivation of such Grounds from the annual Time during which such *prædial* apprenticed Labourers are hired-before declared liable to labour: And whereas it may also be necessary, by such Regulations as aforesaid, to secure to the said *prædial* apprenticed Labourers the Enjoyment for their own Benefit of that Portion of their Time during which they are not hereby required to labour in the Service of their respective Employers, and for securing Exactness in the Computation of the Time during which such *prædial* apprenticed Labourers are hereby required to labour in the Service of such their respective Employers; and it is also necessary that Provision should be made for preventing the Imposition of Task-work on any such apprenticed Labourer without his or her free Consent to undertake the same; but it may be necessary by such Regulations to require and provide for the Apprenticeship of the Minority

His Majesty may grant Salaries to any Person or Persons.

List of such Persons to be laid before Parliament.

Form of various Regulations necessary for giving Effect to this Act.



of the said apprenticed Labourers attached to any Plantation or Estate in the Colonies and  
 Appointments amongst the whole Body of such Labourers of any Taskwork which the Majority of such  
 Body shall be willing and desirous collectively to undertake; and it is also necessary that Regulations  
 should be made respecting any voluntary Contracts into which any apprenticed Labourers may enter  
 with their respective Employers or with any other Person for hired Service for any future Period, and  
 for limiting the present Period of Time in which such voluntary Contracts may extend, and for enforcing  
 the punctual and efficient Performance of such voluntary Contracts on the Part both of such apprenticed  
 Labourers and of the Persons or Persons engaging for their Employment and Hire; and it is also neces-  
 sary that Regulations should be made for the Prevention or Punishment of any Cruelty, Injustice, or  
 other Wrong or Injury which may be done to or inflicted upon any such apprenticed Labourers by the  
 Persons entitled to their Services; and it is also necessary that proper Regulations should be made  
 respecting the Manner and Form in which such Indentures of Apprenticeship as aforesaid shall be made  
 on behalf of such Children as aforesaid, and respecting the registering and Preservation of all such In-  
 dentures: And whereas it is also necessary that Provision should be made for ensuring Promptitude and  
 Dispatch, and for preventing all unnecessary Expence, in the Discharge by the Justice of the Peace  
 holding such Special Commissions as aforesaid of the Jurisdiction and Authority thereby committed to  
 them, and for enabling such Justice to decide in a summary Way such Questions as may be brought  
 before them in that Capacity, and for the Disposal of the said respective Colonies into Districts for the  
 Purposes of such Jurisdiction, and for the frequent and punctual Visitation by such Justice of the Peace  
 of the apprenticed Labourers within such their respective Districts; and it is also necessary that Regula-  
 tions should be made for indemnifying and protecting such Justice of the Peace in the faithful Execution  
 and Discharge of their Duties: And whereas such Regulations as aforesaid could not without great  
 Inconvenience be made except by the respective Governors, Councils, and Assemblies, or other local  
 Legislatures of the said respective Colonies, or by His Majesty, with the Advice of His Privy Council,  
 in reference to those Colonies to which the Legislative Authority of His Majesty in Council extendeth:

It is therefore enacted and declared, That nothing in this Act contained extant or shall be construed  
 to extend to prevent the Enactment by the respective Governors, Councils, and Assemblies, or by such  
 other local Legislatures as aforesaid, or by His Majesty, with the Advice of His Privy Council, of any  
 such Acts of General Assembly, or Ordinances, or Orders in Council as may be requisite for making and  
 establishing such several Rules and Regulations as aforesaid, or any of them, or for carrying the same or  
 any of them into full and complete Effect: Provided nevertheless, that it shall not be lawful for any such  
 Governor, Council, and Assembly, or for any such local Legislature, or for His Majesty in Council, by  
 any such Acts of Assembly, Ordinances, or Orders in Council as aforesaid, to make or establish any  
 Enactment, Regulation, Provision, Rule, or Order which shall be in anywise repugnant or contradictory  
 to this present Act or any Part thereof, but that every such Enactment, Regulation, Provision, Rule,  
 or Order shall be and is hereby declared to be absolutely null and void and of no effect.

XVII. Provided also, and be it further enacted, That it shall not be lawful for any such Governor,  
 Council, and Assembly, or other Colonial Legislature, or for His Majesty in Council, by any such Act,  
 Ordinance, or Order in Council, to authorize any Person or Persons entitled to the Services of any such  
 apprenticed Labourer, or any other Person or Persons other than such Justice of the Peace holding such  
 Special Commissions as aforesaid, to punish any such apprenticed Labourer for any Offence by law or her  
 contracted or alleged to have been committed by the whipping, beating, or imprisonment of her or her  
 Person, or by any other personal or other Correction or Punishment whatsoever, or by any Addition to  
 the House of Labour herein-before limited; nor to authorize any Court, Judge, or Justice of the Peace  
 to punish any such apprenticed Labourer, being a Female, for any Offence by her committed, by  
 whipping or beating her Person; and that every Enactment, Regulation, Provision, Rule, or Order for  
 any such Purpose in any such Act, Ordinance, or Order in Council contained shall be and is hereby  
 declared to be absolutely null and void and of no effect: Provided always, that nothing in this Act  
 contained doth or shall extend to exempt any apprenticed Labourer in any of the said Colonies from the  
 Operation of any Law or Police Regulation which is or shall be in force therein for the Prevention or  
 Punishment of any Offence, such Law or Police Regulation being in force against and applicable to all  
 other Persons of free Condition.

XVIII. Provided also, and be it further enacted, That it shall not be lawful for any such Governor,  
 Council, and Assembly, or for any such local Legislature, or for His Majesty in Council, by any such  
 Acts of General Assembly, Ordinances, or Orders in Council as aforesaid, to authorize any Magistrate or  
 Justice of the Peace, other than and except the Justice of the Peace holding such Special Commissions  
 as aforesaid, to take cognizance of any Offence committed or alleged to have been committed by any such  
 apprenticed Labourer, or by his or her Employer, in such their Relation to each other, or of the Breach,  
 Violation, or Neglect of any of the Obligations owed by them to each other, or of any Question, Matter,  
 or Thing incident to or arising out of the Relations subsisting between such apprenticed Labourers and  
 the Persons respectively entitled to their Services, and every Enactment, Regulation, Provision, Rule, or  
 Order in any such Act, Ordinance, and Orders in Council to the contrary contained shall be and is  
 hereby declared to be null and void and of no effect.

XIX. And it is hereby further declared and enacted, That the several Justice of the Peace having  
 Special Commissions as aforesaid shall, within the respective Colonies to which they shall be respectively  
 appointed, have, exercise, and enjoy a sole and exclusive Jurisdiction over, and shall solely and  
 exclusively take cognizance of, all such Offences or alleged Offences as last aforesaid, and of every such  
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This Act is to be printed in the Enactment by His Majesty in Council, of the Law necessary for establishing such Regulations.

Provisions repugnant to this Act contained in any such Colonial Law null.

Such Colonial Acts may not authorize the whipping or beating of the Labourer by the Employer's Authority.

Colonial Acts or Orders in Council not to authorize any Justice, except those holding Special Commissions, to act in certain cases.

Exclusive Jurisdiction of Justice having Special Commissions.

Breach, Violation, or Neglect of any of the aforesaid Obligations, and of every such Quantity, Matter, or Thing as aforesaid, any Law, Customs, or Usage in any of the said Colonies to the contrary in anywise notwithstanding: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to Attorneys or to take away the Powers by Law vested in the Supreme Courts of Record, or the Superior Courts of Civil and Criminal Justice in any of the said respective Colonies.

XK. Provided also, and to be further enacted, That no apprenticed Labourer shall, by any such Act of Assembly, Ordinance, or Order in Council as aforesaid, be declared or rendered liable for and in respect of any Offence by him or her committed, or for any Cause or upon any Ground or Pretence whatsoever, except as hereafter is mentioned, to any Prolongation of his or her Term of Apprenticeship, or to any new or additional Apprenticeship, or to any such additional Labour as shall impose upon any such apprenticed Labourer the Obligation of working in the Service as for the Benefit of the Person or Persons entitled to his or her Services for more than Fifteen extra Hours in the whole in any One Week, but every such Enactment, Regulation, Proclamation, Rule, or Order shall be and is hereby declared null and void and of no effect: Provided nevertheless, that any such Act of Assembly, Ordinance, or Order in Council as aforesaid may contain Provisions for compelling any apprenticed Labourer who shall, during his or her Apprenticeship, wilfully absent himself or herself from the Service of his or her Employer, either to serve his or her Employer after the Expiration of his or her Apprenticeship for so long a Time as he or she shall have so absented himself or herself from such Service, or to make Satisfaction to his or her Employer for the Loss sustained by such Absence, (except as far as he or she shall have made Satisfaction for such Absence, either out of such extra Hours as aforesaid, or otherwise,) but nevertheless so that such extra Service or Compensation shall not be compellable after the Expiration of Seven Years next after the Termination of such Apprenticeship.

XXI. Provided always, and to be it hereby further enacted, That neither under the Provisions of this Act, nor under the Obligations imposed by this Act, or to be, as aforesaid, by any Act of any General Assembly, Ordinance, or Order in Council, shall any apprenticed Labourer be compelled or compellable to labour on Sundays, except in Works of Necessity or in Domestic Services, or in the Protection of Property, or in tending of Cattle, nor shall any apprenticed Labourer be liable to be hindered or prevented from attending anywhere on Sundays for Religious Worship, at his or her free Will or Pleasure, but shall be at full Liberty so to do without any Let, Disturb, or Interruption whatsoever.

XXII. And whereas it may be expedient that Persons in the Condition of apprenticed Labourers should, during the Continuance of such their Apprenticeship, be exempted from the Performance of certain Civil and Military Services, and be disqualified from holding certain Civil and Military Offices, and from the Employment of certain Political Functionaries, within the said Colonies, and be exempted from being arrested or imprisoned for Debt<sup>1</sup> by or in discharge thereof, That nothing in this Act contained or shall be construed to extend to interfere with or prevent the Enactments by the respective Governors, Councils, and Assemblies, or by such other local Legislatures as aforesaid of any such Colonies, or by His Majesty in Council in reference to such of the said Colonies as are subject to the Legislative Authority of His Majesty in Council, of any Acts, Ordinances, or Orders in Council for exempting any such apprenticed Labourers as aforesaid, during the Continuance of such their Apprenticeships, from any such Civil or Military Service as aforesaid, or for disqualifying them or any of them during the Continuance of any such Apprenticeships from the Employment or Discharge of any such Political Functionaries as aforesaid, or for exempting them during the Continuance of such Apprenticeships from being arrested or imprisoned for Debt.

XXIII. And whereas it would be desirable that such of the Provisions of this Act as relate to the Internal Commerce of the said respective Colonies should be enacted in such respective Colonies: so far as may be possible by the Authority of the several local Legislatures of such Colonies respectively: be it therefore enacted, That in case the Governor, Council, and Assembly of any One or more of His Majesty's Colonies aforesaid shall, by any Act or Acts of General Assembly for that Purpose made, substitute for the several Enactments herein-before contained, or any of them, any Enactments accomplishing the several Objects in such herein-before contained Enactments respectively contemplated as fully and to the like Effect, but in a Manner and Form better adapted to the local Circumstances of any such Colonies or Colony, and in case His Majesty shall, by any Order or Orders to be by Him made, by the Advice of His Privy Council, confirm and allow any such Act or Acts of Assembly, and shall in and by any such Order or Orders in Council recite and set forth at length the several Provisions and Enactments of the present Act for which such other Enactments as aforesaid shall have been substituted by any such Act or Acts of General Assembly, then and in such Case so much and such Parts of this present Act as shall be so recited and set forth at length in any such Order or Orders of His Majesty in Council shall be suspended and cease to be of any Force or Effect in any such Colony from and after the Arrival and Proclamation therein of any such Order or Orders of His Majesty in Council, and shall continue to be so suspended so long as any such substituted Enactments shall continue in force and unrevoked, and so longer.

XXIV. And whereas, towards compensating the Persons at present entitled to the Services of the Kings to be mentioned and set free by virtue of this Act for the Loss of such Services, His Majesty's most dutiful and loyal Subjects the Commons of Great Britain and Ireland in Parliament assembled have resolved to give and grant to His Majesty the Sum of Twenty Millions Pounds Sterling: be it enacted, That the Lords Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland may cause such Sum of Money to be paid or to be repaid (from any Money raised under the

Prohibition of Supreme Courts proceed.

Apprenticed Labourers not to be subjected to a Prolongation or Renewal of their Apprenticeship, nor to more than 15 Hours extra Labour in any Week for their Employer's Benefit:

nor to work on Sundays, or be prevented from attending Religious Worship on Sundays.

Nothing herein to interfere with any Colonial Laws, but which apprenticed Labourers may be exempted from or disqualified from, for certain Military or Civil Services and Functionaries.

Acts passed by local Legislatures with similar but improved Enactments on this Act to supersede this Act, so long as such Act is confirmed by His Majesty in Council.

The Treasury may raise Loans, and to amount to Millions.

Provision of this Act, and may grant as the Commissioners for such Sums or Sums of Money Redeemable Perpetual Annuities or Annuities for Terms of Years (which said Annuities respectively shall be transferable and payable at the Bank of England, upon such Terms and Conditions and under such Regulations as to the Time or Times of paying the said Sums of Money agreed to be raised as may be determined upon by the said Commissioners of the Treasury, not exceeding in the whole the Sum of Twenty Millions Pounds Sterling: Provided nevertheless, that the Rate of Interest at which the said Sums of Money shall be from Time to Time raised shall be regulated and governed by the Price of the respective Redeemable Perpetual Annuities or Annuities for Terms of Years on the Day preceding (or on the nearest preceding Day if it shall so happen that there shall be no Price of such said Annuities respectively on the Day immediately preceding the Day of giving Notice for raising such Sum or Sums of Money, and that the Rate of Interest to be allowed to the Contributors for such Sum or Sums of Money shall in no Case exceed Five Shillings per Centum per Annum above the current Rate of Interest produced by the Market Price of any such Redeemable Perpetual Annuities or Annuities for Terms of Years existing at the Time, and in which such Contracts shall be made.

XXV. Provided always, and be it further enacted, That before raising any such Sum or Sums by Redeemable Perpetual Annuities or Annuities for Terms of Years (unless the same shall be subscribed or contributed as herein after mentioned by the Commissioners for the Reduction of the National Debt), the said Commissioners of the Treasury are hereby required to give public Notice of the Intention to raise such Sum, or such Part thereof as shall not be subscribed or contributed as aforesaid, through the Governor and Deputy Governor of the Bank of England, of their Desire to receive Biddings for say such Annuities, which said Biddings and the Mode of raising such Annuities shall be conducted in such and the like Manner as has usually been practised with respect to the raising of Money by way of Annuities for the Service of the Public: Provided also, that no Contract or Agreement for raising any Sum or Sums by Annuities as aforesaid shall be entered into except during the sitting of Parliament, and when the same shall have been entered into all Proceedings, Tenders, and Contracts respecting the same shall be forthwith laid before Parliament.

XXVI. And be it further enacted, That whatsoever Redeemable Annuities or Annuities for any Term of Years which shall be created from Time to Time by the Sums of Money raised by virtue of this Act (which said Redeemable Annuities and Annuities for Terms of Years so created shall be of the like Description of some Redeemable Annuities or Annuities for Terms of Years existing at the Time of raising such Sum or Sums of Money) shall be deemed and taken to be Redeemable Annuities or Annuities for Terms of Years of the like Description then existing, in which such Sum or Sums shall be agreed to be raised.

XXVII. And be it further enacted, That all the several Redeemable Annuities and Annuities for Terms of Years which shall be created from Time to Time by virtue of this Act shall be deemed and taken to be and shall be added to and form Part of the like Redeemable Annuities or Annuities for Terms of Years in which such Sums of Money shall be raised, and shall be subject to all the Clauses, Conditions, Provisions, Directions, Regulations, and Periods of Payment as fully and effectually to all Intents and Purposes, except as altered and varied by virtue of this Act, as if the said Clauses, Conditions, Provisions, Directions, Regulations, and Periods of Payment were severally repeated and re-enacted in this Act.

XXVIII. And be it enacted, That the Commissioners for the Reduction of the National Debt may subscribe and contribute from Time to Time towards the raising any Sum or Sums of Money to be raised under the Provisions of this Act any Part of the Moneys which shall be at any Time standing in their Names in the Books of the Governor and Company of the Bank of England under and by virtue of an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled, *An Act to consolidate and amend the Laws relating to Friendly Societies, and also to sell and dispose of the Bank Annuities and Exchequer Bills, or any Part thereof, which may be now standing or may hereafter stand in their Names in the Books of the said Bank in pursuance of the said respective Acts, and with the Proceeds thereof may subscribe and contribute such Moneys from Time to Time, or any Part thereof, towards the raising the Sums of Money which may be required from Time to Time under the Provisions of this Act.*

XXIX. And be it enacted, That all Sums of Money which shall be raised from Time to Time by virtue of this Act shall be paid into the Bank of England to the Account of the Commissioners for the Reduction of the National Debt, under the Title of "The West India Compensation Account," and the Cashiers of the Bank of England are hereby required to receive all such Sums of Money, and to place the same from Time to Time in the said Account.

XXX. And be it enacted, That the Cashier or Cashiers of the Governor and Company of the Bank of England, who shall have received or shall receive any Part of any Contribution towards any Sum or Sums of Money raised or to be raised under the Provisions of this Act, shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums; and that the said Receipts so to be given shall be assignable at any Time for and during each Period as shall and may be determined upon by the said Commissioners of the Treasury; and the said Receipts shall be in such Form and Words and under such Regulations as shall be approved by the said Commissioners of His Majesty's Treasury: Provided always, that in case any such Contributor who has already deposited with or shall hereafter pay to the said Cashier or Cashiers any Sum or Sums of Money, at the Time and in the Manner specified in the Provisions of the several Laws, in part of the Sum or Sums so by them respectively subscribed, or their

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Treasury to give Notice of their Intention to raise the same.

No Contract for raising money to be entered into but during sitting of Parliament.

Annuities to be granted towards Loans to be of the same Description as some now existing.

Annuities created by this Act to form Part of and be subject to same Regulations as like Annuities now standing.

Commissioners for Reduction of National Debt may subscribe towards Sums raised for this Act.

1833. c. 73.

1833. c. 73.

Moneys raised to be paid to an Account at the Bank, called the West India Compensation Account.

The Cashier of the Bank to give Receipts for Subscriptions, which may be assigned.

Subscriptions paid in part, and not com-

respective Executors, Administrators, Successors, or Assigns, shall not demand, and pay to the said Cashier or Cashiers the Balance of the Sum or Sums so authorized as the Terms and to the Treasurer said in the Proposals, then and in every such Case so much of the respective Sum or Sums so authorized as shall have been actually paid in part thereof to the said Cashier or Cashiers shall be retained for the Benefit of the Public, and all Right and Title to the said Balance or Balances or Annuities for Terms of Years in respect thereof shall be extinguished; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

XXXI. And be it further enacted, That all the said Annuities, Interest, Dividends, and Charges for Management which shall become payable in respect of the said Sum of Twenty Millions, or any Part thereof, shall be charged and chargeable upon and to be lawfully charged upon and made payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

XXXII. And be it further enacted, That as much Money shall from Time to Time be set apart and raised as the Receipt of the Exchequer in England out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the said Cashier or Cashiers of the Governor and Company of the Bank of England as shall be sufficient to satisfy and pay the respective Annuities to be created in respect of the said Sum of Twenty Millions, or any Part thereof, together with the Charges attending the same.

XXXIII. And for the Distribution of the said Compensation Fund, and the Apportionment thereof amongst the several Persons who may prefer Claims thereon, be it enacted, That it shall and may be lawful for His Majesty from Time to Time, by a Commission under the Great Seal of the United Kingdom, to constitute and appoint such Persons, not being less than Five, as to His Majesty shall seem meet, to be Commissioners of Arbitration for inquiring into and deciding upon the Claims to Compensation which may be preferred as there under this Act.

XXXIV. And be it further enacted, That the said Commissioners to be appointed by virtue of this Act shall each of them, previously to his entering upon the Execution of such Commission, take an Oath before the Chancellor of the Exchequer or the Master of the Rolls for the Time being, which Oath they are hereby respectively authorized to administer, the Tenor thereof shall be as follows; (that is to say),

‘ I, A. B. do swear, That according to the best of my Judgment I will faithfully and impartially execute the several Powers and Trusts vested in me by an Act, intituled [insert here the Title of this Act].’

XXXV. And be it further enacted, That the said Commission may meet and sit from Time to Time in such Place or Places as they shall find it most convenient, with or without Adjournment, and with the Consent and Approbation of the Commissioners of the Treasury for the Time being, or any Three of them, in Writing; and shall and may employ a Secretary, and Clerks, Messengers, and Officers, and shall and may allow each Secretary, Clerks, Messengers, and Officers, with the like Consent and Approbation, reasonable Salaries, and shall and may employ a Solicitor, and allow to such Solicitor a reasonable Salary or Reward, and shall and may give and administer to such Solicitor or Solicitors, Secretary, Clerks, and Officers respectively an Oath for their faithful Discharge as in all Things relating to the due Performance of the Trusts reposed in them by the said Commissioners, and in all other Things touching the Premises; and the said Commissioners shall and may from Time to Time, at their Discretion, demand and discharge such Solicitor or Solicitors, Secretary, Clerks, Messengers, and other Officers, and appoint others in their Place; and the said Solicitor or Solicitors, Secretary, Clerks, and other Officers are hereby required (faithful), to execute and perform the said Trusts in their severally and respectively reposed, without taking any Thing for such Service other than such Salaries or Rewards as the said Commissioners, with such Approbation as aforesaid, shall direct or appoint in manner aforesaid.

XXXVI. And be it further enacted, That all Acts, Matters, and Things which the said Commissioners for the Execution of this Act are by this Act authorized so to do or execute may be done and executed by any Three or more of such Commissioners.

XXXVII. And be it further enacted, That no Resignation shall be given for and in respect of the Execution of the said Commission to such of the said Commissioners as shall be Members of either House of Parliament, nor to any Number exceeding Three of the said Commissioners.

XXXVIII. And whereas it may be necessary that Assistant Commissioners should be appointed to act in and along under the Direction of the Commissioners appointed by this Act in the said several Colonies; be it therefore enacted, That the Governor and the Attorney General or other chief Law Adviser of the Government of the said Colonies respectively shall, with any Two or more resident Inhabitants for each of such Colonies, to be nominated during Pleasure by the Governor thereof, be Commissioners for the Colony to which they respectively belong, to act in aid of the Commissioners under this Act in all such Cases and in relation to all Matters and Things which shall be referred to them by the said Commissioners, and for all such Purposes shall have and use and exercise all the Powers and Authorities of the said Commissioners, and such Assistant Commissioners shall take an Oath, to be administered to the Governor by the Chief Justice or any Judge of the said Colonies respectively, and to the other Assistant Commissioners by the Governor thereof, that they will well and truly and impartially execute the Powers and Authorities given to them as such Assistant Commissioners in the several Matters and Things which shall be referred or submitted to them under the Provision of this Act; and the said Assistant Commissioners shall, in all Matters which shall be referred to them by the Commissioners, transmit to the said Commissioners a full Statement of the several Matters which shall have been given in Evidence before them, and true Copies of such written Evidence as shall have been received by them, and thereupon the said Commissioners shall proceed to ~~adjudge upon the same, and to give such other Evidence, if any, as may be laid before them.~~

placed, &c.  
done!

Interest and  
Charges of the  
Twenty Mill-  
ions charged  
upon a consoli-  
dated Fund  
Money for pay-  
ing Annuities  
to be issued by  
Barrington to  
Cashier of the  
Bank.

Commissioners  
to be appointed  
for distributing  
the Compensa-  
tion provided  
by this Act.  
Commissioners  
to be sworn.

Form of Oath

Meeting of the  
Commissioners,  
and  
Appointment of  
the solicitor  
and other Officers

Officers to be  
sworn

Any Three  
Commissioners  
to be a Spec-  
imen

Resignation of  
the Commis-  
sioners.

Appointments  
of auxiliary  
Commissioners  
in the Colonies.

Colonial Com-  
missioners to  
be sworn.

Income Money  
for Payment  
of the Expenses  
of the Commis-  
sioners.

**XVIII.** And be it further enacted, That the Lords Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, shall be and they are hereby respectively authorized and required to issue and cause to be advanced all such Sums of Money as such Person or Persons, in such Manner, and in such Proportions, as the said Commissioners appointed by this Act shall, by Writing under their Hands, from Time to Time require, out of the said Sum of Twenty Millions, which Sums so to be issued and advanced shall be employed for the Payment of Allowances, and in defraying all other necessary Charges and Expenses, in or about the Execution of the said Commission, without other Account than that before the Lords Commissioners of His Majesty's Treasury; and which Money so to be issued shall not be subject to any Tax, Duty, Rate, or Assessment whatsoever imposed by Authority of Parliament; but that an Account of the said Charges and Expenses shall be laid before both Houses of Parliament within Two Months after the Commencement of the then next ensuing Session of Parliament.

Commissioners  
may use all the  
Privileges and  
Immunities of  
Commissioners  
of the Peace.

**XI.** And be it further enacted, That the said Commissioners shall be and are hereby authorized, by a Summons under their Hands, or under the Hands of any Three of them, to require the Attendance before them, by a Time to be in such Summons for that Purpose limited, of any Person or Persons competent, or whom such Commissioners may have Reason to believe to be competent, to give Evidence upon any Question depending before them; and if any Person upon whom any such Summons shall be served by the actual Delivery thereof to him or her, or by the leaving thereof at his or her usual Place of Abode, shall, without reasonable Cause to be allowed by such Commissioners, fail to appear before them at the Time and Place in such Summons for that Purpose mentioned, or so appearing shall refuse to be sworn or to make his or her solemn Affirmation, as the Case may be, or having been so sworn or having made such Affirmation shall not make answer in any such Questions as may by the said Commissioners be proposed to him or her touching any Matter or Thing depending before them, or shall refuse or fail to produce and exhibit to the said Commissioners any such Papers and Documents relating to any Question, Matter, or Thing depending before such Commissioners or shall by them be called for or required, every such Person shall, for such his Default, Refusal, or Neglect so aforesaid, incur and become liable to all such Fines and Penalties, Prosecutions, Civil Suits, or Actions as any Person may by Law incur or become liable to for Default of Appearance or for refusing to be sworn or to give Evidence upon any Issue joined in any Action depending in His Majesty's Court of King's Bench; and the said Commissioners shall have all such and the same Powers, Jurisdiction, and Authority for issuing and causing to be served and recovered any such Fines and Penalties as aforesaid as are by Law vested in any of the Judges of the said Court for imposing or causing to be levied and recovered any Fines or Penalties incurred by any Person failing to appear as a Witness or refusing to be sworn and to give Evidence in the Trial of any Action before any such Judges or Judge.

Commissioners  
authorized to  
take the Affirma-  
tion on Oath.

**XII.** And be it further enacted, That the said Commissioners may examine upon Oath or Affirmation (whichever Oath or Affirmation they or any One or Two of them are and is hereby authorized to administer) all Persons who shall appear before them to be examined as Witnesses touching any Matters or Things which may hereafter, or touching any Questions which may arise, in the Execution of the Powers vested in the said Commissioners by this Act, and may also receive any Affidavits or Depositions in Writing, upon Oath or Affirmation, touching such Matters or Things as aforesaid, which shall be made before any Justice of the Peace of any County or Shire, or any Magistrate of any Borough or Town Corporation, in Great Britain or Ireland, where or near which the Person making such Affidavit or Deposition shall reside, or before any Chief Justice or any other Judge of any of the Courts of Record or any Supreme Courts of Judicature in any of the said Colonies respectively, and certified and transmitted to the said Commissioners under the Hand and Seal of such Justice or Magistrate, Chief Justice or Judge (and which Oath or Affirmation every such Justice or Magistrate shall be and is hereby authorized and empowered to administer); provided that in every such Affidavit or Deposition there shall be expressed the Addition of the Party making such Affidavit or Deposition, and the particular Place of his or her Abode.

Penalty for  
making a false  
Affirmation or Com-  
missioners.

**XIII.** And be it further enacted, That if any Person or Persons upon Examination on Oath or Affirmation before the said Commissioners respectively, or if any Person or Persons making any such Affidavit or Deposition as before mentioned, shall wilfully and corruptly give false Evidence, or shall in such Affidavit, Affidavit, or Deposition wilfully or corruptly swear, affirm, or allege any Matter or Thing which shall be false or untrue, every such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to the Fines and Penalties of Persons convicted of wilful and corrupt Perjury by any Law in force at the Time of such Perjury being committed.

Expenses  
from Postage  
of Letters to  
the Houses of  
the Commis-  
sioners.

**XIV.** And be it further enacted, That the said Commissioners shall and may receive and send by the General Post, from and to Places within the United Kingdom, all Letters and Packets relating solely and exclusively to the Execution of this Act free from the Duty of Postage, provided that such Letters and Packets as shall be sent to the said Commissioners be directed to the "Commissioners of Compensation," at their Office in London, and that all such Letters and Packets as shall be sent by the said Commissioners shall be in Covers, with the Words "Compensation Office, passed in Act of Parliament passed in the Third and Fourth Years of the Reign of His Majesty King William the Fourth," printed on the same, and be signed on the Outside thereof, under such Words, with the Name of each Person as the said Commissioners, with the Consent of the Lords Commissioners of the Treasury, or any Three or more

of them, shall receive and transmit, in any and every such Case, to be sent by the said Commissioners

mitted to the Secretaries of the General Post Office in London and Dublin, and be sealed with the Seal of the said Commissioners, and under such other Regulations and Restrictions as the said Lords Commissioners, or any Three or more of them, shall think proper and direct; and the Person so to be authorized is hereby strictly forbidden to subscribe or seal any Letter or Packet whatever except such only concerning which he shall receive the special Direction of his superior Officer, or which he shall himself know to relate solely and exclusively to the Execution of this Act; and if the Person so to be authorized, or any other Person, shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Enclosure, other than what shall relate to the Execution of this Act, every Person so offending shall forfeit and pay the Sum of One hundred Pounds, and be dismissed from his Office; one Moiety of the said Penalty to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of the Person who shall inform or sue for the same, to be paid for and recovered in any of His Majesty's Courts of Record at Westminster for Offences committed in England, and in any of His Majesty's Courts of Record in Dublin for Offences committed in Ireland, and before the Sheriff or Stewards Court of the Shire or Stewards within which the Party offending shall reside or the Officer shall be committed for Offences committed in Scotland.

XLIV. And be it further enacted, That as Part of the said Sum of Twenty Millions of Pounds Sterling shall be applied or shall be applicable to the Purposes aforesaid, for the Benefit of any Person now entitled to the Services of any Slave in any of the Colonies aforesaid, unless an Order shall have been first made by His Majesty, with the Advice of His Privy Council, declaring that adequate and satisfactory Provision hath been made by Law in such Colony for giving effect to the present Act by such further and supplementary Enactments as aforesaid, nor unless a Copy of such Order in Council, duly certified by One of the Clerks in Ordinary of His Majesty's Privy Council, shall by the Lord President of the Council have been transmitted to the Lords Commissioners of His Majesty's Treasury or to the Lord High Treasurer for the Time being for their or his Guidance or Information; and every such Order shall be published Three several Times in the London Gazette, and shall be laid before both Houses of Parliament within Six Weeks next after the Date thereof if Parliament shall be then in Session, and if not within Six Weeks from the then next ensuing Session of Parliament.

XLV. And be it further enacted, That the said Commissioners shall proceed to appraise the said Sum into Nineteen different Shares, which shall be respectively assigned to the several British Colonies or Possessions hereinafter mentioned; (that is to say,) the Bermuda Islands, the Bahama Islands, Jamaica, Barbadoes, the Virgin Islands, Antigua, Nevis, Saint Christopher's, Dominica, Barbadoes, Grenada, Saint Vincent's, Tobago, Saint Lucia, Trinidad, British Guiana, the Cape of Good Hope, and Mauritius; and in making such Appraisement of the said Funds between the said several Colonies the said Commissioners shall and are hereby required to have regard to the Number of Slaves belonging to or retained in each of such Colonies at the same any appear and are stated according to the latest Returns made in the Office of the Registrar of Slaves in England, appointed to be presented and under the Authority of an Act passed in the Fifty-ninth Year of His late Majesty King George the Third, intitled *An Act for establishing a Registry of Colonial Slaves in Great Britain, and for making further Provisions with respect to the Removal of Slaves from British Colonies*; and the said Commissioners shall and are hereby further required, in making such Appraisement as aforesaid, to have regard to the Prices for which, on an Average of Eight Years ending on the Thirty-first Day of December One thousand eight hundred and thirty, Slaves have been sold in each of the Colonies aforesaid respectively, excluding from Consideration any such Sales in which they shall have sufficient Reason to suppose that such Slaves were sold or purchased under any Reservation, or subject to any express or tacit Condition affecting the Price thereof; and the said Commissioners shall then proceed to ascertain, in reference to each Colony, what Amount of Sterling Money will represent the average Value of a Slave therein for the said Period of Eight Years; and the total Number of the Slaves in each Colony being multiplied into the Amount of Sterling Money so representing such average Value as aforesaid of a Slave therein, the Product of such Multiplication shall be ascertained for each such Colony separately, and the said Twenty Millions of Pounds Sterling shall then be assigned to and apportioned amongst the said several Colonies respectively and in proportion to the Product so ascertained for each respectively.

XLVI. And be it further enacted, That in case it shall appear to the said Commissioners that any Person in respect of whose Claims for Compensation under the Provisions of this Act shall have been made have been registered and held in Slavery, in any of the said Colonies in this Act mentioned, contrary to Law, then and in every such Case the said Commissioners shall deduct from the Sum to be appropriated as Compensation to the Proprietors in such Colony such Sum as shall correspond with the estimated Value and Number of the said Persons so (legally registered and held in Slavery); and all such Sums or Parts which may be deducted as herein-before provided shall be applied towards defraying the general Expenses of the Commission to be hereby appointed: Provided always, that for the Purpose of ascertaining in what Cases such Deductions shall be made, every Question which shall arise in any such Colony respecting the lawful Condition of any Persons therein registered as Slaves shall be inquired of and determined by the Commissioners to be appointed under this Act according to such Rules of legal Prescription and Evidence as are or shall be established by any Law in force or which shall be in force in any such Colony.

XLVII. And whereas it is necessary that Provision should be made for the Apportionment amongst the Proprietors of the Slaves to be manumitted by virtue of this Act, in each of the said Colonies respectively, of that Part of the said Compensation Fund which shall be so assigned as aforesaid to each of

No Part of the Compensation to be applied to any Colony unless the Majesty by Order in Council shall have first declared that adequate Provision has been made by the Legislature thereof.

Such Orders to be published, and laid before Parliament.

The Commissioners to appraise the Compensation Fund into nineteen Shares, being thus Slaves for each Colony.

In making such Appraisement, regard to be had to the Number of registered Slaves, &c.

22 G. 3. c. 103.

No Compensation to be allowed for Persons illegally held in Slavery.

Commissioners to enquire and ascertain the

Let it be  
enacted that  
in case of all  
having the  
Appointment  
of the Com-  
missioners Paid  
to the  
Proprietors in  
each Colony.

(the respective Colonies): And whereas the necessary Rules for that Purpose cannot be properly or safely established until after full Enquiry shall have been made into the several Circumstances which ought to be taken into Consideration in making such Appointments: he it therefore enacted, That it shall be the Duty of the said Commissioners, and they are hereby authorized and required, to institute a full and exact Enquiry into all the Circumstances connected with each of the said several Colonies which in the Judgment of the said Commissioners ought, in Justice and Equity, to regulate or affect the Appointments within the scope of that Part of the said general Compensation Fund which shall in manner aforesaid be assigned to each of the said Colonies respectively: and especially such Commissioners shall have regard to (the relative Value of planted Slaves and of unattached Slaves in every such Colony, and such Commissioners shall distinguish such Slaves, whether parcelled or unparcelled, into as many distinct Classes as, regard being had to the Circumstances of each Colony, shall appear just; and such Commissioners shall, with all practicable Precision, ascertain and fix the average Value of a Slave in each of the Classes into which the Slaves in any such Colony shall be so divided; and the said Commissioners shall also proceed to inquire and consider of the Principles according to which the Compensation to be allowed in respect to any Slave or Body of Slaves ought, according to the Rules of Law and Equity, to be distributed amongst Persons who, as Owners or Creditors, Legatees or Assignments, may have any just or common Interest in any such Slave or Slaves, or may be entitled to or interested in such Slave or Slaves, either in Possession, Possession, Reversion, or Expectancy; and the said Commissioners shall also proceed to inquire and consider of the Principles upon which and the manner in which Provision might be most effectually made for the Protection of any Interest in any such Compensation Money which may belong to or be vested in any married Woman, Infants, Lunatics, or Persons of insane or assumed Mind, or Persons beyond the Seas, or labouring under any other legal or natural Disability or Incapacity, and according to what Rules, and in what Manner, and under what Authority Trustees should, when necessary, be appointed for the safe Custody, for the Benefit of any Person or Persons, of any such Compensation Fund or of any Part thereof, and for regulating the Duties of such Trustees, and providing them with a fair and reasonable Indemnity; and the said Commissioners shall also inquire and consider upon what Principles, according to the established Rules of Law and Equity in similar Cases, the Succession to such Funds should be regulated upon the Death of any Person entitled thereto who may die intestate; and the said Commissioners shall and they are also authorized and required to consider of any other Questions which it may be necessary to investigate in order to establish just and equitable Rules for the Appointment of such Compensation Money amongst the Persons seized of, or entitled to, or having any Mortgage, Charge, Incumbrance, Judgment, or Lien upon, or any Claim to, or Right or Interest in, any Slave or Slaves so to be successed as aforesaid, at the Time of such their Mortification; and having made all such Inquiries, and having taken all such Matters and Things as aforesaid into their Consideration, the said Commissioners shall and are hereby required to proceed to draw up and frame all such general Rules, regard being had to the Laws and Usages in force in each Colony respectively, as to these may seem best adapted in each Colony respectively for securing the just and equitable Distribution of the said Funds amongst or for the Benefit of such several Persons as aforesaid, and for the Protection of such Funds, and for the Appointment and Indemnification of such Trustees as aforesaid; and such general Rules when so framed, and when agreed upon by the said Commissioners, shall by them be subscribed with their respective Hands and Seals, and transmitted to the Lord President of His Majesty's Council, to be by him laid before His Majesty in Council; and so from Time to Time as often as any further general Rules should be so framed and agreed to for the Purposes aforesaid or any of them.

XLVIII. And be it further enacted, That the general Rules to be transmitted as aforesaid to the said Lord President shall be forthwith published in the London Gazette on three several Occasions at least, together with a Notice that all Persons interested in or affected by any such general Rules may, by a Time to be in such Notice limited, appeal against any such Rules to His Majesty in Council; and it shall be lawful for the Lords and others of His Majesty's Privy Council, or for any Three or more of them, by any further Notice or Notices to be for that Purpose published in the London Gazette, to enlarge, as to them may seem meet, the Time for receiving any such Appeals.

XLIX. And be it further enacted, That it within the Time so to be limited for receiving any such Appeals any Person or Persons shall prefer any Petition of Appeal to His Majesty in Council against any such general Rule so published as aforesaid in the London Gazette, it shall be lawful for His Majesty in Council, or for any Committee of Privy Council, to hear such Appeal, and to cause Notice thereof to be served upon the said Commissioners, who shall thereupon undertake the Defence of such Appeal, and upon hearing any such Appeal it shall be lawful for His Majesty in Council to confirm and amend or to rescind and disallow any such general Rule as aforesaid, or to suspend to alter, amend, or vary any such Rule in such Manner as to His Majesty may seem just, or to remit the same to the said Commissioners for further Consideration and Revision.

L. And be it further enacted, That at the Expiration of the Time limited for receiving any such Appeals as aforesaid it shall be lawful for His Majesty in Council to confirm and allow, or to rescind and disallow, in the Whole or in Part, or to amend, alter, or vary, any such general Rule or Rules, though not so appealed against, as to His Majesty may seem just, or to remit such Rules to the said Commissioners for further Consideration and Revision.

LI. And be it further enacted, That when and so often as any such general Rule or Rules as aforesaid shall by His Majesty in Council have been confirmed and allowed, an Order shall be made by His Majesty in Council, reciting at length any such Rule or Rules, with any Alterations or Amendments which may Printed and published by the University of Southampton Library Distribution Unit **have**

Having made  
the Enquiries,  
Commissioners  
to frame general  
Rules for the  
equitable  
Distribution of  
the Fund as-  
signed to each  
Colony.

Rules to be laid  
before King in  
Council.

Rules to be  
published in  
the London  
Gazette, with a  
Notice that  
Appeal against  
them will be  
received.

His Majesty in  
Council may  
hear such Ap-  
peals, and con-  
firm or disallow  
any general  
Rule as ap-  
pealed against.

In absence of  
Appeal, certain  
Provisions to  
be made.

Rules, when  
confirmed by  
His Majesty, to  
be recited in an

have been therein made as aforesaid, and a Copy of every such Order in Council shall be duly certified by the Lord President of His Majesty's Council for the Time being to the Lord High Chancellor or Keeper of the Great Seal, or to the Master of the Rolls, for the Time being, and shall be duly enrolled among the Records of the High Court of Chancery, and shall there remain and be of Record.

LII. And be it further enacted, That it shall be lawful, by any Rules so to be framed, published, confirmed, allowed, and enrolled as aforesaid, to revise, amend, alter, and again revise, on Occasion may require, and as may be thought just, any former or preceding Rule or Rules.

LIII. And be it further enacted, That every such general Rule as aforesaid, when so enrolled as aforesaid, shall be of the same Validity, Force, Virtue, and Effect as if the same had been made and enacted by His Majesty, by and with the Advice and Consent of Parliament: Provided nevertheless, that no such Rule shall be in anywise repugnant to or at variance with this Act or any Part thereof, or with the Laws and Usages in force in the several Colonies respectively to which such Rules may relate, so far as any such Laws or Usages may not be repugnant to or at variance with the Provisions of this Act.

LIV. And be it further enacted, That the said general Rules, when so framed, confirmed, allowed, and enrolled as aforesaid, shall be observed and followed by the said Commissioners, and shall be binding upon them in the further Exercise of the said Commission, and in the Exercise of the Powers, and Authorities hereby committed to them, and shall in all Cases be taken, observed, and followed as the Rules for the Decision of and Adjudication upon all Claims which may be preferred to them by any Person or Persons having or claiming to have any Interest in the said Commission Fund or in any Part thereof.

LV. And be it further enacted, That any Person having or claiming to have had any Right, Title, or Interest in or to, or any Mortgage, Judgment, Charge, Incumbrance, or other Lien upon, any Share or Shares to be constituted as aforesaid, at the Time of such their Commission, shall and may prefer such Claims before the said Commissioners; and for ensuring Method, Regularity, and Dispatch in the Mode of preferring and of proceeding upon such Claims, the said Commissioners shall and are hereby authorized by general Rules, to be framed and published, confirmed, allowed, and enrolled as aforesaid, to prescribe the Form and Manner of Proceeding to be observed by any Claimant or Claimants preferring any such Claims, and to authorize the Assistant Commissioners so to be appointed in the said several Colonies to receive and report upon the same or any of them in such Manner and Form and under such Regulations as to the Commissioners so to be appointed by His Majesty as aforesaid shall seem meet, and to prescribe the Manner, the Time or Times, the Place or Places, and the Form or Forms in which Notices of such Claims shall be published for general Information, or especially communicated to or served upon any Person or Persons interested therein or affected thereby, and to prescribe the Form and Manner of Proceeding to be observed upon the Prosecution of such Claims, or in making any Opposition to the same, and to make all such Regulations as to them as may seem best adapted for promoting Method, Economy, and Dispatch in the Investigation of such Claims, and respecting the Evidence to be taken and admitted for or against the same, and respecting the Manner and Form of adjudicating thereupon, and otherwise however respecting the Method, Form, and Manner of Proceeding to be observed either by them the said Assistant Commissioners, or by the Parties to any Proceedings before them, their Agents or Witnesses, and which Rules shall from Time to Time be liable to be amended, altered, varied, or renewed as Occasion may require, in such Manner as is herein-before directed.

LVI. And be it further enacted, That the said Commissioners shall proceed, in the Manner so to be prescribed by any such general Rules as last aforesaid, to inquire into and adjudicate upon any such Claims as may be so preferred to them, and shall upon each such Claim make their Adjudication and Award in such Manner and Form as shall be prescribed by any such last-mentioned general Rules; and if any Person interested in or affected by any such Adjudication or Award shall be dissatisfied therewith, it shall be lawful for such Person to appeal therefrom to His Majesty in Council, and Notice of any such Appeal shall be served upon the said Commissioners, who shall thereupon undertake the Defence thereof; and it shall be competent to His Majesty as Council to make and establish all such Rules and Regulations as to His Majesty shall seem meet respecting the Time and Manner of preferring and proceeding upon such Appeals, and respecting the Course to be observed in defending the same, which Rules shall be so framed as to promote, as far as may be consistent with Justice, all practicable Economy and Dispatch in the proceeding upon the Decision thereof, and in Cases in which any Two or more Persons shall have preferred before the said Commissioners adverse or opposing Claims, and in which any or either of such Persons shall be requested to sustain the Adjudications or Award of such Commissioners thereupon, then and in every such Case it shall be lawful for any Person or Persons so interested, to undertake the Defence of any such Appeal in and against the said Commissioners.

LVII. And be it further enacted, That it shall be lawful for His Majesty in Council, upon hearing any such Appeal as aforesaid, either to confirm and allow or to reverse or to amend or alter any such Adjudication or Award as to His Majesty in Council shall seem fit, or to remit any such Adjudication and Award to the said Commissioners for further Consideration and Revision, or for the Admission of further Evidence, but it shall not be lawful for His Majesty in Council, upon the hearing of any such Appeal, to admit any new Evidence which was not admitted by or tendered to the said Commissioners before the making of such their Adjudication and Award.

LVIII. And be it further enacted, That the several Adjudications and Awards of the said Commissioners, unless duly appealed from within the respective Times to be limited by His Majesty in Council for that Purpose, shall be final and conclusive and binding upon all Persons interested therein or affected

Order not necessary to be enrolled in Chancery.

Rules may be revised, amended.

Validity of Rules when enrolled.

Rules to be observed by the Commissioners in making their Awards.

Persons interested in any share may prefer their claims before the Commissioners, who may make Rules for the conduct of all Proceedings under the Commission.

Commissioners to adjudicate on all Claims preferred to them.

Appeal may be made against Adjudication. His Majesty in Council may make Rules for the Regulation of such Appeals. Defence of adverse Claims.

His Majesty in Council may confirm or alter Adjudication upon appeal.

Finality of Appeal, the Assent of the Commissioners essential.



therein; and that the Decisions of His Majesty in Council upon any such Appeal shall in like Manner be final, binding, and conclusive.

LIX. And be it further enacted, That the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them, in the Title being, may order and direct to be issued and paid out of the said Sum of Twenty Millions of Pounds Sterling any Sum or Sums of Money for the Payment of Salaries to Commissioners, Officers, Clerks, and other Persons acting in relation to such Commissions in the Execution of this Act, and for discharging such incidental Expenses as shall necessarily attend the same, in such Manner as the Lord High Treasurer, or Commissioners of the Treasury, or any Three or more of them, shall from Time to Time think fit and reasonable; and an Account of such Expense shall be annually laid before Parliament.

LX. And be it enacted, That a Certificate containing a List of the Names and Designation of the several Persons in whose Favour any Sum or Sums of Money shall be awarded from Time to Time under the Provisions of this Act by the Commissioners, as herein-before mentioned, shall be signed by Three or more of the said Commissioners, who shall forthwith transmit the same to His Majesty's Principal Secretary of State then having Charge of the Affairs of the said Colonies, for his Approbation and Signature, who shall, when he shall have signed the same, transmit it to the Commissioners of His Majesty's Treasury; and the said Commissioners of the Treasury, or any Three of such Commissioners, shall thereupon, by Warrant under their Hand, authorize the Commissioners for the Reduction of the National Debt to pay the said Sums, out of the Names standing upon their Account in the Books of the said Bank under the Title of "The West India Compensation Account," to the Persons named in such Certificate; and the said Commissioners for the Reduction of the National Debt, or the Comptroller General or Assistant Comptroller General acting under the said Commissioners, are hereby required to pay all such Sums of Money to the Persons named therein under such Favours and Regulations as the said Commissioners for the Reduction of the National Debt shall think fit to adopt for that Purpose.

LXI. And whereas in some of the Colonies aforesaid a certain Statute, made in the Thirtieth and Fourteenth Years of King Charles the Second, intitled *An Act for preventing the Mischief and Danger that may arise by certain Persons called Quakers and others refusing to take lawful Oaths*; and a certain other Statute, made in the Sixteenth Year of King Charles the Second, intitled *An Act for restraining Nonconformists from exercising in Companies*; and a certain other Statute, made in the Twenty-second Year of King Charles the Second, intitled *An Act to prevent and suppress seditious Conventions*; and a certain other Statute, made in the First and Second Year of King William and Queen Mary, intitled *An Act for exempting Their Majesty's Protestant Subjects dwelling from the Church of England from the Penalty of certain Laws*; and a certain other Statute, made in the Tenth Year of Queen Anne, intitled *An Act for preserving the Protestant Religion by better securing the Church of England as by Law established*; and for confirming the Toleration granted to Protestant Dissenters by an Act intitled *An Act for exempting Their Majesty's Protestant Subjects dwelling from the Church of England from the Penalty of certain Laws*; and for supplying the Defects thereof; and for the better securing the Protestant Successors regarding the Provisions of the Laws in North Britain to take the Oaths and subscribe the Declarations therein mentioned; or some or one of those Statutes, or some Parts thereof or of some of them, have and hath been adopted, and are as in or by the said Statute, be it further enacted, That in such of the Colonies aforesaid in which the said several Statutes or any of them, or any Parts thereof or any of them, have or hath been adopted and are or is in force, a certain Statute made in the Fifty-second Year of His late Majesty King George the Third, intitled *An Act to repeal certain Acts and several other Acts relating to Religious Worship and Assemblies, and Persons teaching or preaching therein*, shall be and is hereby declared to be in force in fully and effectually as if said Colonies had been expressly named and enumerated for that Purpose in such last-mentioned Statute: Provided nevertheless, that in the said several Colonies to which the said Act of His late Majesty King George the Third is so extended and declared applicable as aforesaid any Two or more Justices of the Peace holding any such Special Commission as aforesaid shall have, exercise, and enjoy all and every the Jurisdictions, Powers, and Authorities whatsoever which by force and virtue of the said Act are within the Realm of England had, exercised, and enjoyed by the several Justices of the Peace, and by the General and Quarter Sessions therein mentioned.

LXII. And whereas in the Settlements in the Occupation of His Majesty and of His Majesty's Subjects in Honduras, no Law in force for the Regulation of Slaves, and Slaves might be maintained respectively by the Authority of His Majesty, with the Advice of His Privy Council, or make Laws binding on His Majesty's Subjects therein; be it therefore declared and enacted, That it is and shall be lawful for His Majesty, by any Order or Orders to be by Him for that Purpose made with the Advice of His Privy Council, to establish a Registry of Slaves for the Purpose of that Act within the said Settlement; and all Laws made by His Majesty for the Government of His said Subjects shall, for the Purposes of this Act, be as valid and effectual as any Laws made by His Majesty in Council for the Government of any Colonies subject to the Legislative Authority of His Majesty in Council are or can be.

LXIII. And be it further enacted, That within the Meaning and for the Purpose of this Act every Person who for the Time being shall be in the lawful Administration of the Government of any of the said Colonies shall be taken to be the Governor thereof.

LXIV. And be it further enacted, That nothing in this Act contained doth or shall extend to any of the Territories in the Possession of the East India Company, or to the Island of Ceylon, or to the Island of Saint Helena.

This Act may either be read or taken by Payment of Salaries, &c.

A copy in which is signed by Commissioners are to be paid.

1783. 11. 11. 11

1784. 2. 1. 11

1785. 3. 1. 11

1786. 4. 1. 11

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1800. 6. 1. 11

1801. 7. 1. 11

1802. 8. 1. 11

1803. 9. 1. 11

1804. 10. 1. 11

1805. 11. 1. 11



Person or Persons, under a Covenant or Agreement already entered into or hereafter to be entered into, before the First Day of January One thousand eight hundred and thirty-four, then and in such Case, if all the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, the Person liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery, shall, after the Thirty-first Day of December One thousand eight hundred and thirty-three, be subject and liable under such Covenant or Agreement to make or to procure to be made such a Disposition under this Act as will effect all the Purposes intended to be effected by such Fine or Recovery; but if some only of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, then the Person so liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery as aforesaid, shall, after the Thirty-first Day of December One thousand eight hundred and thirty-three, be subject and liable under such Covenant or Agreement to make or procure to be made such a Disposition under this Act as will effect each of the Purposes intended to be effected by such Fine or Recovery as can be effected by a Disposition under this Act; and in those Cases where the Purposes intended to be effected by such Fine or Recovery or any of them cannot be effected by any Disposition under this Act, then the Person so liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery, shall, after the Thirty-first Day of December One thousand eight hundred and thirty-three, be liable under such Covenant or Agreement to execute or to procure to be executed some Deed whereby the Person intended to levy such Fine or suffer such Recovery shall declare his Deed to be such Deed shall have the same Operation and Effect as such Fine or Recovery would have had if the same had been actually levied or suffered; and the Deed by which such Declaration shall be made shall, if some of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, have the same Operation and Effect as every respect as such Fine or Recovery would have had if the same had been actually levied or suffered; but if some only of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, then the Deed by which such Declaration shall be made shall, so far as the Purposes intended to be effected by such Fine or Recovery cannot be effected by a Disposition under this Act, have the same Operation and Effect in every respect as such Fine or Recovery would have had if the same had been actually levied or suffered.

Fine and Recovery of Lands in Ancient Demesne, when levied or suffered in a superior Court, may be reversed as in the Lord by Writ of Error in the Proceedings in which are now pending, or by Writ hereafter to be brought, but shall be as valid against the Parties as if not reversed.

Fine and Recovery of Lands in Ancient Demesne levied or suffered in the Manor Court, after the Writ and Return in a superior Court shall have taken as if the Tenure had not been changed, shall not be troubled in other Cases, though levied in Courts whose Jurisdiction they are not to be in the Lands.

Lands of any Tenure, under a Covenant or Agreement already entered into or hereafter to be entered into, before the First Day of January One thousand eight hundred and thirty-four, then and in such Case, if all the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, the Person liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery, shall, after the Thirty-first Day of December One thousand eight hundred and thirty-three, be subject and liable under such Covenant or Agreement to make or to procure to be made such a Disposition under this Act as will effect all the Purposes intended to be effected by such Fine or Recovery; but if some only of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, then the Person so liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery as aforesaid, shall, after the Thirty-first Day of December One thousand eight hundred and thirty-three, be subject and liable under such Covenant or Agreement to make or procure to be made such a Disposition under this Act as will effect each of the Purposes intended to be effected by such Fine or Recovery as can be effected by a Disposition under this Act; and in those Cases where the Purposes intended to be effected by such Fine or Recovery or any of them cannot be effected by any Disposition under this Act, then the Person so liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery, shall, after the Thirty-first Day of December One thousand eight hundred and thirty-three, be liable under such Covenant or Agreement to execute or to procure to be executed some Deed whereby the Person intended to levy such Fine or suffer such Recovery shall declare his Deed to be such Deed shall have the same Operation and Effect as such Fine or Recovery would have had if the same had been actually levied or suffered; and the Deed by which such Declaration shall be made shall, if some of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, have the same Operation and Effect in every respect as such Fine or Recovery would have had if the same had been actually levied or suffered; but if some only of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, then the Deed by which such Declaration shall be made shall, so far as the Purposes intended to be effected by such Fine or Recovery cannot be effected by a Disposition under this Act, have the same Operation and Effect in every respect as such Fine or Recovery would have had if the same had been actually levied or suffered.

IV. And he it further enacted, That no Fine already levied in a superior Court of Lands of the Tenure of Ancient Demesne which hath not been reversed, and no Fine hereafter to be levied of Lands of that Tenure, shall, upon a Writ of Error already brought by the Lord of the Manor of which the Lands were Parcel, the Proceedings in which are now pending, or upon a Writ of Error which at any Time after the passing of this Act may be brought by the Lord of the said Manor, be reversed as to any Person except the Lord of the said Manor; and the Court shall order such Fine to be vacated only as to the Lord of the said Manor; and every such Fine which may be reversed as to the Lord of the said Manor upon such Writ of Error as aforesaid shall still remain as good and valid against and as binding upon the Parties thereof, and all Persons claiming under them, as such Fine would have been if the same had not been reversed by such Writ of Error as aforesaid; and no Common Recovery already suffered in a superior Court of Lands of the Tenure of Ancient Demesne which hath not been reversed, and no Common Recovery hereafter to be suffered of Lands of that Tenure, shall, upon a Writ of Error already brought by the Lord of the Manor of which the Lands were Parcel, the Proceedings in which are now pending, or upon a Writ of Error which at any Time after the passing of this Act may be brought by the Lord of the said Manor, be reversed as to any Person except the Lord of the said Manor; and the Court shall order such Recovery to be vacated only as to the Lord of the said Manor; and every such Recovery which may be reversed as to the Lord of the said Manor upon such Writ of Error as aforesaid shall still remain as good and valid against and as binding upon the Parties therein, and all Persons claiming under them, as such Recovery would have been if the same had not been reversed by such Writ of Error as aforesaid.

V. And he it further enacted, That if at any Time before or after the passing of this Act a Fine or Common Recovery shall have been levied or suffered or shall be levied or suffered in a superior Court, of Lands of the Tenure of Ancient Demesne, and subsequently to the levying or suffering thereof a Fine or Common Recovery shall have been or shall be levied or suffered of the same Lands in the Court of the Lord of the Manor of which the Lands had been previously Parcel, and the Fine or Common Recovery levied or suffered in such superior Court shall not have been reversed previously to the levying of the Fine or the suffering of the Common Recovery in the Lord's Court, then and in every such Case the Fine or Common Recovery levied or suffered in the Lord's Court shall, notwithstanding the Alteration or Change of the Tenure by the Fine or Common Recovery previously levied or suffered in the superior Court, be as good, valid, and binding as the same would have been if the Tenure had not been altered or changed; and that in every other Case where any Fine or Common Recovery shall at any Time before the passing of this Act have been levied or suffered in a Court whose Jurisdiction does not extend to the Lands of which such Fine or Recovery shall have been levied or suffered, such Fine or Recovery shall not be troubled in consequence of its having been levied or suffered in such Court, and such Court shall be deemed a Court of sufficient Jurisdiction for all the Purposes of such Fine or Recovery; and in every other Case where Persons shall have assumed to hold Courts in which Fines or Common Recoveries have been levied or suffered, and such Courts shall be unlawful or held without due Authority, the Fines or Common Recoveries therein made, then before the passing of this Act may have



passing of this Act, in which the Validity of such Fine or Recovery shall be in question between the Party claiming under such Fine or Recovery and the Party claiming adversely thereto: and such Fine or Recovery, if the Result of such Proceedings shall be to invalidate the same, shall not be considered void by this Act; and if such Proceedings shall abate or become defective in consequence of the Death of the Party claiming under or adversely to such Fine or Recovery, any Person who but for this Act would have a Right of Action or Suit by reason of the Invalidity of such Fine or Recovery shall retain such Right, so that he commence Proceedings within Six Calendar Months after the Death of such Party.

XIII. And be it further enacted, That after the Thirty-first Day of December One thousand eight hundred and thirty three the Records of all Fines and Common Recoveries levied and suffered in His Majesty's Court of Common Pleas at Westminster, and all the Proceedings thereof, shall be deposited in such Places and kept by such Persons as the said Court of Common Pleas shall from Time to Time order or direct; and the Records of all Fines and Common Recoveries levied and suffered in His Majesty's Court of Common Pleas at Lancaster, and all the Proceedings thereof, shall be deposited in such Places and kept by such Persons as His Majesty's Justices of Assize for the County Palatine of Lancaster for the Time being shall from Time to Time order or direct; and the Records of all Fines and Common Recoveries levied and suffered in the Court of Pleas of the County Palatine of Durham, and all the Proceedings thereof, shall be deposited in such Places and kept by such Persons as the said Court of Pleas shall from Time to Time order or direct; and in the meantime the said Records and Proceedings shall remain in the same Places respectively where they are now deposited, and be kept by the respective Persons who would have continued entitled to the Custody thereof if this Act had not been passed; and while the said Records and Proceedings respectively shall be kept by such Persons respectively, Searches may be made and Extracts and Copies obtained as heretofore, and on paying the accustomed Fees, and when any of the Records and Proceedings shall, by the Order of the Court or Justices having the Control over the same, be kept by any other Person, then, so far as relates to the Records and Proceedings in the Custody of such other Person, Searches may be made and Extracts or Copies obtained at such Times and on paying such Fees as shall from Time to Time be ordered by the Court or Justices having the Control over the same; and the Extracts or Copies so obtained shall be as available in Evidence as they would have been if obtained from the Person whose Duty it would have been to have made and delivered out the same if this Act had not been passed.

XIV. And be it further enacted, That all Warrants of Lands which after the Thirty-first Day of December One thousand eight hundred and thirty-three shall be made or entered into by any Tenant in Tail thereof shall be absolutely void against the Issue in Tail, and all Persons whose Estates are to take effect after the Determination or in defeasance of the Estate Tail.

XV. And be it further enacted, That after the Thirty-first Day of December One thousand eight hundred and thirty three every actual Tenant in Tail, whether in Possession, Reversion, Contingency, or otherwise, shall have full Power to dispose of his or her Estate in Fee Simple absolute, or for any less Estate, the Lands entailed, as against all Persons claiming the Lands entailed by force of any Estate Tail which shall be vested in or might be claimed by, or which but for some previous Act would have been vested in or might have been claimed by, the Person making the Disposition, at the Time of his making the same, and also against all Persons, including the King's most Excellent Majesty, His Heirs and Successors, whose Estates are to take effect after the Determination or in defeasance of any such Estate Tail; saving always the Rights of all Persons in respect of Estates prior to the Estate Tail in respect of which such Disposition shall be made, and the Rights of all other Persons, except those against whom such Disposition is by this Act authorized to be made.

XVI. Provided always, and be it further enacted, That where, under any Settlement made before the passing of this Act, any Woman shall be Tenant in Tail of Lands within the Possessions of an Act passed in the Eleventh Year of the Reign of His Majesty King Henry the Seventh, intitled *Certain Alterations made by the Wife of the Lands of her deceased Husband shall be void*, the Power of Disposition herein before mentioned as in such Lands shall not be exercised by her, except with such Assent as, if this Act had not been passed, would, under the Provisions of the said Act of King Henry the Seventh, have rendered said a Fine or Common Recovery levied or suffered by her of such Lands.

XVII. Provided always, and be it further enacted, That, except as to Lands comprised in any Settlement made before the passing of this Act, the said Act of the Eleventh Year of the Reign of His Majesty King Henry the Seventh shall be and the same is hereby repealed.

XVIII. Provided always, and be it further enacted, That the Power of Disposition herein before mentioned shall not extend to Tenants of Estates Tail who, by an Act passed in the Twenty-fourth and Thirty-fifth Years of the Reign of His Majesty King Henry the Eighth, intitled *An Act to order Signed Recovery of Lands where the King is in Reversion*, or by any other Act, are restrained from having their Estates Tail, or to Tenants in Tail after Possibility of Issue entailed.

XIX. And be it further enacted, That after the Thirty-first Day of December One thousand eight hundred and thirty three, in every Case in which an Estate Tail in any Lands shall have been barred and converted into a Base Fee, either before or on or after that Day, the Person who, if such Estate Tail had not been barred, would have been actual Tenant in Tail of the same Lands, shall have full Power to dispose of such Lands as against all Persons, including the King's most Excellent Majesty,

Revised Tail, and Estates in reversion thereon, no longer to be made by Warrant.

Power, after the first of Dec.

1834, to dispose of Lands entailed, in Fee Simple or for a less Estate, saving the Rights of certain Persons.

Power of Disposition not to be exercised by Women Tenants in Tail after Statute 11th Hen. 7. c. 20. except with Assent.

Power, after the first of Dec. 1833, to dispose of Lands in Fee Simple, saving the Rights of certain Persons.

Power, after the first of Dec. 1833, to dispose of Lands in Fee Simple, saving the Rights of certain Persons.

Majesty, the Heirs and Successors, whose Estates are to take effect after the Determination or in default of the Rate Fee into which the Estate Tail shall have been converted, so as to enlarge the Rate Fee into a Fee Simple absolute; saving always the Rights of all Persons in respect of Estates prior to the Estate Tail which shall have been converted into a Base Fee, and the Rights of all other Persons, except those against whom such Disposition is by this Act authorized to be made.

XX. Provided always, and be it further enacted, That nothing in this Act contained shall enable any Person to Dispose of any Lands created in respect of any expiring Interest which he may have as Lessor inheritable to any Estate Tail therein.

XXI. Provided always, and be it further enacted, That if a Tenant in Tail of Lands shall make a Disposition of the same, under this Act, by way of Mortgage, or for any other limited Purpose, then and in such Case such Disposition shall, to the Extent of the Estate thereby created, be as absolute Bar in Equity as well as at Law to all Persons as against whom such Disposition is by this Act authorized to be made, notwithstanding any Intention to the contrary may be expressed or implied in the Deed by which the Disposition may be effected: Provided always, that if the Estate created by such Disposition shall be only an Estate pour autre vie, or for Years absolute or determinable, or if by a Disposition under this Act by a Tenant in Tail of Lands, an Interest, Charge, Lien, or Incumbrance shall be created without a Term of Years absolute or determinable, or any greater Estate, for securing or raising the money, then such Disposition shall in Equity be a Bar only so far as may be necessary to give full Effect to the Mortgage, or to such other limited Purpose, or to such Interest, Lien, Charge, or Incumbrance, notwithstanding any Intention to the contrary may be expressed or implied in the Deed by which the Disposition may be effected.

XXII. And be it further enacted, That if at the Time when there shall be a Tenant in Tail of Lands under a Settlement, there shall be subsisting in the same Lands or any of them, under the same Settlement, any Estate for Years determinable on the dropping of a Life or Lives, or any greater Estate (not being an Estate for Years), prior to the Estate Tail, then the Person who shall be the Owner of the prior Estate, or the first of such prior Estates if more than One, then subsisting under the same Settlement, or who would have been so if an absolute Disposition thereof had been made, (the first of such prior Estates, if more than One, being for all the Purposes of this Act deemed the prior Estate,) shall be the Protector of the Settlement so far as regards the Lands in which such prior Estate shall be subsisting, and shall for all the Purposes of this Act be deemed the Owner of such prior Estate, although the same may have been charged or incumbered either by the Owner thereof or by the Settlor, or otherwise howsoever, and although the whole of the Revenues and Profits be exhausted or required for the Payment of the Charges and Incumbrances on such prior Estate, and although such prior Estate may have been absolutely disposed of by the Owner thereof, or by or in consequence of the Bankruptcy or Insolvency of such Owner, or by any other Act or Default of such Owner; and that no Estate by the Curtesy, in respect of the Estate Tail, or of any prior Estate created by the same Settlement, shall be deemed a prior Estate under the same Settlement within the Meaning of this Clause; and that no Estate by way of reversion, Use or Trust in or for the Settlor shall be deemed an Estate under the same Settlement within the Meaning of this Clause.

XXIII. Provided always, and be it further enacted, That where Two or more Persons shall be Owners, under a Settlement within the Meaning of this Act, of a prior Estate, the sole Owner of which Estate, if there had been only One, would in respect thereof have been the Protector of such Settlement, each of such Persons, in respect of such undivided Share as he could dispose of, shall for all the Purposes of this Act be deemed the Owner of a prior Estate, and shall, in conclusion of the other or others of them, be the sole Protector of such Settlement to the Extent of such undivided Share.

XXIV. Provided always, and be it further enacted, That where a married Woman would, if single, be the Protector of a Settlement in respect of a prior Estate, which is not thereby settled, or agreed or decreed to be settled, to her separate Use, she and her Husband together shall in respect of such Estate be the Protector of such Settlement, and shall be deemed One Owner; but if such prior Estate shall by such Settlement have been settled, or agreed or decreed to be settled, to her separate Use, then and in such Case she alone shall in respect of such Estate be the Protector of such Settlement.

XXV. Provided always, and be it further enacted, That, except in the Case of a Lease hereinafter provided for, where an Estate shall be limited by a Settlement by way of Confirmation, or where the Settlement shall merely have the Effect of renewing an Estate, in either of these Cases such Estate shall for the Purposes of this Act, so far as regards the Protector of the Settlement, be deemed an Estate subsisting under such Settlement.

XXVI. Provided always, and be it further enacted, That where a Lease at a Rent shall be granted or confirmed by a Settlement, the Person in whose Favour such Lease shall be created or confirmed shall not in respect thereof be the Protector of such Settlement.

XXVII. Provided always, and be it further enacted, That no Woman in respect of her Dowry, and (except in the Case hereinafter provided for) of a bare Trustee under a Settlement made on or before the Thirty-first Day of December One thousand eight hundred and thirty three; no bare Trustee, Heir, Executor, Administrator, or Assign, in respect of any Estate taken by him as such bare Trustee, Heir, Executor, Administrator, or Assign, shall be the Protector of a Settlement.

XXVIII. Provided always, and be it further enacted, That where under any Settlement there shall be more than One Estate, any one of which shall be the Protector, shall be the Protector of the

Every Estate, or shall not be the Protector.

Every of the Estate created by a Tenant in Tail by way of Mortgage, or for any other limited Purpose.

The Owner of the first existing Estate under a Settlement, prior to an Estate Tail under the same Settlement, to be the Protector of the Settlement.

Each of Two or more Owners of a prior Estate in respect of an undivided Share as to his Share.

Where a married Woman alone shall be the Protector, and where she and her Husband together.

As to a Lease confirmed or renewed by Settlement.

As to a Lease at a Rent created by Settlement.

No Trustee in Dowry, Heir, Executor, Assign, shall be the Protector.

Who shall be the Protector where there

Owner of the  
prior Estate  
shall, by the  
Writ of Entry,  
be excluded.

Where, in the  
Disposal or of  
an Estate before  
the 1st Day  
1833, the Person  
to make the  
Tenant to the  
Writ of Entry  
shall be the  
Protector.

Where, in the  
Case of the Dis-  
possession of a  
Remainder or  
Reversion on or  
before the 1st  
Day, 1833, the Person  
to make the Ten-  
ant to the Writ  
of Entry shall be  
the Protector.

Where a lease  
Tenant, or other  
Beneficiary of  
such Estate, be-  
fore the passing  
of this Act shall  
be the Protector.

Power to vary  
Statute in Ap-  
pointing the Pro-  
tector.

Meaning of this Act of any such prior Estate, in respect of which but for the Two last preceding Clauses, or either of them, he would have been the Protector of the Settlement, shall by virtue of such Clauses, or either of them, be excluded from being the Protector, than and in such Case the Person (if any) who if such Estate did not exist would be the Protector of the Settlement shall be such Protector.

XXIX. Provided always, and be it further enacted, That where already, or on or before the Thirtieth Day of December One thousand eight hundred and thirty-three, an Estate under a Settlement shall have been disposed of either absolutely or otherwise, and either for valuable Consideration or not, the Person who in respect of such Estate would, if this Act had not been passed, have been the proper Person to have made the Tenant to the Writ of Entry or other Writ for suffering a Common Recovery of the Lands entailed by such Settlement, shall, during the Continuance of the Estate which conferred the Right to make the Tenant to such Writ of Entry or other Writ, be the Protector of such Settlement.

XXX. Provided always, and be it further enacted, That where any Person having either already, or on or before the Thirtieth Day of December One thousand eight hundred and thirty three, either for valuable Consideration or not, disposed of, either absolutely or otherwise, a Remainder or Reversion in Fee in any Lands, or created any Estate out of such Remainder or Reversion, would under this Act, if this Clause had not been inserted, have been the Protector of the Settlement by which the Lands were entailed in which such Remainder or Reversion may be subsisting, and thereby be enabled to concur in the having of such Remainder or Reversion, which he could not have done if he had not become such Protector, then and in every such Case the Person who, if this Act had not been passed, would have been the proper Person to have made the Tenant to the Writ of Entry or other Writ for suffering a Common Recovery of such Lands, shall, during the Continuance of the Estate which conferred the Right to make the Tenant to such Writ of Entry or other Writ, be the Protector of such Settlement.

XXXI. Provided always, and be it further enacted, That where, under any Settlement of Lands made before the passing of this Act, the Person who, if this Act had not been passed, would have been the proper Person to make the Tenant to the Writ of Entry or other Writ for suffering a Common Recovery of such Lands for the Purpose of having any Estate Tail or other Estate under such Settlement, shall be a lease Trustee, with Trustee shall, during the Continuance of the Estate conferring on him the Right to make the Tenant to such Writ of Entry or other Writ, be the Protector of such Settlement.

XXXII. Provided always, and be it further enacted, That it shall be lawful for any Settlor creating Lands in approp, by the Settlement by which the Lands shall be entailed, any Number of Persons in case, not exceeding Three, and not being Aliens, to be Protector of the Settlement in lieu of the Person who would have been the Protector if this Clause had not been inserted, and either for the Whole or any Part of the Period for which such Person might have continued Protector, and by means of a Power to be inserted in such Settlement to perpetuate during the Whole or any Part of such Period the Protectorship of the Settlement to any One Person or Number of Persons so case, and not being an Alien or Aliens, whose the Deceit of the Power shall think proper by Deed to appoint Protector of the Settlement in the Place of any One Person or Number of Persons who shall die or shall by Deed relinquish his or their Office of Protector; and the Person or Persons so appointed shall, in case of there being any other Person then Protector of the Settlement, be the Protector, and shall, in case of there being any other Person then Protector of the Settlement, be Protector jointly with such other Person: Provided nevertheless, that by virtue or assent of any such Appointment the Number of the Persons to compose the Protector shall never exceed Three: Provided further notwithstanding, that every Deed by which a Protector shall be appointed under a Power in a Settlement, and every Deed by which a Protector shall relinquish his Office, shall be void unless enrolled in His Majesty's High Court of Chancery within Six Calendar Months after the Execution thereof: Provided further notwithstanding, that the Person who but for this Clause would have been sole Protector of the Settlement may be one of the Persons to be appointed Protector under this Clause, if the Settlor shall think fit, and shall, unless otherwise directed by the Settlor, act as sole Protector if the other Persons constituting the Protector shall have ceased to be so by Death or Relinquishment of the Office by Deed, and no other Person shall have been appointed in their Place.

XXXIII. Provided always, and be it further enacted, That if any Person, Protector of a Settlement, shall be Lunatic, Idiot, or of unsound Mind, and whether he shall have been found such by Inquisition or not, then the Lord High Chancellor of Great Britain, or the Lord Keeper or the Lords Commissioners for the Custody of the Great Seal of Great Britain, for the Time being, or either the Person or Persons for the Time being intrusted by the King's Sign Manual with the Care and Commandment of the Custody of the Person and Estates of Persons found Lunatic, Idiot, and of unsound Mind, shall be the Protector of such Settlement in lieu of the Person who shall be such Lunatic or Idiot or of unsound Mind as aforesaid; or if any Person, Protector of a Settlement, shall be convicted of Treason or Felony, or if any Person, not being the Owner of a prior Estate under a Settlement, shall be Protector of such Settlement, and shall be so before, or if it shall be uncertain whether such last mentioned Person be living or dead, then His Majesty's High Court of Chancery shall be the Protector of such Settlement in lieu of the Person who shall be an Infant, or whose Existence cannot be ascertained as aforesaid; or if any Settlor creating Lands shall in the Settlement by which the Lands shall be entailed declare that the Person who as Owner of a prior Estate under such Settlement would be entitled to be Protector of the Settlement shall not be such Protector, and shall not appoint any Person to be Protector in his stead, then the said Court of Chancery shall, as to the Lands in which such prior Estate shall be subsisting

be the Protector of the Settlement during the Continuance of such Estate; or if in any other Case where there shall be submitting under a Settlement an Estate prior to an Estate Tail under the same Settlement, and such prior Estate shall be sufficient to qualify the Owner thereof to be Protector of the Settlement, and there shall happen at any Time to be no Protector of the Settlement as to the Lands in which the prior Estate shall be submitting, the said Court of Chancery shall, while there shall be no such Protector, and the prior Estate shall be submitting, be the Protector of the Settlement as to such Lands.

XXXIV. Provided always, and be it further enacted, That if at the Time when any Person, tenant Tenant in Tail of Lands under a Settlement, but not entitled to the Remainder or Reversion in Fee immediately expectant on the Determination of his Estate Tail, shall be desirous of making under this Act a Disposition of the Lands entailed, there shall be a Protector of such Settlement, then and in every such Case the Consent of such Protector shall be requisite to enable such actual Tenant in Tail to dispose of the Lands entailed to the full Extent to which he is herein-before authorized to dispose of the same; but such actual Tenant in Tail may, without such Consent, make a Disposition under this Act of the Lands entailed, which shall be good against all Persons who, by Force of any Estate Tail which shall be vested in or might be claimed by, or which but for some previous Act or Default would have been vested in or might have been claimed by, the Person making the Disposition at the Time of his making the same, shall claim the Lands entailed.

XXXV. Provided always, and be it further enacted, That where an Estate Tail shall have been converted into a Base Fee, in such Case, so long as there shall be a Protector of the Settlement by which the Estate Tail was created, the Consent of such Protector shall be requisite to enable the Person who would have been Tenant of the Estate Tail if the same had not been barred to exercise, as to the Lands in respect of which there shall be such Protector, the Power of Disposition herein-before contained.

XXXVI. And be it further enacted, That any Deceit, Shift, or Contrivance by which it shall be attempted to control the Protector of a Settlement in giving his Consent, or to prevent him in any way from using his absolute Discretion in regard to his Consent, and also any Agreement entered into by the Protector of a Settlement to withhold his Consent, shall be void; and that the Protector of a Settlement shall not be deemed to be a Trustee in respect of his Power of Consent; and a Court of Equity shall not control or interfere to restrain the Exercise of his Power of Consent, nor treat his giving Consent as a Breach of Trust.

XXXVII. Provided always, and be it further enacted, That the Rules of Equity in relation to Dealings and Transactions between the Donee of a Power and any Object of the Power in whose Favour the same may be exercised, shall not be held to apply to Dealings and Transactions between the Protector of a Settlement and a Tenant in Tail under the same Settlement, upon the Occasion of the Protector giving his Consent to a Disposition by a Tenant in Tail under this Act.

XXXVIII. Provided always, and be it further enacted, That when a Tenant in Tail of Lands under a Settlement shall have already created or shall hereafter create in such Lands, or any of them, a voidable Estate in Favour of a Purchaser for valuable Consideration, and shall afterwards under this Act, by any Assurance other than a Lease not requiring Incumbent, make a Disposition of the Lands in which such voidable Estate shall be created, or any of them, such Disposition, whatever its Object may be, and whatever may be the Extent of the Estate intended to be thereby created, shall, if made by the Tenant in Tail with the Consent of the Protector (if any) of the Settlement, or by the Tenant in Tail alone, if there shall be no such Protector, have the Effect of confirming such voidable Estate in the Lands thereby disposed of to its full Extent as against all Persons except those whose Rights are saved by this Act; but if at the Time of making the Disposition there shall be a Protector of the Settlement, and such Protector shall not consent to the Disposition, and the Tenant in Tail shall not without such Consent be capable under this Act of confirming the voidable Estate to its full Extent, then and in such Case such Disposition shall have the Effect of confirming such voidable Estate so far as such Tenant in Tail would then be capable under the Act of confirming the same without such Consent: Provided always, that if such Disposition shall be made to a Purchaser for valuable Consideration, who shall not have express Notice of the voidable Estate, then and in such Case the voidable Estate shall not be confirmed as against such Purchaser and the Persons claiming under him.

XXXIX. And be it further enacted, That if a Base Fee in any Lands, and the Remainder or Reversion in Fee in the same Lands, shall at the Time of the passing of this Act, or on any Time afterwards, be united in the same Person, and at any Time after the passing of this Act there shall be no intermediate Estate between the Base Fee and the Remainder or Reversion, then and in such Case the Base Fee shall not merge, but shall be *jure suo* enlarged into as large an Estate as the Tenant in Tail, with the Consent of the Protector, if any, might have created by any Disposition under this Act if such Remainder or Reversion had been vested in any other Person.

XI. And be it further enacted, That every Disposition of Lands under this Act by a Tenant in Tail thereof shall be effected by some one of the Assurances (not being a Will) by which such Tenant in Tail could have made the Disposition if his Estate were an Estate at Law in Fee Simple absolute: Provided nevertheless, that no Disposition by a Tenant in Tail shall be of any Force either at Law or in Equity, under this Act, unless made or evidenced by Deed; and that no Disposition by a Tenant in Tail vesting only in Contract, either express or implied, or otherwise, and whether supported by a valuable or meritorious Consideration or not, shall be of any Force at Law or in Equity under this Act, notwithstanding such Disposition shall be made or evidenced by Deed, and if the Tenant in Tail making

Where there is a Protector, his Consent requisite to enable an actual Tenant in Tail to create a larger Estate than a Base Fee.

Where a Base Fee, and a Protector, his Consent requisite to the exercising of the Power of Disposition. The Protector to be subject to no Contract in the Exercise of his Power of consenting.

Consent of Protector of Equity not to be required between the Protector and a Tenant in Tail.

A voidable Estate by a Tenant in Tail, in favour of a Purchaser, confirmed by a subsequent Disposition of such Tenant in Tail under this Act, but not against a Purchaser without Notice.

Base Fee when united with the immediate Reversion, enlarged instead of being merged.

Tenant in Tail not to make a Disposition by Deed or in Fee Simple absolute in Fee, but not by Will or Contract; and if married, Woman, with her Husband's Consent.



the Disposition shall be a married Woman, the Concurrence of her Husband shall be necessary to give effect to the same; and any Deed which may be executed by her for effecting the Disposition shall be acknowledged by her as herein after directed.

**XII.** Provided always, and be it further enacted, That no Assurance by which any Disposition of Lands shall be effected, under this Act by a Tenant in Tail thereof (except a Lease for any Term not exceeding Twenty-one Years, to commence from the Date of such Lease, or from any Time not exceeding Twelve Calendar Months from the Date of such Lease, where a Rent shall be thereby reserved, which, at the Time of granting such Lease, shall be a Rack Rent, or not less than Five Sixth Parts of a Rack Rent,) shall have any Operation under this Act unless it be enrolled in His Majesty's High Court of Chancery within Six Calendar Months after the Execution thereof; and if the Assurance by which any Disposition of Lands shall be effected under this Act shall be a Bargain and Sale, such Assurance, although not enrolled within the Time prescribed by the Act passed in the Twenty-seventh Year of the Reign of His Majesty King Henry the Eighth, intitled *For Avoidance of Bargains and Sales*, shall, if enrolled in the said Court of Chancery within the Time prescribed by this Clause, be as good and valid as the same would have been if the same had been enrolled in the said Court within the Time prescribed by the said Act of Henry the Eighth.

**XIII.** And be it further enacted, That the Consent of the Protector of a Settlement to the Disposition under this Act of a Tenant in Tail shall be given either by the same Assurance by which the Disposition shall be effected, or by a Deed distinct from the Assurance, and to be executed either on or at any Time before the Day on which the Assurance shall be made, otherwise the Consent shall be void.

**XIV.** And be it further enacted, That if the Protector of a Settlement shall, by a distinct Deed, give his Consent to the Disposition of a Tenant in Tail, it shall be considered that such Protector has given an absolute and unqualified Consent, unless in such Deed he shall refer to the particular Assurance by which the Disposition shall be effected, and shall confine his Consent to the Disposition thereby made.

**XV.** And be it further enacted, That if shall not be lawful for the Protector of a Settlement who, under this Act, shall have given his Consent to the Disposition of a Tenant in Tail, to revoke such Consent.

**XVI.** And be it further enacted, That any married Woman, being either alone or jointly with her Husband Protector of a Settlement, may under this Act, in the same Manner as if she were a *Feme Sole*, give her Consent to the Disposition of a Tenant in Tail.

**XVII.** Provided always, and be it further enacted, That the Consent of a Protector to the Disposition of a Tenant in Tail shall, if given by a Deed distinct from the Assurance by which the Disposition shall be effected by the Tenant in Tail, be void, unless such Deed be enrolled in His Majesty's High Court of Chancery either at or before the Time when the Assurance shall be enrolled.

**XVIII.** And be it further enacted, That in Cases of Dispositions of Lands under this Act by Tenants in Tail thereof, and also in Cases of Consents by Protectors of Settlements to Dispositions of Lands under this Act by Tenants in Tail thereof, the Jurisdiction of Courts of Equity shall be altogether excluded, either on the Behalf of a Person claiming for a valuable or meritorious Consideration, or not, in regard to the specific Performance of Contracts, and the applying of Defences in the Execution either of the Powers of Disposition given by this Act to Tenants in Tail, or of the Powers of Consent given by this Act to Protectors of Settlements, and the applying under any Circumstances of the Waste of Dispositions of such Powers of Disposition and Consent respectively, and in regard to giving effect in any other Manner to any Act or Deed by a Tenant in Tail or Protector of a Settlement which in a Court of Law would not be an effectual Disposition or Consent under this Act; and that no Disposition of Lands under this Act by a Tenant in Tail thereof in Equity, and no Consent by a Protector of a Settlement to a Disposition of Lands under this Act by a Tenant in Tail thereof in Equity, shall be of any Force unless such Disposition or Consent would in case of an *Entire Tail* at Law be an effectual Disposition or Consent under this Act in a Court of Law.

**XIX.** Provided always, and be it further enacted, That in every Case in which the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, or either the Person or Persons intrusted with the Care and Commitment of the Custody of the Person and Estates of Persons found insane, idiot, and of unsound Mind, or His Majesty's High Court of Chancery, shall be the Protector of a Settlement, such Lord High Chancellor, Lord Keeper, or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), while Protector of such Settlement, shall, on the Motion or Petition in a summary Way by a Tenant in Tail under such Settlement, have full Power to consent to a Disposition under this Act by such Tenant in Tail, and the Disposition to be made by such Tenant in Tail upon such Motion or Petition as aforesaid shall be such as shall be approved of by such Lord High Chancellor, Lord Keeper, or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), and it shall be lawful for such Lord High Chancellor, Lord Keeper, or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), to make such Orders in the Matter as shall be thought necessary; and if such Lord High Chancellor, Lord Keeper, or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), shall, in any of any such Cases as aforesaid, be the Protector of a Settlement, and there shall be any other Person Protector of the same Settlement

Every Assurance by a Tenant in Tail, except a Lease not exceeding 21 Years at a Rack Rent, or not less than Five Sixths of a Rack Rent, to be inoperative unless enrolled within Six Months.

Consent of the Protector, how to be given.

If by distinct Deed

Protector not to revoke his Consent.

Consent of a married Woman Protector.

Consent of a Protector by a distinct Deed, void, unless duly enrolled.

Courts of Equity excluded from giving any Effect to Dispositions by Tenants in Tail, or Consents of Protectors of Settlements, which in Courts of Law would not be effectual.

Lord Chancellor, Lord Keeper, &c. to have Power to consent to a Disposition by a Tenant in Tail, and to make such Orders as shall be thought necessary; and if any other Person shall be joint Protector the Disposition may be valid without his Consent.

jointly with such Person as aforesaid, than and in every such Case the Disposition by the Tenant in Tail, though approved of as aforesaid, shall not be valid, unless such other Person being Protector as aforesaid shall concur therein in the Manner in which the Consent of the Protector is by this Act required to be given.

**XLIX.** Provided always, and he it further enacted, That in every Case in which the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, or other the Person or Persons intrusted with the Care and Commitment of the Custody of the Person and Estates of Persons found insane, idiot, and of unsound Mind, or His Majesty's High Court of Chancery, shall be the Promoter of a Settlement, no Document or Instrument, as Evidence of the Consent of such Proprietor to the Disposition of a Tenure in Tail under such Settlement, shall be requisite beyond the Order in obedience to which the Disposition shall have been made.

**L.** And he it further enacted, That all the previous Clauses in this Act, so far as Circumstances and the different Tenures will admit, shall apply to Lands held by Copy of Court Roll, except that a Disposition of any such Lands under this Act by a Tenant in Tail thereof, whose Estate shall be an Estate at Law, shall be made by Surrender, and except that a Disposition of any such Lands under this Act by a Tenant in Tail thereof, whose Estate shall be merely an Estate in Equity, may be made either by Surrender or by a Deed as hereinafter provided, and except so far as such Clauses are otherwise altered or varied by the Clauses hereinafter enacted.

**LI.** Provided always, and he it further enacted, That if the Consent of the Protector of a Settlement to the Disposition of Lands held by Copy of Court Roll by a Tenant in Tail thereof shall be given by Deed, such Deed shall, either at or before the Time when the Surrender shall be made by which the Disposition shall be effected, be executed by such Protector, and produced to the Lord of the Manor of which the Lands are Parcel, or to his Steward, or to the Deputy of such Steward; and the Consent of such Protector shall be void unless such Deed shall be so executed and produced; and on the Production of the Deed the Lord, or Steward or Deputy Steward, shall by Writing under his Hand, to be indorsed on the Deed, acknowledge that the same was produced within the Time limited, and shall cause such Deed, with the Indorsement thereon, to be entered on the Court Rolls of the Manor; and the Indorsement, purporting to be so signed, shall of itself be prima facie Evidence that the Deed was produced within the Time limited, and that the Person who signed the Indorsement was the Lord of the Manor, or his Steward, or the Deputy of such Steward; and after such Deed shall have been so entered the Lord of the Manor, or his Steward, or the Deputy of such Steward, shall indorse thereon a Memorandum signed by him, testifying the Entry of the same on the Court Rolls.

**LII.** Provided always, and he it further enacted, That if the Consent of the Protector of a Settlement to the Disposition of Lands held by Copy of Court Roll by a Tenant in Tail thereof shall not be given by Deed, then and in such Case the Consent shall be given by the Protector to the Person taking the Surrender by which the Disposition shall be effected; and if the Surrender shall be made out of Court, it shall be expressly stated in the Memorandum of such Surrender that such Consent had been given, and such Memorandum shall be signed by the Protector, and the Lord of the Manor of which the Lands are Parcel, or his Steward, or the Deputy of such Steward, shall cause the Memorandum, with such Statement thereon as to the Consent, to be entered on the Court Rolls of the Manor; and such Memorandum shall be good Evidence of the Consent and of the Surrender therein stated to be made; and the Entry of the Memorandum on the Court Rolls, or a Copy of such Entry, shall be as available for the Purpose of Evidence as any other Entry on the Court Rolls, or a Copy thereof; but if the Surrender shall be made in Court, the Lord of the Manor, or his Steward, or the Deputy of such Steward, shall cause an Entry of such Surrender, containing a Statement that such Consent had been given, to be made on the Court Rolls; and the Entry of such Surrender on the Court Rolls, or a Copy of such Entry, shall be as available for the Purpose of Evidence as any other Entry on the Court Rolls, or a Copy thereof.

**LIII.** Provided always, and he it further enacted, That a Tenant in Tail of Lands held by Copy of Court Roll, whose Estate shall be merely an Estate in Equity, shall have full Power by Deed to dispose of such Lands under this Act in the same Manner in every respect as he could have done if they had been of Freehold Tenure; and all the previous Clauses in this Act shall, so far as Circumstances will admit, apply to the Lands in respect of which any such equitable Tenure in Tail shall vest benefit of this present Clause; and the Deed by which the Disposition shall be effected shall be entered on the Court Rolls of the Manor of which the Lands thereby disposed of may be Parcel; and if there shall be a Protector to consent to the Disposition, and such Protector shall give his Consent by a distinct Deed, the Consent shall be void unless the Deed of Consent be executed by the Protector either on or at any Time before the Day on which the Deed of Disposition shall be executed by the equitable Tenant in Tail; and such Deed of Consent shall be entered on the Court Rolls; and it shall be imperative on the Lord of the Manor, or his Steward, or the Deputy of such Steward, when required so to do, to enter such Deed or Deeds on the Court Rolls, and he shall indorse on each Deed so entered a Memorandum, signed by him, testifying the Entry of the same on the Court Rolls. Provided always, that every Deed by which Lands held by Copy of Court Roll shall be disposed of under this Clause, by an equitable Tenant in Tail thereof, shall be void against any Person claiming such Lands or any of them, for valuable Considerations under any subsequent Assurance duly entered on the Court Rolls of the Manor of which the Lands may be Parcel, unless the Deed of Disposition by the equitable Tenant in Tail be entered on the Court Rolls of such Manor before the subsequent Assurance shall have been entered.

Order of the Lord Chancellor, &c. in Evidence of Consent.

The previous Clauses in this Act shall apply to Copy-holds, with certain Variations.

As in the Deed of Consent and the Entry of it on the Court Rolls when the Protector of a Settlement of Copyholds consents by Deed to the Disposition of a Tenure in Tail.

As in the Consent of the Protector of a Settlement of Copyholds which may be given by Deed, and the producing of Evidence of the same on the Court Rolls.

Power to equitable Tenants in Tail of Copyholds to dispose of their Lands by Deed.

Incliment not necessary as to Copyhold

Effect of the Bankrupt Act, 6 G. 4. c. 160 s. 25, as to its relation to Estates Tail, but not to estates of a Bankrupt under a Commission or Fiat issued on or before the 25th of Dec. 1825, in case reverse former Act.

The Commission in the Case of an actual Tenant in Tail issuing bankrupt after the 25th of Dec. 1825, by itself is held to dispose of the Lands of the Bankrupt to a Purchaser.

If a Tenant in Tail entitled to a Base Fee becomes bankrupt, and if there is no Protector, the Commissioners to dispose of the Lands of the Bankrupt.

As to the Consent of the Protector in case of Bankruptcy.

LIV. Provided always, and be it further enacted, That in no Case where any Disposition under this Act of Lands held by Copy of Court Roll, by a Tenant in Tail thereof, shall be effected by Surrender or by Deed, shall the Surrender or the Memorandum, or a Copy thereof, or the Deed of Disposition, or the Deed, if any, by which the Protector shall consent to the Disposition, require Incliment otherwise than by Entry on the Court Rolls.

LV. And be it further enacted, That after the Thirty-first Day of December One thousand eight hundred and thirty-three in such of the Acts passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *an Act to amend the Laws relating to Bankrupts*, as empower the Commissioners named in any Commission of Bankrupt issued against a Tenant in Tail to make Sale of any Lands, Tenements, and Hereditaments, situate either in England or Ireland, whereof such Bankrupt shall be seized of any Estate Tail in Possession, Reversion, or Remainder, and whereof no Reversion or Remainder is in the Crown, the Gift or Prerogative of the Crown, shall be and the same is hereby repealed: Provided always, that such repeal shall not extend to the Lands, whatever the Tenant may be, of any Person adjudged a Bankrupt under any Commission of Bankrupt, or under any Fiat which, in pursuance of the said Act of the Sixth Year of the Reign of King George the Fourth, or of any former Act concerning Bankrupts, or of an Act passed in the First and Second Years of the Reign of His Majesty King William the Fourth, intituled *an Act to establish a Court of Bankruptcy*, hath been or shall be issued on or before the Thirty-first Day of December One thousand eight hundred and thirty-three: Provided also, that such repeal shall not have the Effect of reviving in any respect the Acts repealed by the said Act of the Sixth Year of the Reign of King George the Fourth, or any of them.

LVI. And be it further enacted, That any Commissioner acting in the Execution of any Fiat which after the Thirty-first Day of December One thousand eight hundred and thirty-three shall be issued in pursuance of the said Act passed in the First and Second Years of the Reign of King William the Fourth, under which any Person shall be adjudged a Bankrupt who at the Time of issuing such Fiat, or at any Time afterwards, before he shall have obtained his Certificate, shall be an actual Tenant in Tail of Lands of any Tenure, shall by Deed dispose of such Lands to a Purchaser for valuable Consideration, for the Benefit of the Creditors of such actual Tenant in Tail, and shall execute by any such Disposition as large an Estate in the Lands disposed of as the actual Tenant in Tail, if he had not become bankrupt, could have done under this Act at the Time of such Disposition: Provided always, that if at the Time of the Disposition of such Lands, or any of them, by such Commissioner as aforesaid, there shall be a Protector of the Settlement by which the Estate of such actual Tenant in Tail in the Lands disposed of by such Commissioner was created, and the Consent of such Protector would have been requisite to have enabled the actual Tenant in Tail, if he had not become bankrupt, to have disposed of such Lands in the full Extent to which, if there had been no such Protector, he could under this Act have disposed of the same, and such Protector shall not consent to the Disposition, then and in such Case the Estate created in such Lands, or any of them, by the Disposition of such Commissioner, shall be as large an Estate as the actual Tenant in Tail, if he had not become bankrupt, could at the Time of such Disposition have created under this Act in such Lands without the Consent of the Protector.

LVII. And be it further enacted, That any Commissioner acting in the Execution of any such Fiat as aforesaid under which any Person shall be adjudged a Bankrupt who at the Time of issuing such Fiat, or at any Time afterwards before he shall have obtained his Certificate, shall be a Tenant in Tail entitled to a Base Fee in Lands of any Tenure, shall by Deed dispose of such Lands to a Purchaser for valuable Consideration, for the Benefit of the Creditors of the Person so created as aforesaid, provided at the Time of the Disposition there be no Protector of the Settlement by which the Estate Tail converted into the Base Fee was created: and by such Disposition the Base Fee shall be enlarged into as large an Estate as the same could at the Time of such Disposition have been enlarged into under this Act by the Person so entitled if he had not become bankrupt.

LVIII. And be it further enacted, That the Commissioner acting in the Execution of any such Fiat as aforesaid under which a Person being, or before obtaining his Certificate becoming, an actual Tenant in Tail of Lands of any Tenure, or a Tenant in Tail entitled to a Base Fee in Lands of any Tenure, shall be adjudged a Bankrupt, shall, if there shall be a Protector of the Settlement by which the Estate Tail of such actual Tenant in Tail, or the Base Fee converted into a Base Fee (as the Case may be), was created, stand in the Place of such actual Tenant in Tail, or Tenant in Tail so entitled as aforesaid, so far as regards the Consent of such Protector; and the Disposition of such Lands, or any of them, by such Commissioner as aforesaid, if made with the Consent of such Protector, shall, whether such Commissioner may have made under this Act a prior Disposition of the same Lands without the Consent of such Protector or not, or whether a prior Sale or Conveyance of the same Lands shall have been made or not, under the said Acts of the Sixth Year of King George the Fourth and the First and Second Years of King William the Fourth, or either of them, or any Acts hereafter to be passed concerning Bankrupts, have the same Effect as such Disposition would have had if such actual Tenant in Tail, or Tenant in Tail so entitled as aforesaid, had not become bankrupt, and such Disposition had been made by him under this Act, with the Consent of such Protector; and all the previous Clauses in this Act, in regard to the Consent of the Protector to the Disposition of a Tenant in Tail of Lands not held by Copy of Court Roll, and in regard to the Time and Manner of giving such Consent, and in regard to the Incliment of the Deed of Consent, where such Deed shall be distinct from the Printed image digitised by the University of Southampton Library Digitisation Unit. Assurance

Assurance by which the Disposition of the Commissioners shall be effected, shall, except so far as the same may be varied by the Clause next hereinafter contained, apply to every Consent that may be given by virtue of this present Clause.

LIX. And be it further enacted, That every Deed by which any Commissioner acting in the Execution of any such Act as aforesaid shall, under this Act, dispose of Lands not held by Copy of Court Roll, shall be void unless recorded in His Majesty's High Court of Chancery within Six Calendar Months after the Execution thereof; and every Deed by which any Commissioner acting in the Execution of any such Act as aforesaid shall, under this Act, dispose of Lands held by Copy of Court Roll, shall be entered on the Court Rolls of the Manor of which the Lands may be Parcel; and if there shall be a Protector who shall consent to the Disposition of such Lands held by Copy of Court Roll, and he shall give his Consent by a distinct Deed, the Consent shall be void unless the Deed of Consent be countersigned by the Protector either on or at any Time before the Day on which the Deed of Disposition shall be executed by the Commissioner; and both Deed of Consent shall be entered on the Court Rolls; and it shall be imperative on the Lord of every Manor of which any Lands disposed of under this Act by any such Commissioner as aforesaid may be Parcel, or the Steward of such Lord, or the Deputy of such Steward, so enter on the Court Rolls of the Manor every Deed required by this present Clause to be entered on the Court Rolls, and he shall indorse on every Deed so entered a Memorandum, signed by him, testifying the Entry of the same on the Court Rolls.

LX. And be it further enacted, That if any Commissioner acting in the Execution of any such Act as aforesaid shall, under this Act, dispose of any Lands of any Tenant of which the Bankrupt shall be actual Tenant in Tail, and in consequence of there being a Protector of the Settlement by which the Estate of such actual Tenant in Tail was created, and of his not giving his Consent, only a Base Fee shall by such Disposition be created in such Lands, and if at any Time afterwards during the Continuance of the Base Fee there shall come to be a Protector of such Settlement, then and in such Case, and immediately thereupon, such Base Fee shall be enlarged into the same Estate into which the same could have been enlarged under this Act if at the Time of the Disposition by such Commissioner as aforesaid there had been no such Protector.

LXI. And be it further enacted, That if a Tenant in Tail entitled to a Base Fee in Lands of any Tenant shall be adjudged a Bankrupt at the Time when there shall be a Protector of the Settlement by which the Estate Tail converted into the Base Fee was created, and if such Lands shall be sold or conveyed under the said Acts of the Sixth Year of King George the Fourth and the First and Second Years of King William the Fourth, or either of them, or any other Acts hereafter to be passed concerning Bankrupts, and if at any Time afterwards during the Continuance of the Base Fee in such Lands there shall come to be a Protector of such Settlement, then and in such Case, and immediately thereupon, the Base Fee in such Lands shall be enlarged into the same Estate into which the same could have been enlarged under this Act if at the Time of the Adjudication of such Bankruptcy there had been no such Protector, and the Commissioner acting in the Execution of the Act under which the Tenant in Tail so entitled shall have been adjudged a Bankrupt had disposed of such Lands under this Act.

LXII. Provided always, and be it further enacted, That where an actual Tenant in Tail of Lands of any Tenant, or a Tenant in Tail entitled to a Base Fee in Lands of any Tenant, shall have already created or shall hereafter create in such Lands, or any of them, a voidable Estate in favour of a Purchaser for valuable Consideration, and such actual Tenant in Tail, or Tenant in Tail so entitled as aforesaid, shall be adjudged a Bankrupt under any such Act as aforesaid, and the Commissioner acting in the Execution of such Act shall make any Disposition under this Act of the Lands in which such voidable Estate shall be created, or any of them, then and in such Case, if there shall be no Protector of the Settlement by which the Estate Tail of the actual Tenant in Tail, or the Estate Tail converted into a Base Fee, as the Case may be, was created, or being such Protector he shall consent to the Disposition by such Commissioner as aforesaid, whether such Commissioner may have made under this Act a previous Disposition of such Lands or not, or whether a prior Sale or Conveyance of the same Lands shall have been made or not under the said Acts of the Sixth Year of King George the Fourth and the First and Second Years of King William the Fourth, or either of them, or any other Acts hereafter to be passed concerning Bankrupts, the Disposition by such Commissioner shall have the Effect of confirming such voidable Estate in the Lands thereby disposed of to its full Extent as against all Persons except those whose Rights are saved by this Act; and if at the Time of the Disposition by such Commissioner, in the Case of an actual Tenant in Tail, there shall be a Protector, and such Protector shall not consent to the Disposition by such Commissioner, and such actual Tenant in Tail, if he had not been adjudged a Bankrupt, would not without such Consent have been capable under this Act of confirming the voidable Estate to its full Extent, then and in such Case such Disposition shall have the Effect of confirming such voidable Estate so far as such actual Tenant in Tail, if he had not been adjudged a Bankrupt, could at the Time of such Disposition have been capable under this Act of confirming the same without such Consent; and if on any Time after the Disposition of such Lands by such Commissioner, and while only a Base Fee shall be subsisting in such Lands, there shall come to be a Protector of such Settlement, and such Protector shall not have consented to the Disposition by such Commissioner, then and in such Case such voidable Estate, so far as the same may not have been previously confirmed, shall be confirmed to its full Extent as against all Persons except those whose Rights are saved by this Act; Provided always, that if the Disposition by any such Com-

As to the Inrolment in Chancery of the Deed of Disposition of Freehold Lands, and the Entry on the Court Rolls of the Deed of Disposition of Copyhold Lands.

and of the Deed of Consent.

When grant Enlargement of Base Fee created by the Disposition of the Consented Estate.

Enlargement of Base Fee into same as against the Sale or Conveyance of the same under the Bankrupts Acts.

A voidable Estate created in favour of a Purchaser by an actual Tenant in Tail becoming bankrupt or by a Tenant in Tail entitled to a Base Fee becoming bankrupt, confirmed by the Disposition of the Commissioner, if no Protector, or being such Protector, or not consenting to be a Protector, but not against a Purchaser, without Notice.

Acts of the Bankrupt  
Tenant in Tail void  
against any  
Disposition  
under this Act  
by the Com-  
missioner.

Subject to the  
Powers given  
to the Com-  
missioner and to  
the Estate in the Assignees &  
Bankrupt  
Tenant in Tail  
shall retain the  
Powers of Dis-  
position.

The Disposition  
by the Com-  
missioner of the  
Lands of a  
Bankrupt  
Tenant in Tail  
shall, if the  
Bankrupt be  
dead, have in  
the Case herein  
mentioned the  
same Operation  
as if he were  
alive.

Every Disposi-  
tion by the  
Commissioner  
of Copyhold  
Lands where  
the Tenant shall  
not be capable  
to have the same  
Operation as a  
Surrender; and  
the Person to  
whom such  
Land shall have  
been disposed of  
may there be  
admitted.

Assignees in  
respect of the  
Lands of a  
Bankrupt, of  
whom the Com-  
missioner has  
Power to make  
Dispositions, and  
to make Con-  
cessions, as if  
entitled to the  
Reversion. This  
Clause to apply  
to all Copyhold  
Lands, but to  
no other Lands,  
only to such in  
the Com-  
missioner may dis-

missioner as aforesaid shall be made to a Purchaser for valuable Consideration, who shall not have express Notice of the voidable Estate, then and in such Case the voidable Estate shall not be considered against such Purchaser and the Person claiming under him.

LXIII. And he it further enacted, That all Acts and Deeds done and executed by a Tenant in Tail of Lands of any Tenure, who shall be adjudged a Bankrupt under any such Stat as aforesaid, and which shall affect such Lands or any of them, and which, if he had been seized of or entitled to such Lands in Fee Simple absolute, would have been void against the Assignees of the Bankrupt's Estate, and all Persons claiming under them, shall be void against any Disposition which may be made of such Lands under this Act by such Commissioner as aforesaid.

LXIV. Provided always, and he it further enacted, That, subject and without Prejudice to the Powers of Disposition given by this Act to the Commissioner acting in the Execution of any such Stat as aforesaid under which a Person being, or before obtaining his Certificate becoming, an actual Tenant in Tail of Lands of any Tenure, or a Tenant in Tail entitled to a Base Fee in Lands of any Tenure shall be adjudged a Bankrupt, and also subject and without Prejudice to the Estate in such Lands which may be vested in the Assignees of the Bankrupt's Estate, and also subject and without Prejudice to the Rights of all Persons claiming under the said Assignees in respect of such Lands or any of them, such actual Tenant in Tail, or Tenant in Tail so entitled as aforesaid shall have the same Powers of Disposition under this Act in regard to such Lands as he would have had if he had not become bankrupt.

LXV. And he it further enacted, That any Disposition under this Act of Lands of any Tenure by any Commissioner acting in the Execution of any such Stat as aforesaid under which a Person being, or before obtaining his Certificate becoming, an actual Tenant in Tail of such Lands, or a Tenant in Tail entitled to a Base Fee in such Lands shall be adjudged a Bankrupt, shall, although the Bankrupt be dead at the Time of the Disposition, be in the following Cases as valid and effectual as the same could have been, and have the same Operation under this Act as the same would have had, if the Bankrupt were alive; (that is to say,) in case at the Time of the Bankrupt's Decease there shall be no Protector of the Settlement by which the Estate Tail of the actual Tenant in Tail, or the Estate Tail converted into a Base Fee, as the Case may be, was created, or in case the Bankrupt had been an actual Tenant in Tail of such Lands, and there shall at the Time of the Disposition be any Issue inheritable to the Estate Tail of the Bankrupt in such Lands, and either no Protector of the Settlement by which the Estate Tail was created, or a Protector of such Settlement who, in the Manner required by this Act, shall consent to the Disposition, or a Protector of such Settlement who shall not consent to the Disposition; or in case the Bankrupt had been a Tenant in Tail entitled to a Base Fee in such Lands, and there shall at the Time of the Disposition be any Issue who if the Base Fee had not been created would have been actual Tenant in Tail of such Lands, and either no Protector of the Settlement by which the Estate Tail converted into a Base Fee was created, or a Protector of such Settlement who, in the Manner required by this Act, shall consent to the Disposition.

LXVI. And he it further enacted, That every Disposition which under this Act may be made by any Commissioner acting in the Execution of any such Stat as aforesaid of Lands held by Copy of Court Roll shall, in every Case in which the Estate of the Bankrupt in such Lands shall not be merely an Estate in Equity, operate in the same Manner as if such Lands had, for the same Estate which shall have been acquired by the Disposition by such Commissioner as aforesaid, been duly surrendered into the Hands of the Lord of the Manor of which they may be Parcel, to the Use of the Person to whom the same shall have been disposed of by such Commissioner; and the Person to whom the Lands shall have been so disposed of by such Commissioner may there be admitted Tenant of such Lands, to hold the same by the ancient Uses, Customs, and Services, in the same Manner as if such Lands had been daily surrendered to his Use into the Hands of the Lord of the Manor of which such Lands may be Parcel, and shall, upon being admitted Tenant of such Lands, to hold the same as aforesaid, pay the Fines, Fees, and other Dues which could have been lawfully demanded upon such Admittance if such Lands had, for the same Estate which shall have been acquired by the Disposition by such Commissioner as aforesaid, passed by Surrender into the Hands of the Lord, to the Use of the Person so admitted.

LXVII. And he it further enacted, That the Rents and Profits of any Lands of which any Commissioner acting in the Execution of any such Stat as aforesaid hath Power to make Disposition under this Act shall in the meantime and until such Disposition shall be made, or until it shall be ascertained that such Disposition shall not be required for the Benefit of the Creditors of the Person adjudged bankrupt under the Stat, be received by the Assignees of the Estate of the Bankrupt, for the Benefit of the Creditors; and the Assignees may proceed by Action of Debt for the Recovery of such Rents and Profits, or may detain for the same upon the Lands subject to the Payment thereof, and as soon any Action of Treason shall be brought for taking any such Oath as may plead thereto the General Issue, and give this Act or any special Matter in Evidence, and also, in case any such Evidence shall be replied, shall have Power to avow or make cognizance generally in such Manner and Form as any Landlord may now do by virtue of the Statute made in the Eleventh Year of the Reign of His Majesty King George the Second, intituled *An Act for the more effectual covering the Payment of Rents and preventing Frauds by Tenants*, or by any other Law or Statute now in force or hereafter to be made for the more effectual recovering of Rents in arrears; and such Assignees, and their Bailiffs, Agents, and Servants, shall also have all such and the same Remedies, Powers, Privileges, and Advantages of pleading, avowing, and making cognizance, and be entitled to the same Costs and Damages, and the same Remedies for the

Recovery thereof, as Landlords, their Bailiffs, Agents, and Servants, are now or hereafter may be by Law refused to have when Rent is in arrear; and such Assignees shall also have the same Power and Authority of enforcing the Performance of all Covenants, Conditions, and Agreements in respect of the Lands of which such Commissioners as aforesaid hold the Power of Disposition under this Act, and in respect of the Rents and Profits thereof, and of Entry into and upon the same Lands for the Nonobservance of any such Covenant, Condition, and Agreement, and of expelling and removing therefrom the Tenants or other Occupiers thereof, and thereby determining and putting an End to the Estate of the Persons who shall not have observed such Covenants, Conditions, and Agreements, as the Bankrupt would have had in case he had not been adjudged a Bankrupt. Provided always, that this Clause shall apply to all Lands held by Copy Court Roll, but shall only apply to those Lands of any other Tenure which any Commissioner acting in the Execution of any such Stat as aforesaid may have Power to dispose of under this Act after the Bankrupt's Decree.

LXVIII. And be it further enacted, That all the Provisions in this Act contained for the Benefit of the Creditors of Persons who under such Stat as aforesaid shall be adjudged Bankrupts after the Thirty-first Day of December One thousand eight hundred and thirty-three, and for the Confirmation in consequence of Bankruptcy of voidable Estates created by them, shall extend and apply to the Lands of any Tenure in Ireland of such Persons as fully and effectually as if this Act had throughout extended to Lands of any Tenure in Ireland, saving always the Rights of the King's most Excellent Majesty, His Heirs and Successors, to any Reversion or Remainder in the Crown in Lands in Ireland.

LXIX. Provided always, and be it further enacted, That in all Cases of Bankruptcy, every Deed of Disposition under this Act of Lands in Ireland by any Commissioner acting in the Execution of any such Stat as aforesaid, and also every Deed by which the Proprietor of a Settlement of Lands in Ireland shall consent, shall be enrolled in His Majesty's High Court of Chancery in Ireland within Six Calendar Months after the Execution thereof, and not in His Majesty's High Court of Chancery in England.

LXX. And be it further enacted, That after the Thirty-first Day of December One thousand eight hundred and thirty-three an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for repeating an Act passed in the Thirty-sixth and Fortieth Year of the Reign of His late Majesty King George the Third, intitled 'An Act for the Relief of Persons' entitled as Entailed Estates to be purchased with Fruit Money, and for making further Provision in law thereof'*, shall be and the same is hereby repealed, except as to such Proceedings under the Act hereby repealed as shall have been commenced before the First Day of January One thousand eight hundred and thirty-four, and which may be continued under the Authority and according to the Provisions of the Act hereby repealed: Provided always, that the Act repealed by the said Act of the Seventh Year of the Reign of His late Majesty King George the Fourth shall not be revived.

LXXI. And be it further enacted, That Lands to be sold, whether Freehold or Leasehold, or of any other Tenure, where the Money arising from the Sale thereof shall be subject to be invested in the Purchase of Lands to be settled, so that any Person, if the Lands were purchased, would have an Estate Tail therein, and also Money subject to be invested in the Purchase of Lands to be settled, as that any Person, if the Lands were purchased, would have an Estate Tail therein, shall for all the Purposes of this Act be treated as the Lands to be purchased, and be considered subject to the same Estates as the Lands to be purchased would, if purchased, have been actually subject to, and all the previous Clauses in this Act, so far as Circumstances will admit, shall, in the Case of the Lands to be sold as aforesaid being either Freehold or Leasehold, or of any other Tenure, except Copy Court Roll, apply to such Lands in the same Manner as if the Lands to be purchased with the Money to arise from the Sale thereof were directed to be Freehold, and were actually purchased and settled; and shall, in the Case of the Lands to be sold as aforesaid being held by Copy Court Roll, apply to such Lands in the same Manner as if the Lands to be purchased with the Money to arise from the Sale thereof were directed to be Copyhold, and were actually purchased and settled; and shall, in the Case of Money subject to be invested in the Purchase of Lands to be so settled as aforesaid, apply to such Money in the same Manner as if such Money were directed to be laid out in the Purchase of Freehold Lands, and such Lands were actually purchased and settled; and except that in every Case where under this Clause a Disposition shall be to be made of Leasehold Lands for Years absolute or determinable, or circumstances as aforesaid, or of Money so circumstanced as aforesaid, such Leasehold Lands or Money shall, as to the Person to whose Use or for whose Benefit the Disposition is to be made, be treated as Personal Estate, and except in case of Bankruptcy, the Assurance by which the Disposition of such Leasehold Lands or Money shall be effected shall be an Assurance by Deed, which shall have no Operation under this Act unless enrolled in His Majesty's High Court of Chancery within Six Calendar Months after the Execution thereof; and in every Case of Bankruptcy the Disposition of such Leasehold Lands or Money shall be made by the Commissioner, and completed by Inrollment in the same Manner as heretofore required in regard to Lands not held by Copy Court Roll.

LXXII. And be it further enacted, That so far as regards any Person adjudged a Bankrupt under any such Stat as aforesaid, the Provisions of the Clause lastly herein-before contained shall, for the Benefit of the Creditors of the Bankrupt, apply to Lands in Ireland to be sold, whether Freehold or Leasehold, or of any other Tenure, where the Money arising from the Sale thereof shall be subject to be invested in the Purchase of Lands to be settled as that the Bankrupt, if the Lands were purchased, would have an Estate Tail therein, and also in Money under the Control of any Court of Equity in

some of other late Bankrupts' Death. D. U. 2. 4. 18.

All the Provisions of the Act in regard to Bankrupts shall apply to those Lands in Ireland.

Deeds relating to the Lands of Bankrupts in Ireland to be enrolled there.

Repeat of the Statute 7 G. 4. c. 41, except as to Proceedings commenced before 1st Jan. 1804.

33 & 34 G. 4. c. 26, not to be revived.

The purchase Clauses, with certain Variations, to apply to Lands of any Tenure to be sold, where the Purchase Money is subject to be invested in the Purchase of Lands to be settled, and where Money is subject to be invested in the Purchase of the same.

Lands of any Tenure in Ireland, to be sold, where the Purchase Money is subject to be invested in the Purchase of

Lands to be  
sold, and the  
Money under  
the Control of  
a Court of  
Equity in Ire-  
land, subject to  
be invested in  
the Manner, to  
be subject to  
this Act in  
Cases of Bank-  
ruptcy.

As to Deeds  
being not nec-  
essarily before  
Inrolment.

Every Deed to  
be inrolled by  
which Lands or  
Money shall be  
disposed of  
under this Act,  
to take effect as  
of Inrolment  
not required.

The Court of  
Chancery in  
England to pay  
the Fees to be  
paid for Inrolments.

The Court of  
Common Pleas  
to regulate the  
Fees for Entries  
on Court Rolls  
and Inrol-  
ments on Deeds,  
and the taking  
of Copies, &c.

A married  
Woman, with  
her Husband's  
Consent, to  
dispose of Lands  
and Money sub-  
ject to be in-  
vested in the  
Purchase of  
Lands, and of  
any Estate  
therein, and to  
release and ex-  
tinguish Powers  
as in a former  
Act.  
Not to extend  
to Copyholds in  
certain Cases.

Powers of Dis-  
position hereby  
given to a mar-  
ried Woman not  
to interfere  
with any other  
Powers.

Every Deed by  
a married  
Woman, not  
executed by her  
in Presence, to  
be made or signed  
by her before a  
Judge, &c.

And, or of to which any Individuals as Trustees may be possessed or entitled in Ireland, and which shall be subject to be invested in the Purchase of Lands to be settled so that the Bankrupt, if the Lands were purchased, would have an Estate Tail therein, as fully and effectually as if this Act had throughout extended to Ireland: Provided always, that every Deed to be executed by any Commissioner or Protector, in pursuance of this Clause, in regard to Lands in Ireland to be so sold as aforesaid, shall be inrolled in His Majesty's High Court of Chancery in Ireland within the Calendar Months after the Execution thereof; but every Deed to be executed by any Commissioner or Protector, in pursuance of this Clause, in regard to Money subject to be invested in the Purchase of Lands to be so settled as aforesaid, shall be inrolled in His Majesty's High Court of Chancery in England within Six Calendar Months after the Execution thereof, and out in His Majesty's High Court of Chancery in Ireland, saving always the Rights of the King's most Excellent Majesty, His Heirs and Successors, to any Reversion or Remainder in the Crown in Lands in Ireland to be sold.

LXXIII. And be it further enacted, That any Rule or Practice requiring Deeds to be acknowledged before Inrolment shall not apply to any Deed by this Act required to be inrolled in His Majesty's High Court of Chancery in England or Ireland.

LXXIV. And be it further enacted, That every Deed required to be inrolled in His Majesty's High Court of Chancery in England or Ireland, by which Lands, or Money subject to be invested in the Purchase of Lands, shall be disposed of under this Act, shall, when inrolled as required by this Act, operate and take effect in the same Manner as it would have done if the Inrolment thereof had not been required, except that every such Deed shall be void against any Person claiming the Lands or Money thereby disposed of, or any Part thereof, for valuable Consideration, under any subsequent Deed duly inrolled under this Act, if such subsequent Deed shall be first inrolled.

LXXV. And be it further enacted, That it shall be lawful for His Majesty's High Court of Chancery in England, as to Deeds to be inrolled in England under this Act, and for His Majesty's High Court of Chancery in Ireland, as to Deeds to be inrolled in Ireland under this Act, from Time to Time to make such Orders as the Court shall think fit touching the Amount of the Fees and Charges to be paid for the Inrolments of such Deeds, and to be paid for Searches for such Deeds in the Office of Inrolments, and to be paid for Copies of the Inrolments of Deeds under this Act, where such Copies are examined with the Inrolments, and signed by the proper Officer having the Custody of such Inrolments.

LXXVI. And be it further enacted, That it shall be lawful for His Majesty's Court of Common Pleas in Westminster from Time to Time to make such Orders as the Court shall think fit touching the Amount of the Fees and Charges to be paid for the Entries of Deeds by this Act required to be entered on the Court Rolls of Mans, and for the Inrolments thereof, and for taking the Consents of the Protectors of Settlements of Lands held by Copy of Court Roll, where such Consents shall not be given by Deed, and for taking Surrenders by which Dispositions shall be made under this Act by Tenants in Tail of Lands held by Copy of Court Roll, and for Entries of such Surrenders or the Memorandums thereof on the Court Rolls.

LXXVII. And be it further enacted, That after the Thirty-first Day of December One thousand eight hundred and thirty-three it shall be lawful for every married Woman, in every Case except that of being Tenant in Tail, for which Provision is already made by this Act, by Deed to dispose of Lands of any Tenure, and Money subject to be invested in the Purchase of Lands, and also to release or extinguish any Power which may be created as or limited or reserved to her in regard to any Lands of any Tenure, or any such Money as aforesaid, or in regard to any Estate in any Lands of any Tenure, or in any such Money as aforesaid, as fully and effectually as she could do if she were a *Feme Sole*; and except that no such Disposition, Release, Surrender, or Extinguishment shall be valid and effectual unless the Husband concur in the Deed by which the same shall be effected, nor unless the Deed be acknowledged by her as herein-after directed: Provided always, that this Act shall not extend to Lands held by Copy of Court Roll of or to which a married Woman, or she and her Husband in her Right, may be seized or entitled for an Estate at Law, in any Case in which any of the Objects to be effected by this Clause could before the passing of this Act have been effected by her, as co-tenant with her Husband, by Surrender into the Hands of the Lord of the Manor of which the Lands may be Parcel.

LXXVIII. Provided always, and be it further enacted, That the Powers of Disposition given to a married Woman by this Act shall not interfere with any Power which, independently of this Act, may be vested in or limited or reserved to her, so as to prevent her from exercising such Power in any Case, except so far as by any Disposition made by her under this Act she may be prevented from so doing in consequence of such Power having been suspended or extinguished by such Disposition.

LXXIX. And be it further enacted, That every Deed to be executed by a married Woman for any of the Purposes of this Act, except such as may be executed by her in the Character of Protector for the sole Purpose of giving her Consent to the Disposition of a Tenant in Tail, shall, upon her executing the same, or afterwards, be produced and acknowledged by her as her Act and Deed before a Judge of one of the superior Courts at Westminster, or a Master in Chancery, or before Two of the Deputal Commissioners, or Two Special Commissioners, to be respectively appointed as herein-after provided.

LXXX. And

LXXX. And he is further enacted, That such Judge, Master in Chancery, or Commissioners as aforesaid, before he or they shall receive the Acknowledgment by any married Woman of any Deed by which any Particular, Release, Surrender, or Estoppelment shall be made by her under this Act, shall examine her, apart from her Husband, touching her Knowledge of such Deed, and shall ascertain whether she freely and voluntarily consents to such Deed, and unless she freely and voluntarily consent to such Deed shall not permit her to acknowledge the same; and in such Case such Deed shall, so far as relates to the Execution thereof by such married Woman, be void.

LXXXI. And he is further enacted, That for the Purpose of providing convenient Means of taking Acknowledgments by married Women of the Deeds to be executed by them as aforesaid, the Lord Chief Justice of the Court of Common Pleas at Westminster shall from Time to Time appoint such proper Persons as he shall think fit, for every County, Riding, Division, Soke, or Place for which there may be a Clerk of the Peace, to be Perpetual Commissioners for taking such Acknowledgments, and such Commissioners shall be removable by and at the Pleasure of the said Lord Chief Justice; and Lists of the Names of such Commissioners for the Time being, with the Names of their Places of Residence, and the Counties, Ridings, Divisions, Sokes, or Places for which they shall be respectively appointed to act, shall from Time to Time be made out and be kept by the Officer of the Court of Common Pleas at Westminster with whom the Certificates of the Acknowledgments by married Women are to be lodged as herein-after mentioned; and such Officer shall from Time to Time transmit, without Fee or Reward, to the Clerk of the Peace for each County, Riding, Division, Soke, or Place, or his Deputy, a Copy of the List to be so from Time to Time made out for that County, Riding, Division, Soke, or Place, and such Officer shall deliver a Copy, signed by him, of the List for the Time being for any County, Riding, Division, Soke, or Place, to any Person applying for the same; and the Clerk of the Peace for each County, Riding, Division, Soke, or Place, or his Deputy, shall deliver a Copy, signed by him, of the List last transmitted to him as aforesaid to any Person applying for the same.

LXXXII. Provided always, and he is further enacted, That any Person appointed Commissioner for any particular County, Riding, Division, Soke, or Place, shall be competent to take the Acknowledgment of any married Woman whatsoever she may see fit, and whatsoever the Lands or Money in respect of which the Acknowledgment is to be taken may be.

LXXXIII. And he is further enacted, That in those Cases where by reason of Residence beyond Seas, or Ill-health, or any other sufficient Cause, any married Woman shall be prevented from making the Acknowledgment required by this Act before a Judge or a Master in Chancery, or any of the Perpetual Commissioners to be appointed as aforesaid, it shall be lawful for the Court of Common Pleas at Westminster, or any Judge of that Court, to issue a Commission specially appointing any Persons therein named to be Commissioners to take the Acknowledgment by any married Woman to be therein named of any such Deed as aforesaid: Provided always, that every such Commission shall be made returnable within such Time, to be therein expressed, as the said Court or Judge shall think fit.

LXXXIV. And he is further enacted, That when a married Woman shall acknowledge any such Deed as aforesaid, the Judge, Master in Chancery, or Commissioners taking such Acknowledgment shall sign a Memorandum, to be indorsed on or written at the Foot or in the Margin of such Deed; which Memorandum, subject to any Alteration which may from Time to Time be directed by the Court of Common Pleas, shall be to the following Effect: *videlicet*,

THIS Deed, marked [here add some Letter or other Mark, for the Purpose of Identification,] was this Day produced before me [or us] and acknowledged by [her Name] the said [Name] of the County of [Name] in the Parish of [Name] in the County of [Name], and she declared to me [or us] that she was therein named to be her [Name] and that she was therein named to be her [Name] separately and apart from her Husband, touching her Knowledge of the Contents of the said Deed and her Consent thereto, and declared the same to be freely and voluntarily consented to by her.

And the same Judge, Master in Chancery, or Commissioners shall also sign a Certificate of the taking of such Acknowledgment, to be written or expressed on a separate Piece of Parchment; which Certificate, subject to any Alteration which may from Time to Time be directed by the Court of Common Pleas, shall be to the following Effect: *videlicet*,

THESE are to certify, That on the [Name] Day of [Name] in the Year One thousand eight hundred and [Name] before me the undersigned Sir [Name] Comptroller in Chief, Lord Chief Justice of the Court of Common Pleas at Westminster, (or before me Sir James Piers Knight, One of the Justices of the Court of King's Bench at Westminster, or before me the undersigned James William Ferrer, One of the Masters in Ordinary of the Court of Chancery; or before us [Name] and C. B. Two of the Perpetual Commissioners appointed for the taking the Acknowledgments of Deeds by married Women, pursuant to an Act passed in the Year of the Reign of His Majesty King William the Fourth, intituled An Act [insert the Title of the Act]; or before us [Name] and C. B. Two of the Commissioners specially appointed pursuant to an Act passed in the Year of the Reign of His Majesty King William the Fourth, intituled An Act [insert the Title of the Act], for taking the Acknowledgments of any Deed by the [Name] the Wife of [Name] appeared personally [Name] and produced a certain Indenture, marked [here add the Mark], bearing Date and made between [insert the Names of the Parties], and

The Judge, or before receiving such Acknowledgments, he examined her apart from her Husband

As to the Appointment of perpetual Commissioners the said County or Place, and the making out and keeping of the Lists of the Commissioners suitable Delivery of Copies.

These Deeds are not confined to any particular Place.

If from being beyond Seas, or a married Woman she is prevented from making the Acknowledgment, Special Commissions are to be appointed

When a married Woman shall acknowledge a Deed, the Parties taking the Acknowledgment, every to sign a Memorandum to the Effect here mentioned.

and also sign a Certificate of the taking of such Acknowledgment to the Effect here mentioned.



acknowledged the same to be her Act and Deed; And I [or we] do hereby certify, that the said  
 was, at the Time of her acknowledging the said Deed, of full Age and competent  
 Understanding, and that she was examined by me [or us], apart from her Husband, touching her  
 Knowledge of the Contents of the said Deed, and that she freely and voluntarily consented to the  
 same.

Certificates with Affidavits relating to the same, to be lodged with some Officer of the Lord of Common Pleas, who shall come the next to the Hall of Record in the Court.

On filing Certificates, the Deed, by reference, to take a Return Time of Acknowledgment.

The Officer and when the Certificate be lodged to make an Index of the same.

Officer to deliver a Copy of Certificate Book, which shall be a Record.

Chief Justice of Common Pleas to appoint the Officer with whom the Certificate shall be lodged, and the Court to make Orders touching the Examination, Memorandums, Certificates, Affidavits, &c.

A married Woman to be separately examined as the Surrender of an equitable Estate in Copyhold as if such Estate were free.

Court of Common Pleas in the Case of a Husband being Survived, to may dispose with his Conscience, except where the Lord Chancellor or other Person appointed with Letters, or the

LXXXV. And be it further enacted, That every such Certificate as aforesaid of the taking of an Acknowledgment by a married Woman of any such Deed as aforesaid, together with an Affidavit by some Person verifying the same, and the Signature thereof by the Party by whom the same shall purport to be signed, shall be lodged with some Officer of the Court of Common Pleas at Westminster, to be appointed as hereinafter mentioned; and such Officer shall examine the Certificate, and see that it is duly signed, either by some Judge or Master or Chancellor, or by Two Commissioners appointed pursuant to this Act, and duly verified by Affidavit as aforesaid, and shall also see that it contains such Statement of Particulars as to the Consent of the married Woman as shall from Time to Time be required in that behalf; and if all the Requisites in this Act as regard to the Certificate shall have been complied with, then such Officer shall cause the said Certificate and the Affidavit to be filed or Record in the said Court of Common Pleas.

LXXXVI. And be it further enacted, That when the Certificate of the Acknowledgment of a Deed by a married Woman shall be so filed of Record as aforesaid, the Deed so acknowledged shall, so far as regards the Dispositions, Releases, Surrenders, or Extinguishments thereby made by any married Woman whose Acknowledgment shall be so certified concerning any Lands or Money comprised in such Deed, take effect from the Time of its being so acknowledged, and the subsequent filing of such Certificate as aforesaid shall have relation to such Acknowledgment.

LXXXVII. And be it further enacted, That the Officer of the Court of Common Pleas with whom such Certificates as aforesaid shall be lodged shall make and keep an Index of the same, and such Index shall contain the Names of the married Women and their Husbands alphabetically arranged, and the Dates of such Certificates and of the Deeds to which the same shall respectively relate, and such other Particulars as shall be found convenient; and every such Certificate shall be entered in the Index as soon as may be after such Certificate shall have been filed.

LXXXVIII. And be it further enacted, That after the filing of any such Certificate as aforesaid the Officer with whom the Certificate shall be lodged shall at any Time deliver a Copy, signed by him, of any such Certificate to any Person applying for such Copy; and every such Copy shall be received as Evidence of the Acknowledgment of the Deed to which such Certificate shall relate.

LXXXIX. And be it further enacted, That the Lord Chief Justice of the Court of Common Pleas at Westminster shall from Time to Time appoint the Person who shall be the Officer with whom such Certificates as aforesaid shall for the Time being be lodged, and may remove him at pleasure, and the Court of Common Pleas at Westminster shall also from Time to Time make such Orders and Regulations as the Court shall think fit touching the Mode of Examination to be pursued by the Commissioners to be appointed under this Act, and touching the particular Matters to be mentioned in such Memorandums and Certificates as aforesaid, and the Affidavits verifying the Certificate, and the Time within which any of the aforesaid Proceedings shall take place, and touching the Amount of the Fees or Charges to be paid for the Copies to be delivered by the Clerks of the Peace or their Deputies, or by the Officer of the said Court, or hitherto directed, and also of the Fees or Charges to be paid for taking Acknowledgments of Deeds and for examining married Women, and for the Proceedings, Matters, and Things required by this Act to be had, done, and executed for completing and giving effect to such Acknowledgments and Examinations.

XC. And be it further enacted, That in every Case in which a Husband and Wife shall, either in or out of Court, surrender into the Hands of the Lord of a Manor any Lands held by Copy of Court Roll, Parcel of the Manor, and in which the same, or she and her Husband in her Right, may have an equitable Estate, the Wife shall, upon such Surrender being made, be separately examined by the Person taking the Surrender in the same Manner as she would have been if the Estate to which the same, or she and her Husband in her Right, may be entitled in such Lands were an Estate at Law instead of a mere Estate in Equity; and every such Surrender, when such Examination shall be taken, shall be binding on the married Woman and all Persons claiming under her; and all Surrenders heretofore made of Lands similarly circumstanced, where the Wife shall have been separately examined by the Person taking the Surrender, are hereby declared to be good and valid.

XCI. Provided always, and be it further enacted, That if a Husband shall in consequence of being a Lunatic, idiot, or of unsound Mind, and whether he shall have been found such by Inquisition or not, or shall from any other Cause be incapable of executing a Deed, or of making a Surrender of Lands held by Copy of Court Roll, or if his Residence shall not be known, or he shall be in Prison, or shall be living apart from his Wife, either by mutual Consent or by Sentence of Divorce, or in consequence of his being transported beyond the Seas, or from any other Cause whatsoever, it shall be lawful for the Court of Common Pleas at Westminster, by an Order to be made in a summary Way upon the Application of the Wife, and upon such Evidence as to the said Court shall seem meet, to dispense with the Concurrence of the Husband in any Case in which his Concurrence is required by this Act or otherwise; and all Acts, Deeds, or Surrenders to be done, executed, or made by the Wife in pursuance of such Order, as regard to Lands of any Tenure, or as regard to Money subject to be invested in the Purchase

Purchase of Land, shall be done, executed, or made by her in the same Manner as if she were a Free Spin, and when done, executed, or made by her shall (not without Prejudice to the Rights of the Husband as then existing independently of this Act) be as good and valid as they would have been if the Husband had concurred: Provided always, that this Clause shall not extend to the Case of a married Woman who under this Act the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, or other the Person or Persons intrusted with the Care and Commitment of the Custody of the Person and Estates of Persons found Insane, idiot, and of unsound Mind, or His Majesty's High Court of Chancery, shall be the Protector of a Settlement in lieu of her Husband.

Case of Chancery, shall be by the Protector of a Settlement in lieu of the Husband.

XCII. And he it further enacted, That this Act shall not extend to Ireland, except where the same is expressly mentioned.

Ireland.

XCIII. And he it further enacted, That this Act, or any Part thereof, may be altered, varied, or repealed by any Act or Acts to be passed in the present Session of Parliament.

Act may be altered the Session.

#### C. A. P. LXXV.

An Act to continue until the End of the next Session of Parliament Two Acts for the Prevention, as far as may be possible, of the Disease called the Cholera, or Spasmodic or Asiatic Cholera, in England and Scotland.

[28th August 1833.]

[2 & 3 W. 4. c. 10. and 2 & 3 W. 4. c. 11., as amended by 2 & 3 W. 4. c. 37., continued.]

#### C. A. P. LXXVI.

An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in Scotland.

[28th August 1833.]

WHEREAS the Right of electing the Common Councils and Magistrates of the Royal Burghs of Scotland appears to have been originally in certain large Classes of the Inhabitants of such Burghs, by the Abrogation of which ancient and wholesome Usage much Loss, Inconvenience, and Discontent have been occasioned, and still exists for Redress and Prevention whereof it is expedient that an immediate Remedy be applied, and that the close System of Election now practised in these Burghs should be forthwith abolished, and their ancient free Constitutions substantially restored; he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Period when this Act shall come into operation the Right of electing the Town Councils in all such Burghs respectively (except in those contained in Schedule (F) to this Act annexed) shall be as and belong to all such Persons, and to each only (except as herein-after excepted), as are or shall be qualified, as Owners or Occupiers of Premises within the Royalty, whether original or extended, of any such Burgh, to vote in the Election of a Member of Parliament for such Burgh by virtue of an Act passed in the Second and Third Year of the Reign of His Majesty King William the Fourth, intituled *An Act to amend the Representation of the People in Scotland*, and as are duly registered as such Voters in the Registers by the said recited Act appointed to be kept, and also in all such Persons who are possessed of the Qualification described in the said recited Act, in respect of the Property or Occupancy of any House or other Subject therein described of the Value thereby required, within the Royalty of any Royal Burgh not now entitled to send Members to Parliament: Provided always, that all such Electors who may be qualified as herein-before provided shall have resided for Six Calendar Months next previous to the last Day of June in the said and all future Years within the Royalty of such Burgh, or within Seven Statute Miles of some Part thereof: provided also, that no Person shall be entitled to vote who has been in the Receipt of parochial Relief, or who has been a Pensioner of any Corporation, within Twelve Months of any such annual Election, or for any Burgh of which he may have been Town Clerk at the Time of such Election, or at making up the List or Roll of Electors with a view to such Election.

Election of Council how to be qualified

2 & 3 W. 4. c. 40.

II. And he it enacted, That every Person claiming to be entitled to vote in the Election of the Council of any Royal Burgh not now entitled to send Members to Parliament shall, on or before the Twentieth Day of September in the present and the Twenty-first Day of July in any succeeding Year, give in his Claim, subscribed by himself or his Agent, to the Town Clerk of such Burgh, such Claim being in the Form, as nearly as may be, of the First Part of Schedule (A) to this Act annexed, together with any written Title or other Evidence he may choose to produce along with such Claim; and such Town Clerk, immediately on receiving such Claim, shall mark upon it the Date when it was delivered to him, by filling up, as nearly as may be, the Form of the Second Part of the said Schedule (A) to this Act annexed, and within Four Days after the last Day for receiving such Claims, and after consulting with the Provost or Chief Magistrate of such Burgh, shall give or cause to be given Intimation of all such Claims by affixing on the Church Doors of the several Parishes within the Royalty of such Burgh, fourteen Days or less before the Time when such Claims are intended to be taken into consideration, a written or printed List of all such Claimants, together with a Notice specifying the Place where and the Day and the Hour at which such Claims are to be considered, and the said Notice shall also bear the next Reference to such

Election in Burghs having no Parliamentary Burghs.

Claims will be at the same Time taken into consideration, provided such Objections shall be lodged with the Town Clerk and intimated to the Party objected to, by either delivering a Copy of the Objections to him personally, or leaving the same at his Dwelling House, or transmitting it to him by Post, Seven Days previous to the Day appointed for considering the same and deciding upon such Claims (all such Objections being signed by the Party objecting or his Agent, and being drawn up, as nearly as may be, in the Form of the Schedule (B) to this Act annexed); and the Persons claiming and the Persons objecting to such Claims shall have Access to see such Claims and Objections in the Town Clerk's Office at all reasonable Hours, without Payment of any Fee for such Inspection, and to obtain Extracts therefrom, paying for any Copy or Extract of the same at the Rate of Sixpence for every Seventy-two Words: Provided always, that every such Chief Magistrate shall be obliged, within Four Days after the said Twenty-first Day of July, to fix on and communicate to the Town Clerk a Day for taking such Claims and Objections into Consideration, which Day shall not be less than Twenty or more than Twenty-five Days after the said Twentieth Day of September in the present and the said Twenty-first Day of July in all future Years.

Assessor to be appointed.

III. And he is enacted, That the Provost or Chief Magistrate, or, in case of his Absence or Disability, the Senior Magistrate capable of attending in each such Burgh, shall, if required by any Three or more Persons claiming or objecting as aforesaid, previous to the Day appointed for the Consideration of such Claims and Objections, make choice of and appoint a Person of the Profession of the Law to be an Assessor or Assistant to him in the Decision thereof, such Assessor being always an Advocate or a Writer to the Signet, or a Solicitor of Supreme Courts, or a Procurator in the inferior Courts, of not less than Three Years standing respectively; and such Provost or Chief or Senior Magistrate and Assessor shall, at the Hour appointed, proceed to consider the Claims and Objections lodged, and shall hear the Parties or their Agents thereupon, and receive all competent Evidence which either Party may produce in support of his Claim or Objection respectively, but no written Pleadings shall be admitted, nor any Record kept of the Proceedings, except that the Magistrate or Assessor shall make a Note of the Witnesses who may be examined, and authentic by his Signature any Document or written Evidence which may be produced, and no other Witnesses shall be examined, and no other Documents produced, in any Court of Review, than those so noted and authenticated; and, where satisfied that the Claim is good, the said Magistrate shall write therein the Word "Admit," and sign his Name thereto, and, where satisfied that the Claim is bad, he shall write therein the Word "Reject," and sign his Name thereto; and, where the Claim shall be assessed, the Claimant's Name shall be enrolled or entered by the Town Clerk of such Burgh in the List or Roll of Electors to be kept for such Burgh as aforesaid hereto-after directed.

List of Electors to be kept.

IV. And he is enacted, That the respective Town Clerks of each Royal Burgh shall, on or before the Twentieth Day of October in the present and on or before the Sixteenth Day of September in all future Years, make up and complete a List or Roll of Persons entitled to vote in the Election of the Common Council of such Burgh in manner following: *viz.* the Town Clerk of each Burgh shall, in virtue of the said recited Act, send either severally, or in combination with any other Burgh or Burghs, a Member or Members to Parliament, shall make up and complete such List by transferring from the Parliamentary Register for each Burgh in such List or Roll the Names of all the Voters contained in such Register entitled to vote in the Election of a Member of Parliament as are so registered in respect of Properties situated within the Burgh, whether original or extended, of such Burgh, without requiring any Claim, or admitting any Objection against the Persons so registered; and the respective Town Clerks of each of the Royal Burghs as do not now send or contribute to send a Member to Parliament shall in like Manner make up a complete List or Roll of all the Persons, qualified in manner aforesaid, who shall have been admitted as Electors by the Chief or Senior Magistrate of such Burghs respectively in manner hereto-before directed.

List to be completed annually.

V. And he is enacted, That each Town Clerk shall, in every succeeding Year, keep his List or Roll of Electors in the Town Clerk's Office, or other Place appointed for keeping the Records of such Burgh, accessible, without Fees, at all reasonable Hours, from the First to the Tenth Day of August; and within Five Days after the last of those Days any Person intending to object to the Commission of any Name on the said List or Roll in any Burgh not contained in the said recited Act shall be bound to give in his Objections to such Town Clerk, in the same Way and Manner, and to be disposed of by such Town Clerk and Provost or Chief or Senior Magistrate and Assessor in all respects, as Objections against original Claims are hereto-before and after directed to be disposed of; and such Town Clerk in each Burgh shall, on or before the Tenth Day of September in each such Year, proceed to correct and complete such List or Roll of Electors by removing therefrom all the Names to which such Objections shall have been sustained, and also the Names of any Persons who may be known to have died since such List or Roll was last completed, and shall also insert in such List or Roll the Names of any Persons who shall respectively have been admitted as Electors by the Provost or Chief or Senior Magistrate of such Burgh respectively, in manner hereto-before directed; and such Town Clerk in the Burghs contained in the said recited Act shall in like Manner correct and complete his List of Electors, as or before the Sixteenth Day of September, by removing therefrom the Names of such as may have died, and adding the Names of those who may have been inserted in the Register appointed by the said recited Act since it was made up in the previous Year, in respect of Properties situate within the Burgh of any such Burgh, and all Persons interested shall be entitled to Extracts from the said Lists, paying the Town Clerk for every Extract at the Rate of Sixpence for every Seventy-two Words contained therein.

List may be corrected.

VI. And be it enacted, That if either Party shall be dissatisfied with the Decision of the Provost or Chief Magistrate and Assessor, admitting or rejecting any Claim for the Right of electing Councilmen, in any Borough not contained in the said recited Act, it shall be competent to such Party, within Two Days of the Date of the Decision, but not thereafter, to appeal to the Court of Review appointed by the said recited Act for deciding upon Appeals as to the Regulation of Votes for Members of Parliament for the District within which such Borough may be situate, the Appellant always giving Notice, within the Time above specified, to the Town Clerk of such Borough and to the opposite Party, of such Appeal, the Notice to the said Party being either delivered personally, left at his Dwelling Place, or transmitted through the Post Office, and producing to the Court of Appeal Evidence of such Notice before such Appeal shall be heard; and it shall be competent for such Court of Appeal, if it shall affirm the Judgment appealed from, to find Expenses due by the Appellant, and to direct for the same; and upon Production of the Judgment of such Court, to an Extract thereof, to the Town Clerk, Keeper of the List or Roll of Elections of such Borough, such Town Clerk shall forthwith, where necessary, alter and correct such List or Roll in accordance with the Judgment of such Court; and the Sheriff acting in such Courts of Appeal shall always proceed to the Consideration of Appeals under this Act immediately after they have disposed of all the Appeals under the said recited Act, and shall be entitled to add the Periods of Time during which they may be exclusively occupied with the said Appeals under this Act to the Periods occupied with the said other Appeals, and to make the same Charges for the Time so occupied in their Accounts in Exchange as is by the said recited Act provided as to the said other Appeals.

VII. And be it enacted, That the several Boroughs contained in the Schedule marked (C) to this Act annexed shall be divided into Wards or Districts, which, together with the Number of Councilmen to be chosen by each such Ward or District, shall be fixed and ascertained by the Commissioners named and appointed by His Majesty to inquire into and report upon the Condition of the several Boroughs and Towns of Scotland by virtue of a Commission dated on the fifteenth Day of July in the present Year; and such Commissioners shall have regard to its being the Purport and Meaning of this Act that the Number of Wards shall be such that each Ward shall, at the first Election to be made under this Act, choose, as nearly as may be, the Number of Six Councilmen, and at the subsequent annual Elections in each succeeding Year the Number of Two Councilmen; and the said Commissioners shall, upon such Report being made and completed, report the same to His Majesty's Privy Council, who shall upon such Report be published by Royal Proclamation in the Gazette; and the Number and Limits of such Districts, and the Number of Councilmen to be elected by each such District, being so fixed, reported, and published, shall be held and taken to be a Part of this Act, in the same Manner and to the same Effect as if the same were particularly set forth and contained herein.

VIII. And be it enacted, That (with and under the Exceptions herein-after provided) upon the First Tuesday of November next the Electors qualified and entered in the List or Roll made up as aforesaid shall, in each of the said Royal Boroughs not contained in Schedule (F) to this Act annexed, choose from among such of their own Number as either reside within the Boundaries assigned to such Borough by the said recited Act, or as may carry on Business or reside within the Regality thereof, such a Number of Councilmen, as by the Set or Usage of such Borough respectively at present constitutes the Common Council of such Borough, or where such Number admits of Variation, then the smallest Number which may by the existing Set and Usage constitute a full Council in any such Borough, in manner following; that is to say, in all such Boroughs as are contained in the said Schedule (C), and divided into Wards or Districts as aforesaid, the qualified Electors of each District whose Names shall be in the said List or Roll of such Electors shall, at some Place or Places to be appointed for each such Ward or District, of which Intimation shall be made by Notice affixed on the Church Doors of the several Parishes of such Borough Ten Days at least previous to such Election, proceed to elect, from and among the Persons contained in the List or Roll of the whole Electors for such Borough, as many Councilmen for such Borough, being either resident or personally carrying on Business as herein-before provided, as shall, by the Report of the Commissioners aforesaid, and the Proclamation thereof aforesaid, have been fixed and ascertained as the Number of Councilmen to be elected in each such Ward, by open Poll, to be taken in the Presence of the Provost or Chief or Senior Magistrate of such Borough, or of a legal Substitute or Substitutes to be appointed by him to officiate and preside at the Polling Place or Polling Places in each such Ward or District, from among the Persons of the Law described and qualified as aforesaid in relation to the Assessor to be appointed by any Chief Magistrate, or judge of the Claims of Inhabitors to be made as aforesaid; and the Town Clerks of such Boroughs, or the Persons who may be appointed by the Provost or Chief Magistrate thereof to officiate as Poll Clerks to the several Wards thereof, which Persons such Provost or Chief Magistrate is hereby authorized to appoint, shall each have with him a certified Copy of that Part of the aforesaid List or Roll which contains the Names of the Voters qualified in respect of Property situate in each such District, according to which the Votes shall be taken; and it shall not be competent to such Poll to inquire into any other Facts but the Identity of the Party tendering a Vote and the Person mentioned in the List or Roll, his still holding the Qualification there mentioned, and his not having previously voted at the same Election; all which Facts shall only be competent to prove by the Clerk of the Party as tendering his Vote, if required by any other Voters on the List or Roll; and no other Clerk shall be put at such Election except only as Oath against Bribery, which, if required by any Voter on the Roll, shall also be put by the Magistrate or Substitute at such Polling Place; which Two Oaths shall be put in the Form of Schedules (D) and (E) to this Act annexed; and each Poll Clerk shall enter the Names of the Voters who have voted in a Roll made and kept by him at the said Polling Place or

Appeal to the Court of Review under the said Act.

Certain Boroughs to be divided into Wards and Districts by Commission.

Commiss. to be chosen

Substantive presiding at each Election, and the Clerk or Person taking the Poll, shall subscribe their Names in each Page of such Book before any Entry shall be made in the succeeding Page.

Poll not to be  
open more than  
three Days

IX. And be it enacted, That no Poll by this Act authorized shall be kept open for more than One Day, and that only between the Hours of Eight in the Morning and Four in the Afternoon, it being competent to the Town Clerk to appoint as many Polling Places in each Ward, and as many Booths or Divisions at each Polling Place, as may be necessary for completing the said Elections within the said Period.

Poll Books to  
be carried up  
to Persons, who  
shall declare  
the Result

X. And be it enacted, That at all such Elections of Councillors for the Burghs contained in the said Schedule (C) the Poll Books for the several Wards or Districts of the said Burghs shall, at the Close of the Poll, be sealed up by the Persons who shall have presided at the Elections of the several Wards and taken the Polls thereat, and shall be transmitted to the Provost or Chief or Senior Magistrate, who, on the next lawful Day after the Receipt of the same, between the Hours of Twelve and Two, and within the Town House or other public Building of such Burgh, shall openly break the Seals, and with the Assistance of the Town Clerk, and such other Persons as he may think fit to employ, shall cast up the Votes given, and shall declare upon whom the Election has fallen by the Majority of Votes (making a Double Return in any Case where the Votes shall be equal), and shall forthwith give, or cause to be given, Notice in Writing to the several Persons elected of such their Election, and require them severally to appear in the Town Hall, or other public Room aforesaid, on the Second lawful Day after such Election, when they shall severally declare whether they accept or decline accepting the Office of Councillor; and if any such Person shall be found to have been elected by more than One of the said Wards or Districts, he shall thereupon declare for which Ward he intends to serve; and whenever this shall occur, or where there shall be a Double Return for any Ward, or where any Person elected shall decline accepting, then and in all such Cases the presiding Magistrate shall immediately appoint a new Election of a Councillor or Councillors in place of him or them so chosen elsewhere and so declining, at the Distance of not more than Four nor less than Two Days, and affix Notices of the Day so appointed on the Church Doors of the Burgh; and such Election shall be proceeded in in all respects in the same Manner in which the first Election in the said Wards or Districts, and the taking the Poll, casting up the Votes, and declaring the Result, is herein-before directed to proceed, until the Council of such Burgh shall be completed.

Electors in  
Burghs not  
contained in  
Schedule (C)  
= (F).

XI. And be it enacted, That upon the said First Tuesday of November next the qualified Electors of all the said Royal Burghs, not contained in the said Schedules (C) or (F), shall assemble in the Town Hall or other public Room of such Burgh, and choose from among their own Number such and the like Number of Councillors, being resident or personally carrying on Business, as herein-after provided, as by the Set or Usage of such Burghs respectively at present constitutes the Common Council of such Burgh, or, where this is variable, the smallest Number constituting a full Council, and shall declare their Votes by a List containing the Names of the Persons for whom each Elector respectively intends to vote, which several Lists shall be signed by each such Elector respectively, and shall be openly given in by each Elector to the Town Clerk of such Burgh on the Day of Election; and each Town Clerk, together with the Provost or Chief or Senior attending Magistrate of the Burgh, who shall preside at such Election, on either Inquiry being permitted, or after Oath allowed to be tendered thus as herein-after provided as to the Burghs in Schedule (C), shall publicly cast up the Number of Votes, and shall declare upon whom the Election has fallen by the Majority of Votes; and the Provost or Chief or Senior Magistrate shall forthwith give or cause to be given Notice in Writing to the several Councillors elected of each their Election, and call upon them severally to appear in the Town Hall or other public Room aforesaid on the Second lawful Day after such Election, when they shall severally declare whether they accept or decline accepting the Office of Councillor; and if any such Person so elected shall decline to accept, or in case there shall be an Equality of Votes in favour of Two or more Persons the whole of whom cannot be removed as Councillors, a new Election shall immediately thereafter take place for the vacant Place or Places of the Councillor or Councillors so declining to accept, or elected by equal Numbers, to be intended as herein-before provided as to the Burghs in Schedule (C), and to proceed in the same Manner in all respects in which the Election for Councillors is herein-before directed to proceed, until the Council of such Burgh shall be completed.

Electors in  
Burghs con-  
tained in Schedules  
(F).

XII. And be it enacted, That nothing in this Act contained shall be held to affect or apply to the several Burghs contained in Schedule (F) to this Act enacted; but the Elections of Councillors and Magistrates in all the Burghs contained in the said Schedule (F) shall proceed and be conducted in the Way and Manner hitherto practised in such Burghs, and as if this Act had not been passed.

Persons elected  
not to attend  
until held in  
advance accept  
the

XIII. And be it enacted, That in all the Cases of Election herein before directed, if any Person elected as Councillor shall fail to attend on the Day appointed for declaring his Acceptance, he shall be held to have declined accepting the said Office, unless he then transmit to the Meeting a sufficient written Explanation, signed by himself or his Agent, of the Cause of his Absence, and intimating his Acceptance.

Councillors to  
be summoned  
before Election

XIV. And be it enacted, That no Person shall be entitled to be received and inducted as Councillor who shall not, previous to such Induction, be entered a Burgess of the Burgh for which he is so elected, wherever there is any Rate of Burgessery in any such Burgh; and each such Person so elected shall produce, when he declares his Acceptance, the Evidence of his being such Burgess; and his Omission so to do shall be held to vacate his Election in the same Manner as if he had declined to accept: Provided always, that no merely honorary Burgess shall be entitled to be so inducted, and that any Person so elected shall be forthwith entitled to be entered as a Burgess on Payment of the ordinary Fees.

Printed and published by the University of Southampton Library, Digitized on 11/11/15. XV. And

XV. And be it enacted, That upon the First Tuesday of November One thousand eight hundred and thirty-four, and in every succeeding Year, the Electors in each Burgh shall be the Masters, weldiers, the Burghs contained in the said Schedule (C) in their several Wards or Districts, and the other Burghs at their General Meetings, assemblies and elects, in manner hereinafter prescribed in relation to the first Election under this Act, One Third Part, or as nearly as may be One Third Part, of the Council of such Burghs, in the Place of the Third thereof who shall, as herein-after directed, go annually out of Office, the Wards or Districts into which the Burghs contained in the said Schedule (C) are divided then electing each Number of Councilmen as by the said Royal Commission such Wards or Districts shall be directed to elect at such several Elections subsequent to the first Election.

After every annual Election of Council

XVI. And be it enacted, That upon the said First Tuesday of November in the Year One thousand eight hundred and thirty-four, and in every succeeding Year, One Third, or a Number as near as may be to One Third, of the whole Council of each such Burgh shall go out of Office; and in the said Year One thousand eight hundred and thirty-four the Third who shall go out shall consist of the Councilmen who had the smallest Number of Votes at the Election of Councilmen in this present Year; and in the succeeding Year, One thousand eight hundred and thirty-five, the Third of the Councilmen first elected under this Act who shall go out shall consist of the Councilmen who at such first Election under this Act had the next smallest Number of Votes, (the Majority of the Council always determining, where the Votes for any such Persons shall have been equal, who shall be the Persons to retire,) and thereafter the Third of the Councilmen so annually going out of Office shall always consist of the Councilmen who have been longest in Office: Provided always, that any Councilmen so going out of Office shall be capable of being immediately re-elected.

One Third Part of the Council to go out of Office annually

XVII. And be it enacted, That the Councilmen of all such Burghs not contained in Schedule (F) to this Act annexed respectively so elected and accepting shall, upon the Third lawful Day after the Election of the whole Number of such Councilmen in the present Year, assemble in the Town Hall or other usual public Place of meeting within such Burgh, and shall there, by a Plurality of Voices (the Councilman who had the greatest Number of Votes at the Election of Councilmen having a casting or double Vote in case of Equality), elect from among their own Number a Provost or Chief Magistrate, one Number of Bailies fixed by the Stat or Usage of such Burgh, a Treasurer, and other usual and ordinary Office Bearer now existing in the Council by the Stat or Usage of each such Burgh, and shall also elect the Managers of any charitable or other public Institution existing in or connected with such Burgh, the Appointment of the Managers to which is at present vested in the Magistrates and Town Council of such Burgh.

Provost and Magistrates to be elected

XVIII. And be it enacted, That (with and under the Exception herein-after enacted) upon the Completion of the first Election of Councilmen, Magistrates, and Office Bearers to be made in all the Royal Burghs in Scotland under the Provisions of this Act, and not sooner, the Provost, Magistrate, Office Bearer, and other Councilmen now in Office in such Burghs respectively shall go out, and their whole Powers, Duties, and Functions shall cease and determine, except only where any of the said Persons shall have been again elected under the Provisions of this Act.

Existing Councils and Magistrates to go out on Completion of next Election

XIX. And be it enacted, That (except as herein-after excepted) the Offices and Titles of Deacons, and of Conservator and Dean of Guild, and of Old Provost and Old Bailie, as official and constituent Members of any Town Council, shall, after the Completion of the first Election under the Provisions of this Act, cease and determine, and no Deacons shall afterwards be kept up or reorganised between Trades Bailies and Merchant Bailies, or Trades Councilmen and Merchant Councilmen, in any such Council: Provided always, that (except as herein-after excepted) the Duties and Functions heretofore performed by the Dean of Guild in such Council, or in any Dean of Guild Court of such Burgh, shall, in all the Burghs where there now is such an Office, be performed by a Member of the Council to be elected, in manner herein-after provided, by the Majority of Councilmen.

Official Titles and Functions to be abolished

XX. And be it enacted, That where any Trust, Management, or Direction is by the Terms of any Public or Local Act, or of any Charter or Deed of Foundation, or other Deed, conferred on any Member of the Council under the Denomination of Old Provost, Old Bailie, or Old Dean of Guild, or of Merchant or Trades Bailies or Merchant or Trades Councilmen respectively, the Town Councils to be named and elected in Terms of this Act shall, immediately after their own Acceptance and Induction into Office, nominate and elect from their own Body such a Number of Persons to be such Trustees, Managers, or Directors as are by such Acts, Charters, or Deeds appointed to those Offices under the said Denominations; and the whole Powers and Functions now belonging to the said Offices of Trustees, Managers, or Directors shall belong to and be as fully vested in the Persons so elected as if they had possessed the Denominations used in the said Acts, Charters, or Deeds.

Election of Trustees and Managers

XXI. And be it enacted, That nothing herein contained shall be held or construed to impair the Right of any Craft, Trade, Conveyance of Trades, or Guildry, or Merchant House or Trades House, or other such Corporation, severally to elect their own Deacons or Deacon Conservator, or Dean of Guild or Directors, or other lawful Officers, for the Management of the Affairs of such Crafts, Trades, Conveyances of Trades, or Guildries, Merchants or Trades Houses, or other such Corporations; but that, on the contrary, the said several Bodies shall, from and after the passing of this Act, be in all Cases entitled to the free Election in such Form as shall be regulated by them of the said several Office Bearers, and other necessary Officers for the Management of their Affairs, without any Interference or Control whatsoever on the Part of the Town Council or any Member thereof.

Right of Crafts, Trades, and Guilds to elect their own Officers

Consist Deans of Guild and Deacons Con-  
veners or the  
Members of  
Councils of  
Cities.

XXII. And be it enacted, That from and after the Time when this Act comes into operation the Persons elected (or to be elected) as herein-before provided to the Offices of Deans of Guild and Deacons Conventer, or Conventer of Trades, by the Conventer and Guild Brethren respectively in the City of Edinburgh, and to the Offices of Deans of Guild and Deacons Conventer by the Merchants House and Trades House respectively in the City of Glasgow, shall, in virtue of their said Elections by the said Guild Brethren, Conventer, Merchants House, and Trades House respectively, be constant Members of the Town Councils of the said Cities, and shall enjoy all the Powers and perform all the Functions now enjoyed or performed by such Office Bearers in these Cities; and in like Manner the Persons elected (or to be elected) to the Offices of Deans of Guild by the several Guildries of the City of Aberdeen and the Towns of Dundee and Perth shall, in virtue of such their Elections, be constant Members of the Town Councils of the said City and Burghs respectively, and shall as such enjoy all the Powers and perform all the Functions now exercised or enjoyed by the existing Deans of Guild in the said City and Burghs respectively; and the required Elections, qualified as herein-before provided, in the said Cities and Burghs of Edinburgh, Glasgow, Aberdeen, Dundee, and Perth shall, in November in the present Year and in all future Years, elect only such a Number of Councillors as, with the Addition of the said Deans of Guild and Conventers to be so elected as aforesaid, make up the Number of Councillors now existing in the said several Cities and Burghs; and the Councillors so elected in the said Cities and Burghs of Edinburgh, Glasgow, Aberdeen, Dundee, and Perth shall not at the subsequent Elections of Magistrates and Office Bearers elect any other Persons to fill the Offices or perform the Functions of Deans of Guild or Conventers, but these Offices shall be held and exercised, in the said Councils and otherwise, by the Persons so elected as aforesaid in the said Cities and Burghs of Edinburgh, Glasgow, Aberdeen, Dundee, and Perth respectively, and by no other Persons.

Trade and  
Manufactory  
to be confined to  
Persons  
elected by  
Crafts, Trades,  
and Guildries.

XXIII. And be it enacted, That where any Trust, Management, or Direction of any charitable or other Institution is vested in any Number of Deacons, or in a Deacons Conventer, or Conventer of Trades, or in any Dean of Guild, or other Office Bearer, elected or hereafter to be elected by the several Crafts, Trades, Guildries, or Merchants, or Trades Houses, then and in all such Cases the Persons so elected as such Deacons, Conventers, Deans of Guild, or other Officers shall always be and continue Trustees and Managers of such Charities or Institutions, whether such Persons shall hereafter be Members of Council or not; and the Town Councils shall in no such Case have Power to elect from their own Body any other Trustees or Managers in place of such Deacons, Conventers, Deans of Guild, or other Officers: Provided always, that in any Burgh in which Trades Councillors or Merchant Councillors are or may be as office Trustees or Directors of any such Institution or Charities, the Conventer or Trades House and the Guildry or Merchants House in such Burghs shall elect an equal Number from their own Bodies respectively to be such Trustees or Directors: any thing herein contained to the contrary notwithstanding.

Vacancies of  
Magistrates  
going out of  
Office here regu-  
lated.

XXIV. And be it enacted, That when any Magistrate or Office Bearer (other than the Provost or Chief Magistrate and Treasurer) shall be in the Third of the Council going out of Office, the Place of such Magistrate or Office Bearer shall be supplied by Election by the Council as soon as the full Number thereof shall have been completed by the annual Election of the Third then hereby directed to take place, the said Election to be made by Plurality of Votes, and the Chief or Senior attending Magistrate to have a double or casting Vote in case of Equality: Provided always, that the Provost or Chief Magistrate and the Treasurer shall always remain in Office for the Period of Three Years, and that they, as well as all the other Magistrates or Office Bearers, shall at all Times be capable of being re-elected.

Vacancies oc-  
curring within  
the Year here to  
be supplied.

XXV. And be it enacted, That if any Vacancy shall in the Course of the Year occur in the Council or Magistracy or Office Bearers of any such Burgh by Death, Disability, or Resignation, the same shall be filled up ad interim by the remaining Members of the Council, by Election, as herein-before provided, at a Meeting to be called on Five Days Notice by the Town Clerk by Intimation in Writing to each of such remaining Members of the Council; but any Councillor, Magistrate, or Office Bearer so elected ad interim shall go out of Office on the First Tuesday of November next ensuing his Election, and the Vacancy thereby occurring shall be supplied at the next annual Election of Councillors and Magistrates or Office Bearers in such Burgh; provided that if the Vacancy shall have occurred at any Burgh contained in the said Schedule (C), such Vacancy shall at such annual Election be supplied by the Ward of such Burgh by which the Councillor who had died or resigned, or been disabled, had been elected, and which shall if the Case elect an additional Councillor, unless the Party so dying or disabled would then have gone out of Office as one of the Third hereby directed to retire.

Councillors  
may resign.

XXVI. And be it enacted, That any Person elected and accepting the Office of Councillor, Magistrate, or other Office Bearer in any Town Council, under the Provisions of this Act, may resign his said Office at any Time, upon giving not less than Three Weeks Notice of such his Intention by a written Intimation to the Town Clerk or Chief or Senior Magistrate; and in the Event of such Resignation being intimated as to be made at the Period of the annual Retirement of One Third of the Council, such additional Number of Councillors shall then be elected as may be necessary to complete the Council: Provided always, that no Fine or other Penalty shall be exigible from any Person either declining to accept after his Election, or subsequently resigning his Office.

Burghs having  
no legal Coun-  
cils.

XXVII. And be it enacted, That where any Royal Burgh shall, in consequence of the Decision of a Court of Law or otherwise, be without any legal Council or Magistracy at the Time when this Act comes into operation, or at any future Time, all the Functions directed by this Act to be performed by the

the existing Magistrates or Councils shall be performed by One or more of the Managers who may, by any lawful Appointment, be then in the actual Administration of the Affairs of any such Burgh.

XXVIII. And be it further enacted, That no Councillor, nor the Partner or Business of any Councillor, shall be capable of holding the Office of Town Clerk in any such Burgh; and that no Town Clerk shall, during the Period he shall hold that Office, interfere directly or indirectly in the Election of the Magistrates or Town Council of any such Burgh.

No Councillor  
to hold the Office  
of Town Clerk.

XXIX. And be it enacted, That all the Notices or Intimations hereby directed or required to be given or made in any such Burgh of any Meetings or Proceedings to be held or had in the Matter of the Elections of or respecting such Burgh shall, where not directed to be otherwise given, be given or made by the respective Town Clerks thereof.

Town Clerk to  
give Notices.

XXX. And be it enacted, That the several Persons officiating at Elections as Substitutes for the Provost or Chief Magistrate in the several Wards or Districts into which the Burghs contained in the said Schedule (C) shall be divided (not being the Town Clerks of such Burghs), shall be entitled to receive a Sum not exceeding Three Pounds Three Shillings for each Day they shall respectively be so employed, the Pall Clerks officiating at such Elections being such entitled to the Sum of One Pound One Shilling for each Day, and the several Persons who shall be appointed to assist the Provost or Chief Magistrate of any of the Royal Burghs as Assessors in disposing of Claims and Objections as aforesaid (not being the Town Clerks of such Burghs) shall be paid a like Sum, not exceeding Three Pounds Three Shillings, each Day such Persons shall be so employed; which Sum, together with all the other Expenses attending such Elections, or the making up of the Lists or Rolls of Electors, giving Notices at the Church Doors, and providing Copies of the said Rolls, or Parts thereof, for the Purposes of Election, shall be defrayed from the common Good or other Rents or Revenues of such Burghs respectively.

Value of Sub-  
stitutes for  
Provost, and  
Magistrate, &c.  
Elections, &c.  
Thereon, how to  
be paid.

XXXI. And be it enacted, That the Magistrates and Council and Office Bearers to be elected under the Provisions of this Act shall in all respects stand in relation to the Administration of the Affairs and Property of such Burghs, or of Property under the Care and Management of such Burghs, in the same Situation in which the Magistrates and Council and Office Bearers of such Burghs did stand previous to the passing of this Act; and the Magistrates and Council and Office Bearers to be elected under the Provisions of this Act shall have such and the like Jurisdiction, and the same Rights and Privileges of Administration of the Property and Affairs of the Burgh, and of making all usual and necessary Appointments, as heretofore lawfully belonged to and was exercised by their Predecessors in Office; any thing in the Statute, Usage, or Custom of any such Burgh to the contrary notwithstanding.

New Magis-  
trates to ad-  
minister the  
Affairs of the  
Burgh.

XXXII. And be it enacted, That the existing Magistrates and Council in all Royal Burghs shall, on or before the Fifteenth Day of October in the present and in all future Years, make up a distinct State of their Affairs, subscribed by the Chief or Senior Magistrate, Town Clerk, and Treasurer, containing an Account of all the Funds, Properties, and Revenues in their Administration, and of all their Transactions in relation to such Funds, Properties, and Revenues since they came into Office; which Account shall be brought down as nearly as may be to the said Fifteenth Day of October, and shall be kept in the Town Clerk's or Treasurer's Office, for the Inspection of any of the registered Electors, from the said Fifteenth Day of October down all the Time of the Election; and a full and distinct Abstract of the said Account, with a Balance Sheet, containing all necessary Particulars, shall be printed and published by the said Magistrates on or before the Twentieth Day of the said Month of October.

Magistrates  
and Council to  
make up a  
State of their  
Affairs.

XXXIII. And be it enacted, That no Councillor or Magistrate elected and accepting under the Provisions of this Act shall incur by such Election or Acceptance any other Responsibility for the Debts of the Burgh, or the Acts of his Predecessors in Office, than might have attached to him as a Burgess or Inhabitant independently of such Election.

Magistrates  
not responsible  
for the Debts  
of the Burgh.

XXXIV. And be it enacted, That if any Magistrate, Councillor, Town Clerk, Sheriff, or other Person shall wilfully contravene or disobey the Provisions of this Act, he shall be liable to be sued for such Offence in the Court of Session by any Person aggrieved for the penal Sum of Three hundred Pounds; which Sum, or any smaller Sum which may be assessed by the Jury in any such Action, the Defendeur, upon Conviction, shall pay to the Pursuer with full Costs of Suit: Provided always, that every such Action shall be raised within Four Calendar Months after the Cause of Action shall have arisen, and that Notice in Writing shall be given to the Defendeur at least One Calendar Month before raising the same; provided also, that any such Defendeur against whom Judgment shall have been once recovered in such Action shall be entitled to plead such Judgment as a Bar to any other Action which may be brought against him for the same Matter or Thing; and such other Action being thereupon dismissed, such Defendeur shall recover his full Costs of Suit.

Penalty for  
wilful Miscon-  
duct.

XXXV. And be it enacted, That no Manner or Inaccurate Description of any Person or Place in any Writing made in the Form of any Schedule to this Act annexed, or in any List or Register or Notice, or other Writing, made under Authority of this Act, shall in any way prevent or abridge the Operation of this Act; provided that such Person or Place shall be so designated in such Writing, List, Register, or Notice as to be commonly understood.

Manner not  
to vitiate Pro-  
ceedings.

XXXVI. And be it enacted, That all Laws, Statutes, and Usages now in Force respecting the Royal Burghs in that Part of Great Britain called Scotland shall be and the same are hereby repealed in so far as they are inconsistent or at variance with the Provisions of this Act, but so in all other respects the same shall remain in full Force and Effect: Provided always, that the Oath termed the Baughier Oath shall in no Case hereafter be required to be taken in any Burgh.

All Statutes  
in relation to  
this Act re-  
pealed.

Baughier Oath  
not to be  
taken.



And Irregularities in Elections of Councilmen.

XXXVII. And be it enacted, That no Irregularity or Nullity in the Election of any Councillor or Magistrate shall in any Case after the passing of this Act annul or affect the Election of other Councillors or Magistrates not liable to the same Grounds of Objection, but those particular Elections only in which such Irregularity or Nullity shall have occurred.

It may be altered this Session.

XXXVIII. And be it enacted, That this Act may be repealed, altered, or amended by any Act or Acts to be passed in the present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A).—PART FIRST.

City [or Borough] of

I *A. B.* [insert Designation] hereby claim to be enrolled as a Voter for the Town Councillors of the said City [or Borough] in respect of my Interest in the House, Shop, or *tenere*, situated in [here insert the Situation of the Premises, described by the Street, Number, Parish, or other Locality]; and [in Cases where the Claimant chooses to make such Declaration] in support of my Claim I produce herewith a [Disposition, Sale, Lease, or *tenere*, dated at *tenere*, as the Case may be.]

[Date.]

(Signed) *A. B.*

SCHEDULE (A).—PART SECOND.

Number lodged with me *C. D.*, Town Clerk of this Day together with the Disposition, Sale, Lease, or *tenere*, whose written [in Cases where any such Documents are lodged].

(Signed) *C. D.*

SCHEDULE (B).

City [or Borough] of

I *A. B.* [or *W. C. D.*, *E. F.*, or *tenere*.] object to the Claim of *A. B.* to be admitted [or to continue on the Roll] as a Voter for Councillors in the City [or Borough] of on the following Ground [here may be stated shortly the Grounds, as that Property or Company not of sufficient Value, that the Party is not or has ceased to be Proprietor, Tenant, or Occupant, or is personally disqualified, as being a Minor, a *Foreign Person*, or *tenere*.]; and I crave to be heard on the said Objection or Objections before the Chief Magistrate or Assessor.

[Date.]

(Signed) *A. B.*

SCHEDULE (C).

Electors.  
GLASGOW.  
ANNAND.  
DUMFRIES.

Peers.  
DUMFRIES.  
DUMFRIES.  
DUMFRIES.

SCHEDULE (D).

I *A. B.* do solemnly swear [or affirm], That I am the Individual described in the List or Roll for the City [or Borough] of as *A. B.* of on the following Ground [here insert Description in the same Words or contained in the Roll]; that I am still the Proprietor [or Occupant] of the Property for which I am so enrolled, and hold the same for my own Benefit, and not in Trust for or at the Pleasure of any other Person; and that I have not already voted at this Election.

SCHEDULE (E).

I *A. B.* do solemnly swear [or affirm], That I have not received or had, by myself or any Person for my Use or Benefit, any Sum or Sorts of Money, Office, Place, or Employment, Gift or Reward, or any Promise or Security for any Money, Office, or Gift, in order to give my Vote at this Election.

SCHEDULE (F).

Dumfries.  
New Glasgow.  
Glasgow.  
Leith.  
Berwick.

Walter Anderson.  
Knox.  
Knox.  
Knox.

## C. A. P. LXXVII.

An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament and are not Royal Burghs. [18th August 1833.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to amend the Representation of the People in Scotland*, the Right of sending or contributing to send Members to Parliament was conferred on divers Burghs and Towns in Scotland which were not Royal Burghs. And whereas there are in some of those Burghs and Towns no proper Magistraty or Councils; and the Constitution of such Magistraties and Councils, and the Mode of electing the same, when they do exist in such Burghs or Towns, is defective, and has given Occasion to much Inconvenience: For Remedy whereof it is expedient that Provision be now made for the said Appointment and Election of such Magistrates and Councils in all such Burghs; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Tuesday in November next there shall be in each of the several Burghs and Towns of Paisley, Greenock, Leith, and Kilmarnock the Number of Sixteen Councillors, whereof One shall be Provost, Four shall be Bailies, and One a Treasurer; and in each of the several Burghs and Towns of Falkirk, Hamilton, Peterhead, Musselburgh, and Arbroath there shall be the Number of Twelve Councillors, whereof One shall be Provost, and Three Bailies, and One a Treasurer, and in each of the several Burghs or Towns of Part Glougas, Greenway, and Portobello there shall be the Number of Nine Councillors, whereof One shall be Provost, and Two Bailies; and in the Burgh of Oban there shall be the Number of Six Councillors, whereof Two shall be Bailies.

II. And be it enacted, That the Right of electing the Councillors in each of the said Burghs and Towns shall be in all the Persons who are qualified to vote for a Member of Parliament for such Burgh or Town, whose Names shall be on the Register directed to be kept by the said recited Act, and which shall have been completed in Terms thereof up to the Period thereby directed next previous to the Time hereinafter appointed for the Election of such Councillors; and such Register so completed from Time to Time shall be and be deemed to be the Register of Electors of the Councillors for such Burghs or Towns respectively.

III. And be it enacted, That the said Burghs or Towns of Paisley, Greenock, Leith, and Kilmarnock shall be divided into Wards or Districts, which, together with the Number of Councillors to be chosen by each such Ward or District, shall be fixed and ascertained by the Commissioners named and appointed by His Majesty to inquire into and report upon the Condition of the several Burghs and Towns of Scotland by a Commission dated on the Fifteenth Day of July in this present Year; and such Commissioners shall have regard to it being the Purpose and Meaning of this Act that the Number of Wards shall be such that each Ward shall, at the first Election to be made under this Act, choose, as nearly as may be, the Number of Three Councillors, and at the subsequent annual Elections in each succeeding Year the Number of One Councillor: and the said Commissioners shall, upon each Division being made and completed, report the same to His Majesty's Privy Council, who shall cause such Report to be published by Royal Proclamation in the Gazette; and the Number and Limits of such Districts and the Number of Councillors to be elected by each such District, being as fixed, reported, and published, shall be held and taken to be a Part of the Act, in the same Manner and to the same Effect as if the same were particularly set forth and enacted therein.

IV. And be it enacted, That upon the First Tuesday in November next the Electors qualified and entered in the said Register shall, in each of the said Burghs or Towns of Paisley, Greenock, Leith, and Kilmarnock, respectively choose from among such of their own Number as either reside within the Boundaries assigned to such Burgh or Town by the said recited Act, or as carry on Business personally therein, the Councils of the said respective Burghs or Towns in manner following; that is to say, the qualified Electors of each District whose Names shall be in the said Register shall at some Place or Places to be appointed for each such Ward or District, of which Intimation shall be made by Notice affixed on the Church Doors of the several Parishes of such Burgh Ten Days at least previous to each Election, proceed to elect from and among the Persons contained in the said Register such a Number of Councillors for such Burgh or Town, being either resident or personally carrying on Business within such Burgh or Town respectively, as herein-before provided, as shall by the Report of the Commissioners to be appointed as aforesaid, and the Proclamation thereof aforesaid, have been fixed and ascertained as the Number of Councillors to be elected in each such Ward, by open Poll, to be taken at the Polling Place or Polling Places appointed for each Ward, in the Presence of the Provost or Chief or Senior Magistrate capable of attending to such Burgh or Town, or of a legal Substitute to be appointed by law, such Assessor being of the Profession of the Law, and being always an Advocate, or a Writer to the Signet, or a Solicitor in the Supreme or Inferior Courts, of not less than Three Years standing respectively, to officiate and preside at the Election in each such Ward or District; and the Town Clerks of such Burghs or Towns, or the Provost who may be appointed by the Chief Magistrate thereof to officiate as Poll Clerks in the several Wards thereof, which Persons such Provost or Chief Magistrate is hereby authorized to appoint, shall each have with him a certified Copy of that Part of the aforesaid Register which contains the Names of the Voters qualified in respect of Property situate in each such District, according to which the Names shall be called, and shall be called, and shall be

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c. 67.

Number of  
Councillors  
and Magistrates  
in each Burgh

Councillors to be  
chosen to be  
elected.

Certain Burghs  
to be divided  
into Wards and  
Districts by  
Commissioners.

Councils to be  
chosen for  
Paisley,  
Greenock,  
Leith, and  
Kilmarnock.

Poll to inquire into any other Facts than the Identity of the Party tendering a Vote and the Person presented in such Register, is still holding the Qualification there mentioned, and his not having previously voted at the same Election, all which Facts it shall only be competent to prove by the Oath of the Party so tendering his Vote, if required by any other Voter on the Register; and no other Oath shall be put at such Election, except only an Oath against Retrahs, which if required by any Voter on the Roll shall also be put by the Magistrate or Substitute at each Polling Place; which Two Oaths shall be put in the Form of Schedules (A) and (B) to this Act annexed: and each Poll Clerk shall enter such Vote for each Person proposed in a Poll Book; and the Provisor or Chief Magistrate, or Substitute, presiding at each Election, and the Clerk or Person taking the Poll, shall subscribe their Names to each Page of such Book before any Entry shall be made in the succeeding Page.

V. Provided always, and he it enacted, That if in any Case in which the Provisor or Chief or Senior attending Magistrate is directed to preside or act in any Burgh or Town under this Act, in cases herein before or after provided, there shall be no such Provisor or Chief or other Magistrate, the Sheriff of the County in which such Burgh or Town is situated, or one of his ordinary Substitutes, shall preside and act as such Provisor or Chief or other Magistrate is hereby directed to preside and act as aforesaid.

VI. And he it enacted, That no Poll by this Act authorized to be taken shall be kept open for more than One Day, and that only between the Hours of Eight in the Morning and Four in the Afternoon.

VII. And he it enacted, That it shall be lawful for the Provisor or Chief or Senior Magistrate of any of the said Burghs or Towns to appoint such and as many additional Polling Places or Booths as may be necessary for ensuring the completing of such Election within One Day, and also such additional Assessors (to be qualified and chosen as aforesaid) and also as many Poll Clerks as shall be necessary for that Purpose.

VIII. And he it enacted, That at all such Elections of Councilors for the said Burghs or Towns the Poll Books for the several Wards or Districts of the said Burghs or Towns shall at the Close of the Poll be sealed up by the Persons who shall have presided at the Elections of the several Wards and taken the Polls thereof, and shall be transmitted to the Provisor or Chief or Senior Magistrate, who on the next lawful Day after the Receipt of the same, between the Hours of Twelve and Two, and within the Town House or other public Building of such Burgh, shall openly break the Seals, and with the Assistance of the Town Clerk and such other Persons as he may think fit to employ shall count up the Votes given, and shall declare upon whom the Election has fallen by the Majority of Votes (making a Double Return in any Case where the Votes shall be equal), and shall forthwith give or cause to be given Notice in Writing to the several Persons elected of such their Election, and require them severally to appear in the Town Hall or other public Room aforesaid on the Second lawful Day after such Election, when they shall severally declare whether they accept or decline accepting the Office of Councilor; and if any such Person shall be found to have been elected by more than One of the said Wards or Districts, he shall thereupon declare for which Ward he stands to serve; and whenever this shall occur, or where there shall be a Double Return for any Ward, or where any Person elected shall decline accepting, then and in all such Cases the presiding Magistrate shall immediately appoint a new Election for the vacant Ward or District, or Wards or Districts, at the Distance of not more than Four nor less than Two Days, and affix Notices of the Day so appointed as the Church Doors of the Burgh or Town; and such Election shall be proceeded in in all respects in the same Manner in which the first Election in the said Wards or Districts, and the taking the Poll, counting up the Votes, and declaring the Result, is herein-before directed to proceed, until the Council of such Burgh shall be completed.

IX. And he it enacted, That upon the said First Tuesday of November next the qualified Electors of all the said Burghs or Towns of Fife, Perth, Dundee, Aberdeen, Arbroath, Forfar, Brechin, Montrose, Fraserburgh, Airth, Part Glasgow, Peterhead, Forth, Perth, Crossarty, and Oban respectively and severally shall assemble in the Town Hall or other public Place to be appointed and notified by the Town Clerk in such such Burgh or Town, and choose from among their own Number the Number of Councilors herein-before directed to be chosen for each of such Burghs or Towns respectively, being resident or personally carrying on Business as herein-before provided, and shall declare their Votes by a List containing the Names of the Persons for whom each Elector respectively intends to vote, which several Lists shall be signed by each such Elector respectively, and shall be openly given by each Elector to the Town Clerk of such Burgh or Town on the Day of Election, no other Inquiry being permitted at such Election, and no other Oath allowed to be administered, than an herein-before provided as to the Burghs electing by Poll; and such Town Clerk, together with the Provisor or Chief or Senior attending Magistrate of the Burgh or Town, who shall preside at such Election, shall publicly count up the Number of Votes, and shall declare upon whom the Election has fallen by the Majority of Votes, and the Provisor or Chief or Senior Magistrate shall forthwith give or cause to be given Notice in Writing to the several Councilors elected of such their Election, and call upon them severally to appear in the Town Hall or other public Room aforesaid on the Second lawful Day after such Election, when they shall severally declare whether they accept or decline accepting the Office of Councilor; and if any such Person so elected shall decline to accept, or in case there shall be an Equality of Votes in favour of Two or more Persons, the whole of whom cannot be received as Councilors, a new Election shall immediately thereafter take place for the vacant Place or Places of the Councilor or Councilors so declining to accept, or elected by equal Numbers, to be intended as herein-before provided as to the Burghs electing by Poll, and to proceed in the same Manner in all respects in which the Election for Councilors is herein-before directed to proceed until the Council of such Burgh shall be completed.

It shall be the  
Duty of the  
Magistrate or  
Senior Magistrate,  
the Sheriff or  
Substitute in pre-  
siding at such  
Polls, not to in-  
quire more than  
One Day.

Persons as  
Chief Magis-  
trates to appoint  
additional Poll-  
ing Places, As-  
sessors, &c. if  
necessary.

Poll Books to be  
sealed up by  
Provisor, or  
Chief or Senior  
Magistrate, who  
shall declare  
the Result.

Councilors to  
be chosen for  
Parish, &c.

X. And be it enacted, That in all the Cases of Elections herein-before directed, if any Person elected as Councillor shall fail to attend on the Day appointed for declaring his Acceptance, he shall be held to have declined accepting the said Office, unless he therein transmit to the Meeting a sufficient written Explanation, signed by himself or his Agent, of the Cause of his Absence, and intimating his Acceptance.

XI. And be it enacted, That upon the First Tuesday of November One thousand eight hundred and thirty-four, and upon the same Day in every succeeding Year, the Elections in such Burghs and Towns respectively shall in like Manner, *viz.* the Burghs of Paisley, Greenock, Leith, and Kilmarnock, in their several Wards or Districts, and the said other Burghs or Towns at their General Meetings, assemble and elect, in manner herein-before prescribed in relation to the first Election under this Act, One Third Part or as nearly as may be One Third Part of the Council of each such Burgh or Town, in the Place of the Third thereof who shall, as herein-after directed, go annually out of Office, the Wards or Divisions into which the Burghs or Towns divided into Wards or Districts are divided then electing such Number of Councillors as by the said Royal Commissioners each Wards or Districts shall be directed to elect at such annual Elections subsequent to the first Election.

XII. And be it enacted, That upon the said First Tuesday of November in the Year One thousand eight hundred and thirty-four, and in every succeeding Year, One Third or a Number as near as may be to One Third of the whole Council of each such Burgh shall go out of Office, and in the said Year One thousand eight hundred and thirty-four the Third who shall go out shall consist of the Councillors who had the smallest Number of Votes at the Election of Councillors in this present Year; and in the succeeding Year, One thousand eight hundred and thirty-five, the Third of the Councillors first elected under this Act who shall go out shall consist of the Councillors who at such first Election under this Act had the next smallest Number of Votes, (the Majority of the Council always determining, where the Votes for any such Persons shall have been equal, who shall be the Persons to retire,) and thereafter the Third of the Councillors so annually going out of Office shall always consist of the Councillors who have been longest in Office: Provided always, that any Councillors so going out of Office shall be capable of being immediately re-elected.

XIII. And be it enacted, That the Councillors of the said Burghs or Towns of Paisley, Greenock, Leith, and Kilmarnock respectively so elected and accepting shall, upon the Third lawful Day after the Election of the whole Number of such Councillors in the present Year, assemble in the Town Hall or other usual public Place of meeting within such Burgh or Town, and shall there, by a Plurality of Voices (the Councillor who had the greatest Number of Votes at the Election of Councillors having a casting or double Vote in case of Equality), elect from among their own Number a Provost or Chief Magistrate, Four Bailies, and a Treasurer.

XIV. And be it enacted, That the Councillors of the said Burghs or Towns of Falkirk, Hamilton, Peterhead, Musselburgh, and Airdrie respectively so elected and accepting shall, upon the Third lawful Day after the Election of the whole Number of such Councillors in the present Year, assemble in the Town Hall or other usual public Place of meeting within such Burgh or Town, and shall there, by a Plurality of Voices (the Councillor who had the greatest Number of Votes at the Election of Councillors having a casting or double Vote in case of Equality), elect from among their own Number a Provost, Three Bailies, and a Treasurer.

XV. And be it enacted, That the Councillors of the said Burghs or Towns of Port Glasgow, Greenock, and Portobello respectively so elected and accepting shall, upon the Third lawful Day after the Election of the whole Number of such Councillors in the present Year, assemble in the Town Hall or other usual public Place of meeting within such Burgh or Town, and shall there, by a Plurality of Voices (the Councillor who had the greatest Number of Votes at the Election of Councillors having a casting or double Vote in case of Equality), elect from among their own Number a Provost and Two Bailies.

XVI. And be it enacted, That the Councillors of the said Burgh of Oban so elected and accepting shall, upon the Third lawful Day after the Election of the whole Number of such Councillors in the present Year, assemble in the Town Hall or other usual public Place of meeting within such Burgh or Town, and shall there, by a Plurality of Voices (the Councillor who had the greatest Number of Votes at the Election of Councillors having a casting or double Vote in case of Equality), elect from among their own Number Two Bailies.

XVII. And be it enacted, That the Councillors of the said several Burghs or Towns shall in the like Manner as they are herein-before directed to elect their Magistrates, and at the same Time, elect the Managers of any charitable or other public Institution existing or to be conceived with such Burgh or Town, the Appointment of the Managers of which is at present vested in the Magistrates and Town Council of such Burgh or Town.

XVIII. And be it enacted, That upon the Completion of the first Election of Councillors, Magistrate, and Office Bearers to be made in all the said Burghs or Towns under the Provisions of this Act, and not sooner, the Provost, Magistrates, Office Bearers, and other Councillors now in Office in such Burghs or Towns respectively shall go out, and their whole Powers, Duties, and Functions shall cease and determine, except only where any of the said Persons shall have been again elected under the Provisions of this Act, and there shall thereafter be no other Magistrates or Officers for such Burghs or Towns than those hereby specified and directed to be elected and chosen.

XIX. And be it enacted, That where any Trust or Management is, by the Terms of any Public or Local Act, or of any Charter or Deed of Foundation, or other Deed, conferred on the present Magistrates and Council of any of the said Burghs or Towns, the Magistrate and Council, so be elected according to the

Persons elected not attending, held to decline accepting.

Succession annual election of Council.

One Third Part of the Council to go out of Office annually.

Election of Provost and Magistrates for Paisley, &c.

Election of Provost and Magistrate for Falkirk, &c.

Election of Provost and Magistrate for Port Glasgow, &c.

Election of Bailies for Oban.

Election of Managers of Charities.

Expiring Councillors and Magistrates to go out on Completion of next Election.

Election of Treasurers and Managers

Provisions of this Act, shall have the same Powers and Rights as such Trustees, Managers, or Directors as belong to the existing Magistrates and Councils; and where any such Trust or Management is conferred on any particular Members of the present Council or Magistracy or Office Bearer of any such Burgh or Town, the Town Councils to be named and elected in Terms of this Act shall immediately after their own Acceptance and Induction into Office assume and elect from their own Body such a Number of Persons to be such Trustees or Managers as are by such Acts, Charters, or Deeds appointed to those Offices under the said Demarcations, and the whole Powers and Functions now belonging to the said Offices of Trustees or Managers shall belong to and be as fully vested in the Persons so elected as if they had possessed the Demarcations used in the said Acts, Charters, or Deeds.

Persons elect to be Burgesses before Induction.

XX. And be it enacted, That in all Burghs where there are Burgesses no Person shall be entitled to be received and inducted as Councillor who shall not, previous to such Induction, be entered a Burgess of the Burgh for which he is so elected; and such such Person so elected shall produce, when he declares his Acceptance, the Evidence of his being such Burgess; and his Omission so to do shall be hold to vacate his Election in the same Manner as if he had declined to accept; Provided always, that no merely honorary Burgess shall be entitled to be so inducted, and that any Person so elected shall be entitled to be entered as a Burgess on Payment of the ordinary Fees to the Common Good of the Burgh.

Rights of Crafts, Trades, and Guilds to elect their own Officers.

XXI. And be it enacted, That nothing herein contained shall be held or construed to impair the Right of any Craft, Trade, or Guilds severally to elect their own Deacons or Deacons Convener or Dean of Guild for the Management of the Affairs of such Crafts, Trades, or Guilds, but that in the contrary the said several Bodies shall, from and after the passing of this Act, be in all Cases entitled to the free Election of the said several Office Bearer and other necessary Officers for the Management of their Affairs, without any Interference or Control whatsoever on the Part of the Town Council or any Member thereof.

Vacancies of Magistrates going out of Office how supplied.

XXII. And be it enacted, That whenever Magistrate or Office Bearer (other than the Provost or Chief Magistrate and Treasurer) shall be in the Third of the Council going out of Office, the Place of such Magistrate or Office Bearer shall be supplied by Election by the Council as soon as the full Number thereof shall have been completed by the annual Election of the Third then hereby directed to take place, and the said Election shall be made by Plurality of Voices; and the chief or senior attending Magistrate shall have a double or casting Voice in case of Equality; Provided always, that the Provost or Chief Magistrate and the Treasurer shall always remain in Office for the Period of Three Years, and that they as well as all the other Magistrates or Office Bearers shall at all Times be capable of being re-elected.

Vacancies occurring within the Year from its expiration.

XXIII. And be it enacted, That if any Vacancy shall in the Course of the Year occur in the Council or Magistracy or Office Bearer of any such Burgh or Town by Death, Disability, or Resignation, the same shall be filled up out of interim by the remaining Members of the Council by Election, as herein-before provided, at a Meeting to be called on Five Days Notice by the Town Clerk by Intimation as Writing to each of such remaining Members of the Council; but any Councillor, Magistrate, or Office Bearer so elected of interim shall go out of Office on the First Tuesday of November next ensuing his Election, and the Vacancy thereby occurring shall be supplied at the next annual Election of Councillors and Magistrates or Office Bearers in such Burgh; provided that if the Vacancy shall have occurred in any of the said Burghs or Towns of Paisley, Greenock, Leith, or Kilmarnock, such Vacancy shall at such annual Election be supplied by the Ward of such Burgh or Town by which the Councillor who had died or resigned or been disabled had been elected, and where shall in the Case elect an additional Councillor, unless the Party so dying or disabled would then have gone out of Office as One of the Third hereby directed to retire.

Councillors, &c. may resign.

XXIV. And be it enacted, That any Person elected and accepting the Office of Councillor, Magistrate, or other Office Bearer in any Town Council under the Provisions of this Act may resign his said Office at any Time, upon giving not less than Three Weeks Notice of such his Resignation by a written Intimation to the Town Clerk, or Chief or Senior Magistrate; and in the Event of such Resignation being intimated as to be made at the Period of the annual Retirement of One Third of the Council, such additional Member of Councillors shall then be elected as may be necessary to complete the Council; Provided always, that no Fine or other Penalty shall be exigible than any Person either declining to accept after his Election or subsequently resigning his Office.

Burghs having no legal Councils.

XXV. And be it enacted, That where any such Burgh or Town shall, in consequence of the Decree of a Court of Law or otherwise, be hereafter without any legal Council or Magistracy, all the Functions directed by this Act to be performed by the existing Magistrates or Councils shall be performed by One or more of the Managers who may by any lawful Appointment be then in the actual Administration of the Affairs of any such Burgh or Town, and in default of any such Managers by the Sheriff or Sheriff Substitute of the County.

Town Clerk to be appointed.

XXVI. And be it enacted, That it shall be lawful for the Magistrates and Council of any such Burgh or Town to elect a Town Clerk for such Burgh or Town for the Period of one Year, without Prejudice to his Re-election, and also without Prejudice to the lawful Right of any existing Town Clerk in any such Burgh or Town to hold his Office of Town Clerk or Clerk to the Magistrates and Council of whom out of term.

Town Clerk to give Notice.

XXVII. And be it enacted, That all the Notices or Intimations hereby directed or required to be given or made in any such Burgh or Town of any Meetings or Proceedings to be held or had in the Matter of the Elections of or respecting such Burgh or Town shall, where not directed to be otherwise given, be given or made by the respective Town Clerks thereof; or in case there shall be no Town Clerk, the Duty imposed on the Town Clerk by this Act shall be performed by the Sheriff Clerk of the County; Provided Printed images deposited by the University of Southampton Library Digitisation Unit

always, that no Councillor, nor the Partner or Business of any Councillor, shall be entitled to hold the Office of Town Clerk in any such Borough or Town, and that no Town Clerk shall directly or indirectly interfere in the Election of Magistrates or Councillors for such Borough or Town.

XXVIII. And be it further enacted, That where there is no Parish Church within the Borough, the Notices hereby required may be given at the principal Place of Public Worship within the Borough.

XXIX. And be it enacted, That the several Process afflicting at Elections as Substitutions for the Proctors or Chief Magistrates in the several Wards or Districts into which the Boroughs or Towns of *Reading, Gosport, Leeds, and Kilmarnock* shall be divided (not being the Town Clerks of such Boroughs) shall be entitled to receive a Sum not exceeding Three Pounds and Three Shillings for each Day they shall respectively be so employed, and the Poll Clerks the Sum of One Pound and One Shilling each for the same Period, which Sums, together with all the other Expenses attending such Elections, or the making up of the aforesaid Registers, giving Notice at the Church Doors, and providing Copies of the said Registers of Polls thereof for the Purposes of Election, shall be defrayed from the Common Good or other Means or Revenues of such Boroughs respectively.

XXX. And be it enacted, That the Magistrates and Town Council to be elected for the said Boroughs or Towns under the Authority of this Act shall have such and the like Rights, Powers, Authorities, and Jurisdiction as is or are possessed by the Magistrates and Council of any Royal Borough in Scotland; and such Rights, Powers, Authorities, and Jurisdiction shall extend equally over all and every Part of the Limits of such Boroughs or Towns as described in the said second Act of the Second and Third Year of the Reign of His present Majesty: Provided always, that the Magistrates and Council of such Boroughs or Towns shall not have the Power of trying for Crimes punishable by Death or Transportation; and that the Rights, Powers, Authorities, and Jurisdiction hereby conferred shall in no Case be exclusive of the Authority and Jurisdiction of any Admiralty Court or Dean of Guild Court now lawfully established, or of the Sheriff or Justices of the Peace of the County, or the Territory within the Boundaries of such Boroughs or Towns respectively.

XXXI. And be it enacted, That the existing Magistrates and Council in all the Boroughs contained in this Act shall on or before the Fifteenth Day of October in the present and in all future Years, make up a distinct State of their Affairs, subscribed by the Chief or Senior Magistrate, Town Clerk, and Treasurers, containing an Account of all the Funds, Properties, and Revenues in their Administration, and of all their Transactions in relation to such Funds, Properties, and Revenues since they came into Office, which Account shall be brought down as nearly as may be to the said Fifteenth Day of October, and shall be kept in the Town Clerk's or Treasurer's Office, for the Inspection of any of the registered Electors, from the said Fifteenth Day of October down till the Time of the Election; and a full and distinct Abstract of the said Account, with a Balance Sheet containing all necessary Particulars, shall be printed and published by the said Magistrates on or before the Twentieth Day of the said Month of October.

XXXII. And be it enacted, That if any Magistrate, Councillor, Town Clerk, Sheriff, or other Person shall wilfully contravene or disobey the Provisions of this Act, he shall be liable to be sued for such Offence in the Court of Session by any Person aggrieved for the penal Sum of Three hundred Pounds, which Sum, or any smaller Sum which may be assessed by the Jury in any such Action, the Defendant, upon Conviction, shall pay to the Pursuer, with full Costs of Suit: Provided always, that every such Action shall be raised within Four Calendar Months after the Cause of Action shall have arisen, and that Notice in Writing shall be given to the Defendant at least One Calendar Month before raising the same; provided also, that any such Defendant against whom Judgment shall have been once recovered in such Action shall be entitled to plead such Judgment as a Bar to any other Action which may be brought against him for the same Matter or Thing; and such other Action being thereupon dismissed, such Defendant shall recover his full Costs of Suit.

XXXIII. And be it enacted, That no Irregularity or Nullity in the Election of any Councillor or Magistrate shall, in any Case after the passing of this Act, annul or affect the Election of other Councillors or Magistrates not liable to the same Grounds of Objection, but those particular Elections only in which such Irregularity or Nullity shall have occurred, saving always and reserving to all and every Person and Persons, or Class or Community of Persons, Bodies Politic, Corporate, or Collegiate, all and every Right of Property within the said Boroughs and Towns which they respectively had or enjoyed before the passing of this Act.

XXXIV. And be it enacted, That this Act may be repealed, altered, or amended by any Act or Acts to be passed in the present Session of Parliament.

#### SCHEDULE (A).

I, A. B. do solemnly swear [or affirm], That I am the Individual described in the List or Roll for the Town [or Borough] of \_\_\_\_\_ as A. B. of [Here insert Description in the same Words as contained in the Roll]; that I am still the Proprietor [or Occupant] of the Property for which I am so enrolled, and hold the same for my own Benefit, and not in Trust for or at the Pleasure of any other Person; and that I have not already voted at this Election.

#### SCHEDULE (B).

I, A. B. do solemnly swear [or affirm], That I have not received or had, by myself or any Person for my Use or Benefit, any Sum or Sums of Money, Office, Place, or Employment, Gift or Reward, or any Privilege or Security for any Money, Office, or Gift, in order to give my Vote at this Election.

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Notice may be given at Place of Worship.

Fees of Poll-clerks and Election Expenses, how to be paid.

Magistrates and Town Council to have same Powers as Magistrates and Council now holding; but not to have the Power of trying for Felonies, &c.

Magistrates, &c. to publish a State of their Affairs yearly.

Penalty for wilful Misconduct.

Irregularity in the Election of one Councillor only to affect themselves.

Act may be altered.

## C. A. P. LXXXVIII.

An Act to amend the Laws relating to Grand Juries in Ireland. [a]

[28th August 1833.]

22 B. 1. a. 14.

WHEREAS an Act was passed in the Fifty-sixth Year of the Reign of His Majesty King George the Third, intituled *An Act to amend the Laws for making, repairing, and improving the Roads and other public Works in Ireland by Grand Jury Presentments, and for a more efficient Investigation of such Presentments, and for further securing a true, full, and faithful Account of all Matters treated under the same*, whereby it was enacted, that from and after the passing thereof no Affidavit should be necessary to empower any Grand Jury in Ireland to make any Presentment for the making or repairing or improving any Road or Footpath, or for the several other Purposes therein recited, the Provision of any Act or Acts theretofore in Force in Ireland prescribing such Affidavit to the contrary notwithstanding; and instead of such Affidavit it was by the said Act of the Fifty-sixth Year of the Reign of His said Majesty King George the Third enacted, that certain Applications made in certain Forms in a Schedule to the said last-recited Act annexed, accompanied with such Estimates, Specifications, Maps, Plans, Sections, or Diagrams as by the said Schedule required, should, after having been previously taken into consideration by the Magistrates assembled in Special Sessions in manner by the said Act directed, be the only Authority for empowering any Grand Jury to make Presentments for the said Purposes; and divers Provisions upon by the said Act made for the Appointment of the Times and Places for holding such Special Sessions, and for regulating the Qualifications of the Magistrates presiding thereat, and for regulating the Proceedings thereat and consequent thereon: And whereas it has not been found that the said Provisions for the Consideration of Presentments are adequate to secure the needful Investigation of the Debatement of the public Works, and the due and economical Performance of the Works to be carried into execution by virtue of Grand Jury Presentments, pursuant to the several Acts now in force in Ireland: And whereas it has been found that Grand Juries impeded as hitherto on the first Day of the Assizes in each County, County of a City or Town, have not sufficient Time to deliberate upon and examine into the several Presentments laid before them, nor to transmit the other Functions of the Grand Inquest, and it is expedient to enlarge such Time: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the said recited Act of the Fifty-sixth Year of the Reign of His Majesty King George the Third shall be and the same is hereby repealed (save and except so far as the said recited Act relates any other Act or Acts; and also save and except the Provisions made therein with respect to Affidavits for Presentments in the County of Dublin or County of the City thereof, and the Preparation and printing of Schedules thereof, and Duty of Inspectors in relation thereto; and also save and except the Provisions made therein with respect to the Town and Liberties of Kinsale; and also save and except as is herein-after saved and excepted with respect to Presentments and Contracts made before the Commencement of this Act, and the Duties and Powers of Supervisors and their Deputies, and the Executions of such Supervisors, and Overseers of Roads, Bridges, and other Works presented or made, or begun and entered upon, before the Commencement of this Act; and also save and except as the Provisions of the said Act now recited and appertaining the Qualifications of Magistrates entitled to vote at Elections of Treasurers of Counties in Ireland under and by virtue of an Act made in the Fourth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to make more efficient Regulations for the Election, and to secure the Performance of the Duties, of County Treasurers in Ireland*, referring to and adopting such Provisions).

11 I. a. 23.

Justices to hold a Special Session for the Purpose of this Act.

II. And be it enacted, That from and after the Commencement of this Act it shall and may be lawful to and for every Justice of the Peace in and for any County in Ireland who shall be seized of a Freehold Estate in Fee Simple or in Fee Tail or for Life of the usual Value of Three hundred Pounds at the least, situate in such County, or who shall be His Agent to any Person so seized, or who shall be seized or possessed of a Leasehold Estate or Estates for Life, or for a Term of Years whereof not less than Fourteen Years shall be unexpired, of the yearly Value of Five hundred Pounds at the least, situate in such County, or who bring seized of a Leasehold Estate for Life out being of such Value shall also be possessed of a Leasehold Estate or Estates for a Term of Years as aforesaid, which together with such Estate for Life shall amount to the clear yearly Value of Four hundred Pounds at the least, situate in such County, or who shall be a Magistrate of any City and Liberties, County of a City, County of a Town, or City and County, by virtue of the Charter or Charters incorporating the same, or who shall be an Alderman of any Corporation in any County of a City or County of a Town incorporated by Charter, and possessing of a Chief Magistrate, Alderman, and Burgesses, and where there shall not be more than Three Magistrates, or who shall be Rector or Vicar of any Rectory or Vicarage of the clear yearly Value of Three hundred Pounds, and Resident therein, and who shall be an Agent to the Owner or Owners of any Estate or Estates in any County, County of a City, County of a Town, or City and County, of the usual Value of Six thousand Pounds, for the Estate or Estates therein belonging to such Owner or Owners, whether such Agent shall or shall not be seized or possessed in his own Right of any Estate, provided that such Agent be a Magistrate of such County, and really and bona fide residing therein, to attend, and all such Justices are hereby required to assemble from Time to Time and to hold a Special Session for the Purposes of this Act, in such Place and Places, and at such Time and Times, within any and every such

(a) See post, Chap. 81.

County or Place for which they shall be such Justices as the Grand Jury of the same shall have appointed, pursuant to the Provisions herein-after following.

III. And be it enacted, That it shall be lawful for the several Grand Juries in every County in Ireland, and they are hereby required, as such Justices to appoint by Presentment certain Places within their respective Counties (not being more than One in each Barony or Half Barony) where, and certain Times when, Special Sessions shall be successively holden previous to the next Assizes for each County respectively for the Purposes of this Act, as herein-after set forth; and each Presentment shall appoint the last Meeting of such Special Sessions to be holden at the County Court House, and direct all Applications for Works, the Expenses whereof it may be by such Applications proposed to levy off the County at large, or off the Barony or Half Barony or any Partion thereof, in which such County Court House may be situate, to be made thereat, and all Applications for Works, the Expenses whereof it may be proposed as aforesaid to levy off any other Barony or Half Barony, or Partion thereof, to be made at such previous Meeting of Special Sessions as shall be holden in and for the same Barony or Half Barony; and such Presentment shall appoint and define such Barones and Half Barones accordingly; and it shall also be lawful for the Grand Jury at every such Assizes to direct by Presentment what Number of Copies of the Schedules of Applications to be made at such Sessions shall be printed and distributed to the Secretary of the Grand Jury previous to the next ensuing Assizes.

IV. And be it enacted, That the Grand Jury for any County of a City or County of a Town shall appoint One such Special Sessions to be holden in the same for the Purposes aforesaid, and that all Applications for Works, the Expenses whereof are to be levied off such County of a City or Town, shall be made thereat.

V. And for the Purpose of enabling the Grand Jury to prepare such List of Cess Payers as herein-after mentioned, be it further enacted, That every High Constable, or other Collector of Money, levied by Grand Jury Presentment, shall make a Return on the Day when the Grand Jury shall be first impeached at such Assizes, to the Secretary of the Grand Jury, of a List containing the Names and Places of Residence of the One hundred Persons in each Barony or Half Barony in such County, if so many there be who shall have been charged with and shall have paid the highest Sum or Sums for the County Cess Charge or Grand Jury Rates for and in respect of any Lands within such Barony or Half Barony, and stating the Amounts, if any, which shall be due by each Individual; and that on the Receipt of such Return by the Secretary, such Secretary shall immediately lay the same before the Grand Jury.

VI. And be it enacted, That every such Grand Jury as aforesaid shall at such Assizes fix and determine the Number of Persons, not being more than Twelve nor less than Five, paying Grand Jury Cess, and resident either such Barony or Half Barony, Barones or Half Barones respectively, or in the actual Occupation of Land therein, proper, with reference to the Extent and Circumstances of such Barony or Half Barony, to be associated with the Justices at the Special Sessions to be holden thereat for the Purpose of this Act, and shall make out a List of Double the same Number of Persons, with their Additions and Abode, who, not being Justices of the Peace qualified under this Act, shall have paid the highest Amount of Grand Jury Cess under the last previous Application in each such Barony or Half Barony respectively, and the Secretary of the Grand Jury shall deliver or cause to be delivered to each of the Persons included in such List a Copy thereof, and shall also deliver a Copy thereof to the Justices mentioned at each Special Sessions to be hold under the Provisions of this Act.

VII. And be it enacted, That the Grand Jury of each County of a City or Town, or County and City, shall in like Manner determine the Number of Cess Payers proper to be associated with the Justices at the Special Sessions to be holden thereat, and prepare a List of Double the same Number, not being Justices qualified under this Act, of Persons having paid the greatest Amount of Grand Jury Cess as aforesaid, and that such List shall be delivered and dealt with in all respects as Lists prepared in any County at large.

VIII. And be it enacted, That at every Meeting of such Special Sessions the Majority of the Justices qualified under this Act present thereat shall choose one of their Number to preside thereat, and that when only Two Justices shall be present the senior of them shall preside, and that when only One Justice shall be present such Justice shall preside; and such Chairman shall have a casting Voice in case of an Equality of Voices, but shall not vote except in case of such Equality; and immediately after the Appointment of such Chairman, and before entering upon any other Business, the Name of every Person included in the List of Cess Payers, prepared in manner before appointed for each Barony or Half Barony in which such Sessions shall be held, or, in the Case of any County of a City or Town, prepared for the same, written upon separate Pieces of Parchment or Card as nearly as may be of equal Size, with his respective Additions and Abode, shall be put into a Box, to be, as well as the said Pieces of Card or Parchment, for that Purpose provided by the Secretary of the Grand Jury, and the Chairman appointed to preside at each such Sessions shall in open Court draw out, one after another, such Number of the said Cards or Pieces of Parchment as the said Grand Jury may have fixed and determined to be the proper Number of Cess Payers to be associated with the said Justice or Justices at such such Sessions respectively; and if any of the Men whose Names shall be so drawn shall not appear, then such and so many more of such Cards or Pieces shall be drawn as may be necessary, until the Number of Cess Payers appointed as aforesaid to be associated with the said Justice or Justices shall be completed; and such Number of the said Cess Payers as first drawn and appearing, or such lesser Number of them as shall appear when drawn, shall be associated with the said Justice or Justices, and have and exercise jointly with such Justice or Justices all such Powers and Authority as the Business of such Special Sessions under this Act

Grand Juries to fix Times and Places for Special Sessions in every County.

Only One such Special Sessions to be appointed in Towns.

High Constables and Collectors to make Returns to the said Secretary of the Grand Jury.

Grand Jury to determine Number of Cess Payers to be associated with Justices at Special Sessions.

and also the Number of Cess Payers.

Majorities to choose a Chairman, and also to select by Lot the Number of Cess Payers to be associated with them.



conferred upon any Meeting of such Special Sessions: Provided always, that the Cess Payers associated in manner aforesaid with the Justice or Justices at the Special Sessions holden in the County Court House shall, save and excepting the Cess Payer first drawn and appearing as herein-after mentioned, have no Voice, Power, or Authority in respect of any Applications the Expense whereof it may be proposed to levy off the County at large, but only in respect of those Applications the Expense whereof it may be proposed to levy off the Barony or Half Barony, or Portion thereof, wherein such Court House may be situate; and provided further, that the Cess Payer first drawn, and appearing at each of the Divisional Special Sessions to be holden in and for each Barony or Half Barony, shall be associated with the Justices at the Special Sessions holden in the County Court House, and have and exercise jointly with such Justices all such Power and Authority as by this Act conferred upon such Special Sessions in respect of so much of the Business of such Special Sessions as shall relate to the County at large, but no further; and every Justice, and Cess Payer associated with such Justice or Justices in manner aforesaid, shall, previously to acting at any such Sessions as aforesaid, take and subscribe in open Court the Oath herein-after following; which Oath any one of such Justices, or the Secretary of the Grand Jury, is hereby authorized and required to administer: (That is to say.)

Magistrates and Cess Payers to take an Oath.

Form of Oath

I *A. B.* of *(here insert the Name and Address and Place of Abode of the Justice or Cess Payer taking such Oath)*, do swear, That I will truly, faithfully, and impartially do and perform all such Acts, Matters, and Things as I am authorized to do and perform by and under the Provisions of an Act passed in the Fourth Year of the Reigo of His Majesty King William the Fourth, intituled *(here set out the Title of the Act)*; and that I will, without Fear, Affection, Hatred, or Malice or Ill-will, diligently enquire into and impartially and indifferently judge and determine, according to the Evidence and to the best of my Judgment and Ability, upon the several Applications and other Matters which may be brought before me under the Authority of the said Act. So help me GOD.

And the Chairmen at such such Special Sessions shall and is hereby required to make out and deliver to the Secretary of the Grand Jury of the same County a List of the Names of all the Justices and Cess Payers who shall have taken and subscribed such Oath at the Sessions where he had presided; and every such Secretary shall from Time to Time, without unreasonable Delay, deliver the said List, and all the Oaths so made and subscribed, to the acting Clerk of the Peace, to be by him preserved among the Records of the same County: Provided always, that if at any such Special Sessions One Justice or the least and Two Cess Payers duly qualified under this Act shall not be present, such Sessions shall adjourn until the Day next succeeding, unless such Day shall be a Sunday or Christmas Day or Good Friday, and so on *de die in diem*, until some One such Justice and Two Cess Payers shall attend; and provided further, that it shall be competent for any One such Justice and Two Cess Payers to hold such Special Sessions, and to do all Matters and Things authorized to be done thereat; any thing in this Act contained to the contrary notwithstanding.

Places for being Notices.

IX. And be it enacted, That all Notices required by this Act shall be promulgated by Advertisements affixed on or immediately adjacent to the Doors of every Church, Chapel, and Roman Catholic, Presbyterian, and Dissenting House of Worship, and at the usual Places of posting Notices within each and every Parish.

Places for Affixing Notices to Special Sessions.

X. And be it enacted, That a Notice in Writing of every Application intended to be made at any such Special Sessions as aforesaid shall be posted by or on behalf of the Person or Persons intending to make such Application, at the Places aforesaid, within each Parish wherein the Work to which such Application shall relate is proposed to be executed, between the Hours of Eight of the Clock in the Forenoon and Four of the Clock in the Afternoon on the Saturday next but One previous to the first Day appointed for holding such Special Sessions.

Applications for Promotions for Bridges, Gullies, Sewers, or High Hills, &c. may be made at the Divisional Special Sessions.

XI. And be it enacted, That all Applications for the Purposes herein-after mentioned shall, any thing herein-before contained to the contrary notwithstanding, be made at the Special Sessions holden for the Barony or Half Barony in which the Works included in such Applications may be locally situate; (That is to say,) all Applications for lowering any Hill or Raising up any Hill, or bank, or any Post or other Road leading directly from one Market Town to another Market Town, or from any Market Town to the Sea, and for making the Road thereon with Stones and Gravel, or for building, rebuilding, repairing, altering, or enlarging any Bridge, Pipe, Arch, or Gullet, bank of Stones or Bricks or Wood, or for or on any Road, or Rill or graveling over any such Bridge, Arch, Pipe, or Gullet, or in building or repairing any Wall or Part of a Wall necessary to the Support of any Road, or to prevent any steep Banks of Earth from falling upon any Road, or in erecting any Fence, Railing, or Wall for the Protection of Travellers from dangerous Precipices or Holes lying on the Side of any public Road; and provided further, that in case the Amount of the Sum or Sums of Money required for any such Purposes as aforesaid shall not exceed Twenty Pounds, it shall, from and after the Commencement of this Act, be lawful for the Grand Jury to present the same to be raised off any Barony or Half Barony in which the same may be locally situate, any Act or Acts directing such Sum or Sums of Money for the Purposes aforesaid as to be raised off the County at large to the contrary notwithstanding.

Applications for Works to be made at Special Sessions.

XII. And be it enacted, That the Applications for any Works which it is proposed to charge upon Two or more Baronies or Half Baronies, or any Portion thereof, of any County, but not upon the County at large, shall and may be made at the Special Sessions holden for the Barony or Half Barony of which or of any Portion of which it is proposed that the larger Portion of the Expense of such Work is to be raised, without making the same at the Special Sessions for each of such Baronies or Half Baronies.

XIII. And be it enacted, That every such Application shall be lodged with the Secretary of the Grand Jury Ten Days or less before the first Day appointed for the holding of the Special Sessions, whereas such Application is to be made; and such Secretary is hereby required to keep an Office open for the Purpose of receiving such Applications during Fifteen Days immediately preceding the last Day upon which such Applications are required to be lodged with the Secretary, and the said Applications shall be open to public Inspection without Fee or Reward; and such Secretary shall, on the Receipt of such Applications, inform to cause to be followed thereupon the Time when the same is lodged, and number and arrange all such Applications as the Works thereon comprised may be proposed to be defrayed by the County at large, or by any Barony or Half Barony or Portion thereof, and shall make an Abstract thereof, and an Index thereto referring to the Numbers which he shall mark on each Application; and such Secretary shall produce and deliver all the Applications which shall have been lodged with him or delivered at his Office as aforesaid respecting the Execution of any Work which it may be proposed to defray at the Expence of the County, or Barony or Half Barony or Portion thereof, defined as aforesaid, at every such Sessions which shall be respectively held for the Consideration of the same, together with the Abstract thereof and the Index thereto.

Applications to be lodged with the Secretary of the Grand Jury.

Secretary to arrange and number them

XIV. And be it enacted, That from and after the Commencement of this Act no Affidavit shall be necessary (save as by this Act otherwise provided) to enable any Grand Jury to make any Presentation for any public Work, and that Applications made and approved in the Manner herein-after mentioned shall have the like Force and Effect as such Affidavits to empower any Grand Jury to make Presentments for the Purpose therein respectively specified, any Act or Acts to the contrary hereof notwithstanding; Provided always, that such Applications shall be for such public Works or other Matters as it now is upon such Affidavits or may hereafter become lawful or competent for any Grand Jury to make Presentment, and that such each Application be made in manner herein-after appointed; (that is to say,) such Application shall be made by Two Persons paying Grand Jury Fees, and shall set out the Title of the Act authorizing such Presentment, with the Year of the King's Range, Chapter and Section, as printed by His Majesty's Printer, and shall specify whether the Money proposed to be raised thereunder is to be levied off the County at large, or some and what Barony or Half Barony or other Demarcation of Land thereof, and shall be made in some one of the Forms marked (A) (B) (C) (D), and as forth, in the Schedule to this Act annexed, when any of such Forms may be found fitting and suitable, and shall be signed by the Two Persons making such Application with their own proper Hands; and it shall not be lawful, save as herein-after provided, for the Secretary to the Grand Jury to receive any Application which shall not be made in Manner and Form herein appointed.

No Affidavit necessary in Presentments.

Manner in which Applications are to be made.

XV. And be it enacted, That at the Special Session to be holden as herein-before provided the Justice or Justices, and Com Payers associated with such Justices in the Business of such Special Sessions, shall and they are hereby authorized and required to take into consideration all such Applications as may be made and laid before them by the Secretary of the Grand Jury in manner aforesaid, and to examine into the passing or serving of the Notices of all such Applications, and the Merits of the same, and the Conformity thereof with the Provisions of this Act, and the said Justice or Justices and Com Payers shall, after such Examination, decide by Majority of Voices upon every such Application, and whether the same ought to be adopted or rejected, and whether wholly or in part, and what Modifications thereof may be proper; and if such Justice or Justices and Com Payers shall approve of any such proposed Work, either wholly or in part, or of any Modification thereof, they shall, save in the Case of Applications herein-after otherwise provided for, direct the County Surveyor to prepare a proper Form of Tender for the Execution of the same, together with such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and the Materials proper to be employed in performing and executing the same, and the Terms within which such Work shall be completed, and such other Particulars as the said Special Sessions shall think fit to prescribe; and if such Application shall be for grading or repairing with small Stones any Road, then such Specifications shall set out the Quantity of the Materials per Perch which it is desirable to make use of in such Repairs; and such Chairman shall redress such Application accordingly with such Directions as the said Special Session shall think proper, and sign his Name thereto, and deliver all such Applications so endorsed to the Secretary of the Grand Jury; and such County Surveyor shall deliver such Form of Tender, Specifications, Maps, Plans, Sections, or Elevations in respect of the Work to which such each Application shall relate, as soon thereafter as the same can be conveniently prepared, to the Secretary of the Grand Jury; and the Justice or Justices and Com Payers shall approve the Manner in which Notice for the Receipt of Tenders and Proposals for the Execution of such Works shall be given, and the Period during which they shall be so received, and shall adjourn such Special Sessions until some Day previous to the next Assizes to be then holden for the opening of such sealed Tenders and Proposals, such Day not to be later than Twenty-one Days from the Day of such Adjournment.

Applications to be examined and approved or rejected at Sessions.

County Surveyor to prepare a proper Form of Tender for the Execution of the Works approved.

Justice, &c. to direct how Notice to be given, and adjourn to a Day for making Tenders and Proposals.

In case of Death of Applicant, the same Person may be substituted.

XVI. Provided always, and be it enacted, That in case satisfactory Proof be given upon Oath that any Person who shall have signed any Application in pursuance of this Act has since died, or is prevented by Sickness or any unavoidable Necessity from appearing at such Sessions, it shall be lawful for the Justice or Justices and Com Payers thereat to examine upon Oath any other Person or Persons who shall have Knowledge of the Matter, and to decide upon such Application; any thing herein contained to the contrary notwithstanding.

XVII. And be it enacted, That the Secretary of the Grand Jury shall, upon being furnished by the County Surveyor with the Keys and Copies for the Execution of any such Works as aforesaid, and the

Secretary of Grand Jury to give Notice

of Works ap-  
proved in Spe-  
cial Sessions,  
&c.

Maps, Plans, Sections, and Elevations belonging thereto, notify by public Advertisement, or otherwise in such Manner as such Special Sessions shall have directed, the Readiness to receive sealed Tenders and Proposals for the Execution of such Work during such Period as such Special Sessions shall have appointed for the Reception of the same, and the Time to which such Sessions has adjourned for the opening of such Tenders and Proposals, and that Forms thereof may be obtained at his Office; and such Secretary shall accordingly prepare a sufficient Number of Forms of such Tenders and Proposals, and furnish to any Person who shall demand the same a Copy thereof, receiving therefor the reasonable Cost of preparing the same; and each of such sealed Tenders and Proposals shall contain a Statement of the lowest Price at which the Party making such Proposal is willing to contract for the Performance of the Work or Works specified and described in such Notification, and shall be subscribed with the Name, Description, and Residence of the Party as desirous to enter into such Contract, and also the Names, Descriptions, and Residences of some Two other sufficient Persons willing to be bound jointly and severally with him in a penal Sum Double the Amount of the said Sum mentioned in such Tenders and Proposals for the due and faithful Performance of the said Contract within such Time and in such Manner as may be thereby prescribed; and all Maps, Plans, Sections, and Specifications relating to any such Work shall be open to public Inspection in the Office of such Secretary without Fee or Reward.

All adjourned  
Sessions,  
Tenders and  
Proposals to be  
opened, and  
Contract re-  
ferred to in such  
Party making  
sealed Propo-  
sals

XVIII. And be it enacted, That at the Meeting of each such adjourned Special Session as aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, all the Tenders and Proposals which may have been delivered to him, and shall open successively all those relating to the same public Work, and so open as the lowest Proposal made for the Performance of such such Work shall be ascertained the Party making such Proposal and his Sureties shall be called; and if the said Party and his Sureties shall appear, and shall satisfy, upon Oath or otherwise, a Majority of the Justices and Cess Payers then present of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Nonperformance of such Contract, and shall thereupon enter into Security for the due Performance of the same, conditioned in such Form as aforesaid, such Proposal shall be accepted, and the Party making the same be declared entitled to execute the Work to which such Proposal may refer, if the same shall be presented by the Grand Jury; but that if the Party making such Proposal and his Sureties shall not appear when called, or shall fail to satisfy a Majority of the said Justice or Justices and Cess Payers present of their Sufficiency and Ability as aforesaid, or shall decline to enter into such Security as aforesaid, then and in such Case the Proposal of the Party making default as aforesaid shall be deemed null and void to all Intents and Purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same Manner, and so on until the said Security shall be executed, and the Contract shall be duly completed: Provided always, that if no Proposal shall be made in respect of any Work within the Time limited for receiving the same, the Application therefor shall be read and of course effect whithersoever; and provided further, that if the Grand Jury of the County at and for the Assizes then next holden shall not make any Proclamation on the Application in respect of which any Contract shall have been made according to the Provision herein-after mentioned, then and in such Case such Contract shall be null and void to all Intents and Purposes: any thing herein contained to the contrary notwithstanding.

If no Proposal  
made, Appli-  
cation to be  
read

If no Proclam-  
ation made,  
Contract to be  
null

Security to be  
by being  
taken to the  
King.

XIX. And be it enacted, That such Security so to be entered into by Contractors under this Act and their Sureties shall be a Recognizance to His Majesty, His Heirs and Successors, and of like Force, Validity, and Effect as other Recognizances made to the King's Majesty; and at such Sessions any Justice present is hereby authorized to take such Recognizance, and the Secretary of the Grand Jury shall prepare the same, and come provided therewith, so as to prevent Delay; and the Expence of preparing the same, not exceeding Two Shillings and Sixpence, shall be defrayed by the Party or Parties entering thereinto; and such Recognizance shall be preserved in Custody of such Secretary until the Condition of such Recognizance shall have been fulfilled, and shall then be delivered up to the Constable or Constables therein named, or to any Person by him or them duly authorized, to be cancelled.

Approved Ap-  
plications for  
making new  
Bridges, build-  
ing Bridges,  
&c. when the  
Plan shall be  
read and be  
certified by  
Grand Jury.

XX. Provided always, and be it enacted, That if any such Application made at Special Sessions as aforesaid shall be for making any new Road, or building any Bridge, or erecting, enlarging, repairing, or rebuilding any Gaol, Court House, Sessions House, or other House or Building, the Expence whereof shall exceed the Sum of Twenty Pounds, and if the Justice or Justices and Cess Payers as aforesaid shall approve of such Application, either wholly or in part, or of any Modification thereof, they shall direct the County Surveyor to prepare such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and the Materials proper to be employed in performing and executing the same; and the Chairman of such Special Sessions shall indorse such Application accordingly, and sign by Name thereto, and deliver such Application as indorsed to the Secretary of the Grand Jury; and such Secretary shall by each and every such Application before the Grand Jury to be introduced at the Assizes hold next after such Applications shall have been approved at such Special Sessions, to be certified by the Foreman thereof, who shall certify the same accordingly; but it shall not be lawful for the Grand Jury at such first Assizes hold after the Special Sessions whereat such Applications herein-before described shall have been approved to make any Proclamation thereupon.

Special Ses-  
sions holden  
next after the  
Assizes at  
which such  
Applications

XI. And be it enacted, That at the first Meeting of Special Sessions to be holden next after the Assizes at which such Applications shall have been approved as aforesaid for the same Barrony or Half Barrony, or for the County at large, at which such Applications shall have been made, the County Surveyor shall lay the Specifications, Maps, Plans, Sections, or Elevations prepared as aforesaid in respect of the same before the Justice or Justices and Cess Payers assembled therefor, for their Consideration; and such Justice

Justice or Justice and Cost Payers shall and they are hereby authorized and required to examine such Specifications, Maps, Plans, Sections, or Elevations, and shall decide by a Majority of Voices whether the same ought to be adopted or rejected, or what Modification of such Specifications, Maps, Plans, Sections, or Elevations may be proper in respect of each such Application, and shall, if need be, direct the County Surveyor to alter or modify the same accordingly, and to prepare a proper Form of Tender for the Execution of such Works, expressing the Nature and Extent of such Works, and the Materials proper to be employed in performing, and executing the same, and the Terms under which such Work shall be completed, and such other Particulars as the said Special Sessions shall think fit to prescribe, and shall deliver the Specifications, Maps, Plans, Sections, or Elevations which shall be so approved to the Secretary of the Grand Jury, and shall appoint the Manner in which Notice for the Receipt of sealed Tenders and Proposals for the Execution of such Work shall be given, and the Period during which they shall be received, and such sealed Tenders and Proposals shall be opened at the first Adjournment of such Special Sessions to be made for opening sealed Tenders and Proposals; and thereupon such Applications, and such Tenders and Proposals relating thereto, shall be included in the Schedule of Applications to be prepared and laid before the Grand Jury at the third next succeeding Assize, and shall be subject to such and the like Regulations in all respects as other Applications and other Tenders and Proposals are subject to under the Provisions of this Act.

XXII. And be it enacted, That so soon as may be possible after the Special Sessions shall have been holden at all the Places and Times appointed therein in each County the Secretary of the Grand Jury shall prepare and make Schedules of the Contents of all Applications, save and except the Applications to be certified to heretofore provided, approved of wholly or in part, and which may have been delivered to him for such Purpose by the Chairmen at each Sessions, including in one Schedule all such Applications for Works proposed to be charged and raised on the County at large, and in other separate Schedules (if need be, One for each Barony or Half Barony,) all such Applications for Works proposed to be levied upon each Barony and Half Barony;—arranging all such Applications in alphabetical Order, and noting on the Face of each Schedule the Particulars of the Decision of the Justice or Justices and Cost Payers on each Application; and such Secretary shall forthwith cause Copies of such Schedules to be printed and distributed in such Manner as shall have been authorized and directed by Grand Jury Presentments at the Assizes immediately preceding; and the said Secretary shall deliver a Copy of each Schedule to each High Sheriff of the County for the Time being, and to each County Surveyor, and shall on the Day when the Grand Jury shall be next assembled, as heretofore directed, deliver One Copy of the said printed Schedules, together with the several Applications, and annexed thereto any Specifications, Maps, Plans, Sections, or Elevations of the Works in which such Applications shall relate which shall have been prepared by the County Surveyor, and any Contract which shall have been made for the Performance of such Works, to the Foreman of such Grand Jury, and shall also deliver another Copy of the said Schedules to the Judge of Assize upon his Arrival; and the said Secretary shall keep another Copy of the said Schedule in his Office, for the Inspection of the Public, during Three complete Days or less immediately before the Day when such Grand Jury shall be first impeached as heretofore provided.

XXIII. Provided always, and be it enacted, That the Secretary of each Grand Jury at all Times hereafter, in the Preparation of all printed Lists of Presentments granted by such Grand Jury, shall place in a separate Page of such Lists the gross Sum or Sums of Money which shall have been presented by such Grand Jury under the Laws now in force, under which it is imperative on such Grand Jury for various public Services to present certain Sums or Sums of Money as therein directed.

XXIV. And be it enacted, That so soon as the Secretary of the Grand Jury of each County shall have made such Schedules, and noted up the Amount of the Sums required by the several Applications, with reference to the Contracts relating thereto, to be raised at such Assizes on the County at large, the Treasurer of such County shall apporportion the same according to the usual Mode of Assessment on the respective Hundreds or Half Hundreds, which Apporportionment, together with a Copy of the Presentments made at the preceding Assize, he shall return to the Foreman of the Grand Jury at the Time when they shall be first impeached, as heretofore provided.

XXV. And be it enacted, That every Sheriff shall, immediately on receiving the Process appointing the Day for opening the Commission at the next Assize in his Shire, inspect the Schedules to be delivered to him as aforesaid, and confer thereon with the Surveyor or Surveyors to be appointed pursuant to this Act, and thereupon, having regard to the Quantity of Business which it shall appear likely that the Grand Jury may be called upon to transact, shall fix and appoint for impeaching the Grand Jury, under the Provisions of this Act heretofore set forth, such Day previous to the Day for opening the Commission of Assize as in his Discretion may seem fit, such earlier Day not being more than Five clear Days and not less than One clear Day before the Day appointed for opening the said Commission; and each Sheriff is hereby authorized and required, in manner heretofore practised according to Law for summoning Jurors to serve as Grand Jurors in Ireland, to summon and return a sufficient Number of Persons, qualified according to Law to serve as Grand Jurors in Ireland, to attend at the usual Place of holding Assize upon the Day by such Sheriff so fixed and appointed; and the Persons so to be summoned are hereby required to come and appear agreeably to the Edgency of said Summons, under the Penalties and subject to the Forfeiture of Issues as Persons heretofore accustomed to appear and serve on Grand Jurors at any Assize throughout Ireland, and to serve under and subject to the like Penalties and Liabilities until discharged from such Attendance in due Course of Law; and on the Day appointed for such Attendance to be at the said Place of Assize with the usual and accustomed Attendants, and shall, in such

shall have been certified or presented with some like other Applications.

Schedules of Applications to be prepared by the Secretary, and printed.

Copies of each Schedule to be delivered to the Sheriff, &c.

Secretary of Grand Jury to place in Lists the gross Sums presented.

Treasurer to apply the Sums required, and return the Apporportionment to the Grand Jury.

High Sheriff to impeach Grand Jury not more than Five and not less than One clear Day before the Day appointed for opening the Commission at such Assize.

any Absence of the Sheriff the Under-Sheriff shall, proceed to impanelle the said Grand Jury in all respects, so far as may be possible, and with like Solemnities, as heretofore practised according to the Law for the impanelleing of Grand Jurors at the several Assizes in Ireland; and the Clerk of the Crown shall attend at the Time and Place aforesaid, and shall, in such Manner and Form as hath heretofore been used in the swearing of Grand Jurors before the Judge of Assize, administer to each of the Grand Jurors to be impanelled as aforesaid the Oath following: (that is to say.)

That if Grand Jurors

“ YOU shall diligently inquire, on behalf of the County [or County of City, County of Town, or City and County,] of and true Presentments make of all such Matters and Things as shall be lawfully given to you in charge or as shall come before you in anywise relating to the raising of any Money upon the said County [or County of City, County of Town, or City and County,] of or upon any Barony, Half Barony, or Parish therein, or relating to the Expensure of any such Money; you shall not prevent, nor allow nor dealen, any Matter or Thing through Hatred, Malice, or Ill-will, nor through Fear, Favour, or Affection. So help you GOD.”

That if the Grand Jurors

XXVI. And it is hereby declared and enacted, That it shall and may be lawful for any Grand Juror impanelled in Ireland to disclose any Matter or Thing relative to the making or refusing any Presentment for or concerning public Works or Matters, or the Expensure of any Money raised thereby; and that the Oath taken by Grand Jurors in Ireland, so far as it regards any Obligation of Secrecy, shall not be construed or held to extend or relate to any of the Functions of Grand Jurors in or concerning such Presentments of public Works or Matters, or any fiscal Concerns whatsoever, nor to any Office or Function of a Grand Juror other than the Functions of such Grand Juror in Matters of a criminal Nature.

Grand Jury as impanelled in Ireland

XXVII. And it is enacted, That the said Grand Jury so impanelled as aforesaid shall be and be deemed to all Intents and Purposes to be, and shall constitute, the Grand Inquest of the same County at and for the Assize then to be holden, and shall, save as hereinafter otherwise provided, perform and discharge and be bound to perform and discharge all the Duties, Offices, and Functions which any such Grand Jury might have performed and discharged, or would have been bound to perform and discharge, if the same were impanelled before the Judge of Assize in manner heretofore practised according to Law, and subject to the Statutes, Provisions, and Liabilities, and shall possess and exercise all and every the Powers, Privileges, and Authorities which Grand Jurors impanelled before the Judge of Assize in manner heretofore accustomed have possessed and exercised, or ought to possess or exercise, under and by virtue of the Laws in force in Ireland, save as may be by this Act otherwise provided; and such Grand Jury shall not depart, save in case of Adjournment as hereinafter mentioned, until discharged by the Judge of Assize in due Course of Law; and the Assize of each County shall, for the Purposes of this Act, but only as respects Matters connected with Presentments for raising or accounting for or paying Money, or relating to public Works, be deemed to commence from the impanelleing of such Grand Jury as aforesaid.

Grand Jury as impanelled in Ireland

XXVIII. And be it enacted, That the Grand Jury impanelled as aforesaid shall not be competent to receive any Bill of Indictment, or to present any Nuisance or Offence, or to act or act upon any criminal Business whatsoever, or to perform any Functions appertaining to Grand Jurors other than those relating to Presentments for raising Money or accounting therefor, or public Works, and the general Fiscal Concerns of the County, until the Judge of Assize shall open the Commission; and the whole of such Fiscal Business shall be concluded by such Grand Jury at or before the opening of such Commission; and all the Presentments for raising Money, or any how respecting public Works, shall be delivered to the Clerk of the Peace at or before such Time, save as hereinafter provided; and after opening such Commission with the accustomed Formalities the Judge shall at the usual Time direct the Grand Jury to attend in Court, and cause to be administered, in manner and form heretofore practised according to Law, to each of the Persons composing the same, such Oath as has been, or ought, or have been heretofore administered to such Persons by the Judge of Assize; and the said Grand Jury shall then and thereupon be and become to all Intents and Purposes fully competent to the Exercise of all Functions of Grand Jurors whatsoever, save the making any Presentment for raising Money, or respecting public Works, or making Accusations, or such other Business of a fiscal Nature as has been heretofore directed to be concluded before opening the Commission as aforesaid.

Grand Jury as impanelled in Ireland

XXIX. Provided always, and be it enacted, That it shall and may be lawful for such Judge of Assize, upon a special Application to be made to him for that Purpose made by the Grand Jury or otherwise, and upon Cause shown for granting the same, to order and direct that the Grand Jury shall and may transact, after and notwithstanding the Commission shall have been opened, any such Matter relating to Presentments for raising or accounting for Money, or Public Works, or the Fiscal Concerns of the County, as may be stated in such Application; and by force of such Order such Grand Jury shall be and become competent to transact the same; any thing heretofore contained to the contrary notwithstanding.

Grand Jury as impanelled in Ireland

XXX. And be it enacted, That each Grand Jury shall, for the whole Period during which they shall sit, be called over each Morning at sitting by the Foreman of such Jury, and at all other Times when the Number of Grand Jurors present shall be less than by Law required for the Performance of the Functions of a Grand Jury; and any Grand Juror who shall make default in his Attendance at any of such Times shall for every such Default incur a Penalty of Forty Shillings, and such Default shall be reported by the Foreman to the Judge of Assize; and unless the same shall be excused on the Ground of Illness, or other good and substantial Reason, to the Satisfaction of such Judge, such Fine and Penalty shall be by the said Judge confirmed and declared absolute, and recovered and applied in the same Manner as Fines and Penalties imposed on Jurors for any Defaults or Misbehaviour.

work may now by Law be recovered and applied; and if the Foreman shall fail to call over the Jury at the Times heretofore appointed, or to report the Absence of any Juror upon such Call, he shall incur a Penalty of Ten Pounds for each such Default, to be in like Manner recovered and applied; provided that nothing herein contained shall bind or affect the Authority of any Judge to enforce the Attendance of any Grand Juror as such Judge may now enforce such Attendance.

XXXI. And be it enacted, That the Grand Jury shall, upon being impanelled and sworn before the Sheriff as aforesaid, forthwith proceed to transact in open Court all such Business relating to Presentments for raising Money, public Works, Contracts, and the Fiscal Concerns of the County, as may be appointed for them, and to consider and decide upon all Applications which shall be made for Presentments, as herein-before provided, in the Order in which the same shall be entered in the Schedules thereof, to be prepared as aforesaid, beginning with the Applications for Works to be defrayed by the County at large, and examining all Maps, Plans, Estimates, and Specifications relating to such Application; and the said Grand Jury shall be attended by their Secretary and by the Surveyor or Surveyors to be appointed as herein-after provided, and shall hear and receive and direct to be read aloud in open Court the several Reports and Certificates of such Surveyor or Surveyors, and shall have Power and Authority at their Discretion to receive and obtain all legal and pertinent Evidence which shall be tendered to them for or against the making any Presentment, or to any-one relating thereto, or concerning any public Work, or the Execution of the same, if made wholly or in part at the Expence of the County or any Parton of the County, or to any Contract of or in respect of any of the Matters aforesaid; and the said Grand Jury shall sit *de die in diem* until all the Business which may come before them of the Nature hereby directed to be dispatched before the opening the Commission shall be concluded, or until the Day appointed for opening the Commission shall arrive; and if the whole of such Business shall be concluded before such Day, then the said Grand Jury may adjourn to such Commission Day; and every such Grand Juror who shall not attend pursuant to such Adjournment shall be fined by the Judge of Assize for such Nonattendance in any Sum not exceeding the Sum of Fifty Pounds, at the Discretion of the said Judge.

XXXII. And be it further enacted, That from and after the Commencement of this Act the Sheriff of each County shall and he is hereby required, in framing the Panel of Persons summoned to serve on the Grand Jury of such County at each Assize, to observe the Rule herein-after following: (that is to say,) he shall place first on such Panel the Name of some Person having Freehold Lands of the yearly Value of Fifty Pounds and upwards, or Leasehold Lands of the Yearly Value of One hundred Pounds, over and above the Amount of Rent payable for such Leasehold Lands, within any one Barony or Half Barony of the same County, and, secondly, the Name of some Freeholder or Leaseholder having Lands of the like yearly Value respectively within any other Barony or Half Barony of the same County, and shall proceed in such Manner throughout all the Baronies and Half Baronies of such County, so that as far as can be One fit and competent Person shall be taken from each Barony and Half Barony, if such can be found therein respectively, and having in such Manner selected One fit and proper Person for each Barony and Half Barony, the Sheriff shall complete the said Panel in such Manner as now by Law is authorized and directed; and the Persons taken from the Panel so framed shall be and constitute the Grand Jury or Assize of such County; any thing in any Writ, Process, or Venue *facias* expressed or directed, or any Law, Statute, Usage, or Custom to the contrary notwithstanding, and as if such Grand Jury were altogether composed of Freeholders.

XXXIII. And be it enacted, That it shall not be lawful for any Person who shall be a Magistrate, Minister, or Treasurer of the County, or Secretary of the Grand Jury, Surveyor or High Constable, or Collector of any Barony or Half Barony, or Clerk of the Crown, or Clerk of the Peace, to serve upon the Grand Jury at any Assize or any Special Session to be holden under the Provisions of this Act for the County or County of any City or County of any Town within such County whereas he shall hold such Office: any Law, Usage, or Custom to the contrary in anywise notwithstanding.

XXXIV. And be it enacted, That such Grand Jury impanelled as aforesaid shall have Power and Authority in present any Work or Thing for which an Application shall have been so lodged as aforesaid, so as the same shall have been approved at the Sessions to be holden under the Act for the Consideration of such Application, or to present such Part or Modification of the Work or Thing so applied for as may have been approved as aforesaid, or to reject such Application altogether, and to allow or disallow as such Grand Jury may think fit the Applications to be made by Contractors or other Persons, or the Payment of Salaries, as herein-after provided, either in part or in whole: Provided always, that no Application for making any new Road, or building any Bridge, or erecting, enlarging, repairing, or rebuilding any Goal, Court House, Sessions House, or other House or Building, the Expence whereof shall exceed the Sum of Twenty Pounds, shall be presented at any Assize, unless it shall appear to the Court, by the Certificate of the Foreman of the Grand Jury at the preceding Assize, that such Application had been laid before the Grand Jury at such preceding Assize.

XXXV. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury, any Law, Usage, or Custom to the contrary notwithstanding, to make a Presentment for any public Work whatsoever, or for raising any Money, for which an Application shall not have been lodged and approved at Sessions, either wholly or in part, as herein-before provided, and except such Presentments as may be necessary for the immediate Repairs of sudden Breaches or Damages in Roads, Bridges, Coverts, Walls, or Buildings, which shall have happened or accrue or be in such of the proper Application being then made in manner hereby provided, which Part, together with the Necer-

Grand Jury, as soon as impanelled, to proceed with Fiscal Business, and to make or receive Presentments on all Applications approved by Special Sessions.

That the Sheriff shall make of One Freeholder or Leaseholder at the least from each Barony or Half Barony, having Lands of the yearly Value.

Constable, Minister, or Treasurer on Grand Juries.

Power of Grand Jury to present or reject Applications.

Grand Juries not to make any Presentment for raising Money, unless an Application has been made and approved at the Special Sessions.

city for the immediate Execution of such Repairs, shall be proved before the Grand Jury upon Oath; and in such Case, although such Application as aforesaid shall not have been lodged or approved as aforesaid, such Grand Jury shall nevertheless have Power and Authority to present for such Repairs any Sum of Money in such Case necessary to be paid to the Surveyor or one of the Surveyors appointed under this Act, and to be by him expended, or as much thereof as may be necessary to be expended upon such Repairs, and accounted for at the next Assize, in like Manner as before the passing of this Act the Governor may have been required to account; and the Treasurer of the County shall, out of any Monies in his Hands available to the general Purposes of the County, advance to such Surveyor from Time to Time the Monies, not exceeding the Sum presented for such Repairs, which may be required therefor; and such Monies so advanced shall be repaid by the Monies raised and levied under the Provisions which the Grand Jury have been herein before authorized to make for such Purpose.

XXXV. Provided, and be it enacted, That nothing in this Act contained shall be construed to limit or affect the Duty and Authority of Grand Jurors to make Presentments, pursuant to Orders of the Lord Lieutenant or other Chief Governor or Governors of Ireland, for Repayment of Monies advanced by him or their Order or Authority, nor to effect the Powers and Authorities or Duties imposed upon or belonging to any Person or Persons named in or appointed by virtue of any Act of Parliament now in force relating to the Execution or Maintenance of any Court or Sessions House, or Gaol or Prison, or other special public Work or Establishment, save and except that all the Presentments of and according the Monies aforesaid shall be transmitted, together with the other fiscal Business of the County, before the assizing of the Commission at such Assize: Provided nevertheless, that it shall and may be lawful for any Grand Jury at such and every Assize to present, at any Time before they are discharged, such Sum or Sums of Money as shall be ordered by the Court to be paid to Witnesses for their Expenses, and for the Treasurers of Prisoners, as at present by Law directed.

XXXVI. And be it enacted, That the Lord Lieutenant or other Chief Governor or Governors of Ireland shall from Time to Time appoint a Board of Three Civil or Military Engineers to act, without Salary or Emolument, in Dublin, who shall from Time to Time examine into and certify the Qualifications of all Persons desirous to act as Surveyors under this Act; and such Lord Lieutenant or other Chief Governor or Governors shall appoint from Time to Time, out of the Persons so certified, One or more Surveyor or Surveyors to act, at the Salary or Salaries hereinafter provided, for each County or Counties, as the said Lord Lieutenant or other Chief Governor or Governors shall think fit; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors from Time to Time, at his or their Pleasure, to remove such Surveyors from County to County.

XXXVII. And be it enacted, That, with the Consent and Approbation of the respective Grand Juries, One Person may be appointed to act as a Surveyor for Two contiguous Counties; and that all Persons appointed to act as Surveyors under this Act may be at any Time suspended or dismissed at the Pleasure of the Lord Lieutenant or other Chief Governor or Governors of Ireland, or by the respective Grand Juries of such Counties; and in such Case, and on every other Vacancy however occasioned, the Lord Lieutenant or other Chief Governor or Governors of Ireland shall forthwith appoint a Successor from and out of the Persons who shall be from Time to Time certified to be qualified as aforesaid; and in case of Indisposition or other unavoidable Cause, proved on Oath to the Satisfaction of the Grand Jury, or any Three Justices of the Peace, such Surveyor may depute another Person, duly certified as herein before mentioned, to act for him, and such Deputy shall be removable in like Manner as his Principal.

XXXIX. And be it enacted, That the Salary of each Surveyor to be appointed as aforesaid shall not exceed Three hundred Pounds per Annum, which Assize shall be exclusive of all Charges and Expenses which such each Surveyor shall incur, except as herein after provided, or to which he shall be liable in Performance of the several Duties to him prescribed under the Provisions of this Act; and such Grand Jury is hereby authorized and required to fix the Amount of such Salary, not exceeding the Sum herein before mentioned, and at each Assize to present a Motive of the Salary or Salaries of such Surveyor or Surveyors for such County for the Half Year last passed, and Payment of the same shall be made accordingly: Provided nevertheless, that in case the Grand Jury at any Assize shall be of opinion that any Surveyor has been guilty of Neglect of his Duty or other Misconduct, such Grand Jury shall have Authority to direct the Salary of the Surveyor so neglecting his Duty or misconducting himself to be withheld, and shall report such Neglect or Misconduct to the Lord Lieutenant or other Chief Governor or Governors of Ireland; and if the said Surveyor shall be, upon such Report, or at any Time, in any other Manner, or for any other Reason, dismissed from his Office, he shall forfeit, at the Discretion of the Lord Lieutenant or other Chief Governor or Governors of Ireland, the whole or any Part of the Arrears of Salary due to him; and the same shall be applicable to the general Purposes of the County, in like Manner as other Monies from Time to Time arising in the Hands of the Treasurer.

XL. And be it enacted, That the Surveyor or Surveyors to be appointed as aforesaid shall attend at each Special Session to be held for the Reception of Applications for Presentments, and shall afford such professional Advice and Assistance in the Consideration thereof as may be required of him, and shall prepare Forms of Tenders and Proposals, Specifications, Maps, Plans, Sections, or Likeness of any Work approved thereof, and shall also attend upon the Grand Jury, and make to them a full and particular Report as all Applications for Presentments lodged with the Secretary as aforesaid, and the Necessity or Utility of the same, and on the Correctness of the Maps, Plans, Specifications, and Estimates prepared as aforesaid, and how far it may be expedient to alter, vary, or modify the Objects stated in such

Applications; and the said Surveyor or Surveyors, or One of them, shall also report to all Applications on part of Supervisors and Overseers heretofore appointed, and on part of Contractors, and on the Progress and Execution of all public Works heretofore presented, and on the Performance of all Contracts, and on the State, Repairs, Progress, and Condition of all Buildings, Roads, Bridges, Gallies, Walls, or other Work, and the said Surveyor or Surveyors, or One of them, as the Grand Jury shall direct, shall audit all Accounts of such Works, and ascertain and certify the Correctness thereof, and whether such Contractor is entitled to Payment, and how far and whether such Contractor has conformed to the Provisions of this Act and the Laws in force in Ireland, and shall also report the Name and Description of all Persons by him prosecuted for any Nuisance or Injury to any Road, or any other Office of the Nature, and the Result of such Prosecutions, and the Proceedings therein, and generally on all Matters and Things relating to the Office of Surveyor, as appointed and created under this Act, or as may be given to him in charge by the Grand Jury.

XLII. And be it enacted, That each such Surveyor shall be and is hereby invested with all the Powers and Duties heretofore belonging to or vested in the Conservators of public Works in Ireland; and no Conservators of public Works shall be appointed or continue to act in any County or Place after such Surveyor shall be appointed therein; and such Surveyor shall also be taken and deemed to be an Overseer of all or any and every public Work or Works within the County or Counties or Place for which he shall be appointed or act; and the said Surveyor shall keep an Office open for his regular Attendance on Business at such Place on the Grand Jury shall appoint, and which they are hereby required and empowered to appoint; and the said Surveyor shall employ One fit and competent Person to be a Clerk in his said Office, who shall give regular Attendance in the said Office, and for a honest Conduct the said Surveyor shall be at all Times responsible; and such Grand Jury is hereby authorized and required to procure a Sum not exceeding Fifty Pounds in each Year to defray the Expence of such Office, and to pay the Salary of such Clerk, a Half Year whereof the said Grand Jury is authorized and required to procure at such Assizes for the Half Year last past, and to pay the same to such Surveyor accordingly, subject always to the Provisions heretofore contained with respect to the Payment of the Salary of the said Surveyor.

XLIII. And be it enacted, That no such Surveyor shall be eligible or hold to serve or act as any Jury, nor to fill any other County Office whatsoever, nor be a Party to or interested in any Application for a Prosecution, nor take or receive any Fee or Gratuity whatsoever from any Contractor or other Person engaged in any public Work, nor for any Matter or Thing in anywise appertaining to the Duty of such Surveyor, nor be or become in any Manner interested in any Contract for the Performance of any Work presented or to be presented to the Grand Jury, on pain of forfeiting his Office, with all Arrears of Salary then due to him; and every such Contract in which such Surveyor shall be or become in any Manner interested shall then and thereupon be and become absolutely void, and the Surveyor so interested shall forfeit Fifty Pounds, to be recovered, with full Costs of Suit, by any Person who shall sue for the same.

XLIV. And be it enacted, That it shall not, from and after the Commencement of this Act, be lawful for any Grand Jury to making a Prosecution for the Execution of any public Work to come or appoint therein any Person or Persons to execute the same, or to act as Overseer or Overseers thereof as heretofore accustomed, save and except in case of sudden Damage or Injury, under the Provision heretofore made in that Behalf, and also save and except in the Case of any public Work the Cost whereof shall not exceed Five Pounds in the whole as heretofore provided; and the Office of Overseer or Overseers shall be and the same is hereby abolished, save as aforesaid; and all Works, save as aforesaid, which shall be presented by any Grand Jury shall be executed and performed by Contract made in manner heretofore provided; and the Functions of any Grand Jury shall, in respect of all Applications to be made to any Special Sessions under this Act, be limited to the Approval or Rejection of the same as approved or modified by such Sessions, and the Prosecutions or annulling thereof accordingly: Provided always, that no Surveyor, or any Person in the known Employment as Servant, of any Magistrate or Grand Juror, shall be eligible to undertake any Contract, or be appointed to act as Overseer, under this Act.

XLV. And be it enacted, That in the Case of any public Work the Expence whereof shall not exceed Ten Pounds in the whole, it shall and may be lawful for the Person or Persons making Application for the same to specify in such Application the Sum for which he or they are willing to undertake the Execution of such Work, subject to the conditional Prosecution thereof; and it shall and may be lawful for the Justice or Justices and Cost Payers at Special Sessions, if such Application shall be approved therein, in their Discretion, to authorize (any thing heretofore contained to the contrary notwithstanding) the Person or either of them who shall have made Application for such Work to execute the same, in the Event of the same being presented by the Grand Jury, but not otherwise, and for the Sum in such Application specified, and such Application shall be included in the Schedule of Applications laid before the Grand Jury, and dealt with in like Manner as any other Application included therein; and the Person or Persons so willing and desirous and so authorized to execute such Work shall be for all the Purposes of this Act deemed to have contracted for the same at such Sum, subject to the conditional Prosecution thereof, and shall observe the like Security and observe the like Regulations in all respects as Contractors under this Act, and make Application for Payment in like Manner.

XLVI. And be it further enacted, That all Contracts which any Grand Jury may now or hereafter be authorized to make or enter into for the Repair of Roads, or for any other Purpose whatsoever, shall hereafter be made by sealed Tenders and Proposals, to be delivered, opened, and dealt with, and Security to be taken, in like Manner as heretofore provided with respect to Contracts for the Performance of Works completed or presented, and the said sealed Tenders and Proposals shall be made in the Presence of each Justice

Surveyors to have Powers of Conservators and Overseers.

Surveyors not to fill other Offices, nor take Fees, nor be interested in any Contract.

Grand Jurors not to come Parties to Prosecutions for public Works nor to be executed.

Office of Overseers abolished.

All Works to be executed by Contract.

Works under 10£ may be executed by Applicant.

All future Contracts which Grand Jurors may make shall be made as heretofore.



before provided, by said Taxpayers and Proprietors.

Maps, &c. to be executed by Contractors.

Secretary to keep a Book containing Abstracts of Contracts.

Surveys to make Maps of Roads contracted for.

Who may pay for work in Contractors or other Cases.

Contractors liable to the payment of Wages by Justice or Justices.

Contractors to procure Certificates from Surveyors of the Completion of Work, and to lodge Notices with Secretary of Grand Jury of Applications for Payment.

Secretary to make Schedules of Notices, and by whom before Justice or Justices in Special Sessions.

in such Cases to be fixed by the Grand Jury, and stated in the Presentments for such Contracts: Provided always, that no such Contract shall be entered into, nor any Presentment made thereupon, save upon and after an Application made and approved at Special Sessions as herein-before provided; and provided further, that nothing herein contained shall extend to restrain or affect any Contract made or to be made with any Commissioners acting under Authority of Parliament in the Loan, Advance, or Grant of Excise-duty Bills or Money.

XLVI. And be it further enacted, That all Printing and Stationery for which Grand Juries may be authorized to make Presentments shall be executed by Contract, to be made and entered into upon sealed Tenders and Proposals, to be directed and dealt with as such Grand Juries may direct.

XLVII. And be it enacted, That the Secretary of each Grand Jury shall provide and keep a Book in which he shall insert an Abstract of the several Contracts which now are or hereafter may be entered into by such Grand Jury, setting out the Names of the several Contractors, and the Places whither and to which such Road contracted for leads, and at what Milestone, Meeting, or noted Place each Road or Part of a Road under the Charge of such Contractor commences and ends, and the Number of Furlongs of Road included in each Contract, and the Rate per Furlong at which each Contract has been entered into, and the whole annual Sum which such Contractor is to be paid, and the Period for which each Contract is made; and all such Contracts so entered on such Book shall be numbered; and every such Book shall have an alphabetical Index, referring to the Number of each Contract.

XLVIII. And be it enacted, That the County Surveyor shall cause an accurate Map to be made, upon a Scale of Forty Perches to an Inch, of every Road or Part thereof for the Repairs of which any Contract shall be made after the passing of this Act, which Map shall mark the precise Spot where each Contract commences, and each Townland or other Description of Land through which such Road or the Part thereof contracted for passes, and where the same ends; and the Line of such Contract shall be in a different Colour from the rest of the Map, and the Houses and Names of the occupying Tenant on the immediate Sides of each Road, and the Bridges, Arches, or Pipes over Streams of Water crossing such Road, shall be marked thereon; and the Surveyor making such Survey and Map shall sign his Name at the Foot of such Map, and shall certify the Accuracy of such Survey and Map before some Justice of the Peace residing near to the same Road, who shall attest the same by his Signature; and all such Maps shall be lodged with the Secretary to the Grand Jury, and shall be numbered by him with the like Number as the Contract may be distinguished by in the Book of Abstracts herein-before directed to be prepared, and shall be preserved by him, and be produced when required by the Justice at their Special Sessions, or by the Grand Jury.

XLIX. And be it enacted, That in Cases where the Cost of executing any public Work shall exceed Twenty Pounds it shall be lawful for the Grand Jury, at the Time of presenting for the Work, to authorize the Treasurer of the County, from and out of any Funds in his Hands applicable to such Purpose, to advance to the Contractor One Half of the Cost of the Work; provided, that it shall be certified by the proper Surveyor that more than One Half of the Cost of such Work has been fairly and honestly expended upon it conformably to the Contract, and that within the Period herein-before limited for lodging Applications for Presentments due Notice has been lodged with the Secretary of the Grand Jury of the Intention of such Contractor to apply for such Advance, and that such Application shall have been approved of by the Justice or Justices and Com Payees at the Special Sessions to be holden for the Purpose of receiving Applications under this Act.

L. And be it enacted, That all Contractors under this Act shall be liable to be summoned before the Justice assembled at any Petty Sessions, on Complaint of the Party aggrieved, for Recovery of any Wages or Money payable to any Person employed by them in the Execution of such Works, so as the Sum demanded do not exceed Six Pounds; and such Justice assembled as aforesaid are hereby authorized and required to hear such Complaint and adjudicate thereon; and the Decision of such Justice shall be final; and the Sum adjudged to be due shall be levied by Warrant of Distress under Hand and Seal of any Two such Justices of the Goods and Chattels of such Contractor.

LI. And be it enacted, That every Person who may contract with any Grand Jury under this Act shall, on the Completion of the Work for which he may have contracted, or whatsoever by the Terms of such Contract he may be entitled to Payment, give Notice to the Surveyor of the County, Ten Days at the least before the first Day of such Special Session at which he proposes to make Application, as herein-before provided, of such Intention, and require of such Surveyor a Certificate of the due Execution of such Work or Performance of such Contract; and such Contractor shall lodge with the Secretary of the Grand Jury within the Period herein-before limited for the Lodgment of Notices of Applications for Presentments a Notice of his Intention to apply for Payment of the Sum contracted for by him, together with such Certificate to be obtained from the said Surveyor; and the Secretary to the Grand Jury shall arrange in like Manner as he has been herein-before directed to arrange Applications for Presentments all such Notices and Certificates, and annex to each the Number by which the Contract in respect whereof such Notice or Certificate may be given is distinguished in the Book of Abstracts which such Secretary has been herein-before directed to keep, and indorse on each Notice and Certificate the Date of the Lodgment of the same; and such Secretary shall lay all such Notices and Certificates, with an Abstract thereof and Index thereto, before the Justice or Justices and Com Payees assembled at the Special Sessions to be holden under the Provisions of the Act for the County or Portion thereof, so that in each Case Application for Payment may be made in the Barony or Half Barony, or some one of the Baronies or Half Baronies, in which such Work shall have been executed; and the Justice or Justices and Com Payees at such

Resolves shall examine into all such Applications for Payment on the Part of such Contractors and inspect the Notices thereof and the Certificates aforesaid, and examine the Surveyor or Surveyors and all other Persons whom they think it necessary to examine for the Purpose of ascertaining the due Execution of the Work or Matter contracted for, and shall therein have and exercise all such Powers and Authorities as in the Case of Applications for Provements under this Act, and in like Manner determine and decide upon all such Applications for Payment by Majority of Votes; and the Chairman at such Sessions shall on every Application which may be approved endorse the Word "Allowed," and on every Application which shall not be approved he shall endorse the Word "Disallowed," and the Reasons of such Disallowance, and a Note or Reference to the Particulars of the Execution of the Work which may have caused such Disallowance; and all such Applications, with the Notices and Certificates thereto belonging, shall be delivered to the Secretary of the Grand Jury, to be laid before them at the next ensuing Assizes; and such Grand Jury and the Court shall take such Application into consideration, and allow or disallow the same according to their Discretion, in like Manner as the Affidavits of Overcoats have been heretofore allowed or disallowed: Provided always, that it shall not be lawful for such Grand Jury or Court to allow any Application which shall not have been approved of by the Justice or Justices and Cens Payers at such Sessions, as aforesaid; and no such Contractor shall be entitled to Payment who shall not have given such Notice and made such Application, to be approved and allowed as aforesaid; any thing in any Contract contained, or any Law or Usage, to the contrary notwithstanding.

LII. Provided, and he it enacted, That it shall be lawful for any Person paying Grand Jury Cens to traverse, in manner in which Provements have been heretofore traversed, at Assizes in England, any Provements made under this Act, and to traverse in like Manner the Application of any such Contractor under this Act for Payment, on the Ground of such Contractor not having complied with the Terms of his Agreement or with the Provisions of this Act, or on the Ground of Irregularity in the Notice of Application; and the Court at such Assizes is hereby authorized and required to try the Truth of the Fact by a Jury in the same Manner as any Traverser within the Jurisdiction of the Court ought to be tried; and it shall not be lawful for the Clerk of the Crown or Clerk of the Peace, or any other Person, to take any greater Fee for or in respect of such Traverser than the smallest Sum which may be taken on any Traverser within the Jurisdiction of the Court; and Costs shall be paid by the Party against whom such Traverser shall be found; provided that although there shall be a Verdict against such Traverser, yet if the Court shall be of opinion that there was reasonable and probable Ground for traversing such Provement or the Application of such Contractor, the Costs shall be paid by the Treasurer of the County from and out of the County Monies in his Hands, and the same processed accordingly.

LIII. And he it enacted, That it shall not be lawful for the Treasurer of any County to pay any Money which may be applied for by any Contractor or other Person, the Application whereof has been traversed, unless such Traverser shall be withdrawn, or Judgment given for the Defendant on the Trial thereof.

LIV. And he it enacted, That any Balance, Arrears or Surplus on the Salary of any County Officer, and all other such like Salaries and Balances of Money raised by Authority of this Act, or which may any how arise in the Hands of any County Treasurer, shall be applied and applicable to defray the Expenses of any other public Works, or to pay any like Salaries, or to defray any other County Charge or Work, in such Manner as any Grand Jury may think fit to direct and appoint: Provided also, that such Sums shall be applied to the Credit of the County, Barony, or Half Barony, out of which it shall have been originally levied.

LV. And he it enacted, That any Person intending to traverse any Provement for which it is by this Act required that Application shall be made at Special Sessions shall give Notice in Writing of such Intention to the Chairman at the Special Sessions at which the Application for such Provement is to be taken into consideration, and the same shall be traversed only at the Assizes at which the Provement shall be made; and it shall be lawful for any Occupier or Owner of the Ground through which any new Road, or to be made, or into which any old Road is to be widened, to traverse the Provement for the same for Damages at such Assizes as aforesaid, having given Notice to the Secretary of the Grand Jury previous to the Commencement of such Assizes of the Amount of Damages intended to be claimed, which Traverser or Traversers shall be tried there or at the ensuing Assizes for such County, upon the Entry on the Crown Book of the Provement and Traverser, without making up any Record; and the Jury which shall try such Traverser shall be sworn true Verdict to give whether any and what Damages will occur thereby to the Traverser, taking into consideration any collateral Advantages which any road or access to such Traverser by reason thereof, and making Abatement accordingly; and upon the Damages so found being presented for the Use of such Traverser, or deposited for his or their Use with the Treasurer of the County, it shall be lawful for the Contractor to proceed in the Execution of the Provement without the Interruption of any Person; and it shall be lawful for the Grand Jury to present, at their Discretion, such Sum or Sums of Money to be found for Damages to be raised on the County or on the Barony or Half Barony respectively as which the Treasurer shall have made it appear that he or she sustained the Damages, and to such latter Provement or Traverser shall be allowed or received.

LVI. And he it enacted, That any Two Justices of the Peace in Petty Sessions assembled in any County may, under their Hands and Seals, order any Sum not exceeding Ten Pounds to be expended in repairing any Bridge or any public Road which may be suddenly damaged, provided it shall appear, upon the View of one or both of them, or that of the County Surveyor, that the Repairs of such Bridge or Road cannot be delayed till the next Assizes without Prejudice to the Public; and it shall be lawful for such Justice or Justices to appoint a proper Person or Persons to execute the same, and hereby to cause of any

All such Applications to be made at Special Sessions, and if there appeared, and if allowed or disallowed by Grand Jury according to their Discretion.

Applications of Contractors for Payment to be in the same.

Treasurer not to pay such Traverser's docket. Surplus Monies applicable to general Expenses of County.

Traverser of Provements.

Justice may order Sums for repairing such old Damages of Roads.

such County is lawfully empowered to grant at the next Assizes the Sum so expended in repairing any such Bridge or Road which is liable to be repaired by the County at large, to be levied on such County at large, and any Sum so expended in repairing any other Road upon the Barony or Half Barony, or on the County of the City or Town wherein the same is situate, such Sum to be paid to the Person so appointed by such Justices upon his or their producing such Order under the Hands and Seals of the said Justices, or also a Certificate under the Hand of the County Surveyor that the Sum specified in such Order appears to have been faithfully and honestly expended pursuant thereto: Provided always, that no such Order shall be made by any Justice unless the Necessity of the same shall be satisfied to them by the County Surveyor in all Cases when the Attendance of such Surveyor can be readily procured; and provided also, that no Justice of the Peace shall make or sign more than One Order for the Expeditors of any Sum so advanced for the Reparation of the same sudden Damage during the Termination of any Assize and the Commencement of another.

1. *Construction of Quantity of Materials.*

2 G. 4. c. 74.

Power to get Materials.

Amount of Damages now allowed in procuring Materials to be applied for the same Provisions made under this Act.

L.VII. And be it enacted, That all Weights and Measures mentioned in this Act, or used under any of the Provisions thereof, or referred to in any Proclamation, shall be the Weights and Measures fixed and established by an Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*; any Law, Usage, or Custom to the contrary notwithstanding.

L.VIII. And be it enacted, That any Surveyor or Contractor under this Act shall have all such and the like Powers for the obtaining of Materials as any Overseer might have or exercise before the passing of this Act, and shall for such Purpose be deemed and taken to be in the Place of an Overseer; and any such Surveyor or Contractor by whom any Sum shall be paid for Damages committed in procuring Materials for the Execution of any Work shall make Application to the Justices and Cost Papers assembled at the Special Sessions to be holden in the same Barony or Half Barony in which such Work may be executed under this Act for the Consideration of Proclamations to be re-imbursed the Amount so paid, giving like Notice of such Application as herein-before prescribed in Cases of other Applications; and the Justices at such Sessions shall examine into such Application, and for the Purpose of such Examination have and exercise all such Powers and Authorities as in the Case of other Applications for Proclamations under this Act, and in like Manner shall approve or disapprove the same; and the said Application shall be delivered to the Secretary of the Grand Jury, to be laid before them at the next assize Assize: and such Grand Jury shall have Power and Authority, in case such Application shall have been approved at such Sessions, but not otherwise, to make Proclamation accordingly of the Amount of such Damages, to be levied of the County, Barony, or Half Barony, or any Portion thereof, as the Case may be, chargeable with the Cost of executing such Work.

Every Proclamation must be made in the County in which the same is to be performed in the proper Situation.

L.IX. And be it enacted, That on every Proclamation for the laying of any public Highway whatsoever the Year of the King's Reign, and the Chapter and Section of the Act of Parliament (as printed by the King's Printer) under which such Proclamation is authorized to be made and issued, shall be inserted on the Face of such Proclamation; and every such Proclamation shall be entered in the County Book and in all the Schedules of Proclamations, with a marginal Note of such Acts in manner aforesaid; and the Title of each particular Act so referred to shall be inserted at the End of all such Schedules, in default of which it shall not be lawful to proceed for putting the same; and all Proclamations not made according to the Directions aforesaid shall be null and void.

All Works and Bridges under this Act to be performed by Contract.

L.X. And be it enacted, That from and after the Commencement of this Act all such Roads or Bridges as any Grand Jury may be required or authorized to make, alter, fence, level, gravel, widen, or repair, or to which in cut down Hills or fill up Hollows, under or by virtue of any of the Provisions of an Act passed in the Forty-fifth Year of the Reign of His Majesty King George the Third, intituled *An Act to amend the Laws for improving and keeping in repair the Post Roads in Ireland, and for rendering the Post-roads of Letters by His Majesty's Post Office more secure and expeditious*, or any Power or Authority derived from such Act, or from such Act as amended by any other Act or Acts passed or to be passed, shall be made, altered, fenced, levelled, gravelled, widened, or repaired, and the Hills therein cut down, and the Hollows filled up, by Contract, in manner prescribed by this Act for the Performance of other public Works, and Proclamations shall and may be made therefor accordingly; and it shall not be lawful for any Grand Jury to appoint any Overseer or General Overseer of any such Roads or Bridges: Provided always, that it shall be lawful to make Advances to any Contractor in like Manner as to any Overseer under the said Act, and that such Contractors shall be and are taken to be in the Place of such Overseers so far as may be compatible with the Nature of their Contract; and in all other Particulars, save as aforesaid, the said Act or Acts, and all Powers, Authorities, Conditions, Clauses, and Regulations therein contained, shall be and remain in full Force and Effect: any Thing herein contained to the contrary notwithstanding.

Grand Jury not to make Proclamations for a Bridge conformably to Proposal under 18th G. 3. c. 64. (1) unless first approved of at the Special Sessions, &c.

L.XI. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury to make Proclamations for any Bridge conformably to a Proposal for Erecting thereof under the Provisions of an Act of the Irish Parliament passed in the Nineteenth and Twentieth Years of the Reign of His Majesty King George the Third, intituled *An Act for empowering Grand Juries to grant Bridges, and Toles to be paid for putting the same, as certain Cases, or of an Act passed in the Fifty-third Year of the Reign of His Majesty King George the Third, amending the last-mentioned Act*, unless such Proposal shall have been first approved of at the Special Sessions to be holden under this Act for the Consideration of Applications for Proclamations, and that all Proposals under the said Acts shall be made in the Form of such Applications, and lodged and dealt with, and Notice thereof given and posted, according to the Provisions herein-before contained with respect to such Applications; and that so much of the Printed Statute intituled by the University of Southampton in Irish, Intituled *Statute* that

and last-recited Acts as direct Notices to be given in any other Manner he and the same is hereby repealed.

LXIII. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury to make Presentments for the building, enlarging, repairing, or rebuilding any Court House or Sessions House unless an Application for such Presentment shall have been first made and approved of at the Special Sessions to be holden under this Act for the Purpose of considering Applications for Presentments; and that all such Applications in respect of any Court House or Sessions House shall be returned dealt with in like Manner and under like Regulations and Considerations heretofore prescribed in respect of such Applications; and that it shall not be lawful for any Grand Jury to approve Owners of any such Court House or Sessions House to be built, repaired, enlarged, or rebuilt, but that all such Works shall be executed by Contract made upon sealed Tenders and Proposals in manner heretofore prescribed with respect to such Works; provided that, save as aforesaid, nothing in this Act contained shall extend to repeal any of the Provisions of Two Acts made respectively in the Fifty-third and Fifty-fifth Years of the Reign of His Majesty King George the Third, providing Regulations for the building and repairing of Court Houses and Sessions Houses in Ireland, or of an Act passed in the Seventh Year of the Reign of His late Majesty, intitled *An Act for consolidating and amending the Laws relating to Prisons in Ireland*.

LXIII. And be it enacted, That it shall be lawful for the Grand Jury of any County to present for the holding of Petty Sessions an annual Sum not exceeding Ten Pounds for the Hire of a Room or Rooms, not being in a House where spirituals or fermented Liquors are sold, or in any Police Barrack, or in any other Building maintained either wholly or in part at the public Expence, provided that no such Presentment shall be made unless upon an Application made and approved at Special Sessions in like Manner as heretofore provided with respect to other Applications for Presentments under this Act.

LXIV. And be it enacted, That where any Fever Hospital has been or shall be established in any County as Assessor of the Receipts and Expenditure of such Fever Hospital from the Time of its Establishment to the Time of the first Presentment required, and afterwards from the Time of such Presentments till the Time when any further Presentment is required, shall, together with any Application for any Sum proposed to be presented for the Support thereof, be laid before the Special Sessions to be holden under this Act for the Purpose of considering Applications for Presentments, and that no such Presentment shall be made unless such Account and Application shall be approved at such Special Sessions.

LXV. And be it enacted, That it shall not be lawful for any Grand Jury to present any Sum to be paid to the Treasurer of the Infirmary or County Hospital of any County, towards the Support and Maintenance of such Infirmary or County Hospital, unless, together with an Application for such Presentment, a Certificate under the Hand of the Physician or Surgeon of such Infirmary or County Hospital, stating the Number of Patients, as well as other as Inmates, received and relieved from the Date of the preceding Presentment, and also a true Debtor and Creditor Account of the Funds and Expenses thereof, commencing from the Date of the preceding Presentment, attested by the Signature of the Treasurer of such Infirmary or County Hospital, shall have been laid before the Special Sessions to be hold under this Act for the Consideration of Applications for Presentments, and approved thereof.

LXVI. And be it enacted, That it shall not be lawful for the Grand Jury of any County to present any Sum of Money towards the Establishment or Support of any Dispensary unless a Certificate of the Sum of Money received by the Treasurer thereof from private Subscription or Donation since the Date of the last Presentment, and also the Number of Patients relieved, shall have been, together with an Application for such Presentment, allowed and approved of at the Special Sessions to be hold under this Act for the Consideration of Applications for Presentments, and an Account of the Disbursements of all Monies raised by virtue of any such Presentment for such local Dispensaries, as well as all Monies so received from private Subscription or Donation since the Date of the last Presentment for their Use, shall be laid before the Justice or Justices and Com. Payors of the Special Sessions causing the Disbursements thereof; and it shall not be lawful to make any further Presentment in aid of such Dispensary unless such Account shall be allowed by the Justice at such Sessions; and all such Accounts shall also be laid before the Grand Jury at each Assize: Provided always, that when any Fever Hospital shall be attached to any Dispensary, the Treasurer of the same shall separate the Accounts of the Receipts and Expenditure of each such Fever Hospital and Dispensary, and that the Application for Presentments for each shall be separate and distinct.

LXVII. And be it enacted, That it shall not be lawful for any Grand Jury to present any Sum to be paid to the Surgeon of any Infirmary unless, together with an Application thereof, a Certificate, signed by the Governors of such Infirmary or Hospital, or by Five of them at the least, shall be laid before the Special Sessions to be holden under this Act for the Purpose of considering Applications for Presentments, which Certificate shall state that the Surgeon for whom such additional Salary is requested to be presented hath duly and faithfully executed his Duty as Surgeon of such Infirmary or Hospital during the preceding Year, nor, where such Surgeon shall have been appointed subsequent to the passing of this Act, unless a true Copy, attested under the Hand of the Treasurer of such Infirmary or Hospital, of the Letters Testimonial from the College of Surgeons in Ireland, by Law required to be obtained by every such Surgeon, shall be laid before such Special Sessions, nor unless such Surgeon shall, if required, give his Attendance and professional Assistance without any other or further Fee or Reward to the Prisoners and others in the Goal of the County to the Infirmary of which he has been appointed Surgeon, if such Goal is situate within Five Miles of such Infirmary.

Grand Jury not to make Presentments for any Court House till Application has been approved of at Special Sessions.

14. G. C. 78.

Room for Petty Sessions.

Accounts of Receipts and Expenditure of Fever Hospitals to be delivered before Money presented.

Presentments for Infirmarys.

Presentments for Dispensaries.

Presentments for Salary of Surgeon to an Infirmary.

LVIII. And whereas by a certain Act passed in the Parliament of Great Britain in the Thirty-ninth Year of His late Majesty King George the Third it was, amongst other things, enacted, that the public Infirmary or Hospital of the County of Waterford should be erected or established in the Town of Kilmor Thomas in the said County, and certain Persons therein named, and their Successors for ever, were constituted into a Body Public and Corporate, under the Name of "The Governors of the County of Waterford Infirmary," but no such Infirmary or Hospital hath been since erected; be it therefore enacted, That as much of the said Act of the Thirty-ninth Year of the Reign of King George the Third as directs that the County Hospital or Infirmary of the said County of Waterford should be erected in the said Town of Kilmor Thomas be and the same is hereby repealed; and it shall be lawful to erect the Infirmary or Hospital of the said County of Waterford in any convenient and suitable Place within the said County or the County of the City of Waterford.

LXIX. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury to present any Sum or Sums of Money for the Purpose of erecting, establishing, hiring, repairing, enlarging, rebuilding, or fitting up any Fever Hospital, nor for the Support of any Lying-in Asylum, or Ward or Wards for the Reception and Support of Idiots and insane Persons, nor for the yearly Allowance, Remuneration, or Superannuation of any Constable or Sub-Constable, nor for any Compensation or Salary to the Keepers of Goals, Penitentiaries, and Bridewells, nor to Maroons nor Turnkeys employed therein, nor for the Payment of Barrowal Constables appointed by any Grand Jury, unless Application for the same shall have been made and approved at the Special Sessions appointed to be holden under this Act.

LXX. And be it enacted, That in all Cases of maliciously and wantonly harrasing, demolishing, or pulling down any House, Outhouse, Higgard, or other Building, or of the Rabbity, burning, macking, destroying, or otherwise injuring of any Cows, Turf, Merchandise, Store, Boat, Barge, Vessel, or other Property, or of maliciously boughing, cutting, macking, or injuring of any Cattle, it shall and may be lawful for any Person or Persons injured by such Offence to submit and deliver to the Judge or Judges of Assize at the next Assize to be hold for the County, County of a City or Town where any such Offence may have been committed, a Petition praying Compensation for the Loss or Damages occasioned by such Offence, and stating the Time and Place when and where such Injury was done, the particular Property taken away, injured, or lost, and the Amount of the Damages thereby sustained, and by what Number of Persons, and where by Name and Description, such Injury was done, if such Offender or Offenders shall be known, and if not, then stating such particular Descriptions of each such Offender as may be known; and the said Matter shall thereupon be examined by the Grand Jury, on the Oath of the Party so petitioning, and such other Evidence as can be produced touching the Facts stated in such Petition; and the Grand Jury of such County, County of a City or Town, at the same or next Assize or Preceding Term, shall and they are hereby required to present, to be raised off the County, or any Barony or Half Barony thereof, such Sum of Money as shall appear to be the Amount the Party petitioning ought to receive by way of Compensation for such Loss or Damage; Provided always, that Notice in Writing of every such Petition shall be lodged with the Secretary of the Grand Jury in like Manner and Time as Applications for Penitentiaries or Bridewells are directed to be lodged; and a Copy of every such Petition shall be laid before the Special Sessions to be hold under this Act in the Barony or Place where or next adjacent thereto such malicious Injury may have occurred, and the Justice or Justices and Case Payers assembled at such Special Sessions shall and may inquire into the Matter of such Petition, and the Chairman shall deliver their Opinion thereupon, and the Secretary of the Grand Jury shall deliver every such Copy of Petition as aforesaid to the Judge of Assize to whom the Petitioner may apply; and it shall not be lawful for any Grand Jury to examine into the Matter of such Petition unless it shall appear to them that the same shall have been laid before such Special Sessions in manner herebefore directed: Provided always, that the Opinions of such Special Sessions shall not be binding or conclusive upon such Judge of Assize.

LXXI. And be it further enacted, That in case such Habberry, burning, silling, or other malicious Injury shall be committed on the Verge or within the Distance of Two Miles of the Boundary of any Two or more Counties, it shall and may be lawful to prefer one such Petition to the Judge or Judges of Assize at the next Assize to be hold in for either or any of such Counties, and it shall be lawful for such Judge or Judges of Assize to direct the Grand Jury of such County, if he or they shall so think fit, to examine into the Matter thereof, and to take such Proceedings (in case as aforesaid); and in case they shall find any Sum or Sums of Money to be due or payable as and for Compensation to such Party petitioning as aforesaid, such Judge or Judges shall have Power and Authority to apportion the Amount of such Compensation between such neighbouring Counties in such Proportions as they shall think fit, and certify the same accordingly; and the Grand Juries of such Counties respectively shall and they and each of them are hereby required, on the Production of the Certificate of such Judge or Judges declaring the Amount of Compensation to be paid on Foot of such Petition, and the Proportions in which the same shall be borne by the said neighbouring Counties, to present such Proportions of the Amount of such Compensation accordingly to be raised off such Counties, or any Barony or Half Barony thereof, and paid to such Party so petitioning, as the Case may require.

LXXII. And be it enacted, That if any Person paying Grand Jury Fees shall be desirous of controverting the Matter of any such Petition, he shall be heard, and in case the Judge or Judges shall so think fit, he or they shall direct a Jury to be summoned and appointed to try the Matter, and the Judge shall allow or disallow such Petition according as such Jury shall find the Matter to be; and in case they shall

award any Compensation, the Sum so awarded shall be presented by the Grand Jury, as the Compensation to be paid, on Foot of such Petition, and Presentments made accordingly.

LXXIII. Provided always, and he it enacted, That if any Property for which any Person shall have received Satisfaction by such Presentment as aforesaid shall be afterwards discovered or obtained, the Treasurer or Treasurers for the Time being of the County from which such Satisfaction has been received may have and recover such Property, and the same is hereby declared and granted to belong unto, and be vested in him or them for the Use of such County or Counties, in proportion to the Sums respectively presented and raised off the same, and each Treasurer may maintain in his own Name any Action and pursue any Remedy or Proceeding for the Recovery of such Property, or of Damages for the same, which the Person robbed might have had or maintained before such Satisfaction received by such Presentment; and such Property, when recovered, shall be sold or disposed of by such Treasurer, and the Money arising from such Sale, after deducting the Charges for the Recovery thereof, shall be applied by such Treasurer to the Use of the County, Barony, or Half Barony, or County of a City or Town, by which such Satisfaction shall have been made.

LXXIV. And he it enacted, That no Action or Suit against any Chief or other Magistrate, or any Inhabitant or Inhabitants of any Parish, shall be brought or prosecuted by the Party, or petitioning as aforesaid for the Recovery of any Satisfaction or Damages sustained by reason of any Offence for which Compensation may have been obtained under the Provisions herein-before contained: Provided always, That although such Petition as aforesaid may have been preferred, it shall nevertheless be lawful, if the same shall be disallowed, for such Person or Persons injured by such Offence as aforesaid to seek for Satisfaction and Damages by all such Ways and Means as hath heretofore or directed by an Act passed in the Parliament of Ireland in the Twenty-third and Twenty-fourth Years of the Reign of His Majesty King George the Third, entitled an Act for the more effectually punishing such Persons as shall by Felony obstruct the Freedom of Courts Maritime and the Coast Trade, or who shall be guilty of other Offences therein mentioned, and for making Satisfaction to the Parties injured, or any other Act or Acts in force in Ireland; any thing herein contained to the contrary notwithstanding.

LXXV. And he it enacted, That all Applications for Fees, Pensions, or other Contingencies or Payments whatsoever, save and except fixed annual Salaries, for which Grand Jurors now are or hereafter may be authorized by Law to make Provisions, shall, with a full Detail of the Particulars and Amount thereof, be lodged with the Secretary of each Grand Jury Six clear Days at the least previous to the Day on to be appointed under the Provisions of this Act for impeaching such Grand Jury; and such Secretary shall exert in Writing an Abstract of such Applications at the Foot of the proper Schedule which he is required to deliver to the Foreman of the Grand Jury, and also at the Foot of the Copy which he is required to keep in his Office for the Inspection of the Public: Provided always, That such Provisions for Fees, Pensions, or other Contingencies or Payments, the Particulars and Amount whereof cannot be ascertained so as to allow of their being specified when the Application therefor shall be lodged with the said Secretary at the Time aforesaid, may be made by the Grand Jury, although such Particulars and Amount shall not have been so specified.

LXXVI. And he it further enacted, That the Sum or Proportion of the Money to be raised off each Barony or Half Barony, or County of a City or Town under the Treasurer's Warrant, duly applied for every Person or Individual to pay, shall be due and payable by every such Person, his Executors or Administrators, upon Demand, and shall and may be not only levied by Distress as heretofore by Law provided, but shall and may be recovered by Civil Bill to be brought and prosecuted to the Name of such Treasurer at any Time within Twelve Months from the making of such Apportionment: Provided always, that before it shall be lawful for any Grand Jury to present any Sum of Money as unpaid or in arrear out of any Barony or Half Barony, County of a City or Town, it be raised and levied on such Barony, Half Barony, County of a City or Town, it shall be made to appear by Affidavit to each Grand Jury that such Sum is actually in arrear and unpaid by such Barony, Half Barony, County of a City or Town.

LXXVII. And he it enacted, That if any Person shall be sued, notified, or troubled for putting into Execution any of the Powers contained in this Act, or for doing any Act, Matter, or Thing permitted therein, such Person shall and may plead the General Issue, and give the special Matter in Evidence, and may move the taking any Distress on the acting Treasurer and Justice Warrant merely, without going into any Title or Authority; and if the Plaintiff or Plaintiffs shall be satisfied, and Judgment given against him, her, or them, upon Demurrer or otherwise, or a Verdict pass for the Defendant or Defendants, or a Dismissal upon a Civil Bill, such Defendant or Defendants shall have his, her, or their Treble Costs, to be recovered by such Method and Manner whereby Law Costs are given to Defendants; and that the solemn Affidavit or Declaration of a Quaker shall be adjudged and taken to be of the same Force and Effect, to all Intents and Purposes, in any Case where by this Act an Oath is required to be taken, as if such Quaker had taken an Oath to the Form prescribed by the usual Forms.

LXXVIII. And he it enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Transgressors, in account of any Default or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Transgressors at all on account of any subsequent Irregularity on the Part of the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damages in any Action on the Case.

If Property be recovered, Treasurer entitled to it for the Benefit of the County

No Action to be brought where Compensation obtained under this Act; but where not obtained, Party injured to have all other legal Remedies.

22 & 24 G. 3. c. 20.

Applications relating to Suits and Civil Proceedings to be lodged with the Secretary

Recovery of Sums assessed.

General Issue may be pleaded.

The Party distraining not to be a Trespasser or Transgressors in consequence of Irregularities

Justices not to take Money or Rewards.

LXXX. And be it enacted, That it shall not be lawful for any Justice of the Peace, or any other Person, to demand or take any Sum of Money or any Reward for executing any Affidavit to be made by virtue of this Act.

Secretary of Grand Jury not to be a Clerk of the Peace or Treasurer of the County.

LXXXI. And be it enacted, That after the passing of this Act it shall not be lawful for any Person holding the Office of Secretary of the Grand Jury to be at the same Time Clerk of the Peace or Treasurer of the County; and in case the Secretary of the Grand Jury shall at any Time refuse or neglect to perform any of the Duties imposed upon him by the Provisions of this Act, such Secretary, being convicted thereof before the Judge of Assize, shall for such Refusal or Neglect forfeit any Sum not exceeding Fifty Pounds, at the Discretion of such Judge.

Penalty for assisting or receiving Persons writing under this Act.

LXXXII. And be it enacted, That in case any Person or Persons shall resist or make forcible Opposition to any Person or Persons employed in the Execution of this Act, or shall assault any Surveyor or Deputy Surveyor, Collector, Supervisor, Overseer, Contractor, or Peace Officer in the Execution of this or any other Act for the making or repairing of High Roads, or shall make or attempt to make any Rescue of Goods distrained or seized by virtue of this or any other such Act, or if any Constable or Sub-Constable shall refuse or neglect to execute any Warrant granted by any Justice of the Peace pursuant to any Power by this Act created, every such Person offending therein, and being convicted thereof before any Two Justices of the Peace at Petty Sessions, by the Oath of One credible Witness, shall for every such Offence forfeit any Sum not exceeding Ten Pounds or less than Forty Shillings, at the Discretion of such Justices; and in case the same shall not be paid, such Justices are hereby empowered and required to commit such Offender to any Goal, Bridewell, or House of Correction for any Time not exceeding Three Months, or until the said Forfeiture shall be paid.

False swearing punishable as Perjury.

LXXXIII. And be it enacted, That if any Person shall wilfully swear or affirm falsely in any Oath or Affirmation made or taken by Authority or under any of the Provisions of this Act, every such Person being thereof convicted shall be adjudged guilty of wilful and corrupt Perjury, and incur the Pains and Penalties in such Case by Law provided; and it shall and may be lawful for any Grand Jury, without any previous Application to Special Sessions, to make such Presentments for defraying the Prosecution of such Delinquents as to them may seem fitting and expedient.

Money to be the present Currency.

LXXXIII. And be it enacted, That the several Sums of Money in this Act mentioned shall be deemed to be the present lawful Money of Great Britain and Ireland; and that the Schedules annexed to this Act shall be deemed and taken to be Part thereof, and that the Forms therein contained, and none other, shall be made use of in all Cases to which such Forms shall be applicable: Provided always, that it shall and may be lawful to cruse or alter any Words in such Forms so as to make them applicable to any particular Case, without materially altering the Substance, but so far.

Schedule Part of the Act.

27 G. 3. c. 85.

LXXXIV. And whereas by an Act of the Parliament of Ireland passed on the Twenty-seventh Year of the Reign of His Majesty King George the Third, intituled *An Act for the Preservation of the Game*, it is amongst other things enacted, that any Person or Persons who shall take, kill, or destroy certain Vermin therein described shall receive for each and every of the same an Amercement of a certain Sum therein specified; and which said several Sums, so Proof being made in Form and Manner therein described, and under any Grand Jury at the General Assizes are hereby required to present, to be levied in the usual Manner on the County, and paid to the Person entitled to the same: And whereas it is expedient that such Provisions should be repealed: be it therefore enacted, That so much of the said recited Act as relates to the Prosecution of any Money to any Person for killing or destroying Vermin as aforesaid shall be and the same is hereby repealed.

In such of recited Act is to be inserted Words for destroying Vermin repealed.

LXXXV. And be it further enacted, That every Half Barony shall be considered and deemed a Barony within the Meaning of this Act; and that wherever the Word "County" shall occur in this Act, the same shall be deemed and taken to include and import any County at large, or County of a City or County of a Town and City, or City or Town and County, unless the contrary thereof shall be expressed, or that such Construction shall be inconsistent with or repugnant to the Context.

A Half Barony to be deemed a Barony.

LXXXVI. And be it further enacted, That it shall and may be lawful for the Grand Jury of any County, by Presentment, to divide any Barony or Half Barony thereof into One or more Subdivisions, each whereof shall for the Purposes of this Act, and for all Purposes relating to the presenting, raising, and levying of Money for any Matter or Thing for which Presentment may be lawfully made by Grand Jurors, be deemed and taken to be a Barony or Half Barony, as such Grand Jury shall present the same.

Barony, &c. may be divided.

Money to be taken from paid to Collector of Loans to be deposited under Direction of the Treasury.

LXXXVII. And be it further enacted, That in all Cases where by any Act or Acts now in force the Treasurer of any County may be authorized or required to pay any Money to any Collector of Excise or other Person, to be by him possessed for as Public Money, the same shall, from and after the passing of this Act, be paid and payable to such Bank or Person and in such Manner as the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury, or any Three of them, shall from Time to Time think fit to direct and appoint.

Commencement of Act.

LXXXVIII. And be it enacted, That this Act shall, in so far as respects the Appointment by the Grand Jury of Special Sessions to be held under this Act, commence and take effect from and after the First Day of January next, and in so far as respects the other Provisions of this Act shall commence and take effect from and after the First Day of May in the Year One thousand eight hundred and thirty-four, and not sooner: Provided always, that all Presentments and Commissions made, or Money to be levied, assessed, levied, or paid, under or in consequence of the said recited Act of the Fifty-sixth Year of the Reign of His Majesty King George the Third, at any Time before the Commencement of this Act, shall be lawful, accounted for, and paid in manner provided by the said recited Act, and subject to the Rules, Orders, and Regulations by the Treasury or Secretaries of State, in that behalf made.

Presentments made before Commencement of this Act.

Regulations, and Provisions therein contained; and provided also, that nothing herein contained shall be construed to affect, alter, or abridge the Powers, Duties, and Liabilities of any Supervisor, or of his Deputy or Deputee, or of his Heir or Executor, or of any Overseer or other Person, vested in or exercised by him or them under the Provisions of the said recited Act, so far as respects the Completion of any Work or Works so presented and begun and entered upon at any Time before the Commencement of this Act.

Act to be re-  
pealed by  
20 G. 3. c. 64

LXXXIX. And he it further enacted, That this Act may be amended, altered, or repealed in this present Session of Parliament.

Act may be  
amended

### SCHEDULES to which the foregoing Act refers.

#### SCHEDULE (A.)

##### FORM of APPLICATION for opening a new Road.

County of } WE, of and  
 of } de certify, That in our Opinion it would be useful to open a new  
 Line of Road from } to } between } and } in  
 the Barony of } in this County, and that Provesment for such Purpose may  
 be made under and by virtue of the } Section of the } Chapter of [Here set out the  
 Rights], being an Act for [Here set out the Title of the Act]; and we propose that the Expenses of same  
 shall be defrayed by the County at large (or Barony or Half Barony of }  
(Signed) }  
A. B.  
 C. D.

##### FORM of APPLICATION for Payment by a Contractor for forming, levelling, and draining a new Road.

County of } WHEREAS the Sum of } was by virtue of the } Section  
 of the } Chapter of [Here set out the Rights], being an Act for [Here set out the Title of  
 the Act], presented at } Assizes, in the Year } to be expended in  
 Purview of the new intended Road from } to } between  
 and } all in Barony or Half Barony of }  
 in this County; which Road is to be } Foot wide in the Clear of all Ditches, Banks, and Drains;  
 And whereas I contracted for the Work aforesaid: Now this is to certify, That I have faithfully and  
 honestly performed, levelled, and drained } Purview of the said Road, in conformity to the said  
 Provesment; and that every Part of the said } Perches is } Feet in the Clear between  
 the Ditches, Banks, Drains, or Fences, and is of a proper Level throughout the whole of the said Width,  
 with a regular Fall from the Center of said Road to the Sides, and the whole done according to and in  
 conformity with the Provesment made by the Grand Jury; and that there is not adjoining to either Side  
 of the said Road so formed, levelled, and drained any Grip without a Bank or a Wall or other sufficient  
 Fence between it and the Side of the Road; and that every Part of the said Work was finished on the  
 Day of }

##### FORM of APPLICATION for Payment by a Contractor for finishing and completing a new Road with Stones and Gravel.

County of } WHEREAS the Sum of } was by virtue of the } Section  
 of the } Chapter of [Here set out the Rights], being an Act for [Here set out the Title  
 of the Act], presented at the } Assizes in the Year } to be  
 expended in laying with Stones and other Materials, and in finishing with small Stones and Gravel,  
 Purview of the new intended Road from } to } between  
 and } all in the Barony of } in this County, which  
 Road is } Foot wide in the Clear of all Ditches, Banks, or Fences, and which has been  
 finished } Foot wide at the least with Stones and Gravel: And whereas I contracted for the  
 Work aforesaid: Now I, } do certify, That I have faithfully and honestly  
 finished the said Road with Stones and Gravel in conformity to the Provesment, with the Quantity of  
 Stones and Gravel at the least therein specified, and that every Part of the said } Perches  
 is } Feet wide in the Clear between the Banks, Drains, or Fences, and is safe and level  
 throughout the whole of said Width, and free from Obstruction; and that } Feet at the  
 least of said Width is made with Gravel and small Stones, and is safe and level throughout the whole of  
 said Width for Carriages to pass and repass on, with a regular Fall from the Center to the Sides; and that  
 the Back of every Ditch or Fence thereon, so which there is a Grip, is turned to the Road, and the Grip  
 to the Field Side; and that every Part of said Work was finished on the } Day of }

##### FORM of APPLICATION by Contractor for Payment for making Fences to new Roads.

County of } WHEREAS the Sum of } was, by virtue of the } Section  
 of the } Chapter of [Here set out the Rights], being an Act for [Here set out the Title  
 of the Act], presented at } Assizes in the Year } to be  
 expended by the } in the } of the }  
 3 & 4 G. 3. c. 17. } 211



is making  
 or Half Barony of  
 New I,  
 according to the said Presentment, and that the whole of the  
 are well and effectually made pursuant thereto, "and that the Bank Side thereof is turned to the Road, and the Grip to the Field Side;" and that the said Work was finished on the  
 Day of  
 M. B.—Where there is no Grip Work, the Words within inserted Commas to be omitted.

## SCHEDULE (B).

## FORM of APPLICATION for the Repairs of Roads.

County of } WE,  
 of  
 do certify, That we have lately viewed and measured  
 Perches of the Road from  
 to  
 and that  
 of the said Perches are in the Townland of  
 Perches thereof are in the Townlands of  
 in this County, and that the same are in need of repair; and we propose that the Expence of the aforesaid Repairs shall be defrayed by the County at large [or Barony or Half Barony of  
 ], and that Provisoment for such Purpose may be made under and by virtue of the  
 Section of the  
 Chapter of [here set out the Rights], being an Act for [here set out the Title of the Act].

(Signed) A. B.  
 C. D.

## FORM of APPLICATION for Payment by Comaster for the Repairs of Roads.

County of } WHEREAS the Sum of  
 the  
 Chapter [here set out the Rights], being an Act for [here set out the Title of the Act], presented at  
 the  
 Assizes, in the Year  
 was by virtue of the  
 Section of  
 to be expended in repairing  
 Perches of the Road from  
 to  
 between  
 and  
 all in the Barony of  
 in this County, which Road is  
 Feet wide, with Gravel  
 or small Stones, which Sum was calculated at the average Rate of  
 by the Perch for such  
 Repairs: And whereas I contracted for the Performance of the aforesaid Work: Now I,  
 do certify, That I have faithfully and honestly repaired  
 Perches of the said Road (being the Parts of the said Road which were most in need of Repair) in conformity to the said Presentment, and that every Part of the said  
 Perches is  
 Feet wide at the least in the Clear of all Ditches, Banks, Drains, or Fences, and that it is safe and level throughout, and free from  
 Nuisances, and that  
 Feet wide at least of the said Width is made or repaired with Gravel or small Stones, with a regular Fall from the Centre of the Road to the respective Sides, and is safe and level throughout the whole of the said Width for Carriages to pass and repose on; and that there is a clear Passage on each Side of the said Road to prevent the Water from injuring the same; and that every Part of the said Work was finished on the  
 Day of

## SCHEDULE (C).

## FORM of APPLICATION for widening Roads and making Fences instead of those to be taken away.

County of } WE,  
 of  
 do certify, That we have lately viewed and measured  
 Perches of the Road from  
 to  
 between  
 in the Townlands of  
 all in the Barony or Half Barony of  
 in this County, and that every of the same is  
 Feet wide, and no more, in the Clear, while the Ditches, Banks, Drains, or Fences; and we are of opinion that it would be useful to the Public using such Road to widen the same so as to make that Part of the Road  
 Feet wide in the Clear, and safe and level throughout the whole of the said Width, and to make new Fences instead of those which shall be taken down or destroyed in order to widen the same; and we propose that the Expence of widening and repairing the same shall be defrayed by the County at large [or Barony or Half Barony of  
 ], and that Provisoment for such Purpose may be made under and by virtue of the  
 Section of the  
 Chapter of [here set out the Rights], being an Act for [here set out the Title of the Act].

(Signed) A. B.  
 C. D.





the Expence of the aforesaid Repairs shall be defrayed by the County at large (or the Barony or Half Barony of \_\_\_\_\_), and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of (Here set out the Title of the Act), being an Act for (Here set out the Title of the Act).

(Signed) A. B.  
C. D.

Form of Application by Contractor for Payment for filling Grips or Holes on the Sides of a Road.

County of } Whereas the Statute of \_\_\_\_\_ was by virtue of the Section of  
the \_\_\_\_\_ Chapter (Here set out the Reign), being an Act for (Here set out the  
Title of the Act), presented at \_\_\_\_\_ Assizes, in the Year \_\_\_\_\_ to be executed  
in filling up \_\_\_\_\_ Perches of Grips of the Ditches and the Holes immediately adjoining  
the Side of the Road from \_\_\_\_\_ to \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_  
all in the Barony of \_\_\_\_\_ in this County: And whereas I contracted  
for the Performance of the aforesaid Work: Now I, \_\_\_\_\_ do certify, That I have faithfully  
and honestly executed the said Work in conformity to the Presentment of the Grand Jury, and that the  
said Work was finished on the \_\_\_\_\_ Day of \_\_\_\_\_.

#### SCHEDULE (I).

Form of Application for erecting a Bank or other Fence on the Sides of a Road through a Bag, to protect Passengers from the Drains on the Sides thereof.

County of } WE, \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_  
do certify, That we have lately viewed and measured \_\_\_\_\_ Perches of the  
Road from \_\_\_\_\_ to \_\_\_\_\_ where it runs through a Bag, between \_\_\_\_\_  
and \_\_\_\_\_ all in the Barony or Half Barony of \_\_\_\_\_ in this County, where it  
is dangerous for Passengers to pass and repass, as there are no Banks or other Fence to protect Passengers  
from the Danger which arises from Drains on the Side thereof; and that it is necessary to erect sufficient  
to secure the Road from the said Drains; and we propose that the Expence of the  
aforesaid Repairs shall be defrayed by the County at large (or Barony or Half Barony of \_\_\_\_\_),  
and that Presentment for such Purpose may be made under and by virtue of the Section  
of the Chapter of (Here set out the Reign), being an Act for (Here set out the Title  
of the Act).

(Signed) A. B.  
C. D.

Form of Application by Contractor for Payment for erecting Banks or other Fences between the Road through a Bag, and the Drains along its Sides.

County of } Whereas the Statute of \_\_\_\_\_ was by virtue of the Section of  
the \_\_\_\_\_ Chapter (Here set out the Reign), being an Act for (Here set out the  
Title of the Act), presented at \_\_\_\_\_ Assizes, in the Year \_\_\_\_\_ to be  
executed in making \_\_\_\_\_ Perches of \_\_\_\_\_ on the Side of the Road from  
to \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_  
it runs through a Bag, which was dangerous for Passengers from the Drains on the Side or Sides thereof,  
in the Barony of \_\_\_\_\_ in this County, being at the Rate of \_\_\_\_\_ by the  
Perch: And whereas I contracted for the Work aforesaid: Now I do certify, That I have faithfully  
and honestly executed said Work, in conformity to said Presentment, that the Work is effectually exe-  
cuted, and that it was finished on the \_\_\_\_\_ Day of \_\_\_\_\_.

#### SCHEDULE (K).

Form of Application for making, widening, or deepening Drains on the Side of a Road.

County of } WE, \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_  
do certify, That it is necessary to \_\_\_\_\_ Perches of Drain, immediately adjoining  
ing the Side of the Road from \_\_\_\_\_ to \_\_\_\_\_ between \_\_\_\_\_  
and \_\_\_\_\_ all in the Barony of \_\_\_\_\_ in this County (such Drains not to be  
nearer than \_\_\_\_\_ Feet from the Centre of the said Road), so as to make them  
Feet wide at Top, \_\_\_\_\_ Feet perpendicular Depth, and \_\_\_\_\_ Feet wide at  
Bottom, which are necessary for conveying the Water therefrom which injures said Road; and we propose  
that the same shall be defrayed by the County at large (or Barony or Half Barony of \_\_\_\_\_),  
and that Presentment for such Purpose may be made under and by virtue of the Section  
of the Chapter of (Here set out the Reign), being an Act for (Here set out the Title of the  
Act).

(Signed) A. B.

FORM of APPLICATION for Payment by a Contractor for the making, widening, or deepening Drain-  
on the Side of a Road.

County of } Whereas the Sum of \_\_\_\_\_ was by virtue of the \_\_\_\_\_ Section  
of the \_\_\_\_\_ Chapter of [Here set out the Rights], being an Act for [Here set out  
the Title of the Act], presented at \_\_\_\_\_ Assizes, in the Year \_\_\_\_\_ to be  
expended in \_\_\_\_\_ Perches of Drains on the Side of the Road where the Water injured that  
Part of the Road from \_\_\_\_\_ to \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_  
all in the Barony of \_\_\_\_\_ in this County: And whereas I contracted for the Work afore-  
said: Now this is to certify, That I have faithfully and honestly performed said Work, in conformity to  
said Provisions; and that the said Drains are of the Dimensions specified in the Provisions agreed to  
by the Grand Jury, and are effectually executed; and that the Water is effectually carried off from that  
Part of the Road; and that the said Work was finished on the \_\_\_\_\_ Day of \_\_\_\_\_

## SCHEDULE (L).

FORM of APPLICATION for erecting Milestones or Finger Posts.

County of } WE, \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_  
do certify, That it is requisite and necessary to erect \_\_\_\_\_ on the Road lead-  
ing from \_\_\_\_\_ to \_\_\_\_\_ between \_\_\_\_\_ in the Barony [or Half  
Barony] of \_\_\_\_\_ in this County; and we propose that the Expense for the aforesaid  
Milestones or Finger Posts shall be defrayed by the County at large [or Barony or Half Barony of  
\_\_\_\_\_], and that Provisions for such Purpose may be made order and by virtue of the  
Section of the \_\_\_\_\_ Chapter of [Here set out the Rights], being an  
Act for [Here set out the Title of the Act].

(Signed) A. B.  
C. D.

FORM of APPLICATION for Payment by Contractor for erecting Milestones or Finger Posts.

County of } Whereas the Sum of \_\_\_\_\_ was by virtue of the \_\_\_\_\_ Section of  
the \_\_\_\_\_ Chapter of [Here set out the Rights], being an Act for [Here set out the  
Title of the Act], presented at \_\_\_\_\_ Assizes in the Year \_\_\_\_\_ to be expended  
in erecting \_\_\_\_\_ on the Road leading from \_\_\_\_\_ to \_\_\_\_\_ between  
\_\_\_\_\_ and \_\_\_\_\_ in the Barony [or Half Barony] of \_\_\_\_\_  
this County, being at the Rate of \_\_\_\_\_ for each: And whereas I contracted for the Perform-  
ance of the aforesaid Work: Now I, \_\_\_\_\_ do certify, That I have faithfully and honestly  
executed \_\_\_\_\_ in conformity to the Provisions made by the Grand Jury, and that the Work  
is effectually executed, and was completed on the \_\_\_\_\_ Day of \_\_\_\_\_

## SCHEDULE (M).

FORM of APPLICATION for Payment by a Contractor for keeping a Road in repair.

County of } I, \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_  
who am Contractor for keeping in repair \_\_\_\_\_ Perches of the Road leading from  
\_\_\_\_\_ to \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_  
commencing at \_\_\_\_\_ and ending at \_\_\_\_\_ in the Barony of \_\_\_\_\_  
in this County, do certify, That the said \_\_\_\_\_ Perches and every Part thereof have  
been kept in good and sufficient Repair and Condition since the Commencement of my Contract; and that  
the said \_\_\_\_\_ Perches and every Part thereof are now in good and sufficient Repair  
and Condition, with a regular Fall from the Centre to the Sides thereof respectively for carrying off the  
Water therefrom; and that it is free from Malices, and of the Breadth required by Law, and that there  
has not been any Money presented to be laid out on any Part of the Road (to which I am Contractor)  
since the Commencement of my Contract, but the whole of the Repairs, &c. have been made at my own  
Expense.

C A P. LXXIX.

An Act to provide for the more impartial Trial of Offences in certain Cases in Ireland. (a)

[20th April 1833.]

• WHEREAS Combinations and Confederacies against the Rights of Property and the Administration  
of the Laws have for some Time prevailed in certain Counties of Ireland, and many Persons have  
been, by Violence and Intimidation, induced to join them: And whereas many Crimes and Offences  
have been committed by Persons concerned in such Illegal Combinations and Confederacies, to the great

• Terror of His Majesty's peaceable Subjects, to the Hindrance of Trade and Industry, and to the endangering of the Peace and good Government of that Part of the United Kingdom of Great Britain and Ireland: And whereas there is reason to apprehend that many of His Majesty's loyal and peaceable Subjects have been and may be intimidated and deterred by Threats and Promises from discharging their Duty as Prosecutors, Witnesses, and Jurors upon Trial of such Crimes and Offences in the respective Counties in which such Crimes and Offences have been committed; and there is reason to believe that the Persons committing such Crimes and Offences are greatly encouraged in the Commission thereof by their Hopes of being acquitted if tried by the Petty Jurors of their respective Counties: For the more impartial Trial of all Persons as so aforesaid offending, be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Indictment or Indictments for any Offence or Offences committed after the passing of this Act shall be found in any County, County of a City, or County of a Town in Ireland, it shall and may be lawful for His Majesty's Court of King's Bench in Ireland, or, in Vacations, for any Two Judges of the Superior Courts of Record of Ireland, upon the Application of His Majesty's Attorney General for Ireland, or upon the Petition of any Prosecutor, Prisoner, or Transeree, such Application or Petition being verified by Affidavit showing that an impartial Trial cannot be had in the County in which the Indictment was found, to make Order (if such Court or such Two Judges shall so think fit) that the Person or Persons named in such Indictment or Indictments shall be tried by a Jury of any adjoining County, or by a Jury of the County of Dublin, as the said Court or such Two Judges shall direct, and that thereupon the Person or Persons named in such Indictment or Indictments shall be proceeded against and tried upon such Indictment or Indictments for such Offences before the said Court of King's Bench, or before such Commissioners of Oyer and Terminer and General Gaol Delivery, as shall be assigned by His Majesty's Commission under the Great Seal of Ireland, by the good and lawful Men of the Body of such adjoining County, or of the County of Dublin, as shall be directed by such Order; and such Proceedings shall be valid and effectual in the Law to all intents and Purposes as if the Offences had been tried within the County where the same shall be committed; and such Indictment or Indictments in such Cases shall be certified onto such Court of King's Bench, or unto such Commissioners, as the Case may be, upon His Majesty's Writ of Certiorari to be issued for that Purpose; and that in all such Cases no Challenge to the Array or to the Dells shall lie or be allowed by reason that the Jurors do not or have not come from the proper County or Place where the Offence was committed, or by reason that the Trial is out of the County or Place where such Offence was committed; but nevertheless upon the Trials of such Offences the Challenge to any Juror for Want of Freehold or legal Qualification in the County where the same shall be tried by virtue of this Act, and all other such Challenges to Jurors, shall be allowed; any thing in this present Act contained to the contrary notwithstanding.

II. And be it enacted, That in order to defray the Expence of the Transmitters of the Prisoners to such adjoining County, or to the County of Dublin, as the Case may be, together with the Expences of the Witnesses and other necessary Expences which may attend such Trial or Trials, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, when and as Application may be made to him or them for that Purpose, to order such Sum or Sums of Money as he or they shall think necessary to be from Time to Time advanced out of the Consolidated Fund of the United Kingdom arising in Ireland to such Persons and under such Regulations as he or they shall think proper.

III. And be it further enacted, That in case any Person is tried in such adjoining County, or in the County of Dublin, shall be then and there acquitted, it shall and may be lawful for the said Lord Lieutenant or other Chief Governor or Governors of Ireland, in manner herein before mentioned, to order to be paid out of such Consolidated Fund as aforesaid, for Reimbursement to the Person so acquitted, such Sum as shall appear to the Judge by or before whom such Person was so acquitted, certified under the Hand of such Judge, to have been the Expence properly and necessarily incurred by such Removal of the Trial of such Person.

IV. And be it further enacted, That the said Lord Lieutenant or other Chief Governor or Governors of Ireland shall, in manner herein before mentioned, order to be paid out of such Consolidated Fund as aforesaid, to every such Prisoner, before his Removal from such County from whence he shall be removed as aforesaid, a Sum not exceeding Twenty Pounds to enable such Offender to defray the Charges and Expences of the Attendance of his Witnesses: Provided always, that such Sum so advanced before the Removal of such Prisoner shall be deducted and allowed for in the Sum which, in the Event of the Acquittal of such Prisoner, may become payable under the Certificate of the Judge before whom such Prisoner may be tried, as herein before provided.

V. And be it enacted, That the Chief Secretary of such Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, or the Under Secretary, shall from Time to Time certify to the Secretary of the Grand Jury of the County, County of a City, or County of a Town wherein such Offence was charged to have been committed the Amount of the Money which shall have been so from Time to Time advanced under Authority of this Act for any of the Purposes aforesaid; and every such Certificate shall be laid before such Grand Jury at the next Assizes; and thereupon it shall and may be lawful for such Grand Jury, and any and every such Grand Jury is hereby required, to make Presentment of a Moiety of the Amount of the Money so advanced, as stated in such Certificate, to be raised off such County or large or Barony, or Parish where such Offence shall have been charged to have been committed; and it shall and may be lawful for the said Secretary of the Grand Jury, or any other Person, to receive and to pay out of the Money so presented for such Offence, and so soon as the Sum so to

On Indictment for Offences committed in any County in Ireland, the Court of King's Bench, upon Application of the Attorney General, or Parliament's Prothonotary, may order the Trial thereof to take place in any adjoining County, or in Dublin

Such Indictments to be certified by Writ of Certiorari

No Challenge because Jurors do not come from the proper County.

Expence of Transmitters of Prisoners, &c. to be incurred by Order of Lord Lieutenant

Expence of Persons acquitted to be made by Lord Lieutenant.

Expence of Witnesses to be advanced by Order of the Lord Lieutenant.

Chief or Under Secretary to certify the Amount of all Money advanced under this Act, and a Moiety to be received by the Grand Jury, and paid off the County or Barony or Parish in which

the Officers was charged to have been committed.

Deputies of Act.

An Act may be amended.

be presented as aforesaid shall be raised and received by the Treasurer of such County, he shall pay the same to the Collector of Excise for the District, to be by such Collector accounted for as other public Monies which may come to his Hands.

VI. Provided always, and be it further enacted, That this Act shall be and continue in force until the First Day of August One thousand eight hundred and thirty-four.

VII. And provided also, and be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed during the present Session of Parliament.

### CAP. LXXX.

An Act requiring the Annual Statements of Trustees or Commissioners of Turnpike Roads to be transmitted to the Secretary of State, and afterwards laid before Parliament.

[20th August 1833.]

10 1 1 10

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, by which it was enacted, that all Trustees and Commissioners of every Turnpike Road or Roads should hold a General Meeting of the Trust for which they should respectively act on a Day to be appointed in the Months of April, September, or October in every Year, which said Meeting should be called or known as "The General Annual Meeting of the Trustees or Commissioners;" and at such Meeting the Trustees or Commissioners assembled should elect a Chairman for the Purpose thereof, and should also audit the several Accounts of the said Trusts, and report the State of the Roads under their Care and Superintendance, and, as soon as such Accounts should be allowed and signed, the Clerk to the Trustees or Commissioners holding such Meeting should forthwith make out a Statement of the Debts, Revenues, and Expenditure received or incurred on account of the Trust for which the Meeting should be held, in the Form contained in the Schedule annexed to the said Act, which said Statement should be submitted to the Trustees or Commissioners assembled at such Meeting, and when approved by the Majority of them should be signed by the Chairman of the said Meeting, and should within Thirty Days thereafter be transmitted to the Clerk of the Peace of the County in which the Road or the major Part thereof to which the said Statement related should lie; and it was further enacted, that on such Statements being received by the said Clerk of the Peace he should produce the same to the Justices assembled at the Quarter Sessions to be held next after the Receipt thereof, and that such Statement should also be registered and kept amongst the Records of the Quarter Sessions of the County for which such Clerk of the Peace should act: And whereas another Act was passed in the Fourth Year of the Reign of His said late Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, by which it was enacted, that where by any Act of Parliament a General Annual Meeting of the Trustees acting in execution of such Act should be appointed to be held at any other Time of the Year than in the said Months of April, September, or October, and the said Trustees should have held such Meetings under the Authority of such Act, it should be lawful for such Trustees to continue to hold the said General Annual Meetings at the Time mentioned and directed in the Act by virtue of which they should be appointed, instead of in the said Months of April, September, or October, any thing in the said first-mentioned Act contained to the contrary notwithstanding: And whereas it is expedient that such Annual Statements should be transmitted to One of His Majesty's Principal Secretaries of State, for the Purpose of being revised, and afterwards laid before both Houses of Parliament; and for the sake of convenience it is also expedient that Provision should be made in respect to the Time for holding such General Annual Meetings: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several and respective Clerks to the said Trustees or Commissioners holding such Annual Meetings respectively as aforesaid shall within Thirty Days from the passing of this Act transmit to One of His Majesty's Principal Secretaries of State for the Time being Copies of all such Annual Statements so already sent by them respectively to the Clerks of the Peace as aforesaid, and shall also transmit to One of His Majesty's Principal Secretaries of State for the Time being Copies of all such General Annual Statements for any future Year or Years as directed to be transmitted to the Clerks of the Peace as aforesaid within Thirty Days after the same shall have been so approved and signed as aforesaid: and if any such Clerk to the said Trustees or Commissioners shall refuse or neglect to transmit such Copies of such Annual Statements within the Time herein-before provided for that Purpose, then and in every such Case every such Clerk so offending shall for every such Offence forfeit any Sum not exceeding Two Pounds, or less than Five Pounds, at the Discretion of any Justice or Justices of the Peace before whom Complaint of such Offence shall be made.

II. And be it further enacted, That from and after the Expiration of the present Year the Trustees and Commissioners of every Turnpike Road shall hold their General Annual Meeting on or before the Twenty-fifth Day of March in every future Year, and not at any other Time; any thing in the said several Acts, or in either of them, to the contrary notwithstanding.

III. And be it further enacted, That the Annual Statements of the Debts, Revenues, and Expenditure of every Turnpike Trust as an aforesaid required by the said recited Act of the Third Year of the Reign of His late Majesty, shall be made by the Clerk of the Peace, and transmitted by the Clerk of the Peace to the Trustees

Clerks of Trustees to transmit Copies of all past Annual Statements of Debts, &c. under 3 G. 4. c. 106. to the Secretary of State within 30 Days from the passing thereof; and in future transmit them within six Days after they have been signed.

General Annual Meeting to be held on or before the 25th March.

Regulating the Time for making out the

or Commissioners holding such General Annual Meeting, and published in the Trustees or Commissioners then assembled, shall, for the Year One thousand eight hundred and thirty-four, be made out from the Date of the last Annual Statement of the Year One thousand eight hundred and thirty-three, until the Thirty-first Day of December One thousand eight hundred and thirty-three, according to the Form contained in Schedule (A) annexed to this Act; and that in all future Years such Annual Statements shall be made out of the Debts, Revenues, and Expenditures received or incurred on account of the Trust for which the Meeting shall be held between the First Day of January and the Thirty-first Day of December of the Year preceding the Year in which such Meeting shall be so held, and according to such Schedule.

IV. And be it further enacted, That the several and respective Clerks to the said Trustees or Commissioners shall cause to be prepared and laid before each General Annual Meeting of the Trustees and Commissioners respectively Estimates, made out in the Form contained in the Schedule (B) to this Act annexed, of the probable Expenditure of their respective Trusts for the current Year, from the First Day of January preceding such Meeting to the Thirty-first Day of December following; and if any such Clerk shall refuse or neglect to prepare and lay before each General Annual Meeting such Estimate as aforesaid, every such Clerk so offending shall for every such Offence forfeit any Sum not exceeding Ten Pounds nor less than Five Pounds, at the Discretion of any Justice or Justices of the Peace before whom Complaint of such Offence shall be made.

V. And be it further enacted, That such Secretary of State for the Time being shall yearly and every Year cause such Annual Statements so transmitted to him to be revised and abstracted; and shall cause such Abstracts to be laid before both Houses of Parliament, together with any Observations he may think proper with respect to the State, Condition, and Repair of the Roads or any of them, or with respect to the Debts, Revenues, Expenditure, and Management of any of such Turnpike Trusts.

VI. And be it further enacted, That to enable such Secretary of State for the Time being to elucidate such Annual Statements, and to make such Abstract, and prepare such Report and Observations for both Houses of Parliament, it shall be lawful for such Secretary of State for the Time being to inquire into the State of the several Turnpike Trusts whose Annual Statements shall be so as aforesaid transmitted, and ascertain the Amount of the Annual Income and Expenditure of each several Trust, and also to inquire into the Method in which the Roads under the Charge of such Trusts are maintained and repaired; and for the Purposes aforesaid, it shall be lawful for such Secretary of State for the Time being to summon before him any Surveyors, Treasurers, Clerks, or other Officers employed by the Trustees or Commissioners in respect of the said Roads; and the said Surveyors, Treasurers, Clerks, and other Officers shall, if required, produce all Books of Account, Plans, Maps, Papers, Documents, and Writings in their Possession respectively, and shall permit any Person appointed by such Secretary of State for the Time being to inspect, examine, and take Copies or Extracts from the same or any or either of them; and if any such Surveyor, Treasurer, Clerk, or other Officer shall refuse or neglect to attend any such Summons, or refuse or neglect to give a full and satisfactory Answer to any Question which shall be by such Secretary of State for the Time being required to answer, or shall refuse or neglect to produce any Book of Account, Plan, Map, Paper, Document, or Writing in his Possession relating to the Road as to which he shall be employed, every Person so offending shall for every such Offence forfeit any Sum not exceeding Twenty Pounds nor less than Five Pounds, at the Discretion of any Justice or Justices of the Peace before whom Complaint of such Offence shall be made.

VII. And be it enacted, That when and so soon as the Trustees of any Turnpike Road shall have entered into a Resolution to apply to Parliament for the Continuance of the Terms and Powers of the Act under which such Turnpike Road is regulated, or for the Alteration or Enlargement of any of those Powers, or for an Increase of the Tolls to be levied on such Turnpike Road, the Clerk of the said Trustees is hereby required immediately to transmit a Copy of such Resolution to One of His Majesty's Principal Secretaries of State for the Time being, together with a Copy of any special Clauses which the Trustees may wish to be inserted in any new Act respecting such Turnpike Road, and also a Statement of the increased Tolls intended to be levied thereon.

VIII. And be it enacted, That the Penalties hereby imposed shall be recovered and applied in the same Manner as Penalties imposed by the said recited Act of the Third Year of His late Majesty, and the several Clauses and Provisions therein contained respecting the Recovery and Application of Penalties shall be so force for that Purpose as if the same were herein specially re-enacted and contained.

IX. And be it enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Annual Statement of Debts, &c.

Clerks to prepare Estimates for Annual Meetings.

Secretary of State to cause Abstracts of Annual Statements to be laid before Parliament.

and for that Purpose to summon any Clerks, Surveyors, &c. before him, and require into the State of the Roads and the Method of maintaining them.

Clerks to transmit to and Copies of Resolutions of Trustees as to Continuance or Alteration of Turnpike Acts, &c. to Secretary of State.

Penalties here to be recovered.

Act may be altered this Session.



## SCHEDULES to which this Act refers.

## SCHEDULE (A).

GENERAL STATEMENT of the INCOME and EXPENDITURE of the  
Treasurer of the County of . . . . . between the 1st Day of January  
and the 31st Day of December . . . . .

| INCOME.   |   | £                          | s. | d.  | EXPENDITURE.   |  | £   | s. | d. |  |
|---|---|----------------------------|----|---|--|--|---|----|----|--|
| Balance in Treasurer's Hands brought forward . . . . .          | } |                            |    |   | Balance due to the Treasurer brought forward . . . . . | }  |   |    |    |  |
| Revenue received from Tolls                                     |   |                            |    |   | Manual Labour . . . . .                                |  |   |    |    |  |
| Parish Composition in lieu of Statute Duty . . . . .            |   |                            |    |   | Town Labour and Carriage Materials . . . . .           |  |   |    |    |  |
| Estimated Value of Statute Duty performed . . . . .             |   |                            |    |   | Materials for Surface Repairs . . . . .                |  |   |    |    |  |
| Revenue from Fines . . . . .                                    |   |                            |    |   | Land purchased . . . . .                               |  |   |    |    |  |
| From Incidental Receipts  |   |                            |    |   | Damage done in obtaining Materials . . . . .           |  |   |    |    |  |
| Amount of Money borrowed on the Security of the Tolls . . . . . |   |                            |    |   | Tradesmen's Bills . . . . .                            |  |   |    |    |  |
| Balance due to the Trust . . . . .                              |   |                            |    |   | Salaries: Treasurer . . . . .                          |  |   |    |    |  |
|   |   |                            |    | Clerk . . . . .                                   |  |  |   |    |    |  |
|   |   |                            |    | Surveyor . . . . .                                |  |  |   |    |    |  |
|   |   |                            |    | Law Charges . . . . .                             |  |  |   |    |    |  |
|   |   |                            |    | Interest of Debt . . . . .                        |  |  |   |    |    |  |
|   |   |                            |    | Improvements . . . . .                            |  |  |   |    |    |  |
|   |   |                            |    | Debts paid off . . . . .                          |  |  |   |    |    |  |
|   |   |                            |    | Incidental Expenses . . . . .                     |  |  |   |    |    |  |
|   |   |                            |    | Statute Duty performed, estimated Value . . . . . |  |  |   |    |    |  |
|   |   |                            |    | Balance due to Treasurer . . . . .                |  |  |   |    |    |  |
| DEBTS.  |   | Rate of Interest per Cent. |    | ARREARS OF INCOME.                                |  | From the Names and Places of Agents of the Treasurer, Clerk, General and Superintending Surveyors below. |   |    |    |  |
| Bonded or Mortgage Debt . . . . .                               | £ | s.                         | d. | £   | s.   | d.   |   |    |    |  |
| Floating Debt . . . . .   |   |                            |    |   |  |  | Arrears of Tolls for current Year . . . . .     |    |    |  |
| Unpaid Interest . . . . .                                       |   |                            |    |   |  |  | Arrears of Parish Composition - ditto . . . . . |    |    |  |
| Balance due to the Treasurer . . . . .                          |   |                            |    |   |  |  | Arrears of any other Receipt - ditto . . . . .  |    |    |  |
| Total Debts . . . . .   |   |                            |    |   |  |  | Arrears of former Years . . . . .               |    |    |  |
|   |   |                            |    |   |  |  | Total Arrears . . . . .                         |    |    |  |

## SCHEDULE (B).

An Estimate of the Expense of maintaining the  
County of  
December

between the 1st Day of January

Terminating Therein on the  
and the 31st Day of

|  | £ s. d. |
|--|---------|
| Manual Labour . . . . .  |         |
| Team Labour and Carriage . . . . .                               |         |
| Materials delivered on the Road, exclusive of Carriage . . . . . |         |
| Land purchased . . . . .   |         |
| Damage done in obtaining Materials . . . . .                     |         |
| Tradesmen's Bills . . . . .                                      |         |
| Salaries . . . . .   |         |
| Law Charges . . . . .  |         |
| Interest of Debt . . . . .                                       |         |
| Watering the Roads . . . . .                                     |         |
| Lighting Ditto . . . . .   |         |
| Incidental Expenses . . . . .                                    |         |
|  |         |

Date of the existing Act of Parliament,

The Length of the Trust, *Miles* Distinguishing Main from Branch Roads

State the Description and Quantity of Materials used on the Trust, with the Price per Yard or Ton, and if the Damages in obtaining Materials are paid, for at per Yard or Ton, state the Price.

## C. A. P. LXXXI.

An Act to authorize the Application of Part of the Land Revenue of the Crown for providing  
Furniture, Furnishings, and Decorations for Buckingham Palace. [28th August 1833.]

WHEREAS by an Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases, of the Land Revenue of the Crown within the Shores of the Enchiquin in England; and of the Land Revenue of the Crown in Ireland; and for extending certain Provisions relating to the same to the Isles of Man and Alderney*, it was enacted, that all the Land Revenues whatsoever (Advowsons of Churches and Vicarages only excepted) which belonged to His Majesty within the City or Survey of the County of Enchiquin in England or Wales, in Ireland, in the Isle of Man and its Dependencies, and the Isle of Alderney, should be under the Management of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and of their Successors; and it was thereby further enacted, that the annual Income of all the said Possessions and Land Revenues of the Crown in which that Act related, including Fees on Leases, and all other Sums received in respect of such Leases, or otherwise for or in respect of the said Possessions and Land Revenues (except from Sales or Exchanges), should be applied in manner following; that is to say, in the first place, in Payment of the Costs, Charges, and Expenses attending the Management of the said Possessions and Land Revenues; in the next place, in the Payment and Discharge of any annual Sum or Sum of Money, or any Pensions, then already charged or to be charged thereon respectively, and in the Payment of any other Principal Sum, and the Interest of any Principal Sum or Sums of Money which was then already or might be thereafter charged upon the said Possessions and Land Revenues; in the next place, so much of the Monies to arise from the said annual Income as the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being should from Time to Time think proper should be applied towards the Payment and Discharge of the Costs, Charges, and Expenses of the Repairs, Alterations, and Improvements of Buckingham House, and the Bishops' Office, and Grounds appertaining and belonging thereto, provided that the Sum to be so applied under the foregoing Act to such Repairs, Alterations, and Improvements should not exceed the Sum of One hundred and fifty thousand Pounds, over and above the Sum of Three hundred and forty-six thousand Pounds which had been then already applied thereto previous to the passing of the now recited Act; and subject to the Application aforesaid, the said annual Income should during the Life of His then present Majesty be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and from and after the Death of His then present Majesty should be payable and paid to the King's Majesty, His Heirs and Successors: And whereas by an Act passed in the First Year of the Reign of His present Majesty, intitled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland*, it was (amongst other Things) enacted, that the Payment of the said Office of

and Revenues in *England* and *Ireland* respectively therein mentioned, which at the Time of the Decree of His late Majesty King George the Fourth made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and also the small Branches of the Hereditary Revenues, and the Produce of the Hereditary Crown Revenues, therein mentioned, which had accrued since the Decree of His said late Majesty, and which should not have been applied and distributed in the Payment of any Charge thereupon respectively, or which should accrue during the Life of His present Majesty, should be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and after the Decree of His present Majesty of the said Hereditary Revenues, including the Duties on Beer, Ale, and Cider, should be payable and paid to His Heirs and Successors: And whereas by an Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act for amending the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and for other Purposes relating to the said Revenues*, it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal, to appoint, in the Place of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and of the Surveyor General of His Majesty's Works and Public Buildings, any Persons, not exceeding Three in Number, to be Commissioners for performing the Duties and executing the Powers then performed and exercisable by the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and the Duties and Powers then performed and exercisable by the Surveyor General of His Majesty's Works and Public Buildings, and that the Person so first appointed and their Successors should be called "The Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings;" and the said Commissioners were by the said Act empowered to exercise and carry into effect all the Powers and Provisions contained in the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth, either expressly or by reference to any other Acts: And whereas the Repairs, Alterations, and Improvements of Buckingham Palace, and the Buildings, Offices, and Grounds appertaining thereto, in which the said Sum of One hundred and fifty thousand Pounds was by the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth authorized and directed to be laid out and expended, are nearly completed and finished; and in order to render the said Palace a suitable Residence for His Majesty, it is expedient that a certain Portion of the Produce owing to His Majesty by the Heirs of Messengers, Lords, and other Hereditaments in *England* and *Ireland*, and by the Feins on Leases of the same, or any of them, now forming Part of the Hereditary Revenues belonging to His Majesty in right of His Crown, under the Care and Management of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by virtue of the said recited Acts of the Tenth Year of the Reign of His late Majesty and the Second Year of the Reign of His present Majesty, should be made applicable, by and with the Consent and Approbation of the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, to the Purpose of defraying the Costs, Charges, and Expenses of completing and perfecting the Finishings of the said Palace, and of providing Fixtures, Furniture, and Decorations necessary and requisite for the same: And it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, That it shall be lawful for the said Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, or any Three of them, from Time to Time to direct and authorize the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to pay and apply, out of the Produce of the said Hereditary Land Revenues of the Crown now under their Care and Management as aforesaid, such Sum or Sums of Money as they shall think necessary and expedient, not exceeding in the whole the Sum of Fifty-five thousand Pounds, towards the Payment and Discharge of the Costs, Charges, and Expenses of such Finishings, Fixtures, Furnitures, and Decorations.

It. And he it further enacted, That the Payment of such Sum or Sums of Money herein-before authorized to be made shall be prior to and take precedence of the Payment or Appropriation of any Sum or Sums of Money arising from the said Land Revenues for the Purposes of the Consolidated Fund; but that the said Land Revenues shall nevertheless remain subject and liable to the Costs and Charges attending the Management thereof, and the Payment or Discharge of any Sum or Sums of Money, or any Penances, which may be now already charged thereon, or to the Payment whereof the same now are or may hereafter become liable under or by virtue of any Act or Acts of Parliament relating to the said Land Revenues; any Act or Acts of Parliament relating to or concerning the said Revenues to the contrary thereof in anywise notwithstanding.

A Sum not exceeding 55,000*l*. to be paid out of the Hereditary Land Revenues of the Crown for Expenses of Buildings, Fixtures, and Furniture of Buckingham Palace.

Such Payments to be made previous to all others arising from the said Land Revenues.

CAP. LXXXII.

An Act to allow the People called Separatists to make a solemn Affirmation and Declaration instead of an Oath. [25th August 1833.]

WHEREAS there are in various Places in *Ireland*, and in some Parts of *England*, and elsewhere, certain Dissenters from the United Church of *England* and *Ireland*, and from the Church of Scotland, commonly called Separatists, the Members of which Class or Sect of Dissenters, from various and numerous Separates, refuse to take an Oath in Courts of Justice and other Places, and in consequence

to Pines and to Imprisonment for Contempt of Court, and the Community at large are deprived of the Benefit of their Testimony: And whereas it is therefore expedient that the said Sect called Separatists should be relieved in manner herein-after mentioned; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person for the Time being belonging to the said Sect called Separatists, who shall be required upon any lawful Occasion to take an Oath in any Case where by Law an Oath is or may be required, shall, instead of the usual Form, be permitted to make his or her solemn Affirmation or Declaration in these Words following; *scilicet*,

**I** A. B. do, in the Presence of Almighty God, solemnly, sincerely, and truly affirm and declare, that I am a Member of the Religious Sect called Separatists, and that the taking of any Oath is contrary to my Religious Belief, as well as essentially opposed to the Tenets of that Sect; and I do also in the same solemn Manner affirm and declare

Which said solemn Affirmation or Declaration shall be adjudged and taken, and is hereby enacted and declared to be of the same Force and Effect, to all Intents and Purposes, in all Courts of Justice and other Places whatsoever where by Law an Oath is or may be required, as if such Separatists had taken an Oath in the usual Form.

II. And be it further enacted, That if any Person making such solemn Affirmation or Declaration shall in fact not be one of the People commonly called Separatists, or shall wilfully, falsely, and corruptly affirm or declare any other Matter or Thing which if the same had been sworn in the usual Form would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same Penalties and Forfeitures as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury.

## C. A. P. LXXXIII.

An Act to compel Banks issuing Promissory Notes payable to Bearer on Demand to make Returns of their Notes in Circulation, and to authorize Banks to issue Notes payable in London for less than Fifty Pounds. [18th August 1833.]

**W**HHEREAS it is expedient that all Corporations, Copartnerships, and Persons carrying on Banking Business, and making and issuing Promissory Notes payable to Bearer on Demand, should make Returns of the Amount of such Notes in Circulation; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Corporations and Copartnerships carrying on Banking Business under the Provisions of an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the better regulating Copartnerships of certain Bankers in England, and for amending in such of an Act of the Thirtieth and Fortieth Years of the Reign of the late Majesty King George the Third, intituled 'An Act for establishing an Agreement with the Governors and Company of the Bank of England for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred', as relates to the same, and all other Persons carrying on Banking Business, and making and issuing Promissory Notes payable to Bearer on Demand, shall respectively keep weekly Accounts from the passing of this Act of the average Amount of Notes in Circulation at the End of each Week of the Corporation, Copartnership, or Persons or Person so carrying on Banking Business and keeping such Weekly Account; and shall, within One Month after the Thirty-first Day of December after the passing of this Act, make up from such weekly Account an average Account of the Amount of such Notes in Circulation during the Period between the passing of this Act and the making up such Accounts; and shall also make up a like Account at the End of each Quarter ending on the First Day of April, the First Day of July, the First Day of October, and the First Day of January in the Year One thousand eight hundred and thirty-four and every subsequent Year, of the average Amount of Notes in Circulation in the preceding Quarter, and shall return and deliver such Account to the Commissioners of Stamps at the Stamp Office in London; and such Accounts and Returns shall be verified upon the Oath of the Secretary or Accountant or some Officer of the Corporation, Company, or Copartnership, or Persons or Person so carrying on Banking Business and making such Returns, which Oath shall be taken before any Justice of the Peace, and which Oath any Justice of the Peace is hereby authorized to administer; and if any Corporation, Company, or Copartnership, or Persons or Person so carrying on Banking Business, shall neglect to keep such weekly Accounts, or to make out or to return or deliver such Averages to the Commissioners of Stamps at the Stamp Office in London, or if any Secretary, Accountant, or other Person verifying any such Account or Average shall return or deliver to the Commissioners of Stamps any false Account or Return of such Averages, the Corporation, Company, or Copartnership, or Persons or Person to whom any such Account or Averages, or such Secretary, Accountant, or Person verifying the Account, shall belong, shall forfeit for every such Offence the Sum of Five hundred Pounds, and the Secretary or other Person so offending shall also forfeit for every such Offence the Sum of One hundred Pounds; and any Secretary, Accountant, or other Person who shall knowingly and wilfully take any false Oath as to any such Account or Averages shall be subject to such Penalties and Forfeitures as are by any Law in force at the Time of taking such Oath enacted as to Persons convicted of*

Separatists, instead of an Oath, may make the following solemn Affirmation.

Such Affirmation shall have the Effect of an Oath.

Persons making a false Affirmation to be subject to the same Penalties as for Perjury.

Copartnerships and Persons carrying on Banking Business, and issuing Promissory Notes, to keep Accounts of the Amount in Circulation, and make periodical Returns thereon from the Stamp Office in London.

Such Returns to be verified on Oath.

Penalty for Default, &c.

False returns punished as Perjury.

Books of more than Six Persons may draw an Agent in London, on Demand, for less than 5*l*.

It may be altered from time to time.

II. And be it further enacted, That it shall be lawful for any Body Politic or Corporate whatsoever, erected or to be erected, and for any other Persons united or to be united in Covenant or Partnership, exceeding the Number of Six Persons, carrying on Business as Bankers, to make any Bill of Exchange or Promissory Note of such Corporation or Partnership payable in London by any Agent of such Corporation or Partnership in London, or to draw any Bill of Exchange or Promissory Note upon any such Agent in London, payable on Demand or otherwise in London, and for any less Amount than Fifty Pounds; any Thing in the said recited Act of the Seventh Year of the Reign of His late Majesty King George the Fourth, or in any other Act, to the contrary notwithstanding.

III. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

#### C. A. P. LXXXIV.

An Act to provide for the Performance of the Duties of certain Offices connected with the Court of Chancery which have been abolished. [20] [10th August 1833.]

C. A. P. 4  
c. 113.

WHEREAS by an Act passed in the Second and Third Years of the Reign of His present Majesty, it was enacted, That the Office of Clerk of the Court of Chancery, and to make Provision for the Lord High Chancellor on his Retirement from Office, it is provided that the following, amongst other Offices, (to-wit,) the Office of Keeper or Clerk of His Majesty's Hammer, the Clerk of the Crown in Chancery, the Clerk of the Patents, the Clerk of the Custodes of Hints and Motts, the Chaff Wax, the Sealer, the Clerk of the Presentations, and the Clerk of Dispenzations and Faculties, shall utterly cease and determine from and after the Twentieth Day of August One thousand eight hundred and thirty-three: provided nevertheless, that the said Act should not be construed to determine any of the said Offices holden in Possession or Reversion by any Person appointed thereto on or before the First Day of June then last, and the Decesse or Resignation of such Person: And whereas all the Persons holding the said Offices, except the Clerk of the Patents, were appointed to such Offices prior to the said First Day of June One thousand eight hundred and thirty-two: And whereas it is necessary that competent Persons shall be appointed for the Discharge of all or some of the Duties of the said Offices when and as such Offices shall become vacant: and it is desirable that the Persons to be appointed to discharge the Duties of such Offices shall be paid by fixed Salaries for such their Trouble: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lord Chancellor, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of Great Britain, or other the Person or Persons for the Time being invested by virtue of the King's Sign Manual with the Care and Commandment of the Custody of the Patents and Entries of Persons found idiot, insane, or of unsound Mind, shall have as heretofore a Secretary, called "The Secretary of Lunatics;" and that from and after the Death, Resignation, or Removal of the Person now holding the Office of Clerk of the Custodies of Hints and Lunatics, all and every the Duties of the said Office of Clerk of the Custodes of Hints and Lunatics shall be performed by the said Secretary of Lunatics, in addition to such other Duties as such Secretary of Lunatics shall be required to perform by the Person or Persons by whom he shall be appointed: and all the Acts to be done by the said Secretary of Lunatics in performance of the said Duties of Clerk of the Custodes of Hints and Lunatics shall in all respects have the same Force and Effect as if the same had been performed by the said Clerk of the Custodes or his Deputy: Provided always, that it shall be lawful for the Person or Persons entrusted as aforesaid to make such Rules and Regulations in regard to the Duties of such Secretary, including such Duties as he shall perform by virtue of this Act, and by alter or vary the same, as he or they shall think fit.

After Death, &c. of present Clerk of Custodies of Hints and Lunatics, the Duties shall be performed by an Officer designated "The Secretary of Lunatics."

The Duties of Chaff Wax and Sealer, as Vacancies occur, shall respectively be performed by the Purse-bearer of the Court of Chancery and Clerk of Dispenzations and Faculties, as Vacancies occur, shall respectively be performed by the Secretary of Presentations.

Clerk of the Court of Chancery, and

II. And be it further enacted, That the said Lord Chancellor, Lord Keeper, or Lords Commissioners for the Time being shall have as heretofore an Officer called "The Purse-bearer to the Lord Chancellor," and a certain other Secretary, called "The Secretary of Presentations;" and that from and after the Time and Times when and as the Offices before mentioned of Chaff Wax and Sealer, and each of them, shall respectively become vacant by the Death, Resignation, or Removal of the present respective Holders thereof, all and every the Duties of such several Offices shall be performed by the said Purse-bearer for the Time being: and that when and as the Offices of Clerk of the Presentations and of Clerk of Dispenzations and Faculties, and each of them, shall respectively become vacant by the Death, Resignation, or Removal of the present respective Holders thereof, all and every the Duties of such several Offices shall be performed by the Secretary of Presentations for the Time being: and that all Acts to be done by the said Purse-bearer in performance of the Duties of Chaff Wax and Sealer shall in all respects have the same Force and Effect as if the same had been done by the said Officers called Chaff Wax and Sealer: and that all Acts to be done by the said Secretary of Presentations in performance of the said Duties of Clerk of the Presentations and Clerk of Dispenzations and Faculties shall in all respects have the same Force and Effect as if the same had been done by the Clerk of the Presentations and the Clerk of Dispenzations and Faculties.

III. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, from Time to Time under Their Royal Sign Manual to nominate and appoint six Persons to fill the said several other before-mentioned Offices of Clerk of the Crown in Chancery and Clerk of the Patents,

Patents, as Vacancies may from Time to Time occur therein) and appointed shall hold their respective Offices during good Behaviour, notwithstanding the Dissolve of His Majesty or any of His Heirs or Successors; any thing in this Act contained to the contrary notwithstanding.

IV. And be it further enacted, That from and after the said Twentieth Day of August One thousand eight hundred and thirty-three as to the said Office of Clerk of the Letters Patent, and from and after the Death, Resignation, or Removal respectively of the several Holders of the said other Offices, there shall be paid to the Clerk of the Crown in Chancery the yearly Salary of Eight hundred Pounds; to the Clerk of the Patents the Yearly Salary of Four hundred Pounds, by the Secretary of Law, for Expenses attending the Office of Clerk of the Custodes of Books and Libraries, the yearly Sum of Two hundred Pounds; to the Forger-bearer the yearly Sum of Fifty Pounds for the Expenses of the Office of Chaff Wax, and for the Expenses of the Office of Sealer the like yearly Sum of Fifty Pounds; and to the Secretary of Presentations, for the Expenses of the Office of Clerk of the Presentations, the yearly Sum of Fifty Pounds, and for the Expenses of the Office of Clerk of Dispensations and Faculties the like yearly Sum of Fifty Pounds.

V. And be it further enacted, That from and after the Time when the Office of the Keeper or Clerk of the Manse shall become vacant by the Death, Resignation, or Removal of the present Holder thereof, all and every the Duties of the said Office of Keeper or Clerk of the Manse shall be performed by the Clerk of the Crown in Chancery, to be appointed by virtue of this Act; and all Acts to be done by the said Clerk of the Crown in performance of such intimated Duties shall in all respects be of the same Force and Effect as if the same had been done by the said Keeper or Clerk of the Manse; and that there shall be paid to the said Clerk of the Crown for the said Duties of Keeper or Clerk of the Manse the yearly Salary of Two hundred Pounds: Provided always, that if the said Office of the new Keeper or Clerk of the Manse shall become vacant before any Vacancy shall occur in the Office of the new Clerk of the Crown, that then and in such Case only the Duties of the said Office of Keeper or Clerk of the Manse shall be performed by the Deputy of the new Clerk of the Crown, until a Vacancy shall occur in the Office of the said new Clerk of the Crown, in the same Manner as if such Deputy were Clerk of the Crown appointed by virtue of this Act, and that there shall be paid to such Deputy for the said Duties of Keeper or Clerk of the Manse the several yearly Salary of Two hundred Pounds.

VI. And be it further enacted, That the said several Salaries shall be taken in full Satisfaction for the Duties of the said Offices respectively, and of all Expenses incident to the Performance thereof.

VII. And be it further enacted, That it shall and may be lawful for the several Persons who by virtue of this Act shall hereafter hold or perform the Duties of the said several Offices of Keeper or Clerk of the Manse, Clerk of the Crown in Chancery, Clerk of the Patents, Clerk of the Custodes of Libraries and Books, Chaff Wax, Sealer, Clerk of the Presentations, and Clerk of Dispensations and Faculties, to have, receive, and take all and every the Fees and Emoluments which have been accustomed to be paid and which of right ought to be paid to the said several Offices respectively, or to any Deputy or Clerk of such several Offices, in respect of the said several Offices, as the same would have been payable if this Act and the said recited Act had not been passed; and that such Fees and Emoluments shall be accounted for once in every Three Months, commencing in the first instance from the Date of such Appointments respectively, and shall be paid by the said Offices respectively into the Receipt of His Majesty's Exchequer, and be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland; and the Account of the Party so paying such Fees shall be verified by his Oath, which Oath any One of the Masters in Ordinary of the High Court of Chancery is hereby required and authorized to administer.

VIII. And be it further enacted, That the said several Salaries or Sums herein before directed to be paid shall be raised and payable out of and be charged and chargeable upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland, after paying or retreating sufficient to pay all such Sums or Sums of Money as have been directed under any former Act or Acts to be paid out of the same Fund; and the said Salaries or Sums shall from Time to Time be paid and payable quarterly, free and clear of and over and above all Fees, Rates, Taxes, and Deductions whatsoever, at the Four usual Days of Payment in the Year, that is to say, the Fifth Day of January, the Fifth Day of April, the Fifth Day of July, and the Tenth Day of October in each Year, in even and equal Portions, the first Payment to be made on each of the said Days to shall next happen after the Appointment or Succession to the said Offices respectively shall have taken place.

IX. And whereas the Office of Clerk of Insultments in Bankruptcy is by the said recited Act also directed to cease as therein specified, but Power to re-appoint to the said Office is given by the Act also therein mentioned; be it enacted, That the said Office shall and may continue and be in force, and that fit and proper Persons may be from Time to Time appointed to the same, with all the Powers, Authorities, and Duties, Fees, Rights, and Privileges, given to or imposed upon the said Office by an Act passed in the Second and Third Years of the Reign of His present Majesty, intituled An Act to amend the Laws relating to Bankrupts; any thing in the said first-recited Act to the contrary thereof notwithstanding.

Clerk of the Patents to be appointed by the Crown

Appointments of Sealer.

Regulation of Salary of Clerk of the Manse

Salaries to be in full Satisfaction of Duties.

Fees to be accounted for and paid into His Majesty's Exchequer, and made Part of Consolidated Fund.

In what Manner the Salaries of Offices are to be paid

Reappointment of Clerk of Insultments in Bankruptcy according to Act 13 W. 3. c. 114.

## C.A.P. LXXXV.

An Act for effecting an Arrangement with the East India Company, and for the better Government of His Majesty's Indian Territories, till the Thirtieth Day of April One thousand eight hundred and fifty-four. [25th August 1833.]

22 G. S. c. 123

**WHEREAS** by an Act passed in the Fifty-third Year of the Reign of His Majesty King George the Third, intitled *an Act for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; and for regulating the Trade to and from the Ports within the Limits of the said Company's Charter, the Possession and Government of the British Territories in India were continued in the United Company of Merchants of England trading to the East Indies for a Term therein mentioned: And whereas the said Company are entitled to or claim the Lordships and Islands of St. Helena and Bombay under Grants from the Crown, and other Property to a large Amount in Value, and also certain Rights and Privileges not affected by the Determination of the Term granted by the said recited Act: And whereas the said Company have consented that all their Rights and Interests to or in the said Territories, and all their Territorial and Commercial, Real and Personal Assets and Property whatsoever, shall, subject to the Debts and Liabilities now affecting the same, be placed at the Disposal of Parliament in consideration of certain Provisions hereinafter mentioned, and have also consented that their Right to trade for their own Profit in common with other His Majesty's Subjects be suspended during such Term as the Government of the said Territories shall be confided in them: And whereas it is expedient that the said Territories now under the Government of the said Company be continued under such Government, but in Trust for the Crown of the United Kingdom of Great Britain and Ireland, and discharged of all Claims of the said Company to any Profit therefrom to their own Use, except the Dividend hereinafter secured to them, and that the Property of the said Company be continued in their Possession and in their Disposal, in Trust for the Crown, for the Service of the said Government, and other Purposes in this Act mentioned: So it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-second Day of April One thousand eight hundred and thirty-four the Territorial Acquisitions and Reversions mentioned or referred to in the said Act of the Fifty-third Year of His late Majesty King George the Third, together with the Port and Island of Bombay, and all other Territories now in the Possession and under the Government of the said Company, except the Island of St. Helena, shall remain and continue under such Government until the Thirtieth Day of April One thousand eight hundred and fifty-four: and that all the Lords and Hereditaments, Reversions, Rents, and Profits of the said Company, and all the Stores, Merchandize, Chattels, Mines, Debts, and Real and Personal Estate whatsoever, except the said Island of St. Helena, and the Stores and Property therein herein-after mentioned, subject to the Debts and Liabilities now affecting the same respectively, and the Benefit of all Concessions, Covenants, and Engagements, and all Rights in Fines, Penalties, and Forfeitures, and other Accrualments whatsoever, which the said Company shall be seized or possessed of or entitled unto on the said Twenty-second Day of April One thousand eight hundred and thirty-four, shall remain and be vested in, and be held, received, and exercised respectively, according to the Nature and Quality, Estate and Interest of and in the same respectively, by the said Company, in Trust for His Majesty, His Heirs and Successors, for the Service of the Government of India, discharged of all Claims of the said Company to any Profit or Advantage therefrom to their own Use, except the Dividend on their Capital Stock, secured to them as hereinafter is mentioned, subject to such Powers and Authorities for the Superintendance, Direction, and Control over the Acts, Operations, and Concerns of the said Company as have been already made or provided by any Act or Acts of Parliament in that Behalf, or are made or provided by this Act.*

The British Territories in India to remain under the Government of the Company till 20th April 1834. Real and Personal Property of the Company to be held in Trust for the Crown, for the Service of India.

All Privileges, Powers, Authorities, whether Military or Civil, Rights, Immunities, Methods of Sale, Penalties, Forfeitures, Disabilities, Provisions, Monies, and Things whatsoever granted to or continued in the said United Company by the said Act of the Fifty-third Year of King George the Third, for and during the Term limited by the said Act, and all other the Enactments, Provisions, Statutes, and Things contained in the said Act, or in any other Act or Acts whatsoever, which are limited or may be construed to be limited to continue for and during the Term passed to the said Company by the said Act of the Fifty-third Year of King George the Third, as far as the same or any of them are in force, and not repealed by or repugnant to the Enactments hereinafter contained, and all Powers of Alienation and Disposition, Rights, Privileges, and Immunities, which the said United Company now have, shall continue and be in force, and may be exercised and enjoyed, as against all Persons whatsoever, subject to the Superintendance, Direction, and Control herein-before mentioned, until the Thirtieth Day of April One thousand eight hundred and fifty-four.

From 22d April 1834, the Trade of Company in common. Company to close their

**II.** And be it enacted, That all and singular the Privileges, Franchises, Abolitions, Capabilities, Powers, Authorities, whether Military or Civil, Rights, Immunities, Methods of Sale, Penalties, Forfeitures, Disabilities, Provisions, Monies, and Things whatsoever granted to or continued in the said United Company by the said Act of the Fifty-third Year of King George the Third, for and during the Term limited by the said Act, and all other the Enactments, Provisions, Statutes, and Things contained in the said Act, or in any other Act or Acts whatsoever, which are limited or may be construed to be limited to continue for and during the Term passed to the said Company by the said Act of the Fifty-third Year of King George the Third, as far as the same or any of them are in force, and not repealed by or repugnant to the Enactments hereinafter contained, and all Powers of Alienation and Disposition, Rights, Privileges, and Immunities, which the said United Company now have, shall continue and be in force, and may be exercised and enjoyed, as against all Persons whatsoever, subject to the Superintendance, Direction, and Control herein-before mentioned, until the Thirtieth Day of April One thousand eight hundred and fifty-four.

**III.** Provided always, and be it enacted, That from and after the said Twenty-second Day of April One thousand eight hundred and thirty-four the exclusive Right of trading with the Dominions of the Emperor of China, and of Trading in Tea, continued to the said Company by the said Act of the Fifty-third Year of King George the Third, shall cease.

**IV.** And be it enacted, That the said Company shall, with all convenient Speed after the said Twenty-second Day of April One thousand eight hundred and thirty-four, close their Commercial Business, and make Public Sale of the Property of the said Company, and of the said Company's Debts, and of the said Company's

sale of all their Merchandise, Stores, and Effects at Home and Abroad, distinguished in their Account Books as Commercial Assets, and all their Warehouses, Lands, Tenements, Hereditaments, and Property whatsoever which may not be retained for the Purpose of the Government of the said Territories, and get in all Debts due to them on account of the Commercial Branch of their Affairs, and reduce their Commercial Establishments as the same shall become unnecessary, and discontinue and obtain from all Commercial Business which shall not be incident to the closing of their actual Concerns, and to the Conversion into Money of the Property herein-before directed to be sold, or which shall not be carried on for the Purpose of the said Government.

V. Provided always, and he it enacted, That nothing herein contained shall prevent the said Company from selling, as the Sales of their own Goods and Merchandise by the Act directed or authorized to be made, such Goods and Merchandise the Property of other Persons as they may now lawfully sell at their public Sales.

VI. And he it enacted, That the Board of Commissioners for the Affairs of India shall have full Power to supersede, direct, and control the Sale of the said Merchandise, Stores, and Effects, and other Property herein-before directed to be sold, and to determine from Time to Time, and the said Property shall be converted into Money, what Parts of the said Commercial Establishments shall be continued and reduced respectively, and to ensure the Allowance and Payment of all Claims upon the said Company connected with the Commercial Branch of their Affairs, and generally to superintend and control all Acts and Operations whatsoever of the said Company whereby the Value of the Property of the said Company may be affected; and the said Board shall and may appoint such Officers as shall be necessary to attend upon the said Board during the winding-up of the Commercial Business of the said Company; and that the Charge of such Salaries or Allowances as His Majesty shall, by any Warrant or Warrants under the Sign Manual, commanded by the Chancellor of the Exchequer for the Time being, direct to be paid to such Officers, shall be defrayed by the said Company, as herein-after mentioned, in addition to the ordinary Charges of the said Board.

VII. And he it enacted, That it shall be lawful for the said Company to take into consideration the Claims of any Persons now or hitherto employed by or under the said Company, or the Widows and Children of any such Persons, whose Interests may be affected by the Discontinuance of the said Company's Trade, or who may from Time to Time be reduced, and, under the Control of the said Board, to grant such Commissions, Superannuations, or Allowances (the Charge thereof to be defrayed by the said Company as herein-after mentioned) as shall appear reasonable: Provided always, that no such Commissions, Superannuations, or Allowances shall be granted until the Expiration of Two Calendar Months after Particulars of the Commissions, Superannuations, or Allowance proposed to be so granted shall have been laid before both Houses of Parliament.

VIII. Provided always and he it enacted, That within the first Fourteen sitting Days after the first meeting of Parliament in every Year there be laid before both Houses of Parliament the Particulars of all Commissions, Superannuations, and Allowances so granted, and of the Salaries and Allowances directed to be paid to such Officers as may be appointed by the said Board as aforesaid during the preceding Year.

IX. And he it enacted, That from and after the said Twenty-second Day of April One thousand eight hundred and thirty-four all the Bond Debt of the said Company in Great Britain, and all the Territorial Debt of the said Company in India, and all other Debts which shall on that Day be owing by the said Company, and all Sums of Money, Costs, Charges, and Expenses which after the said Twenty-second Day of April One thousand eight hundred and thirty-four may become payable by the said Company in respect of by reason of any Contracts, Contracts, or Liabilities then existing, and all Debts, Expenses, and Liabilities whatever which after the same Day shall be lawfully contracted and incurred on account of the Government of the said Territories, and all Payments by the Act directed to be made, shall be charged and chargeable upon the Revenues of the said Territories; and that neither any Stock or Effects which the said Company may hereafter have to their own Use, nor the Dividend by this Act secured to them, nor the Directors or Proprietors of the said Company, shall be liable to or chargeable with any of the said Debts, Payments, or Liabilities.

X. Provided always, and he it enacted, That so long as the Possession and Government of the said Territories shall be continued to the said Company all Persons and Bodies Politic shall and may have and take the same Suits, Remedies, and Proceedings legal and equitable, against the said Company, in respect of such Debts and Liabilities as aforesaid, and the Property vested in the said Company in Trust as aforesaid shall be subject and liable to the same Judgments and Executions, in the same Manner and Form respectively as if the said Property were hereby continued to the said Company to their own Use.

XI. And he it enacted, That out of the Revenues of the said Territories there shall be paid to or retained by the said Company, to their own Use, a yearly Dividend after the Rate of Ten Pounds Ten Shillings per Centum per Pound on the present Amount of their Capital Stock; the said Dividend to be payable in Great Britain, by equal half-yearly Payments, on the Sixth Day of January and the Sixth Day of July in every Year: the first half-yearly Payment to be made on the Sixth Day of July One thousand eight hundred and thirty-four.

XII. Provided always, and he it enacted, That the said Dividend shall be subject to Redemption by Parliament upon and at any Time after the Thirtieth Day of April One thousand eight hundred and seventy-four, on Payment to the Company of Two hundred Pounds Sterling for every One hundred Pounds of the said Capital Stock, together with a reasonable Part of the most Improved of the

Commercial  
Business, and  
to sell their  
Property not  
retained for  
Government.

Company not  
prevented  
selling Goods  
the Property  
of others.

Board of  
Control is  
superintend  
the Sale of  
the Property.  
Retention of  
Establish-  
ments, &c.

Board to  
appoint  
Officers to  
attend during  
the winding-up.

The Company  
may consider  
Claims of  
Commercial  
Officers as  
dead, and  
grant Com-  
pensation.

The Particulars  
thereof to be  
laid before Par-  
liament every  
Year.

Company's  
Debt and  
Liabilities  
charged on  
India.

While India  
is under  
Government  
of the Com-  
pany, their  
Property sub-  
ject to Execu-  
tion.

A Dividend of  
10s. 10s. per  
Centum per An-  
num to be paid on  
Company's  
Stock.

Dividend to  
be subject  
to Redemp-  
tion by Par-  
liament.



Notice of  
Redemption.

If Company  
deposed of  
the Govern-  
ment, they may  
demand the  
Redemption of  
the Dividend.  
Company to  
pay to Com-  
missioners the  
Redemption of  
National Debt  
5,000,000, to  
be placed in  
Account of  
Security Fund

Monies and  
Dividends to  
be received,  
and they  
shall be placed  
in some Ac-  
count, until the  
whole amount is  
10 Millions.  
Generally  
known for  
Redemption of  
National  
Debt, upon  
Redemption of  
Court, may  
also be placed  
for Dividends  
in case of  
Failure of  
Businesses.

Application  
of Dividends  
of Security  
Fund and the  
Fund itself  
in aid of  
Governments.

Dividends  
to be paid in pro-  
portion to other  
Charges, and  
5/100 part  
to be paid  
out of 100,000  
Ls. from the  
Public.

Subject to  
such Provi-  
sions, there-  
in to be applied  
in Service of  
India.

Was to pre-  
clude Persons  
claiming to be  
Creditors of the  
Nabob of Arcot, &c.

The Majesty  
may require  
Commissioners  
to the said

Redemption shall take place on any other Day than one of the said half-yearly Days of Payment: Provided also, that Twelve Months Notice in Writing, signed by the Speaker of the House of Commons by the Order of the House, shall be given to the said Company of the Intention of Parliament so to redeem the said Dividend.

XIII. Provided always, and so it enacted, That if so or at any Time after the said Thirtieth Day of April One thousand eight hundred and fifty-four the said Company shall, by the Expiration of the Term hereby granted, cease to exist, or shall by the Authority of Parliament be deprived of the Possession and Government of the said Territories, it shall be lawful for the said Company within One Year thereafter to demand the Redemption of the said Dividend, and Provision shall be made for redeeming the said Dividend, after the Rate aforesaid, within Three Years after such Demand.

XIV. And so it enacted, That there shall be paid by the said Company into the Bank of England, to the Account of the Commissioners for the Reduction of the National Debt, such Sums of Money as shall in the whole amount to the Sum of Two Millions Sterling, with Compound Interest after the Rate of Three Pounds Ten Shillings per Centum per Annum, computed half-yearly from the said Twenty-second Day of April One thousand eight hundred and thirty-four, so as much of the said Sums as shall from Time to Time remain unpaid, and the Cashiers of the said Bank shall receive all such Sums of Money, and place the same to a separate Account with the said Commissioners, to be intitled "The Account of the Security Fund of the said Company;" and that so well the Monies so paid into the said Bank as the Dividends or Interest which shall arise therefrom shall from Time to Time be laid out, under the Direction of the said Commissioners, in the Purchase of Capital Stock in any of the redeemable Public Annuities transferable at the Bank of England, which Capital Stock so purchased shall be intitled in the Names of the said Commissioners on account the said Security Fund, and the Dividends payable thereon shall be received by the said Cashiers and placed to the said Account, until the whole of the Sums so received so such Account shall have amounted to the Sum of Twelve Millions Sterling; and the said Monies, Stock, and Dividends, or Interest, shall be a Security Fund for better securing to the said Company the Redemption of their said Dividend after the Rate herein-before appointed for such Redemption.

XV. Provided always, and so it enacted, That it shall be lawful for the said Commissioners for the Reduction of the National Debt from Time to Time, and they are hereby required, upon Requisition made for that Purpose by the Court of Directors of the said Company, to raise and pay to the said Company such Sums of Money as may be necessary for the Payment of the said Company's Dividend by reason of any Failure or Delay of the Remittance of the proper Funds for such Payment, such Sums of Money to be raised by Sale or Transfer or Deposit by way of Mortgage of a component Part of the said Security Fund, according as the said Directors, with the Approbation of the said Board, shall direct; so to be repaid into the Bank of England to the Account of the Security Fund, with Interest after such Rate as the Court of Directors, with the Approbation of the said Court, shall fix, out of the Remittances which shall be made for covering such Dividend, as and when such Remittances shall be received in England.

XVI. Provided always, and so it enacted, That all Dividends on the Capital Stock forming the said Security Fund according after the Monies received by the said Bank to the Account of such Fund shall have amounted to the Sum of Twelve Millions Sterling, until the said Fund shall be applied to the Redemption of the said Company's Dividend, and also all the said Security Fund, or so much thereof as shall remain after the said Dividend shall be wholly redeemed after the Rate aforesaid, shall be applied in aid of the Revenue of the said Territories.

XVII. And so it enacted, That the said Dividend on the Company's Capital Stock shall be paid or retained as aforesaid out of such Part of the Revenue of the said Territories as shall be allotted to Great Britain, in preference to all other Charges payable thereout in Great Britain; and that the said Sum of Two Millions Sterling shall be paid in manner aforesaid out of any Sums which shall on the said Twenty-second Day of April One thousand eight hundred and thirty-four be due to the said Company from the Public in and when the same shall be received, and out of any Monies which shall arise from the Sale of any Government Stock on that Day belonging to the said Company, in preference to all other Payments thereout, and that, subject to such Provisions for Priority of Charge, the Revenue of the said Territories, and all Monies which shall belong to the said Company on the said Twenty-second Day of April One thousand eight hundred and thirty-four, and all Monies which shall be thereafter received by the said Company from and in respect of the Property and Rights vested in them as Trust or otherwise, shall be applied to the Service of the Government of the said Territories, and in defraying all Charges and Payments by this Act created, or confirmed or directed to be made respectively, in such Order as the said Court of Directors, under the Control of the said Board, shall from Time to Time direct; any thing in any other Act or Acts contained to the contrary notwithstanding.

XVIII. Provided also, and so it enacted, That nothing herein contained shall be construed or operate to the Prejudice of any Persons claiming or to claim under a Deed of Covensant dated the Tenth Day of July One thousand eight hundred and Five, and made between the said Company of the one Part, and the several Persons whose Names should be therein set and affixed, and who respectively were or claimed or be Creditors of His Highness the Nabob Nizam Ali, formerly Nabob of Arcot and of the Carnatic in the East Indies, and now deceased, and of His Highness the Nabob Ghous Ali, late Nabob of Arcot and of the Carnatic, and now also deceased, and of His Highness the Nabob of Orissa, of the other Part.

XIX. And so it enacted, That it shall and may be lawful for His Majesty by any Letters Patent, or by any Commission or Commissions to be issued under the Great Seal of Great Britain from Time to Time to nominate, constitute, and appoint, during Pleasure, such Persons as His Majesty shall think fit to be

and who shall accordingly be and be styled, Commissioners for the Affairs of India; and every Enactment, Provision, Matter, and Thing relating to the Commissioners for the Affairs of India in any other Act or Acts contained, so far as the same are in force and not repealed by or repugnant to this Act, shall be deemed and taken to be applicable to the Commissioners so be constituted as aforesaid.

XX. And be it enacted, That the Lord President of the Council, the Lord Privy Seal, the First Lord of the Treasury, the Principal Secretaries of State, and the Chancellor of the Exchequer for the Time being shall, by virtue of their respective Offices, be and they are hereby declared to be Commissioners for the Affairs of India, in conjunction with the Persons to be constituted as any such Commission as aforesaid, and they shall have the same Powers respectively as if they had been expressly constituted in such Commission, in the Order in which they are herein mentioned, even after the Commission first named therein.

XXI. And be it enacted, That any Two or more of the said Commissioners shall and may form a Board for executing the several Powers which by this Act, or by any other Act or Acts, are or shall be given to or vested in the Commissioners for the Affairs of India; and that the Commissioner first named in any such Letters Patent or Commission, for the Time being, shall be the President of the said Board; and that when any Board shall be formed in the Absence of the President, the Commissioner next in order of Nomination in this Act or in the said Commission, of those who shall be present, shall for that Time preside at the said Board.

XXII. And be it enacted, That if the Commissioners present at any Board shall be equally divided in Opinion with respect to any Matter by them discussed, three and on every such Occasion the President, or in his Absence the Commissioner acting as such, shall have Two Voices or the casting Vote.

XXIII. And be it enacted, That the said Board shall and may nominate and appoint Two Secretaries, and such other Officers as shall be necessary, to attend upon the said Board, who shall be subject to Dismission at the Pleasure of the said Board; and each of the said Secretaries shall have the same Powers, Rights, and Privileges as by any Act or Acts now in force are vested in the Chief Secretary of the Commissioners for the Affairs of India; and that the President of the said Board, but no other Commissioners as such, and the said Secretaries and other Officers, shall be paid by the said Company such fixed Salaries as His Majesty shall, by any Warrant or Warrants under his Sign Manual, sanctioned by the Chancellor of the Exchequer for the Time being, direct.

XXIV. And be it enacted, That if at any Time the said Board shall deem it expedient to require their Secretaries and other Officers of the said Board, or any of them, to take an Oath of Secrecy, and for the Execution of the Duties of their respective Stations, it shall be lawful for the said Board to administer such Oath as they shall think for the Purpose.

XXV. And be it enacted, That the said Board shall have and be invested with full Power and Authority to suppress, direct, and control all Acts, Operations, and Concerns of the said Company which in any wise relate to or concern the Government or Revenue of the said Territories, or the Property hereby vested in the said Company in Trust as aforesaid, and all Grants of Salaries, Gratuities, and Allowances, and all other Payments and Charges whatsoever, out of or upon the said Revenues and Property respectively, except as herein-after is mentioned.

XXVI. And be it enacted, That the several Persons who on the said Twenty-second Day of April One thousand eight hundred and thirty-four shall be Commissioners for the Affairs of India, and Secretaries and Officers of such Board of Commissioners, shall continue and be Commissioners for the Affairs of India, and Secretaries and Officers of the said Board respectively, with the same Powers and subject to the same Restrictions as to Salaries as if they had been respectively by virtue of this Act, until by the issuing of new Patents, Commissions, or otherwise, their Appointments shall be respectively revoked.

XXVII. And be it enacted, That if, upon the Demands of taking any Ballot or the Election of a Director or Directors of the said Company, any Proprietor, who shall be resident within the United Kingdom, shall by reason of Absence, Illness, or otherwise, be desirous of voting by Letter of Attorney, he shall be at Liberty so to do, provided that such Letter of Attorney shall in every Case express the Name or Names of the Candidate or Candidates for whom such Proprietor shall be so desirous of voting, and shall be executed within Ten Days next before such Election; and the Attorney constituted for such Purpose shall in every Case deliver the Vote he is so directed to give equally to the Person or Persons who shall be authorized by the said Company to receive the same; and every such Vote shall be accompanied by an Affidavit or Affirmation to be made before a Justice of the Peace by the Proprietor directing the same so to be given, to the same or the like Effect as the Oath or Affirmation now taken by Proprietors voting upon Ballots at General Courts of the said Company, and in which such Proprietor shall also state the Day of the Execution of such Letter of Attorney; and any Person making a false Oath or Affirmation before a Justice of Peace for the Purpose aforesaid shall be held to have thereby committed wilful Perjury; and if any Person do wilfully or corruptly procure or suborn any other Person to take the said Oath or Affirmation before a Justice of the Peace as aforesaid, whereby he or she shall commit such wilful Perjury, and shall thereof be convicted, he, she, or they, for every such Offence, shall incur such Fines and Penalties as are provided by Law against Subornation of Perjury.

XXVIII. And be it enacted, That so much of the Act of the Thirtieth Year of the Reign of King George the Third, intitled *An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company as well in India as in Europe*, do enact that no Person employed in any Civil or Military Station in the East Indies, or charging or exercising any Power, Authority, or Jurisdiction therein, shall be capable of being appointed or chosen into the Office of Director until such Person shall have returned a true and correct Account of the State of his Affairs, and of the manner in which he has

Affairs of India.

En. Office Commissioners.

Two Commissioners may form a Board; Who shall be President.

President to have the casting Vote.

The Board to appoint Two Secretaries and other Officers; President, &c. to be paid such Salaries as the Council shall direct.

Secretaries and Officers to take Oaths if required.

The Board to control all Acts concerning India, and the Sale of Property.

Commissioners, Secretaries and Officers, as and until they, to continue.

Proprietors may vote by Attorney in Election of Directors.

Regul. of Directors in 13 G. 3. c. 63. with respect to any Person employed in the E. India being chosen Director.

If such Person has received Accounts.

Court to deliver to Board Copies of Minutes, Decisions, &c. of Courts, and of all material Letters.

No Official Communications to be sent by the Court until approved by the Board.

except such as Board may allow.

If the Court wish to issue Official Communications.

Representations may be made by Court as to Official Communications; and Board to be satisfied thereon.

If Court think the Orders of Board necessary to Law, the Court of King's Bench may certify their Opinions on Case.

Board not empowered to appoint Officers.

Directors to appoint a Secret Committee.

Provided, that if the said Court of Directors, with the Consent of the said Board, shall declare such Person to be an Absconter with the said Company, and that his Accounts are unsettled, or that a Charge against such Person is under the Consideration of the said Court, such Person shall not be capable of being chosen into the Office of Director for the Term of Two Years after his Return to England, unless such Accounts shall be settled, or such Charge be decided on, before the Expiration of the said Term.

XXXIX. And be it further enacted, That the said Court of Directors shall from Time to Time deliver to the said Board Copies of all Minutes, Orders, Resolutions, and Proceedings of all Courts of Proprietors, General or Special, and of all Courts of Directors, within Eight Days after the holding of such Courts respectively, and also Copies of all Letters, Advices, and Dispatches whatever which shall at any Time or Times be received by the said Court of Directors or any Committee of Directors, and which shall be material to be communicated to the said Board, or which the said Board shall from Time to Time require.

XXX. And be it enacted, That no Orders, Instructions, Dispatches, Official Letters, or Communications whatever, relating to the said Territories or the Government thereof, or to the Property or Rights vested in the said Company in Trust as aforesaid, or to any public Matters whatsoever, shall be at any Time sent or given by the said Court of Directors, or any Committee of the said Directors, until the same shall have been submitted for the Consideration and approval by the said Board; and for that Purpose that Copies of all such Orders, Instructions, Dispatches, Official Letters, or Communications which the said Court of Directors, or any Committee of the said Directors, shall propose to be sent or given, shall be by them previously laid before the said Board, and that within the Space of Two Months after the Receipt of such proposed Orders, Instructions, Dispatches, Official Letters, or Communications, the said Board shall either return the same to the said Court of Directors or Committee of Directors, with their Approbation thereof, signified under the Hand of One of the Secretaries of the said Board, by the Order of the said Board; or if the said Board shall disapprove, alter, or vary in Substance any of such proposed Orders, Instructions, Dispatches, Official Letters, or Communications, in every such Case the said Board shall give to the said Directors, in Writing, under the Hand of One of the Secretaries of the said Board, by Order of the said Board, their Reasons in respect thereof, together with such Directions to the said Directors in relation thereto; and the said Directors shall and they are hereby required forthwith to send the said Orders, Instructions, Dispatches, Official Letters, or Communications, in the Form approved by the said Board, to their proper Destinations: Provided always, that it shall be lawful for the said Board, by Minutes from Time to Time to be made for that Purpose and entered on the Records of the said Board, and to be communicated to the said Court, to allow such Clauses of Orders, Instructions, Dispatches, Official Letters, or Communications as shall to such Minutes be described to be sent or given by the said Court without having been previously laid before the said Board.

XXXI. And be it enacted, That whenever the said Court of Directors shall wish to prepare and submit for the Consideration of the said Board any Orders, Instructions, Dispatches, Official Letters, or Communications, beyond the Space of Fourteen Days after Registration made to them by Order of the said Board, it shall and may be lawful to and for the said Board to prepare and send to the said Directors any Orders, Instructions, Dispatches, Official Letters, or Communications, together with their Directions relating thereto; and the said Directors shall and they are hereby required forthwith to transmit the same to their proper Destinations.

XXXII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to restrict or prohibit the said Directors from expressing, within Fourteen Days, by Representation in Writing to the said Board, such Remarks, Observations, or Explanations as they shall think fit touching or concerning any Directions which they shall receive from the said Board; and that the said Board shall and they are hereby required to take every such Representation, and the several Matters therein contained or alleged, into their Consideration, and to give such further Directions thereupon as they shall think fit and expedient; which shall be final and conclusive upon the said Directors.

XXXIII. And be it enacted, That if it shall appear to the said Court of Directors that any Orders, Instructions, Dispatches, Official Letters or Communications, except such as shall pass through the Secret Committee, upon which Directions may be so given by the said Board as aforesaid, are contrary to Law, it shall be in the Power of the said Board and the said Court of Directors to send a special Case, to be agreed upon by and between them, and to be brought by the President of the said Board and the Chairman of the said Company, to Three or more of the Judges of His Majesty's Court of King's Bench, for the Opinion of the said Judges; and the said Judges are hereby required to certify their Opinions upon any Case so submitted to them, and to send a Certificate thereof to the said President and Chairman: which Opinion shall be final and conclusive.

XXXIV. Provided always, and be it enacted and declared, That the said Board shall not have the Power of appointing any of the Servants of the said Company, or of directing or interfering with the Officers and Servants of the said Company employed in the House Establishment, nor shall it be necessary for the said Court of Directors to submit for the Consideration of the said Board their Communications with the Officers or Servants employed in their said House Establishment, or with the legal Advisers of the said Company.

XXXV. And be it enacted, That the said Court of Directors shall from Time to Time appoint a Secret Committee, to consist of any Number not exceeding Three of the said Directors, for the particular Purposes in the Act specified: which said Directors so appointed shall, before they or any of them shall act

to the Execution of the Powers and Trusts hereby reposed in them, take an Oath of the Tenor following; which, who shall take this

I (A. B.) do swear, That I will, according to the best of my Skill and Judgment, faithfully execute the several Trusts and Powers reposed in me as a Member of the Secret Committee appointed by the Court of Directors of the India Company; I will not disclose or make known any of the secret Orders, Instructions, Dispatches, Official Letters or Communications which shall be sent or given to me by the Commissioners for the Affairs of India, save only to the other Members of the said Secret Committee, or to the Persons or Persons who shall be duly nominated and employed in transcribing or preparing the same respectively, unless I shall be authorized by the said Commissioners to disclose and make known the same. So help me GOD.

Which said Oath shall and may be administered by the several and respective Members of the said Secret Committee to each other; and, being taken by them taken and subscribed, shall be recorded by the Secretary or Deputy Secretary of the said Court of Directors for the Time being amongst the Acts of the said Court.

XXXVI. Provided also, and be it enacted, That if the said Board shall be of opinion that the Subject Matter of any of their Deliberations concerning the laying War or making Peace, or treating or negotiating with any of the Native Princes or States in India, or with any other Prince or States, or touching the Policy to be observed with respect to such Princes as States, intended to be communicated in Orders, Dispatches, Official Letters or Communications, to any of the Governments or Presidencies in India, or to any Officers or Servants of the said Company, shall be of a Nature to require Secrecy, it shall and may be lawful for the said Board to send their Orders, Dispatches, Official Letters or Communications, to the Secret Committee of the said Court of Directors to be appointed as by this Act directed, who shall thereupon, without disclosing the same, transmit the same according to the Tenor thereof, or pursuant to the Directions of the said Board, to the respective Governments and Presidencies, Officers and Servants; and that the said Governments and Presidencies, Officers and Servants, shall be bound to pay a faithful Obedience thereto, in like Manner as if such Orders, Dispatches, Official Letters or Communications had been sent to them by the said Court of Directors.

XXXVII. And be it enacted, That the said Court of Directors shall, before the Twenty-second Day of April One thousand eight hundred and thirty-four, and afterwards from Time to Time as often as Regulations of the Establishment of the said Court or other Circumstances may require, frame and submit to the said Board an Estimate of the gross Sum which will be annually required for the Salaries of the Chairman, Deputy Chairman, and Members of the said Court, and the Officers and Secretaries thereof, and all other proper Expenses fixed and contingent thereof, and of General Courts of Proprietors; and such Estimate shall be subject to Reduction by the said Board, so that the Reasons for such Reduction be given to the said Court of Directors; and any Sum not exceeding the Sum mentioned in such Estimate, or if the same shall be reduced in such reduced Estimate, shall be annually applicable, at the Discretion of the Court of Directors, to the Payment of the said Salaries and Expenses; and it shall not be lawful for the said Board to interfere with or control the particular Application thereof, or to direct what particular Salaries or Expenses shall from Time to Time be increased or reduced: Provided always, that such and the same Accounts shall be kept and rendered of the Sums so to be applied in defraying the Salaries and Expenses aforesaid as of the other Branches of the Expenditure of the said Company.

XXXVIII. And be it enacted, That the Territories now subject to the Government of the Presidency of Fort William in Bengal shall be divided into Two distinct Presidencies, one of such Presidencies, in which shall be included Fort William aforesaid, to be styled the Presidency of Fort William in Bengal, and the other of such Presidencies to be styled the Presidency of Ajmer; and that it shall be lawful for the said Court of Directors, under the Control by this Act provided, and they are hereby required, to declare and appoint what Part or Parts of any of the Territories under the Government of the said Company shall from Time to Time be subject to the Government of each of the several Presidencies now subsisting or to be established as aforesaid, and from Time to Time, as Occasions may require, to revoke and alter, in the whole or in part, such Appointment, and such new Distribution of the same as shall be deemed expedient.

XXXIX. And be it enacted, That the Superintendance, Direction, and Control of the whole Civil and Military Government of all the said Territories and Revenues in India shall be and is hereby vested in a Governor General and Councilors, to be styled "The Governor General of India in Council."

XL. And be it enacted, That there shall be Four Ordinary Members of the said Council, Three of whom shall from Time to Time be appointed by the said Court of Directors from amongst such Persons as shall be or shall have been Servants of the said Company; and each of the said Three Ordinary Members of Council shall at the Time of his Appointment have been in the Service of the said Company for at least Ten Years; and if he shall be in the Military Service of the said Company, he shall not during his Continuance in Office as a Member of Council hold any Military Command, or be employed in actual Military Duties; and that the Fourth Ordinary Member of Council shall from Time to Time be appointed from amongst Persons who shall not be Servants of the said Company by the said Court of Directors, subject to the Approbation of His Majesty, to be specified in Writing by His Royal Sign Manual, counter-signed by the President of the said Board; provided that such last-mentioned Member of Council shall not be entitled to sit or vote in the said Council except at Meetings thereof for making Laws and Regulations; and it shall be lawful for the said Court of Directors to increase or suppress the Number of the said Members of Council.

If the Board are of opinion that any Matters require Secrecy, they may send Official Communications through Secret Commissions

The Court to submit to the Board an Estimate of Salaries of Directors and other Expenses. The same allowed to be applicable to such Purposes.

Accounts of Applications to be rendered at Presidency of Fort William as directed to be divided. The Court to declare the Limits from Time to Time, of the several Presidencies.

Governors of India.

Members of Council.

Forces in India, and if there shall be no such Commander-in-Chief, or the Officers of such Commander-in-Chief and of Governor General of India shall be vested in the same Person, then the Commander-in-Chief of the Forces on the Bengal Establishment, to be an Extraordinary Member of the said Council, and such Extraordinary Member of Council shall have Rank and Precedence at the Council Board next after the Governor General.

XLII. And he it enacted, That the Person who shall be Governor General of the Presidency of Fort William in Bengal on the Twenty-second Day of April One thousand eight hundred and thirty-four shall be the First Governor General of India under this Act, and such Persons as shall be Members of Council of the same Presidency on that Day shall be respectively Members of the Council constituted by this Act.

XLIII. And he it enacted, That all Vacancies happening in the Office of Governor General of India shall from Time to Time be filled up by the said Court of Directors, subject to the Approbation of His Majesty, to be signified in Writing by His Royal Sign Manual, countersigned by the President of the said Board.

XLIV. And he it enacted, That the said Governor General in Council shall have Power to make Laws and Regulations for repealing, amending, or altering any Laws or Regulations whatsoever now in force or hereafter to be in force in the said Territories or any Part thereof, and to make Laws and Regulations for all Persons, whether British or Native, Foreigners or others, and for all Courts of Justice, whether established by His Majesty's Charters or otherwise, and the Jurisdictions thereof, and for all Places and Things whatsoever within and throughout the whole and every Part of the said Territories, and for all Services of the said Company within the Dominions of Princes and States in alliance with the said Company; save and except that the said Governor General in Council shall not have the Power of making any Laws or Regulations which shall in any way repeal, vary, suspend, or affect any of the Provisions of this Act, or any of the Provisions of the Acts for punishing Mutiny and Desertion of Officers and Soldiers, whether in the Service of His Majesty or the said Company, or any Provisions of any Act hereafter to be passed in anywise affecting the said Company or the said Territories or the Inhabitants thereof, or any Laws or Regulations which shall in any way affect any Prerogative of the Crown, or the Authority of Parliament, or the Constitution or Rights of the said Company, or any Part of the aforesaid Laws or Constitution of the United Kingdom of Great Britain and Ireland whosoever may depend in any Degree on the Allegiance of any Person to the Crown of the United Kingdom, or the Sovereignty or Dominion of the said Crown over any Part of the said Territories.

XLV. Provided always, and he it enacted, That in case the said Court of Directors, under such Control as by this Act is provided, shall signify to the said Governor General in Council their Disallowance of any Laws or Regulations by the said Governor General in Council made, then and in every such Case, upon Receipt by the said Governor General in Council of Notice of such Disallowance, the said Governor General in Council shall forthwith repeal all Laws and Regulations so disallowed.

XLVI. Provided also, and he it enacted, That all Laws and Regulations made as aforesaid, so long as they shall remain unappealed, shall be of the same Force and Effect within and throughout the said Territories as any Act of Parliament would or ought to be within the same Territories, and shall be taken notice of by all Courts of Justice whatsoever within the same Territories, in the same Manner as any Public Act of Parliament would and ought to be taken notice of; and it shall not be necessary to register or publish in any Court of Justice any Laws or Regulations made by the said Governor General in Council.

XLVII. Provided also, and he it enacted, That it shall not be lawful for the said Governor General in Council, without the previous Sanction of the said Court of Directors, to make any Law or Regulation whereby Power shall be given to any Courts of Justice, other than the Courts of Justice established by His Majesty's Charters, to sentence in the Punishment of Death any of His Majesty's natural-born Subjects born in Europe, or the Children of such Subjects, or which shall abridge any of the Courts of Justice established by His Majesty's Charters.

XLVIII. And he it enacted, That the said Court of Directors shall forthwith submit, for the Approbation of the said Board, such Rules as they shall deem expedient for the Procedure of the Governor General in Council in the Discharge and Exercise of all Powers, Functions, and Duties imposed on or vested in him by virtue of this Act, or to be imposed or vested in him by any other Act or Acts; which Rules shall prescribe the Modes of Prerogative of any Laws or Regulations to be made by the said Governor General in Council, and of the Authentication of all Acts and Proceedings whatsoever of the said Governor General in Council; and such Rules, when approved by the said Board of Commissioners, shall be of the same Force as if they had been inserted in this Act: Provided always, that such Rules shall be laid before both Houses of Parliament in the Session next after the Approval thereof.

XLIX. Provided always, and he it enacted, That all Laws and Regulations shall be made at some Meeting of the Council at which the said Governor General and at least Three of the Ordinary Members of Council shall be assembled, and that all other Functions of the said Governor General in Council may be executed by the said Governor General and One or more Ordinary Member or Members of Council, and that in every Case of Difference of Opinion at Meetings of the said Council where there shall be an Equality of Votes the said Governor General shall have Two Votes or the casting Vote.

L. Provided always, and he it enacted, That when and so often as any Measure shall be proposed before the said Governor General in Council, whereby the Safety, Tranquillity or Interests of the British Possessions in India, or any Part thereof, are or may be, in the Judgment of the said Governor General, essentially affected, and the said Governor General shall be of opinion either that the Measure so proposed ought to be adopted or carried into execution, or that the same ought to be suspended or wholly rejected.

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Governor, Act  
1. 1. 2nd April  
1834 to be  
in number  
this Act

Printing up  
Votes in  
three Offices.

The Governor  
General in  
Council empowered  
to regulate for  
India, except  
as to Matters  
herein men-  
tioned.

If the Court  
of Directors  
disallow the  
Laws, Statutes  
or in Council  
to repeal them.

All such  
Laws and  
Regulations to  
be of the  
same Force  
as any Act of  
Parliament.

Reserving the  
Power of  
punishing  
with Death  
European  
Subjects, &c.

The Court  
to submit to  
the Board  
Rules for the  
Procedure of  
the Governor  
General in  
Council.

Votes to be  
had before  
Parliament.  
Governor  
General and  
Members  
in Council.

Manner of  
Proceeding  
when any  
Measure is  
proposed  
whereby the

and the Majority in Council then present shall differ in *Opinion* from such *Opinions*, the said Governor General and Members of Council are hereby directed forthwith mutually to exchange with and communicate to each other in Writing under their respective Hands, to be recorded at large in their Secret Consultations, the Grounds and Reasons of their respective *Opinions*; and if after considering the same the said Governor General and the Majority in Council shall still differ in *Opinion*, it shall be lawful for the said Governor General, of his own Authority and on his own Responsibility, to assent or reject the Measure so proposed in Part or in Whole, or to adopt and carry the Measure so proposed into Execution, as the said Governor General shall think fit and expedient.

L. And be it enacted, That the said Council shall from Time to Time assemble at each Place or Places as shall be appointed by the said Governor General in Council within the said Territories, and that as often as the said Council shall assemble within any of the Presidencies of Fort Saint George, Bombay, or Agara, the Governor of such Presidency shall act as an Extraordinary Member of Council.

M. Provided always, and be it enacted, That nothing herein contained shall extend to affect in any way the Right of Parliament to make Laws for the said Territories and for all the Inhabitants thereof, and it is expressly declared that a full, complete, and constantly existing Right and Power is intended to be reserved to Parliament to control, suspend, or prevent all Proceedings and Acts whatsoever of the said Governor General in Council, and to repeal and alter at any Time any Law or Regulation whatsoever made by the said Governor General in Council, and in all respects to legislate for the said Territories and all the Inhabitants thereof in as full and ample a Manner as if this Act had not been passed; and the better to enable Parliament to exercise at all Times such Right and Power, all Laws and Regulations made by the said Governor General in Council shall be transmitted to England, and laid before both Houses of Parliament, in the same Manner as is now by Law provided concerning the Rules and Regulations made by the several Governments in India.

N. And be it enacted, That all Executions, Provisions, Matters, and Things relating to the Governor General of Fort William in Bengal in Council, and the Governor General of Fort William in Bengal alone, respectively, in any other Act or Acts contained, so far as the same are now in force, and not repealed by or repugnant to the Provisions of this Act, shall continue and be in force and be applicable to the Governor General of India in Council, and to the Governor General of India alone, respectively.

LIII. And whereas it is expedient that, subject to such special Arrangements as local Circumstances may require, a general System of Judicial Establishments and Police, to which all Persons whatsoever, as well Europeans as Natives, may be subject, should be established in the said Territories at an early Period, and that such Laws as may be applicable in common to all Classes of the Inhabitants of the said Territories, due regard being had to the Rights, Feelings, and peculiar Usages of the People, should be enacted, and that all Laws and Customs having the Force of Law within the same Territories should be ascertained and ascertained, and as Occasion may require amended; be it therefore enacted, That the said Governor General of India in Council shall, as soon as conveniently may be after the passing of this Act, issue a Commission, and from Time to Time Commissions, to such Persons as the said Court of Directors, with the Approbation of the said Board of Commissioners, shall recommend for that Purpose, and to such other Persons, if necessary, as the said Governor General in Council shall think fit, all such Persons, not exceeding in the whole of any one Time Five in Number, and to be styled "The Indian Law Commissioners," with all such Powers as shall be necessary for the Purposes herein-after mentioned; and the said Commissioners shall fully inquire into the Jurisdiction, Powers, and Rules of the existing Courts of Justice and Police Establishments in the said Territories, and all existing Forms of Judicial Procedure, and into the Nature and Operation of all Laws, whether Civil or Criminal, written or customary, prevailing and in force in any Part of the said Territories, and wherever any Inhabitants of the said Territories, whether Europeans or others, are now settled; and the said Commissioners shall from Time to Time make Reports, in which they shall fully set forth the Result of their said Inquiries, and shall from Time to Time suggest such Alterations as may in their Opinion be beneficially made in the said Courts of Justice and Police Establishments, Forms of Judicial Procedure and Law, due regard being had to the Distinction of Castes, Difference of Religion, and the Manners and Opinions prevailing among different Races and in different Parts of the said Territories.

LIV. And be it enacted, That the said Commissioners shall follow such Instructions with regard to the Researches and Inquiries to be made and the Places to be visited by them, and all their Transactions with reference to the Objects of their Commission, as they shall from Time to Time receive from the said Governor General in Council, and they are hereby required to make to the said Governor General in Council such special Reports upon any Matters as by such Instructions may from Time to Time be required; and the said Governor General in Council shall take into consideration the Reports from Time to Time to be made by the said Indian Law Commissioners, and shall transmit the same, together with the Opinions or Resolutions of the said Governor General in Council thereon, to the said Court of Directors; and which said Reports, together with the said Opinions or Resolutions, shall be laid before both Houses of Parliament in the same Manner as is now by Law provided concerning the Rules and Regulations made by the several Governments in India.

LIV. And be it enacted, That it shall and may be lawful for the Governor General of India in Council to grant Salaries to the said Indian Law Commissioners and their necessary Officers and Attendants, and to defray such other Expenses as may be incident to the said Commission, and that the Salaries of the said Commissioners shall be according to the highest Scale of Remuneration given to any of the Officers or Servants of the East India Company, before the North of the Mountains of Hindostan in the same Part

Safety or  
Peace of  
India may be  
materially  
affected.

Council as  
assembled at  
any Place in  
India.

Act not to  
affect the  
Parliament  
in England  
for India.  
Engrain  
Restriction.  
Laws, &c.  
to be laid  
before Par-  
liament.

All Execu-  
tions relat-  
ing to the  
Bengal  
Governments  
to apply to  
the Governor  
General.

A Law Com-  
missioner to  
be appointed,  
to inquire into  
the Jurisdic-  
tion, &c., of  
Courts of  
Justice and  
Police Estab-  
lishments,  
and the  
Operation of  
the Laws  
therein.

To follow In-  
structions of  
Governor Gen-  
eral, and to  
make special  
Reports.  
Governor  
General in  
Council to  
consider  
Reports, and  
transmit them.

Salaries to be  
granted by  
Law Com-  
missioners.

The Execu-  
tive Govern-  
ment.

ment of the  
Presidencies  
to be ad-  
ministered by a Govern-  
or and Three  
Councilors.

Directors may  
revolve the Ap-  
pointment of  
Councilors, or  
reduce the  
Number of  
Councilors.

Governors of  
Fort St. George  
and Bombay,  
Governor of  
Agra, and  
Governors in  
Presidencies to  
be filled  
up by Court.  
Power of  
Governors of  
Presidencies.

If Court of  
Directors  
neglect the  
Two Months  
to supply Vac-  
ancy in any  
Office, the  
King to ap-  
point.

Power to make  
Provisional  
Appointments  
in any Offices.

Provisional  
Appointments  
of certain  
Offices to be  
approved by  
His Majesty.

Power of Vac-  
ancy in the  
Office of Gov-  
ernor General,  
and no Suc-  
cessor upon the  
Spot, the Or-  
dinary Member  
of Council  
next in Rank  
to act as such.

In case of a  
Vacancy in the  
Office of Go-

vernors in Bengal, Fort Saint George, Bombay, and Agra shall be administered by a Governor and Three Councilors, to be styled "The Governor in Council of the said Presidencies of Fort William in Bengal," Fort Saint George, Bombay, and Agra, respectively;" and the said Governor and Councilors respectively of each such Presidency shall have the same Rights and Voices in their Assemblies, and shall observe the same Order and Course in their Proceedings, as the Governors in Council of the Presidencies of Fort Saint George and Bombay now have and observe, and that the Governor General of India for the Time being shall be Governor of the Presidency of Fort William in Bengal.

LXV. Provided always, and be it enacted, That it shall and may be lawful for the said Court of Directors, under such Control as to be by this Act provided, to revoke and suspend, as often and for such Periods as the said Court shall in that behalf direct, the Appointment of Councilors in all or any of the said Presidencies, or to reduce the Number of Councilors in all or any of the said Councils, and during such Time as a Council shall not be appointed in any such Presidency the Executive Government thereof shall be administered by a Governor alone.

LXVI. And be it enacted, That the several Persons who on the said Twenty-second Day of April One thousand eight hundred and thirty-four shall be Governors of the respective Presidencies of Fort Saint George and Bombay, shall be the first Governors of the said Presidencies respectively under this Act; and that the Office of Governor of the said Presidency of Agra, and all Vacancies happening in the Offices of the Governors of the said Presidencies respectively, shall be filled up by the said Court of Directors, subject to the Approbation of His Majesty, to be signified under His Royal Sign Manual, counterseigned by the said President of the said Board of Commissioners.

LXVII. And be it enacted, That in the Presidencies in which the Appointment of a Council shall be suspended under the Provisions herein-before contained, and during such Time as Councils shall not be appointed therein respectively, the Governors appointed under this Act, and in the Presidencies in which Councils shall from Time to Time be appointed the said Governors in their respective Councils, shall have all the Rights, Powers, Duties, Privileges, and Immunities whatsoever, not in anywise repugnant to this Act, which the Governors of Fort Saint George and Bombay in their respective Councils now have within their respective Presidencies; and that the Governors and Members of Council of Presidencies appointed by or under this Act shall severally have all the Rights, Powers, and Immunities respectively, not in anywise repugnant to this Act, which the Governors and Members of Council of the Presidencies of Fort Saint George and Bombay respectively now have in their respective Presidencies; provided that no Governor or Governor in Council shall have the Power of making or suspending any Regulations or Laws in any Case whatsoever, unless in Cases of urgent Necessity (the Burthen of the Proof whereof shall be on such Governor or Governor in Council), and then only and the Decision of the Governor General of India in Council shall be signified therein; and provided also, that no Governor or Governor in Council shall have the Power of creating any new Office, or granting any Salary, Gratuity, or Allowance, without the previous Sanction of the Governor General of India in Council.

LXVIII. Provided always, and be it enacted, That when and so often as the said Court of Directors shall neglect for the Space of Two Calendar Months, to be computed from the Day whereon the Notification of the Vacancy of any Office or Employment in India in the Appointment of the said Court shall have been received by the said Court, to supply such Vacancy, then and in every such Case it shall be lawful for His Majesty to appoint, by Writing under His Sign Manual, such Person as His Majesty shall think proper to supply such Vacancy; and that every Person so appointed shall have the same Powers, Privileges, and Authorities as if he or they had been appointed by the said Court, and shall not be subject to Removal or Dismissal without the Approbation and Consent of His Majesty.

LXIX. And be it enacted, That it shall be lawful for the said Court of Directors to appoint any Person or Persons provisionally to succeed to any of the Offices aforesaid, for supplying any Vacancy or Vacancies therein, when the same shall happen by the Death or Resignation of the Person or Persons holding the same Office or Offices respectively, or on his or their Departure from India with Intent to return to Europe, or on any Event or Contingency expressed in any such provisional Appointment or Appointments to the same respectively, and such Appointments upon to revoke. Provided that every provisional Appointment to the several Offices of Governor General of India, Governor of a Presidency, and the Member of Council of India, by this Act directed to be appointed from amongst Persons who shall not be Servants of the said Company, shall be subject to the Approbation of His Majesty, to be signified as aforesaid, but that no Person so appointed to succeed provisionally to any of the said Offices shall be entitled to any Authority, Salary, or Emolument appertaining thereto until he shall be in the actual Possession of such Office.

LXX. And be it enacted, That if any Vacancy shall happen in the Office of Governor General of India when no provisional or other Successor shall be upon the Spot to supply such Vacancy, then and in every such Case the Ordinary Member of Council next in Rank to the said Governor General shall hold and execute the said Office of Governor General of India and Governor of the Presidency of Fort William in Bengal until a Successor shall arrive, or until some other Person on the Spot shall be duly appointed therein; and that every such Acting Governor General shall, during the Time of his continuing to act as such, have and exercise all the Rights and Powers of Governor General of India, and shall be entitled to receive the Emoluments and Advantages appertaining to the Office by him supplied, such Acting Governor General foregoing his Salary and Allowance of a Member of Council for the same Period.

LXXI. And be it enacted, That if any Vacancy shall happen in the Office of Governor of Fort Saint George, Bombay, or Agra when no provisional or other Successor shall be upon the Spot to supply such Vacancy, then and in every such Case the Ordinary Member of Council next in Rank to the said Governor shall hold and execute the said Office of Governor of the said Presidency, and shall be entitled to receive the Emoluments and Advantages appertaining to the Office by him supplied, such Acting Governor foregoing his Salary and Allowance of a Member of Council for the same Period.

shall happen, the Member of such Council, who shall be next in Rank to the Governor, other than the Commander in Chief or Officer commanding the Forces of such Presidency, and if there shall be an Council, then the Secretary of Government of the said Presidency who shall be senior in the said Office of Secretary, shall hold and execute the said Office of Governor until a Successor shall arrive, or until some other Person on the Spot shall be duly appointed thereto; and that every such Acting Governor shall, during the Time of his continuing to act as such, receive and be entitled to the Emoluments and Advantages appertaining to the Office by him supplied, such Acting Governor foregoing all Salaries and Allowances by him held and enjoyed at the Time of his being called to supply such Office.

LXIV. And be it enacted, That if any Vacancy shall happen in the Office of an Ordinary Member of Council of India when no Person provisionally or otherwise appointed to succeed thereto shall be then present on the Spot, then and on every such Occasion such Vacancy shall be supplied by the Appointment of the Governor General in Council; and if any Vacancy shall happen in the Office of a Member of Council of any Presidency when no Person provisionally or otherwise appointed to succeed thereto shall be then present on the Spot, then and on every such Occasion such Vacancy shall be supplied by the Appointment of the Governor in Council of the Presidency in which such Vacancy shall happen; and until a Successor shall arrive the Person so nominated shall execute the Office by him supplied, and shall have all the Powers thereof, and shall have and be entitled to the Salary and other Emoluments and Advantages appertaining to the said Office during his Continuance therein, every such temporary Member of Council foregoing all Salaries and Allowances by him held and enjoyed at the Time of his being appointed to such Office: Provided always, that no Person shall be appointed a temporary Member of Council who might not have been appointed by the said Court of Directors to fill the Vacancy supplied by such temporary Appointment.

LXV. And be it further enacted, That the said Governor General in Council shall have and be invested by virtue of this Act with full Power and Authority to superintend and control the Governors and Governors in Council of Fort William in Bengal, Fort Saint George, Bombay, and Agre, and all Persons relating to the Civil or Military Administration of the said Presidencies respectively, and the said Governors and Governors in Council shall be bound to obey such Orders and Instructions of the said Governor General in Council in all Cases whatsoever.

LXVI. And be it enacted, That it shall and may be lawful for the Governors or Governors in Council of Fort William in Bengal, Fort Saint George, Bombay, and Agre respectively, to propose to the said Governor General in Council Drafts or Projects of any Laws or Regulations which the said Governors or Governors in Council respectively may think expedient, together with their Reasons for proposing the same; and the said Governor General in Council is hereby required to take the same and such Reasons into consideration, and to communicate the Resolutions of the said Governor General in Council thereon, to the Governor or Governor in Council by whom the same shall have been proposed.

LXVII. And be it enacted, That when the said Governor General shall visit any of the Presidencies of Fort Saint George, Bombay, or Agre, the Powers of the Governors of those Presidencies respectively shall not by reason of such Visit be suspended.

LXVIII. And be it enacted, That the said Governors and Governors in Council of the said Presidencies of Fort William in Bengal, Fort Saint George, Bombay, and Agre respectively shall and they are hereby respectively required regularly to transmit to the said Governor General in Council true and exact Copies of all such Orders and Acts of their respective Governments, and also Advice and Intelligence of all Transactions and Matters which shall have come to their Knowledge, and which they shall deem material to be communicated to the said Governor General in Council as aforesaid, or as the said Governor General in Council shall from Time to Time require.

LXIX. And be it enacted, That it shall be lawful for the said Governor General in Council, as often as the Exigencies of the Public Service may appear to him to require, to appoint such one of the Ordinary Members of the said Council of India as he may think fit to be Deputy Governor of the said Presidency of Fort William in Bengal, and such Deputy Governor shall be created with all the Powers and perform all the Duties of the said Governor of the Presidency of Fort William in Bengal, but shall receive no additional Salary by reason of such Appointment.

LXX. And be it enacted, That whenever the said Governor General in Council shall declare that it is expedient that the said Governor General should visit any Part of India unaccompanied by any Member or Members of the Council of India, it shall be lawful for the said Governor General in Council, previously to the Departure of the said Governor General, to nominate some Member of the Council of India to be President of the said Council, in whose during the Absence of the said Governor General from the said Presidency of Fort William in Bengal, the Powers of the said Governor General in Assembly of the said Council shall be reposed, and it shall be lawful in every such Case for the said Governor General in Council, by a Law or Regulation for that Purpose to be made, to authorize the Governor General alone to exercise all or any of the Powers which might be exercised by the said Governor General in Council, except the Power of making Laws or Regulations: Provided always, that during the Absence of the Governor General no Law or Regulation shall be made by the said President and Council without the Assent in Writing of the said Governor General.

LXXI. And be it enacted, That there shall not, by reason of the Division of the Territories now subject to the Government of the Presidency of Fort William in Bengal into Two Presidencies as aforesaid, be any Separation between the Establishments and Forces thereof respectively, or any Alteration in the Course and Order of Disposition and Employment of the Company's Troops in the said Two Presidencies.

in case of any of the aforesaid Presidencies, and no provision or other Successor on the Spot.

In case of a Vacancy in the Office of a Member of Council when no provision or other Successor on the Spot.

The Governor General in Council to have the Control over the Presidencies.

Drafts of Laws proposed by Governors to be taken into consideration by Governor General in Council.

Powers of Governors of Presidencies not to be suspended.

Communications to be transmitted by Governors to Governor General in Council.

The Governor General in Council may appoint a Deputy Governor of Bengal.

In case it shall be deemed expedient for the Governor General to visit any Part of India without his Council.

The new Presidency of Agre not to affect the Disposition of Command.



and Officers in  
Bengal and  
Agra.

respectively, but that all the Servants, Civil and Military, of the *Royal Establishments and Forces*, shall and may succeed and be appointed to all Commands and Offices within either of the said Presidencies respectively as if this Act had not been passed.

President of  
Fort William  
to be sworn for  
the Purpose of  
the Military  
Act.

LXXII. And be it enacted, That for the Purpose of an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and to authorise Soldiers and Sailors on the East Indies to send and receive Letters of a regulated Rate of Postage*, and of any Articles of War made or to be made under the same, the Presidency of Fort William in Bengal shall be taken and deemed to comprise under and within it all the Territories which by or in virtue of this Act shall be divided between the Presidencies of Fort William in Bengal and Agra respectively, and shall for all the Purposes aforesaid be taken to be the Presidency of Fort William in Bengal in the said Act mentioned.

Articles of  
War to be  
made by Go-  
vernor General  
in Council

LXXIII. And be it enacted, That it shall be lawful for the said Governor General in Council from Time to Time to make Articles of War for the Government of the Native Officers and Soldiers in the Military Service of the Company, and for the Administration of Justice by Courts-martial to be holden on such Officers and Soldiers, and such Articles of War from Time to Time to repeal or vary and amend; and such Articles of War shall be made and taken notice of in the same Manner as all other the Laws and Regulations to be made by the said Governor General in Council under this Act, and shall prevail and be in force, and shall be of exclusive Authority over all the Native Officers and Soldiers in the said Military Service, or whatsoever Presidency such Officers and Soldiers may belong, or wheresoever they may be serving: Provided nevertheless, that such Articles of War shall be made by the said Governor General in Council any Articles of War far or relating to the Government of the Company's Native Forces, which at the Time of this Act coming into operation shall be in force and use in any Part or Parts of the said Territories, shall remain in force.

His Majesty  
may remove  
any Officers of  
the Company  
in India

LXXIV. And be it enacted, That it shall be lawful for His Majesty, by any Writing under His Sign Manual, counter-signed by the President of the said Board of Commissioners, to remove or dismiss any Person holding any Office, Employment, or Commission, Civil or Military, under the said Company in India, and to vacate any Appointment or Commission of any Person to any such Office or Employment; provided that a Copy of every such Writing, attested by the said President, shall within Eight Days after the same shall be signed by His Majesty be transmitted or delivered to the Chairman or Deputy Chairman of the said Company.

His Power of  
the Directors  
to remove their  
Servants pro-  
vided

LXXV. Provided always, and be it enacted, That nothing in this Act contained shall take away the Power of the said Court of Directors to remove or dismiss any of the Officers or Servants of the said Company, but that the said Court shall and may at all Times have full Liberty to remove or dismiss any of such Officers or Servants at their Will and Pleasure; provided that any Servant of the said Company appointed by the Majesty through the Default of Appointment by the said Court of Directors shall not be dismissed or removed without His Majesty's Approbation, as herein-before is mentioned.

Salaries of Go-  
vernor General,  
&c. fixed  
to be on this  
of all Parts, &c.

LXXVI. And be it enacted, That there shall be paid to the several Officers herein-after named the several Salaries set against the Names of such Officers, subject to such Reduction of the said several Salaries respectively as the said Court of Directors, with the Sanction of the said Board, may at any Time think fit: (that is to say.)

To the Governor General of India, Two hundred and forty thousand Sixca Rupees:

To each Ordinary Member of the Council of India, Ninety-six thousand Sixca Rupees:

To each Governor of the Presidencies of Fort Saint George, Bombay, and Agra, One hundred and twenty thousand Sixca Rupees:

To each Member of any Council to be appointed in any Presidency, Sixty thousand Sixca Rupees:

And the Salaries of the said Officers respectively shall commence from their respective taking upon them the Execution of their respective Offices, and the said Salaries shall be the whole Profit or Advantage which the said Officers shall enjoy during their Continuance in such Offices respectively; and it shall be and it is hereby declared to be a Misfeasance for any such Officer to accept for his own Use, or the Discharge of his Office, any Present, Gift, Donation, Gracious, or Reward, pecuniary or otherwise whatsoever, or to trade or traffick for his own Benefit or for the Benefit of any other Person or Persons whatsoever; and the said Court of Directors are hereby required to pay to all and regulate the Officers and Persons herein-after named who shall be resident in the United Kingdom at the Time of their respective Appointments, in the Purpose of defraying the Expenses of their Equipment and Voyage, such Sums of Money as are set against the Names of such Officers and Persons respectively, (that is to say.)

To the Governor General, Five thousand Pounds:

To each Member of the Council of India, One thousand two hundred Pounds:

To each Governor of the Presidencies of Fort Saint George, Bombay, and Agra, Two thousand five hundred Pounds:

Provided also, that any Governor General, Governor, or Member of Council appointed by or by virtue of this Act, who shall at the Time of passing this Act hold the Office of Governor General, Governor, or Member of Council respectively, shall receive the same Salary and Allowances that he would have received if this Act had not been passed.

Appointed  
Governor and  
Governors to

LXXVII. Provided always, and be it enacted, That if any Governor General, Governor, or Ordinary Member of the Council of India, or any Member of the Council of any Presidency, shall hold or enjoy Printed image digitised by the University of Southampton Library Digitisation Unit any

any Pension, Salary, or any Place, Office, or Employment of Profit under the Crown or any Public Office or the said Company, or any Allowance payable out of the Civil or Military Fund of the said Company, the Salary of his Office of Governor General of India, Governor or Member of Council, shall be reduced by the Amount of the Pension, Salary, Annuity, or Profits of Office as respectively held or enjoyed by him.

LXXVIII. And be it enacted, That the said Court of Directors, with the Approbation of the said Board of Commissioners, shall and may from Time to Time make Regulations for the Division and Distribution of the Patronage and Power of Nomination of and to the Offices, Commands, and Employments in the said Territories, and in all or any of the Provinces thereof, among the said Governor General in Council, Governor General, Governors in Council, Commanders in Chief and other Commanding Officers respectively appointed or to be appointed under this Act.

LXXIX. And be it enacted, That the Return to Europe or the Departure from India with Intent to return to Europe of any Governor General of India, Governor, Member of Council, or Commander in Chief, shall be deemed in Law a Resignation and Avoidance of his Office or Employment, and that no Act or Declaration of any Governor General, or Governor, or Member of Council, other than as aforesaid, excepting a Declaration in Writing under Hand and Seal, delivered to the Secretary for the Public Department of the Presidency wherein he shall be, in order to its being recorded, shall be deemed or held as a Resignation or Surrender of his said Office; and that the Salary and other Allowances of any such Governor General or other Officer respectively shall cease from the Day of such his Departure, Resignation, or Surrender; and that if any such Governor General or Member of Council of India shall leave the said Territories, or if any Governor or other Officer whatever in the Service of the said Company shall leave the Presidency to which he shall belong, other than in the known actual Service of the said Company, the Salary and Allowances appertaining to his Office shall not be paid or payable during his Absence to any Agent or other Person for his Use; and in the event of his not returning, or of his coming to Europe, his Salary and Allowance shall be deemed to have ceased on the Day of his leaving the said Territories, or the Presidency to which he may have belonged; provided that it shall be lawful for the said Company to make such Payment as is now by Law permitted to be made to the Representatives of their Officers or Servants who, having left their Stations intending to return thereto, shall die during their Absence.

LXXX. And be it enacted, That every wilful disobeying, and every wilful deserting, forbearing, or neglecting to execute the Orders or Instructions of the said Court of Directors by any Governor General of India, Governor, Member of Council, or Commander in Chief, or by any other of the Officers or Servants of the said Company, unless in Cases of Necessity (the Burden of the Proof of which Necessity shall be on the Person so disobeying or omitting, forbearing, or neglecting, to execute such Orders or Instructions as aforesaid); and every wilful Breach of the Trust and Duty of any Office or Employment by any such Governor General, Governor, Member of Council, or Commander in Chief, or any of the Officers or Servants of the said Company, shall be deemed and taken to be a Misdemeanor at Law, and shall or may be proceeded against and punished as such by virtue of this Act.

LXXXI. And be it enacted, That it shall be lawful for any natural-born Subject of His Majesty to proceed by Sea to any Port or Place having a Custom-house Establishment within the said Territories, and to reside therein, or to proceed to and reside in or pass through any Part of such of the said Territories as were under the Government of the said Company on the First Day of January One thousand eight hundred, and in any Part of the Countries ceded by the Nizam of the Deccan, of the Province of Chittaur, and of the Settlements of Satepore and Malacca, without any License whatever; provided that all Subjects of His Majesty not Natural-born of the said Territories shall, on their Arrival in any Part of the said Territories from any Port or Place not within the said Territories, make known in Writing their Names, Places of Destination, and Objects of Passage to India, to the Chief Officer of the Customs or other Officer authorized for that Purpose at such Port or Place as aforesaid.

LXXXII. Provided always, and be it enacted, That it shall not be lawful for any Subject of His Majesty, except the Servants of the said Company and others now lawfully authorized to reside in the said Territories, to enter the same by Land, or to proceed to or reside in any Place or Places in such Parts of the said Territories as are not herein-before so that aforesaid, without Leave from the said Board of Commissioners, or the said Court of Directors, or the said Governor General in Council, or a Governor or Governor in Council of any of the said Presidencies for that Purpose first obtained; Provided always, that no License given to any natural-born Subject of His Majesty to reside in Parts of the Territories not open to all such Subjects shall be determined or revoked unless in accordance with the Terms of some express Clause of Revocation or Determination in such License contained.

LXXXIII. Provided always, and be it enacted, That it shall be lawful for the said Governor General in Council, with the previous Consent and Approbation of the said Court of Directors for that Purpose obtained, to declare any Place or Places whatever within the said Territories open to all His Majesty's natural-born Subjects, and it shall be thenceforth lawful for any of His Majesty's natural-born Subjects to proceed to, or reside in, or pass through any Place or Places declared open without any License whatsoever.

LXXXIV. And be it enacted, That the said Governor General in Council shall and he is hereby required, as soon as conveniently may be, to make Laws or Regulations providing for the Prevention or Punishment of the illicit Entrance into or Residence in the said Territories of Persons not authorized to enter or reside therein.

George Pendergast and other Petitioners.

Directors to make Regulations for the Distribution of Patronage in India.

Departure of Governor General, &c. for Europe, to be a Resignation.

Resignation in India to be by Deed.

Salary to cease on Departure or Resignation.

As to Officers dying during Absence.

Disobedience of Orders and Breach of Trust by Officers or Servants of the Company in India, Misdemeanors.

Authority for His Majesty's Subjects to reside in certain Parts of India without License.

Subjects of His Majesty not to reside in certain Parts of India without License.

The Governor General, with Consent, may declare other Places open.

Laws against illicit Entrance to be made.

Laws and Regulations to be made for Protection of Nations.

Lands within the Indian Territories may be purchased.

No Disabilities in respect of Religion, &c.

Slavery to be extinguished, and abolished as soon as practicable.

Respecting the Government of the Diocese of Calcutta.

If the King erects Bishopsricks of Madras and Bombay, certain Salaries to be paid to the Bishops.

Such Salaries to commence from Time of taking Office, and to be in Full, &c.

Passage Money for such Bishops.

As to Jurisdiction of such Bishops.

The King empowered by Letters Patent to have Jurisdiction and Functions.

The Bishop of Calcutta to be Metropolitan in India.

LXXXV. And whereas the Removal of Restrictions on the Intercourse of Europeans with the said Territories will render it necessary to provide against any Mischiefs or Dangers that may arise therefrom, be it therefore enacted, That the said Governor General in Council shall and he is hereby required, by Laws or Regulations, to provide with all convenient Speed for the Protection of the Natives of the said Territories from Incest and Obtrusion in their Persons, Religions, or Opinions.

LXXXVI. And be it enacted, That it shall be lawful for any natural-born Subject of His Majesty authorized to reside in the said Territories to acquire and hold Lands, or any Right, Interest, or Profit in or out of Lands, for any Term of Years, in such Part or Parts of the said Territories as he shall be authorized to reside in: Provided always, that nothing herein contained shall be taken to prevent the said Governor General in Council from making, by any Laws or Regulations, or otherwise, any Subjects of His Majesty to acquire or hold any Lands, or Rights, Interests, or Profits in or out of Lands, in any Part of the said Territories, and for any Estates or Terms whatever.

LXXXVII. And be it enacted, That no Native of the said Territories, nor any natural-born Subject of His Majesty resident therein, shall, by reason only of his Religion, Place of Birth, Descent, Colour, or any of them, be disabled from holding any Place, Office, or Employment under the said Company.

LXXXVIII. And be it further enacted, That the said Governor General in Council shall and he is hereby required forthwith to take into consideration the Means of mitigating the State of Slavery, and of ameliorating the Condition of Slaves, and of extinguishing Slavery throughout the said Territories as soon as such Extinction shall be practicable and safe, and from Time to Time to prepare and transmit to the said Court of Directors Drafts of Laws or Regulations for the Purpose aforesaid, and that in preparing such Drafts due regard shall be had to the Loss of Marriages and the Rights and Authority of Fathers and Heads of Families, and that such Drafts shall forthwith after Receipt thereof be taken into consideration by the said Court of Directors, who shall, with all convenient Speed, communicate to the said Governor General in Council their Instructions on the Drafts of the said Laws and Regulations, but as such Laws and Regulations shall be promulgated or put in force without the previous Consent of the said Court; and the said Court shall, within Fourteen Days after the first meeting of Parliament in every Year, lay before both Houses of Parliament a Report of the Drafts of such Rules and Regulations as shall have been received by them, and of their Resolutions or Proceedings thereon.

LXXXIX. And whereas the present Diocese of the Bishoprick of Calcutta is of too great an Extent for the incumbent thereof to perform efficiently all the Duties of the Office without endangering his Health and Life, and it is therefore expedient to diminish the Labour of the Bishop of the said Diocese, and for that Purpose to make Provision for assigning new Limits to the Diocese of the said Bishop, and for founding and constituting Two separate and distinct Bishopricks, but nevertheless the Bishops thereof to be subordinate and subject to the Bishop of Calcutta for the Time being, and his Successors, as their Metropolitan, be it therefore enacted, That in case it shall please His Majesty to erect, found, and constitute Two Bishopricks, one to be styled the Bishoprick of Madras and the other the Bishoprick of Bombay, and from Time to Time to nominate and appoint Bishops to such Bishopricks under the Style and Title of Bishops of Madras and Bombay respectively, there shall be paid from and out of the Treasuries of the said Territories to such Bishops respectively the Sum of Twenty-four thousand Seven Hundred by the Year.

XC. And be it enacted, That the said Salaries shall commence from the Time at which such Persons as shall be appointed to the said Office of Bishop shall take upon them the Execution of their respective Offices; and that such Salaries shall be in full of all Fees of Office, Perquisites, Emoluments, or Advantages whatsoever, and that no Fees of Office, Perquisites, Emoluments, or Advantages whatsoever shall be accepted, received, or taken by such Bishop or either of them, in any Manner or on any Account or Pretence whatsoever, other than the Salaries aforesaid; and that such Bishops respectively shall be entitled to such Salaries as long as they shall respectively exercise the Functions of their several Offices in the several Territories aforesaid.

XCI. And be it enacted, That the said Court of Directors shall and they are required to pay to the Bishops so from Time to Time to be appointed to the said Bishopricks of Madras and Bombay, in case they shall be resident in the United Kingdom at the Time of their respective Appointments, the Sum of Five hundred Pounds each, for the Purpose of defraying the Expences of their Appointments and Voyage.

XCII. Provided always, and be it enacted, That such Bishops shall not have or use any Jurisdiction, or exercise any Episcopal Functions whatsoever, either in the said Territories or elsewhere, but only such Jurisdiction and Functions as shall or may from Time to Time be limited to them respectively by His Majesty by His Royal Letters Patent under the Great Seal of the said United Kingdom.

XCIII. And be it enacted, That it shall and may be lawful for His Majesty from Time to Time, if He shall think fit, by His Royal Letters Patent under the Great Seal of the said United Kingdom, to assign Limits to the Diocese of the Bishoprick of Calcutta and to the Dioceses of the said Bishopricks of Madras and Bombay respectively, and from Time to Time to alter and vary the same Limits respectively, as to His Majesty shall seem fit, and to grant to such Bishops respectively within the Limits of their respective Dioceses the Exercise of Episcopal Functions, and of such Ecclesiastical Jurisdiction as His Majesty shall think necessary for the Superintendance and good Government of the Ministers of the United Church of England and Ireland therein.

XCIV. Provided always, and be it enacted, That the Bishop of Calcutta for the Time being shall be deemed and taken to be the Metropolitan Bishop of India, and as such shall have, enjoy, and exercise all such Ecclesiastical Jurisdiction, and Episcopal Functions, for the Purpose aforesaid, as His Majesty shall think proper, and as is more fully expressed in the Statute in that behalf made, bearing date the first day of January last.

by His Royal Letters Patent under the Great Seal of the said United Kingdom think necessary to direct—  
 notwithstanding to the general Superintendance and Revision of the Archbishop of Canterbury for the Time being; and that the Bishops of Madras and Bombay for the Time being respectively shall be subject to the Bishop of Calcutta for the Time being as such Metropolitan, and shall, at the Time of their respective Appointments to such Bishopricks, or at the Time of their respective Consecrations as Bishop, take an Oath of Obedience to the said Bishop of Calcutta in such Manner as His Majesty by His said Royal Letters Patent shall be pleased to direct.

XCIV. And be it enacted, That when and as often as it shall please His Majesty to issue any Letters Patent respecting the Bishoprick of Calcutta, Madras, or Bombay, or for the Nomination or Appointment of any Person thereto respectively, the Warrant for the Bill in every such Case shall be countersigned by the President of the Board of Commissioners for the Affairs of India, and by no other Person.

XCV. And be it enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Warrant under His Royal Sign Manual, countersigned by the Chancellor of the Exchequer for the Time being, to grant to any such Bishop of Madras or Bombay respectively who shall have exercised in the British Territories aforesaid for Fifteen Years the Office of such Bishop a Pension not exceeding Eight hundred Pounds per Annum, to be paid quarterly by the said Company.

XCVI. And be it enacted, That in all Cases when it shall happen the said Person nominated and appointed to be Bishop of either of the said Bishopricks of Madras or Bombay shall depart this Life within Six Calendar Months next after the Day when he shall have arrived in India for the Purpose of taking upon him the Office of such Bishop, there shall be payable out of the Territorial Revenues from which the Salary of such Bishop so dying shall be payable, to the legal personal Representatives of such Bishop, such Sum or Sums of Money as shall, together with the Sum or Sums paid to or drawn by such Bishop in respect of his Salary, make up the full Amount of One Year's Salary; and when and so often as it shall happen that any such Bishop shall depart the Life while in possession of such Office, and after the Expiration of Six Calendar Months from the Time of his Arrival in India for the Purpose of taking upon him such Office, then and in every such Case there shall be payable, out of the Territorial Revenues from which the Salary of the said Bishop so dying shall be payable, to his legal personal Representatives, over and above what may have been due to him at the Time of his Death, a Sum equal to the full Amount of the Salary of such Bishop for Six Calendar Months.

XCVII. And be it enacted, That if it shall happen that either of the Bishops of Madras or Bombay shall be translated to the Bishoprick of Calcutta, the Period of Residence of such Person as Bishop of Madras or Bombay shall be accounted for and taken as a Residence as Bishop of Calcutta; and if any Person now an Archbishop in the said Territories shall be appointed Bishop of Madras or Bombay, the Period of his Residence in India as such Archbishop shall for all the Purposes of this Act be accounted for and taken as a Residence as such Bishop.

XCVIII. Provided also, and be it enacted, That if any Person under the Degree of a Bishop shall be appointed to either of the Bishopricks of Calcutta, Madras, or Bombay, who at the Time of such Appointment shall be resident in India, then and in such Case it shall and may be lawful for the Archbishop of Canterbury, when and as he shall be required so to do by His Majesty by His Royal Letters Patent under the Great Seal of the said United Kingdom, to issue a Commission under His Hand and Seal, to be directed to the Two remaining Bishops, authorizing and charging them to perform all such requisite Ceremonies for the Consecration of the Person so to be appointed to the Degree and Office of a Bishop.

C. And be it enacted, That the Expenses of Visitations to be made from Time to Time by the said Bishops of Madras and Bombay respectively shall be paid by the said Company out of the Revenues of the said Territories; provided that no greater Sum on account of such Visitations be at any Time raised than shall from Time to Time be defrayed and settled by the Court of Directors of the said Company, with the Approbation of the Commissioners for the Affairs of India.

CI. And be it enacted, That no Archbishop hereafter to be appointed for the Archdiocese of the Presidency of Fort William in Bengal, or the Archdiocese of the Presidency of Fort Saint George, or the Archdiocese of the Presidency and Island of Bombay, shall receive in respect of his Archdiocese any Salary exceeding Three thousand Six hundred Rupees per Annum: Provided always, that the whole Expense incurred in respect of the said Bishops and Archdeacons shall not exceed One hundred and twenty thousand Six hundred Rupees per Annum.

CII. And be it enacted, That of the Establishment of Chaplains constituted by the said Company at each of the Presidencies of the said Territories Two Chaplains shall always be Ministers of the Church of Scotland, and shall have and enjoy from the said Company such Salary as shall from Time to Time be allowed to the Military Chaplains of the several Presidencies: Provided always, that the Ministers of the Church of Scotland to be appointed Chaplains at the said Presidencies aforesaid shall be ordained and inducted by the Presbytery of Edinburgh according to the Forms and Solemnities used in the Church of Scotland, and shall be subject to the Spiritual and Ecclesiastical Jurisdiction in all Things of the Presbytery of Edinburgh, whose Judgments shall be subject to Consent, Protest, and Appeal to the Provincial Synod of Lothian and Tweeddale, and to the General Assembly of the Church of Scotland: Provided always, that nothing herein contained shall be so construed as to prevent the Governor General in Council from granting from Time to Time, with the Sanction of the Court of Directors and of the Commissioners for the Affairs of India, to any Sepoy, European, or Company's or Civilian, not being of the United Church

Warrant for Bills or Letters Patent appointing Bishops.

The King may grant Pensions to Bishops of Madras or Bombay.

Respecting Salary of a Bishop of Madras or Bombay dying within Six Months after Arrival.

or after Six Month's holding Office.

Acts Respecting of Bishop of Madras or Bombay if translated to Calcutta.

As to Consecration of any Person under the Degree of a Bishop, if resident in India, appointed to a Bishoprick.

Provision for Expenses of Visitation.

No Archbishop in India to have a Salary exceeding 3,600 Sixpence Rupees.

Two Chaplains of the Church of Scotland to be on the Establishment of each Presidency.

of England and Ireland, or of the Church of Scotland, such Sums of Money may be expended for the Purpose of Instruction or for the Maintenance of Places of Worship.

CIII. And whereas it is expedient to provide for the due Qualification of Persons to be employed in the Civil Service of the said Company in the said Territories, be it therefore enacted, That the said Governor General of India in Council shall, on or soon as may be after the First Day of January in every Year, make and transmit to the said Court of Directors a prospective Estimate of the Number of Persons who, in the Opinion of the said Governor General in Council, will be necessary, in addition to those already in India or likely to return from Europe, to supply the expected Vacancies in the Civil Establishments of the respective Governments in India in each one of the subsequent Years as shall be fixed in the Rules and Regulations herein after mentioned; and it shall be lawful for the said Board of Commissioners to reduce such Estimate, so that the Reasons for such Reduction be given to the said Court of Directors; and in the Month of June in every Year, if the said Estimate shall have been then received by the said Board, and of not, then within One Month after such Estimate shall have been received, the said Board of Commissioners shall certify to the said Court of Directors what Number of Persons shall be nominated as Candidates for Admission, and what Number of Students shall be admitted to the College of the said Company at Haileybury in the then current Year, but so that at least Four such Candidates, no one of whom shall be under the Age of Seventeen or above the Age of Twenty Years, be nominated, and no more than One Student admitted for every such expected Vacancy in the said Civil Establishments, according to such Estimate or reduced Estimate as aforesaid; and it shall be lawful for the said Court of Directors to nominate such a Number of Candidates for Admission to the said College as shall be mentioned in the Certificate of the said Board; and if the said Court of Directors shall not within One Month after the Receipt of such Certificate nominate the whole Number mentioned therein, it shall be lawful for the said Board of Commissioners to nominate so many as shall be necessary to supply the Deficiency.

CIV. And be it enacted, That when and so often as any Vacancy shall happen in the Number of Students in the said College by Death, Expulsion, or Resignation it shall be lawful for the said Board of Commissioners to add in respect of every such Vacancy One to the Number of Students to be admitted and Four to the Number of Candidates for Admission to be nominated by the said Court in the following Year.

CV. And be it enacted, That the said Candidates for Admission to the said College shall be subjected to an Examination in such Branches of Knowledge and by such Examiners as the said Board shall direct, and shall be placed in a List to be prepared by the Examiners, and the Candidates whose Names shall stand highest in such List shall be admitted by the said Court as Students in the said College until the Number to be admitted for that Year, according to the Certificate of the said Board, be supplied.

CVI. And be it further enacted, That it shall be lawful for the said Board of Commissioners and they are hereby required, forthwith after the passing of this Act, to form such Rules, Regulations, and Provisions for the Guidance of the said Governor General in Council in the Formation of the Estimate herein before mentioned, and for the good Government of the said College, as in their Judgment shall appear best adapted to secure fit Candidates for Admission into the same, and for the Examination and Qualification of such Candidates, and of the Students of the said College, after they shall have completed their Residence there, and for the Appointment and Remuneration of proper Examiners; and such Plans, Rules, and Regulations and Provisions respectively shall be submitted to His Majesty in Council for His Review and Approbation; and when the same shall have been so revised and approved by His Majesty in Council, the same shall not afterwards be altered or repealed, except by the said Board of Commissioners, with the Approbation of His Majesty in Council.

CVII. And be it enacted, That on the Expiration of such Time as shall be fixed by such Rules, Regulations, and Provisions made or aforesaid, so many of the said Students as shall have a Certificate from the said College of good Conduct during the Term of their Residence therein shall be subjected to an Examination in the Studies prosecuted in the said College, and so many of the said Students as shall appear duly qualified shall be placed according to Merit in a List to be prepared by the Examiners, and shall be constituted to supply the Vacancies in the Civil Establishments in India, and have Seniority therein according to their Priority in the said List; and if there shall be at the same Time Vacancies in the Establishments of more than One of the said Territories, the Students on the said List shall, according to such Priority, have the Right of electing to which of the said Establishments they will be appointed.

CVIII. And be it enacted, That no Appointment of any Professor or Teacher at the said College shall be valid or effectual until the same shall have been approved by the Board of Commissioners.

CIX. And be it enacted, That every Power, Authority, and Function by this or any other Act or Acts given to and vested in the said Court of Directors shall be deemed and taken to be subject to such Control of the said Board of Commissioners as in this Act is mentioned, unless there shall be something in the Enactments conferring such Powers, Authorities, or Functions inconsistent with such Construction, and except as to any Patronage or Right of appointing to Office vested in or reserved to the said Court.

CX. Provided always, and be it enacted, That nothing herein contained shall be construed to enable the said Board of Commissioners to give or cause to be given Directions ordering or authorizing the Payment of any extraordinary Allowance or Gratuity, or the Increase of any established Salary, Allowance, or Emolument, unless in the Cases and subject to the Provisions in and subject to which such Directions may now be given by the said Board, or to increase the Sums now payable by the said Company on Printed papers deposited by the University of Southampton Library Digitisation Unit account

The Governor General in Council annually to make a prospective Estimate of the Number of Vacancies in Indian Establishments.

Board to certify what Number of Persons shall be nominated for Admission to Haileybury College, and what Number shall be admitted Students.

Additional Students to be admitted to fill up Vacancies.

The Candidates for Admission to be subjected to an Examination and placed.

The Board to form Rules for the Government of the College, and the Examination and Qualification of Candidates.

Students to be examined and placed.

to supply the Vacancies in the Service according to Priority.

Board to be appointed of Commissioners. All Powers of Court of Directors to be subject to Control, except Patronage. Board of Directors prohibited from directing the Grant of Allowances.

account of the said Board, except only by such Salaries or Allowances as shall be payable to the Officers to be appointed as herein-before is mentioned to sit upon the said Board during the winding up of the Colonial Business of the said Company.

CXI. And be it enacted, That whenever in this Act, or in any Act hereafter to be passed, the Term *East India Company* is or shall be used, it shall be held to apply to the United Company of Merchants of England trading to the *East Indies*, and that the said United Company of Merchants of England trading to the *East Indies* may, in all Suits, Proceedings, and Transactions whatsoever after the passing of this Act, be called by the Name of the *East India Company*.

CXII. And be it enacted, That the Island of *Saint Helena*, and all Forts, Factories, public Offices, and Hereditaments whatsoever in the said Island, and all Stores and Property thereon fit or used for the Service of the Government thereof, shall be vested in His Majesty, His Heirs and Successors, and the said Island shall be governed by such Orders as His Majesty in Council shall from Time to Time issue in that Behalf.

CXIII. And be it further enacted, That every Supercargo and other Civil Servant of the said Company, now employed by the said Company in the Factory at *Constante* or in the Island of *Saint Helena*, shall be capable of taking and holding any Office in any Presidency or Establishment of the said Territories which he would have been capable of taking and holding if he had been a Civil Servant in such Presidency or in such Establishment during the same Time as he shall have been in the Service of the said Company.

CXIV. And be it enacted, That from and after the passing of this Act all Enactments and Provisions directing the said Company to provide for keeping a Stock of Tea shall be repealed.

CXV. And be it enacted, That it shall be lawful for any Court of Justice established by His Majesty's Charter in the said Territories to approve, admit, and take Process as Barristers, Advocates, and Attorneys in such Court without any Licence from the said Company, any thing in any such Charter contained to the contrary notwithstanding: Provided always, that the being entitled to practise as an Advocate in the principal Courts of Scotland is and shall be deemed and taken to be a Qualification for Admission as an Advocate in any Court in *India* equal to that of having been called to the Bar in *England* or *Ireland*.

CXVI. And be it further enacted, That the Court of Directors of the said Company shall, within the first Business sitting Days next after the First Day of August every Year, lay before both Houses of Parliament an Account, made up according to the latest Advices which shall have been received, of the annual Produce of the Revenues of the said Territories in *India*, distinguishing the same and the respective Heads thereof at each of their several Presidencies or Settlements, and of all their annual Receipts and Disbursements at Home and Abroad, distinguishing the same under the respective Heads thereof, together with the latest Estimate of the same, and also the Amount of their Debts, with the Rates of Interest they respectively carry, and the annual Amount of such Interest, the State of their Effects and Credits at each Presidency or Settlement, and in *England* or elsewhere, according to the latest Advices which shall have been received thereof; and also a List of their several Establishments, and the Salaries and Allowances payable by the said Court of Directors to respect thereof; and the said Court of Directors, under the Direction and Control of the said Board of Commissioners, shall forthwith prepare Forms of the said Accounts and Estimates in such Manner as to exhibit a complete and accurate View of the Financial Affairs of the said Company; and if any new or increased Salaries, Establishments, or Pensions shall have been granted or created within any Year, the Particulars thereof shall be specially stated and explained at the Foot of the Account of the said Year.

CXVII. And be it enacted, That this Act shall commence and take effect from and after the passing thereof, so far as to authorize the Appointment or prospective or provisional Appointment of the Governor General of *India*, Governors, Members of Council, or other Officers, under the Provisions herein contained, and so far as herein-before is therein contained, and as to all other Matters and Things, then and after the Twenty-second Day of April next.

### C A P. LXXXVI.

An Act to provide for the Payment of certain ancient Grants and Allowances formerly paid out of the Civil List Revenues. [20th August 1833.]

WHEREAS an Act was passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to provide for the Salaries of certain High and Judicial Officers, and of Physicians* heretofore made out of the Civil List Revenues, whereby Provision was made for several of the Payments formerly made out of the Civil List Revenues for which no Provision had been made in the Civil List of His present Majesty: And whereas, in order fully to provide for all the several Officers and Payments formerly charged upon and paid out of the Civil List Revenues, as contemplated by and set forth in an Act passed in the First Year of the Reign of His present Majesty, intitled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland*, it is necessary, to authorize the Payment, out of the Hereditary Land Revenues of the Crown, of certain ancient Perpetuities, Grants, Stipends, Salaries, and Allowances heretofore charged upon the Civil List in *England* and *Ireland*, and not yet provided for by Parliament: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament as-  
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The Company to be called the East India Company.

Saint Helena vested in the Crown.

Servants of the Company in India and St. Helena to be eligible to any Office in any Presidency, &c. of Ind.

King's Courts established in India, Advocates and Attorneys without the Company's Licence.

Accounts to be annually laid before Parliament.

Commencement of Act.

20th W. 4  
c. 130

1W 4 c. 20

The Treasury may authorize the Commissioners of Woods, Forests, &c. to apply, out of the Revenues under their Management, an annual Sum for Payment of certain certain Grants formerly chargeable on the Civil List.

enacted, and by the Authority of the same, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland, or any Three or more of them, from Time to Time to direct and authorize the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to pay and apply, out of the Produce of the Hereditary Land Revenues, Woods, and Forests of the Crown under their Management, an annual Sum not exceeding in the whole Six thousand one hundred and fifty-seven Pounds Seventeen Shillings and Eight-pence, for the Payment of divers ancient Perpetuities, Gleaves, Stipends, Salaries, and Allowances which prior to the Accession of His present Majesty had been chargeable on and paid out of the Civil List Revenues of England and Ireland, and for which no Provision has been made by the said several Acts; and said Charge to commence and take effect, and to be paid and payable, from the Fifth Day of April One thousand eight hundred and thirty-two: Provided always, that nothing herein contained shall authorize the Commissioners of the Treasury to give or grant any greater, higher, or other Interest in any of the said Perpetuities, Gleaves, Stipends, Salaries, and Allowances, than the Parties respectively entitled thereto held or enjoyed under the Grants in force at the Time of the Decease of His late Majesty.

### C A P. LXXXVII.

An Act for remedying a Defect in Titles to Messuages, Lands, Tenements, and Hereditaments allotted, sold, divided, or exchanged under Acts of Inclosure, in consequence of the Award not having been enrolled, or not having been enrolled within the Time limited by the several Acts; and for authorizing the Appointment of new Commissioners in certain Cases where the same shall have been omitted. [28th August 1833.]

WHEREAS by divers Acts of Inclosure the Awards or Instruments in Writing, thereby directed to be formed and drawn up or made by the Commissioner or Commissioners appointed by or by virtue of such Acts for executing the Powers and Authorities thereof respectively, are directed or required to be enrolled by or with the Clerk of the Peace of the County, Riding, Division, Soke, or Place in which the Lands to which such Acts respectively relate are situated, or in one of His Majesty's Courts of Record at Westminster, or in some other Court, and, in certain of the said Acts, within certain Times mentioned in such Acts next after the Execution of such Awards or Instruments in Writing respectively; and in certain of the said Acts new Commissioners are directed to be appointed within certain Times thereby respectively limited: And whereas in a great Number of Instances such Awards or Instruments in Writing have not been enrolled, or have not been enrolled within the Time directed or required by the several Acts; and by reason of such Omission the Title to the Messuages, Lands, Tenements, and Hereditaments allotted, sold, divided, or exchanged under such Acts respectively may be considered defective; and in many Instances new Commissioners have not been appointed within the Time directed by the several Acts: And whereas it is expedient that Provision should be made for remedying such Defects: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Award already made and executed under or in pursuance of any Act of Inclosure, and which has not been enrolled, or which has not been enrolled within the Time limited by the Act under or in pursuance of which such Award shall have been made, shall from the Time of the Execution of such Award be as good and valid and of the same Effect in all respects as if such Award had been enrolled in the Manner, and within the Time, if any, appointed and limited for that Purpose in the Act under or in pursuance of which the same has been made.

II. And be it further enacted, That where any Award already made and executed under or in pursuance of any Act of Inclosure has not been enrolled, it shall be lawful for any Person or Persons having or deriving Title to any Messuages, Lands, Tenements, and Hereditaments under such Award, at his, her, or their Expense, to require and cause such Award, with any Maps or Plans annexed or relating thereto, to be enrolled in any one of His Majesty's Courts of Record at Westminster, or by the Clerk of the Peace of the County, Riding, Division, Soke, or Place in which the Lands to which such Award shall relate are situated, to the end that Recourse may be had thereby by any Person or Persons interested therein, for the Impayment and Payment whereof or more than One Shilling shall be paid; and a Copy of such Award when so enrolled, or of any Part thereof, signed by the proper Officer of the Court wherein the same shall be enrolled, or by the Clerk of the Peace for such County, Riding, Division, Soke, or Place, or his Deputy, purporting the same to be a true Copy, shall from Time to Time be made and delivered by such Officer or Clerk of the Peace for the Time being, or his Deputy, to any Person or Persons requesting the same, for which no more shall be paid than Three-pence for every Sheet of Seventy-two Woods, and every Award already made, whether enrolled or not, and every Copy of such Award when enrolled as aforesaid, or of any Part thereof, signed as aforesaid, shall at all Times be admitted and allowed in all Courts whatsoever as legal Evidence.

III. And be it further enacted, That if any Commissioner shall be dead or incapable of acknowledging his Award before such Award shall be enrolled, the same Award may be enrolled without the Acknowledgment of such Commissioner, on due Proof being given that such Award is the Deed or Instrument of such Commissioner.

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All Awards already made but not enrolled shall, from the Execution thereof, be as valid as if enrolled within the Time limited by the Act.

Provision of the Act may cause Awards to be enrolled.

Copy of any Award so enrolled and signed by the proper Officer to be delivered to any Person requesting the same.

As in Statute requiring Acknowledgment of Deed.

IV. And be it further enacted, That where any Award already made and executed under or in pursuance of any Act of Inclosure shall be deposited in any Parish Church, it shall be considered as in the Custody of the Officiating Minister and Churchwardens for the Time being of such Parish Church; and where any such Award shall be in the Possession of the Lord of any Manor to or for whose, or to or for any preceding Lord of which Manor, any Allowance shall have been made under such Award, or in the Possession of the Steward of such Manor, it shall be considered as in the Custody of the Lord of such Manor for the Time being; and the Steward shall, when required, deliver up the same accordingly; and the said Minister and Churchwardens, or Lord, as the Case may be, shall from Time to Time, upon the Request of any Person or Persons interested in any Allowance or Allowances, or otherwise, under such Award, cause the same to be produced for the Inspection of such Person or Persons as being paid by him, her, or them a just and reasonable Compensation for such Production, and shall also cause the same to be produced for the Purpose of being inrolled, or in any Court of Law or Equity, or on any other Occasion, for the Purpose of being given in Evidence, or being paid all just Expenses.

V. And be it further enacted, That where any such Award as aforesaid shall not be deposited in the Parish Church of the Parish in which the Lands to which such Award shall relate are situated, and shall not be in the Possession of the Lord or Steward of any Manor to or for the present or any preceding Lord of which Manor an Allowance shall have been made under such Award, but shall be in the Possession of any other Person, it shall be lawful for any Person or Persons interested in any Allowance or Allowances, or otherwise, under such Award, to require the same to be deposited in the Parish Church of the Parish in which the Lands to which such Award shall relate are situated, and the Person in whose Possession the same shall be shall, on such Request, deliver up the same to the Minister and Churchwardens for the Time being of such Parish Church, for the Purpose of being so deposited.

VI. And be it further enacted, That in all Cases where in or by virtue of any Act or Acts of Inclosure heretofore passed Provisions hath been made for the Election, Nomination, or Appointment, within a Time therein limited or directed, of a new Commissioner or Commissioners in the Event of the Death, Refusal, or Neglect to act of the Commissioner or Commissioners appointed by or by virtue of such Act or Acts, or of his or their Executors, by reason of Absence beyond the Seas, or otherwise, incapable of acting in the Execution of the Powers, Authorities, and Trusts in such Commissioner or Commissioners vested and reposed, before the same and every of them shall have been fully executed and performed, and where any such Election, Nomination, or Appointment as aforesaid, or any of them, shall have been neglected or omitted to have been made, pursuant to such Act or Acts, within the Time or Times thereby limited or directed, then and in every such Case it shall and may be lawful to and for the Person or Persons by any such Act or Acts of Inclosure authorized or empowered for that Purpose, and on such Notice or Notice and at such Meeting or Meetings (if any) as required or directed by any such Act or Acts of Inclosure, to proceed at any Time after the passing of this Act to the Election, Nomination, and Appointment of, and to elect, nominate, and appoint in such Manner as by such Act or Acts of Inclosure is or are directed, One or more fit and proper Person or Persons (as the Case may require), not interested in the Division, Allowance, or Inclosure by such Act or Acts of Inclosure directed or authorized to be made, and not otherwise disqualified by such Act or Acts respectively, as a Commissioner or Commissioners in the Room, Place, or Stead of the Commissioner or Commissioners so dying, refusing, or neglecting, or becoming incapable of acting as aforesaid, and to do all other Acts, Matters, and Things which shall be requisite or necessary for effecting the Purposes aforesaid, notwithstanding the Time so limited or appointed as aforesaid for doing or performing the same shall then have elapsed, and so from Time to Time as often as any Commissioner so to be elected, nominated, or appointed as aforesaid shall die, refuse, neglect, or become incapable of acting as aforesaid; and the several Writings appertaining such new Commissioner or Commissioners, and all other Documents (if any) relative thereto, shall be deposited or disposed of as by such Act or Acts of Inclosure is or are directed; and every Commissioner to be elected, nominated, or appointed by virtue of this Act to execute the Powers, Authorities, and Trusts of any Act or Acts of Inclosure as aforesaid, having first taken the Oath or Oaths, and complied with the other Terms or Conditions (if any) prescribed in and by such Act or Acts of Inclosure, shall have the same Powers and Authorities, and no others, for putting or carrying into execution such Act or Acts, as if he had been duly elected, nominated, and appointed for these Purposes, within the Time limited or directed by such Act or Acts of Inclosure.

VII. Provided always, and be it further enacted, That nothing herein contained shall extend to affect any public Right, or otherwise to give any greater Force or Validity to any Award already made and executed under or in pursuance of any Act of Inclosure, than such Award would have had if this Act had not been made, except so far as respects the several Defects herein-before respectively specified and provided for.

## C. A. P. LXXXVIII.

An Act to continue for Seven Years, and from thence to the End of the then next Session of Parliament, an Act of the Fifty-ninth Year of King George the Third, for facilitating the Recovery of the Wages of Seamen in the Merchant Service. [30th August 1833.]

[The Act 39 G. 3. c. 39. for facilitating the Recovery of Wages of Seamen in the Merchant Service continued for Seven Years.]



## C A P. LXXXIX.

An Act to authorize the Issue of a Sum of Money out of the Consolidated Fund towards the Support of the Metropolitan Police. [28th August 1833.]

**W**HEREAS an Act was passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, entitled *An Act for improving the Police in and near the Metropolis*: And whereas it was among other Things therein enacted, that as soon as the Police to be appointed under that Act should take charge of any Parish, Township, Precinct, or Place, whether Parochial or Extra-parochial, within the Metropolitan Police District, it should be lawful for the Justices appointed under that Act forthwith, and so from Time to Time, subject to the Approbation of One of His Majesty's Principal Secretaries of State, to issue a Warrant under their Hands to the Overseers of the Poor of every such Parish, Township, Precinct, or Place, by which Warrant they should command the said Overseers, out of the Money collected for the Relief of the Poor in such Parish, Township, Precinct, or Place, to pay the Amount mentioned in the Warrant for the Purpose of the Police under that Act, or to levy such Amount as a Part of the Rate for the Relief of the Poor in such Parish, Precinct, Township, or Place; and that the Overseers should pay over the Amount mentioned in the Warrant to the Receiver to be appointed under that Act within Forty Days from the Delivery of such Warrant to any one of the Overseers; provided always, that the Sum to be paid for the Purpose of Police under that Act should not exceed in the whole in any One Year the Rate of Eight-pence in the Pound on the full and fair annual Value of all Property situate in the Relief of the Poor within such Parish, Township, Precinct, or Place, such full and fair annual Value to be computed according to the last Valuation for the Time being acted upon in assessing the County Rate; and that the Warrant should specify the Rate in the Pound upon which the Sum mentioned therein should be computed: And whereas it is just and expedient that the said Parishes, Townships, Precincts, or Places should be relieved of Part of such Charge, and that Part thereof should be paid out of the Consolidated Fund, upon certain Conditions, in the Manner herein after mentioned: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the Certificates of One of His Majesty's Principal Secretaries of State, that the Overseers of the Poor of any Parish, Township, Precinct, or Place have paid all Arrears due under the said recited Act, or have made Arrangements for the Payment of the same satisfactory to the said Secretary of State, and have also raised and paid, within the Period prescribed by the said recited Act, a Sum equal to Three-pence in the Pound on the full annual Value of all Property, rated according to the Provisions of the said recited Act, towards the Discharge of any Warrant issued after, or which shall not have become due before, the passing of this Act, for maintaining the Police of the Metropolis for the Six Months next ensuing, the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall direct, by Warrant under their Hands and Seals, such a Sum for and in addition to every Three-pence so raised and paid as aforesaid, to be raised and paid from the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Receiver appointed under the said Act, as may be required in addition to the Sum raised by such Three-pence in the Pound, to defray the Charge of maintaining the Police of the Metropolis; and no such Parish, Township, Precinct, or Place, having paid all Arrears and such Three-pence to the Pound as aforesaid, shall be subject to any further higher Charge towards defraying the Charge of the Police during the Period of Six Months from the Date of any such Warrant, any Thing to the contrary notwithstanding.

II. Provided always, and be it further enacted, That no larger Sum than Sixty thousand Pounds shall be issued out of the Consolidated Fund in any One Year for the Purpose aforesaid, and for the general Maintenance of the Police of the Metropolis; which said Sum shall be issued and paid free and clear of all Rates, Fees, and Impositions whatsoever.

III. Provided also, and be it further enacted, That nothing in this Act contained shall alter or repeal any of the Powers given by the said recited Act for enforcing the Payment of any Warrants which may be issued from Time to Time according to the Provisions of the said Act.

IV. And be it enacted, That the Receiver appointed under the said recited Act shall, with respect to the Application of and accounting for such Sum or Sums as shall be issued and paid to him out of the Consolidated Fund under this Act, be subject to the same Regulations and Provisions to which he is subject under the said Act with respect to the Moneys receivable by him under the said Act.

## C A P. XC.

An Act to repeal an Act of the Eleventh Year of His late Majesty King George the Fourth, for the lighting and watching of Parishes in England and Wales, and to make other Provisions in lieu thereof. [28th August 1833.]

**W**HEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to make Provision for the lighting and watching of Parishes in England and Wales*: And whereas Doubts have arisen as to the Construction of some of the Provisions of the said Act, and it is expedient that the said Act should be repealed, and that other Provisions should be substituted in lieu thereof: be it therefore enacted by the King's most Excellent Majesty, by

11 G. 4. c. 111.

The Certificates from Secretaries of State that Arrears and Rates required under the recited Act have been paid or the Treasury to direct such Sum to be issued in addition thereto to be advanced from Consolidated Fund.

Sum of arrears not to exceed 60,000L. in any one Year.

Proviso of recited Act, as to enforcing Payment, not to be altered.

Application of and accounting for the Money.

11 G. 4. c. 111.

and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; That from and after the passing of this Act the said Act passed in the Eleventh Year of the Reign of His said late Majesty King George the Fourth shall be and the same is hereby repealed.

II. Provided always, and he it further enacted, That nothing herein contained shall extend or be deemed or construed to interfere with any Banns made, Acts done, or Contracts or Agreements heretofore made under the Authority of the said recited Act previous to the Repeal of the said Act, or to prevent or defile any Prosecution commenced or to be brought for any Offence against the said Act; but all Banns made, and Penalties and Forfeitures incurred, may be relaxed, waived, used for, and recovered, and all Contracts and Agreements may be enforced, and all Returns and other Offences made or committed previous to the Repeal of the said recited Act against the Provisions of the said Act may be abated or prosecuted by the Inspectors appointed under the said recited Act or this Act, in the same Manner to all Intents and Purposes as if that Act had not been passed.

III. Provided always, and he it further enacted, That the Inspectors appointed under the Authority of the said recited Act shall continue to act, and shall have the same Powers, Authorities, and be subject to the Discharge of the same Duties as the Inspectors to be appointed under the Authority of this Act.

IV. And whereas it is desirable to make Provision for the lighting and watching of the several Parishes in England and Wales; be it enacted, That this Act, and the several Provisions thereof, shall apply to and may be adopted, under and subject to the Regulations herein contained, by all or any or either of the Parishes in England and Wales.

V. And he it further enacted, That from and after the passing of this Act, upon the Application in Writing of Three or more of the Rate-payers of any Parish, it shall be lawful for the Churchwardens thereof, and they are hereby required, within Ten Days after the Receipt of such Application as aforesaid, to appoint and notify a Time and Place for a public Meeting of the Rate-payers of the said Parish, for the Purpose of determining whether the Provisions in this Act contained shall be adopted and carried into execution in the said Parish: Provided always, that the Time appointed for holding the said Meeting shall not be less than Ten Days and not more than Twenty-one Days from the Time of the said Application as being delivered as therein aforesaid, and that Notification of the Time and Place of Meeting shall be made by forthwith affixing a Notice on the principal outer Door of every Parish Church or Chapel situate within such Parish, or on the usual Place of affixing Notices relating to the Parochial Affairs of any such Parish, and also by Publication of the same in the Parish Church or Chapel on the Sunday previous to the Day appointed for holding such Meeting, during or immediately after Divine Service.

VI. And he it further enacted, That such Person as may be elected by the Rate-payers present shall preside as Chairman at such Meetings; and that if any Controversy shall arise at any such Meeting as to the Qualification or Right of voting or Eligibility of any Person claiming to vote, or as to the Qualification or Eligibility of any Candidate, such Controversy shall be determined by the Chairman presiding at such Meeting.

VII. And he it further enacted, That the Chairman who shall preside at any Meeting assembled as herein directed shall read or cause to be read the Regulation whereupon the Meeting shall have been summoned, and shall require the Persons assembled thereat to determine by Majority of Votes, as herein mentioned, whether the Provisions of this Act, as herein set forth, shall or shall not be adopted and acted upon within such Parish; Provided nevertheless, that it shall be lawful for the Majority of the Rate-payers present to adjourn such Meeting from Time to Time.

VIII. And he it further enacted, That if at any such Meeting it shall be determined by a Majority consisting of Two-Thirds of the Votes of the Rate-payers present at such Meeting that the Provisions of this Act shall be adopted, then and in such Case such Provisions shall from that time forth take effect and come into operation in such Parish; and it shall forthwith be determined that a certain Number not being more than Twelve nor less than Three Inspectors shall be elected to carry such Purpose into effect; and the Number of Inspectors so determined upon shall be elected in manner herein mentioned.

IX. And he it further enacted, That the Rate-payers of such Parish shall at their first Meeting, or at some Adjournment thereof, and so on from Time to Time in every succeeding Year at a Meeting to be called for that Purpose in manner herein directed, fix and determine the total Amount of Money which the Inspectors shall have Power to call for in any One Year, in order to carry into effect the Provisions of this Act, such Sum to be raised in the Manner herein directed, upon the full and fair annual Value of all Property rateable for the Relief of the Poor within such Parish, such full and fair annual Value to be computed according to the last Valuation for the Time being acted upon in assessing the Poor's Rate for the said Parish: Provided nevertheless, that any Five rated Inhabitants, qualified to vote as herein mentioned, may, at such Meeting or Adjournment thereof, in Writing given to the Chairman of the said Meeting, demand a Poll to be taken of the Rate-payers qualified to vote upon the Question as to whether this Act and the Provisions thereof, or any Part thereof, shall be adopted in such Parish, and also as to the Amount of Money to be raised in the succeeding Year for the Purposes thereof, and the Number of Inspectors to be elected as determined at such Meeting, and which said Demand of a Poll the said Chairman is required forthwith to deliver to the Churchwardens of the said Parish.

X. And he it further enacted, That the said Churchwardens of the said Parish shall, on the first Sunday next after the Receipt of such Demand of a Poll, affix or cause to be affixed a Notice on the principal outer Door of every Parish Church or Chapel situate within such Parish, or on the usual Place of affixing Notices relating to the Parochial Affairs of any such Parish, according to the following Form, to wit: *For the*

Recited Act repealed.

Each Request not to affect the Proceedings under this Act previous to the passing of this Act.

Inspection under former Act to continue.

Act applicable to all Parishes.

On Application of Three rated Inhabitants, Churchwardens to convene a Meeting in Order to determine whether the Provisions of this Act shall be adopted.

Chairman to be elected, who shall determine any Controversies.

Chairman to read Regulation, and require Persons to determine if Act shall be adopted.

If Meeting determined to proceed, the Provisions of this Act shall forthwith take effect.

Inhabitants to fix Amount of Money to be raised.

Poll may be demanded as to Adoption of Act.

Notice of Poll to be given by Churchwardens.

and not later than Twenty-one Days after such Sunday, and at what Place or Places within the said Parish, the Rate-payers are required to signify their Votes for or against the Adoption of this Act, or such Part thereof as may have been agreed upon at the said Meeting, as well as with respect to the annual Amount of Money to be raised in the succeeding Year for the Purposes thereof, and the Number of Inspectors to be elected as determined at such Meeting, which Votes shall be received on Two successive Days, commencing at Eight of the Clock in the Forenoon and ending at Four of the Clock in the Afternoon of each Day; and the said Notice shall be to the following Effect:

Form of Notice

THE Churchwardens of this Parish [insert the Name of the Parish] having received a Demand for a Poll, duly signed according to the Provisions of an Act of the Fourth Year of the Reign of King William the Fourth, intituled An Act, &c. [insert the Title of the Act], the Rate-payers of this Parish of [insert the Name of the Parish] are hereby required, all and each of them, on the Day of \_\_\_\_\_ next, and the following Day, to signify to the said Churchwardens, by a Declaration, either printed or written, or partly printed or partly written, addressed and delivered to One of the Churchwardens at [insert here the Place], their Votes for or against the Adoption of the aforesaid Act, or so much thereof as relates to switching or lighting [as the Case may be], the Amount of the Money to be raised in the succeeding Year for the Purposes thereof, being [here insert the Sum agreed on at the Meeting], and the Number of Inspectors to be elected [insert the Number also agreed on], such Sum and such Number of Inspectors being fixed and determined upon at a Meeting of the Rate-payers called pursuant to the said Act.

(Signed)

Churchwardens.

XI. And be it further enacted, That the said Declaration shall be to the following Effect:

Form of Declaration.

I, A. B. of \_\_\_\_\_ Street [or \_\_\_\_\_ Place or House] in this Parish of \_\_\_\_\_ do vote [for or against, as the Case may be], the Adoption of the Act of the Fourth Year of the Reign of His Majesty King William the Fourth, intituled An Act, &c. [as in Title of the Act], or so much thereof as relates to switching or lighting [as in the Notice], the Amount of the Money to be raised in the succeeding Year for the Purposes thereof, being [as in Notice], and the Number of Inspectors to be elected [as in Notice].

Churchwardens to examine the Votes, and declare whether Two Thirds of them are in favour of adopting this Act.

XII. And be it further enacted, That the said Churchwardens shall carefully examine the Votes so then delivered as aforesaid, and shall compare them with the last Rate made for the Relief of the Poor of the said Parish, and shall be empowered to call before them and examine any Parish Officer touching the said Votes, or any Rate-payer so giving his Vote, and after a full and fair scrutiny of the said Votes shall, by public Notice according to the Form and Manner hereafter prescribed, declare whether or not Two Thirds of the Votes given have been given in favour of the Adoption of the said Act [or so much thereof as relates to switching or lighting, as in the Notice], and also as to the Sum of Money to be raised in the succeeding Year, and the Number of Inspectors to be elected to be [as in the Notice]: Provided always, that the whole Number of Persons voting shall be a clear Majority of the Rate-payers of the Parish: Provided also, that in case of a Poll being demanded as aforesaid, the Adoption or Non-adoption of this Act, with the Sum to be raised, and the Number of Inspectors to be elected as aforesaid, shall be decided by such Number of Votes as aforesaid: Provided also, that the Expenses incurred by the Churchwardens in calling such Meeting, giving the Notices as aforesaid, and in taking such Poll, shall be paid out of the Rate collected for the Relief of the Poor in the said Parish.

Rate-payers may inspect Votes.

XIII. Provided always, and be it further enacted, That any of the Rate-payers of the aforesaid Parish, not exceeding five together, may inspect, at or in the Vestry Room or in some convenient Place within the same Parish, and they are hereby empowered to inspect, the Votes as given for and against the Adoption of this Act, with the Sum to be raised, and Number of Inspectors to be elected as aforesaid, at all reasonable Times within One Month after such Notice shall have been given; and the Churchwardens of the said Parish are hereby required carefully to preserve the said Votes, and freely to permit and allow the Examination thereof by the aforesaid Rate-payers of the said Parish at all reasonable Times within the Period aforesaid.

No Person to vote unless he has been rated One Year.

XIV. And be it further enacted, That no Person shall be deemed a Rate-payer, or be entitled to vote, or do any other Act, Matter, or Thing as such, under the Provisions of this Act, unless he or she shall have been rated to the Relief of the Poor for the whole Year immediately preceding his so voting or otherwise acting as such Rate-payer, and shall have paid all the Parochial Rates, Taxes, and Assessments due from him or her at the Time of so voting or acting, except such as have been made or become due within the Six Months immediately preceding such voting.

Manner of Adoption of this Act

XV. And be it further enacted, That Notice of the Adoption of this Act, [or any Part thereof, specifying it], with the Amount of the Sum to be raised in the succeeding Year, and the Number of Inspectors to be elected by any Parish, shall be forthwith given by the Churchwardens for the Time being of the said Parish by affixing a Notice of the same to the principal Door of every Church and Chapel within the said Parish, or on the usual Place of affixing Notices relating to the Parochial Affairs of such Parish; and in such Case the Provisions of this Act shall from thenceforth take effect and come into operation in such Parish: Provided always, that it shall be lawful for the Inhabitants present at any Meeting called in manner herein directed, at any Time after the Expiration of Three Years from the Time when the Provisions of this Act shall have been adopted, to determine that the Provisions of this Act shall, from and after a Day

As may be amended.

to be read upon at each Meeting, cease to be acted upon: in which Case, from and after such last-mentioned Day, the Provisions of this Act shall no longer be in force in each Parish: Provided nevertheless, that the Provisions in this Act contained shall remain and continue in force for the Purpose of collecting and receiving any Rate which may have been previously made; and if so the Abatement and ceasing to act upon the Provisions of this Act there shall be any Balance in the Hands of the said Inspectors, after deducting the Expenses incurred in carrying into effect the Provisions of this Act, the said Balance shall be paid over to the Overseers of the Poor of the said Parish, to be applied in aid of the Poor Rates of the said Parish.

XVI. And be it further enacted, That in case any such Meeting convened as aforesaid, or, in case of a Poll having been demanded as aforesaid, a Majority of Two-Thirds of the Votes as aforesaid, shall not have determined to adopt the Provisions of this Act, it shall not be lawful for the Inhabitants to meet again in less than One Year from the Period at which such Meeting shall have been so convened as aforesaid.

XVII. And be it further enacted, That the Inspectors herein mentioned shall be elected in manner following; (that is to say) the Churchwardens of any Parish adopting the Provisions of this Act shall, in the Manner herein first directed, forthwith call a Meeting of the Rate-payers of such Parish, and such Candidate, being a Person who shall reside within such Parish, and who shall have been assessed or charged by the last Rate made for the Relief of the Poor in respect of a Dwelling House or other Tenement or Premises of the annual Value, according to the said Rate, of Fifteen Pounds or more, shall be eligible to be elected an Inspector for the Purposes of this Act, and shall be proposed at the said Meeting by some Person duly qualified to vote therein, and shall be seconded by some other Person in like Manner qualified; and if more Candidates than the Number of Inspectors authorized to be elected shall be proposed, and a Poll shall be demanded by any Ten Persons qualified to vote on behalf of any such Candidates, then the Chairman shall open and proceed with such Poll, and in a Book or Books prepared for that Purpose, which Book or Books the Churchwardens are hereby required to cause to be prepared, shall enter or cause to be entered the Name of all such Candidates, and the Name of every Person duly qualified to be present and vote who shall desire to vote, together with his Description and Abode, and shall register the Vote of every such Person for every or any such Candidate as every such Person may respectively require; and if the Votes of all the Persons duly qualified and desirous to vote cannot be conveniently collected and registered by Four of the Clock of the same Day upon which the Poll shall have been commenced, then the Chairman shall at that Hour adjourn such Poll to the Day next succeeding, unless such Day shall be a Sunday, Christmas Day, or Good Friday, and in that Case to the Day following, and then proceed to collect and register the Votes of all Persons duly qualified and applying in vote; provided nevertheless, that the Poll shall finally close at Four of the Clock on the Day to which it shall have been adjourned, or sooner, provided all Persons duly qualified and desirous to vote shall have voted, and after the Close of One Hour without any Person offering to vote; and as soon after the Close of the Poll as may be possible the Result thereof shall be declared at the Place where the Election may have been held, and certified by the Chairman to the Overseers of the Poor; and the said Churchwardens shall be reimbursed all such reasonable Charges and Expenses as may be incurred in providing Clerks and Books, and otherwise in the Performance of the Duties hereby required of them by the Candidates at the said Election for the said Office: Provided nevertheless, that if the Provisions of this Act are adopted at the Meeting first called for that Purpose, the said Inspectors may be appointed at the same Time by the Rate-payers of such Parish then present, unless a Poll should be demanded, and if such Poll should be demanded it shall be proceeded with as herein directed.

XVIII. And be it further enacted, That in every Parish adopting the Provisions of this Act the Inspectors shall, within One Month next after the Expiration of Twelve Calendar Months from the Day of each Auditing, give Notice to the Churchwardens of the said Parish that they are ready to produce their Accounts and Vouchers for the previous Year, and thereupon the said Churchwardens shall give due Notice, in the Manner required with respect to the last Meeting to be held under this Act, that a Meeting of the Rate-payers of the said Parish will be held at an Hour and Place in the said Notice to be mentioned, on some Day, not being a Sunday, within Ten Days from the Receipt of such Notice, for the Purpose of the said Inspectors producing such Accounts and Vouchers, and for the Election of Inspectors for the Execution of this Act, and for determining the Amount of the Money to be raised for the Purposes of this Act, for the current Year; and in every future Year such Meeting shall, for the Purposes aforesaid, be held on the same Day in the corresponding Month, except such Day should fall on a Sunday, and then on the Day following.

XIX. And be it further enacted, That at each Annual Meeting the said Inspectors shall produce their Accounts and Vouchers of all Monies received and paid by virtue of this Act for the previous Year; and a Duplicate or Copy of such Accounts, verified on Oath before any Two Justices by the said Inspectors or any Two of them, shall be deposited with the said Inspectors, and shall be open at all reasonable Times to the Inspection of all Persons interested; and at each Annual Meeting One-Third of the Inspectors, or as near thereto as the Number appointed will admit of, shall go out of Office in rotation; and in place of such Inspectors as going out of Office in like Manner of other Inspectors shall be elected: Provided always, that any of such outgoing Inspectors shall be re-eligible, and may be re-elected, and shall in such Cases continue to act and remain in Office, any thing herein contained to the contrary notwithstanding.

XX. And be it further enacted, That the Chairman appointed to preside at each Annual Meeting shall proceed in such Manner as the Chairman at the first Meeting to be held under this Act is herein-before directed to proceed at the Election of the Inspectors to be first appointed for the Execution of this Act.

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If Meeting determined upon adopting this Act.

Mode of electing Inspectors.

At the End of Twelve Months the Inspectors to give Notice that they are ready to produce their Accounts, and Churchwardens to call a Meeting. Meetings to future Years.

Inspectors to each Meeting to produce Accounts: One-Third of them to go out of Office and others elected.

Chairman to preside at Election, &c.

and shall decide on Questions which may arise as to the Eligibility or Qualification of any Person whatsoever, and as to all Matters whatsoever connected with the said Election, and shall declare the Result of the same as aforesaid.

How Vacancies in the Number of Inspectors shall be filled &c.

XXI. And be it further enacted, That in case any Inspector shall die, or become disqualified by Change of Residence or otherwise, or shall neglect to act, and in case of any casual Vacancy happening in any Manner whatsoever, so that the Number of Inspectors shall be reduced to less than Three, Notice shall be immediately given by the acting Inspectors to the Churchwardens of the Parish, who shall forthwith, in the Manner directed by this Act, call a Meeting of the rated Inhabitants as aforesaid for the Purpose of filling up such Vacancy or Vacancies.

Inspectors to meet monthly.

XXII. And be it further enacted, That the Inspectors for executing this Act in any Parish shall meet on the first Monday in every Month, at Noon, at some convenient Place or Office previously publicly notified; and at such Monthly Meeting it shall be lawful for any Inhabitants rated to the Relief of the Poor of any such Parish to appear there, and prefer any Matter or Complaint which he may think proper to make concerning any Matter or Thing done by force or in pursuance of or under pretence of the Provisions of this Act.

Special Meetings of Inspectors.

XXIII. And be it further enacted, That such Inspectors shall meet at all other Times and so often as at any previous Meeting shall be determined upon; and it shall be at all Times competent for any One Inspector, when Three Inspectors only shall have been appointed, and in all other Cases for any Two Inspectors, by Writing under his or their Hands, to summon, upon at least Forty-eight Hours Notice, the Inspectors for any special Purpose therein named, and for each Time as shall be therein named; and that at all Meetings of such Inspectors any Number not less than One Third of the whole Number when more than Three Inspectors shall have been appointed, and when only Three Inspectors shall have been appointed then not less than Two Inspectors, shall constitute a Quorum for transacting Business.

Quorum

Inspectors to appoint Officers during Pleasantry, and rent an Office for the Transaction of their Business.

XXIV. And be it further enacted, That it shall be lawful for the said Inspectors elected in any Parish under this Act for the Time being, and they are hereby authorized and required, to appoint, during Pleasantry, such Treasurer and other Officers as they shall think necessary for effecting the Purposes of this Act, and to remove and displace the same, and to hire and rent a sufficient Office or House or Room for holding their Meetings and transacting their Business, and also to appoint suitable Salaries, Wages, and Allowances to and for such Treasurer and other Officers, and also to agree for a reasonable Rent for such Office or House or Room, and to pay such Salaries, Wages, and Allowances, and such Rent, out of the Money received by the Inspectors under the Authority of this Act: Provided nevertheless, that no Person shall at the same Time hold Two Offices or Situations under the said Inspectors.

Security to be taken from Treasurer.

XXV. And be it further enacted, That it shall be lawful for the said Inspectors, or any Two or more of them, and they are hereby required, to take Security from the Treasurer to be appointed by virtue of this Act for the due Execution of his Office of Treasurer, according to the true Intent and Meaning of this Act, such Security shall be to the full Amount of the Sum likely to be in the Hands of the said Treasurer at any one Time; and in case any such Treasurer shall neglect or refuse for the Space of Three Weeks next after his Appointment to give or offer such Security to the Satisfaction of the said Inspectors, then the Appointment of every such Person so neglecting or refusing shall be null and void to all Intents and Purposes, and the said Inspectors shall within Three Weeks then next ascertain and appoint some other fit and proper Person to the Office of Treasurer, instead of the Person so refusing or neglecting as aforesaid, and shall so ascertain and appoint from Time to Time until Security shall be given to their Satisfaction as aforesaid.

Treasurer and Officers to account.

XXVI. And be it further enacted, That every such Treasurer and other Officers appointed by virtue of this Act shall under his respective Hand, and at each Time or Times and in such Manner as the said Inspectors shall direct, deliver to the said Inspectors, or such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Moneys which shall have been by such Officer received by virtue of or for the Purposes of this Act, and of how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments; and that every such Officer shall pay all such Moneys as shall remain due from him to the Treasurer for the Time being, or to such Person or Persons as the said Inspector shall appoint to receive the same; and if any such Treasurer, Officer, or other Person shall refuse or neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payments as aforesaid, or shall refuse or wilfully neglect to deliver to the said Inspectors or to such Person or Persons as they shall appoint to receive the same, within Three Days after being therewith required by the said Inspectors by Notice in Writing under the Hands and Seals of any Two or more of the said Inspectors given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Inspectors or such other Person or Persons as aforesaid respecting the same, then and in every such Case, upon Complaint made by the said Inspectors, or by such Person or Persons to whom the said Inspectors shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer so refusing or neglecting to appear before Two Justices of the Peace; and upon the said Officer appearing, or having been so summoned and not appearing without some sufficient and reasonable Excuse, or not being found, it shall be lawful for the said Justices to hear and determine the Matter in a summary Way; and if, upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justices are hereby empowered to administer,) it shall

Proceedings against Officers neglecting to account.

appear to such Justices that any Money remain due from such Officer, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels of such Officer shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justices that such Officer had refused or wilfully neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of the Act remained in the Hands or in the Custody or Power of such Officer, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justices shall and they are hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain, without Bail or Mainprise, until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Money as aforesaid, or compounded with the said Inspectors for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Inspectors are hereby empowered to make and receive,) and until he shall have delivered up such Books, Papers, and Writings, or given Satisfaction in respect thereof, to the said Inspectors or to such other Person or Persons as aforesaid; but no such Offender shall be kept or detained in such Common Gaol or House of Correction for Want of sufficient Distress by virtue of this Act for any longer Space or Time than Three Calendar Months.

XXVII. And be it further enacted, That no Prosecution or Commitment, under the Provisions of this Act, of any Treasurer or other Officer or Person to be appointed under the Powers of this Act, shall imply or discharge any Surety or Security that shall or may have been taken by or given to the said Inspectors for the due and faithful Execution of his or their Office, or the Payment of the Money received or to be received by him or them respectively.

XXVIII. And be it further enacted, That if any Person who shall be employed as Treasurer, or any other Officer or Servant who shall be in anywise employed by the said Inspectors for putting this Act or any of the Powers thereof into execution, shall exact, take, or accept any Fee or Reward whatsoever other than such Salaries, Allowances, and Rewards as are appointed by this Act, or shall be appointed, allowed, and approved of by the said Inspectors, for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting this Act into execution, or shall in anywise be concerned or interested in any Bargain or Contract made or to be made by the said Inspectors; and no Person, during the Time he holds the Office of Inspector, shall accept or hold any Office or Place of Trust created by virtue of this Act within the said Parish, or shall be concerned directly or indirectly in any Contract with the said Parish; every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall forfeit and above forfeit the Sum of Fifty Pounds to any Person or Persons who shall sue for the same.

XXIX. And be it further enacted, That the said Inspectors may sue and be sued in the Name of any One of the Inspectors for the Time being; and all Actions or Suits that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of any One of the said Inspectors; and then no Action or Suit which may be brought, commenced, or prosecuted by or against the said Inspectors, or any of them, by virtue or on account of this Act, shall abate or be discontinued by the Death, Resignation, or Removal of such Inspector, but such Inspector shall be deemed Plaintiff or Defendant in any such Action or Suit (as the Case may be): Provided also, that in all Cases in which the Inspector as aforesaid shall, in pursuance of this Act, be the Plaintiff or Defendant on the Record in any Action or Actions, Suit or Suits, in which in effect the said Inspectors shall be suing or sued in the Name of such One Inspector as aforesaid, he (although appearing as the Plaintiff or Defendant on the Record) may and shall nevertheless (if not otherwise intimated or objectionable) be a good examinable and competent Witness in every Action or Suit either for or against the said Inspectors; and all the Affidavits of Debt or Service which may be necessary or expedient to be made preparatory to or in the Prosecution or Defence of any and every such Action, Suit, or Proceeding shall and may be lawfully made by such One Inspector, notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every or any such Inspector in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act shall always be reimbursed and paid, out of the Money to arise by virtue of this Act, all such Costs, Charges, and Expenses as he shall be put to or become chargeable with by reason of his being made Plaintiff or Defendant therein; and in case of his Removal from Office, or ceasing to act as such Inspector, all such Costs, Charges, and Expenses shall be paid by the Inspector for the Time being; and no Inspector shall be personally answerable or liable for the Payment of the same or any Part of them, unless such Action or Suit shall arise in consequence of his own willful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the said Inspectors.

XXX. And be it further enacted, That all Acts, Orders, and Proceedings of the said Inspectors at any of their Meetings shall be entered in a Book to be kept by them for that Purpose, and shall be signed by Two of the Inspectors who were then present; and all such Acts, Orders, and Proceedings shall then be deemed and taken to be original Acts, Orders, and Proceedings; and such Books shall and may be produced and read as Evidence of all such Acts, Orders, and Proceedings upon any Appeal or Trial or Information, or any Proceedings, Civil or Criminal, and in any Court or Courts of Law or Equity what-

Commitment of Offender not to discharge his Surety.

Officers taking any Fee or Reward besides the Salary or Fees appointed to them by Act.

Inspectors may sue and be sued in the Name of any One of them.

Proceedings at Meetings of Inspectors to be entered in Books, which shall be good Evidence.

Accounts to be kept.

XXXI. And be it further enacted, That the said Inspectors shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept, in which Book or Books shall be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the said Inspectors and of every Inhabitant entitled to the Relief of the Poor of the Parish adopting the Provisions of this Act, without Fee or Reward; and the said Inspectors and other Persons aforesaid, or any of them, shall or may take Copies or of Extracts from the said Book or Books, or any Part thereof, without paying for the same; and in case the said Inspectors shall refuse to permit or shall not permit the said Persons aforesaid to inspect the same, or take Copies or Extracts as aforesaid, such Inspector shall forfeit and pay any Sum of Money not exceeding Five Pounds for each Default, to be levied and applied in manner herein-after provided.

Inspectors to issue an Order for Payment of Money for Purposes of this Act

XXXII. And be it further enacted, That as soon as the Inspectors have been elected as aforesaid, it shall be lawful for them, or any Two or more of them, from Time to Time to issue an Order under their Hands to the Overseers of the Poor of any Parish to which the Provisions of this Act shall be extended, by which Order they shall require the said Overseers to levy the Amount mentioned in the said Order.

Power to collect Rates.

XXXIII. And be it further enacted, That the Overseers aforesaid shall, for the Purpose of collecting, raising, and levying the Rate necessary for the Purposes of this Act, proceed in the same Manner, and have the same Powers, Remedies, and Privileges, as for levying Money for the Relief of the Poor in the said Parish: Provided always, that Owners and Occupiers of Houses, Buildings, and Property (other than Land) taxable to the Relief of the Poor in any such Parish shall be rated as and pay a Rate in the said Parish Three Times greater than that at which the Owners and Occupiers of Land shall be rated as and pay for the Purposes of this Act: Provided also, that the total Amount of the Sum to be collected, raised, and levied for the Purposes of this Act within any One Year shall not exceed such Sum as shall have been agreed on by the Inhabitants of the said Parish as aforesaid, and that the said Sum shall be assessed upon the full and true annual Value to which Lands, Houses, Buildings, and other Property within the said Parish shall be rated or shall be rateable according to the last Valuation made and assessed upon the Rate for the Relief of the Poor within the said Parish.

Land and Houses to be rated separately.

XXXIV. Provided always, and be it further enacted, That it shall be lawful for the Overseers of the Poor of any such Parish, and they are hereby required, whenever, according to the Rate made for the Relief of the Poor, one and the same Person shall be rated in one Sum in respect of Land, and also of Houses, Buildings, and other Property, to cause such Land, and also such Houses, Buildings, and other Property, to be separately assessed, and the Sum hereby authorized to be levied shall be assessed accordingly: Provided as aye, that every Court-yard, Yard, or Garden (such Garden not being a Market Garden or Nursery Ground) shall be included in and make Part of the Assessment to be made on the House, Buildings, or other Property to which they may be respectively attached: Provided also, that such Land, Houses, Buildings, and other Property shall not in the whole be assessed at a higher Amount than they were in the last Rate made for the Relief of the Poor within the said Parish.

Power of succeeding Overseers to collect Rate.

XXXV. And be it further enacted, That if the Overseers of the Poor of any Parish adopting the Provisions of this Act shall go out of Office before they shall have collected or levied the Amount mentioned in the Order issued under the Hands of the said Inspectors in pursuance of this Act, they shall deliver to the succeeding Overseers, within Seven Days after the Time they go out of Office, a full and particular Account in Writing of the Names of the Parties from whom any Money may be due on account of the Rate made in pursuance of this Act, as well as the last Order issued in them by the said Inspectors; and in such Case the succeeding Overseers shall have the like Powers and Remedies under this Act for the collecting and Recovery thereof, and shall be liable to the same Penalties and Forfeitures in case of the Non-payment to the said Inspectors, as their Predecessors had or were liable to.

Overseers to pay Amount to Treasurer.

XXXVI. And be it further enacted, That the Overseers of the Poor of every Parish adopting the Provisions of this Act, to whom any such Order as aforesaid shall be issued, shall pay over the Amount mentioned in such Order to the Treasurer to be appointed in the said Parish under the Act within Three Calendar Months from the Delivery of such Order to One of the Overseers, and shall keep the Accounts of the said Rate levied for the Purposes of this Act separate and distinct from the Accounts of the Rates levied in the same Parish for the Relief of the Poor; and at the Time of making any Payment to the said Treasurer the said Overseers shall deliver to him a Note in Writing signed by them, specifying the Amount so paid, which Note shall be kept by the Treasurer as a Voucher for his Receipts of that particular Amount; and the Receipts of the said Treasurer, specifying the Amount paid to him by the Overseers, shall be a sufficient Discharge to the Overseers for such Amount, and shall be allowed as such in paying their Accounts with their respective Parishes.

Receipts of Treasurer to be a Discharge to Overseers

Where other Persons are authorized to collect Poor's Rates, such Persons to be deemed Overseers.

XXXVII. And be it enacted, That where any Persons other than the Overseers of the Poor shall by virtue of any Office or Appointment be authorized and required to make and collect or cause to be collected the Rate for the Relief of the Poor in any Parish to which all or any of the Provisions of this Act shall be extended, such Persons, by whatsoever Title they may be called, shall be deemed to be Overseers of the Poor within the Meaning of this Act, and to be included under and denoted by the Words "Overseers of the Poor," for all the Purposes of this Act, as fully as if they were commonly called or known by the Title of Overseers of the Poor.

XXXVIII. And

XXXVIII. And be it enacted, That in case the Amount directed by such Order as aforesaid to be paid by the Overseers in any Parish to which all or any of the Provisions of this Act shall be extended shall not be paid to the said Treasurer within the Time specified for that Purpose in the said Order, any Justice of the Peace, upon Complaint thereof made to him by the said Treasurer or by any One of the Inspectors, may and he is hereby authorized and required to issue a Warrant under his Hand and Seal for the said Overseers to return or requesting to pay such Money as aforesaid to appear before Two Justices of the Peace; and upon the said Overseers appearing, or having been so summoned and not appearing, without some sufficient and reasonable Excuse, or not being found, it shall be lawful for the said Justices and they are hereby required, in case the said Money is not paid, to issue their Warrants for levying the Amount, or so much thereof as may be in arrears, by Distress and Sale of the Goods of all or any of the said Overseers; and in case the Goods of all the Overseers shall not be sufficient to pay the same, the Arrears thereof shall be added to the Arrears of the next Levy which shall be directed to be made in such Parish for the Purposes of this Act, and shall be collected by the like Method.

Overseers may be directed upon for Payment.

XXXIX. And be it further enacted, That the said Inspectors shall from Time to Time appoint and employ such Number of able-bodied Watch-house Keepers, Sergeants of the Watch, Watchmen, Patrols, Streetkeepers, and other Persons as they shall think sufficient for the proper Prosecution of the Inhabitants, Houses, and Dwelling, Taverns and other Places within the Limits of the Act, by Day or by Night, or by Day and by Night, and provide for the Use of all such Watchmen, Watch-house Keepers, Sergeants of the Watch, Patrols, and Persons as aforesaid such Clothing, Arms, Ammunition, and Weapons, and shall assign to them such Arms and Rewards and Duties, and appoint such Hours for them to be on Duty, and also such Wages, Rewards, and Gratuals, or Remunerations for their Services, and also make such Rules, Orders, and Regulations relative to such Watch-house Keepers, Sergeants of the Watch, Watchmen, Patrols, Streetkeepers, and other Persons, and their Duties, as to the said Inspectors shall seem meet, and also shall and may offer and give, as well to the said Persons as to any other not specially employed by them, such Gratuals and Rewards for apprehending Felons and others, Offenders within the Limits of this Act, as to them shall seem proper; and shall and may defray the Expenses of prosecuting any such Felons and Offenders, for the Protection of the Inhabitants of any Parish adopting the Provisions of this Act, or in defending any of the said Persons or other Officers of the said Inspectors in the Execution of their Duty, as they shall think proper, and the said Wages, Rewards, Gratuals, and the Costs of such Prosecutions or Defences, and all other Expenses that may be incurred by the said Inspectors for the Protection and Guard of the Inhabitants, shall and may be paid by the said Inspectors out of the Moneys received in pursuance of this Act.

Watchmen, &c. to be appointed, and provided with Arms, Clothing, &c.

XL. And be it further enacted, That all such Clothing, Arms, Ammunition, and Weapons, so provided for the Use of such Watchmen, Watch-house Keepers, Sergeants of the Watch, Patrols, and Persons as aforesaid, shall remain and continue the Property of the Inspectors for the Time being, and in case of the Renovation, Removal, or Death of any such Watchman, Watch-house Keeper, Sergeant of the Watch, Patrol, or Person as aforesaid, shall be returned to the said Inspectors; and in case of Neglect or Refusal so to do, the said Watchman, Watch-house Keeper, Sergeant of the Watch, Patrol, or Person as aforesaid, or in case of his Death the Party in Possession thereof, shall be subject and liable to a Penalty not exceeding the Sum of Twenty Pounds, to be recovered for the Use of the said Inspectors.

Watchmen, &c. to deliver up Clothing as Renewed, &c.

Penalty.

XLI. And be it further enacted, That the Watchmen, Sergeants of the Watch, Patrols, and other Persons to be appointed by virtue of this Act shall, during the Time they shall be on Duty, use their utmost Endeavour to prevent any Mischief by Fire, and also to prevent all Robberies, Burglaries, and other Felonies and Misdemeanors, and other Disturbances, Disorders, and Breaches of the Peace within the Limits of the Parish adopting the Provisions of this Act; and to apprehend and secure all Felons, Rogues, Vagrants, and disorderly Persons who shall disturb the public Peace, or any Person or Persons working, serving, or murthering himself, herself, or themselves, or whom they shall have reasonable Cause to suspect of any evil Design, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed as soon as conveniently may be before One of His Majesty's Justices of the Peace, to be returned and dealt with according to Law; and it shall and may be lawful to and for the said Watchmen, Sergeants of the Watch, Patrols, and other Persons or Persons so appointed as aforesaid, to call and require any Person or Persons to aid and assist them in taking such Felons, Rogues, Vagrants, and all disorderly or suspected Persons as aforesaid; and in case any Person or Persons shall assault or resist or shall promote or encourage the assaulting or resisting any of the Watchmen, Sergeants of the Watch, Patrols, or other Persons or Persons so appointed as aforesaid, in the Execution of their Duty, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and in case any such Offender shall not, on Conviction, pay the said Forfeiture, such Justice is hereby required to commit him, her, or them to the House of Correction, there to be kept to hard Labour, if the said Justice shall so order, for any Time not exceeding Three Calendar Months, unless such Forfeiture shall be sooner paid, or instead of committing the said Offender as aforesaid, the said Justice may, by Warrant under his Hand and Seal, cause the said Forfeiture, as well as the Costs (if any) to be levied by Distress and Sale of the Goods and Chattels of the Offender, returning the Overplus (if any) of the Money raised or recovered, after discharging the said Forfeiture and the Costs and Expenses of recovering and levying the same, to the Owner of the Goods and Chattels so seized and distrained.

Duty of Watchmen, &c.

XLII. And be it further enacted, That all Watchmen, Sergeants of the Watch, and Patrols shall be sworn as an Oath before any Justice of the Peace, and not as such while in execution of the Powers and Authorities of this Act; and they are hereby required to do and shall have and enjoy the like Powers

Watchmen, &c. to be sworn in, and to have the Power of Commissions.



and Authorities, Privileges and Immunities, and shall be subject and liable to such and the like Penalties and Forfeitures, as any Constable or Constables is or are invested with, or shall or may here and enjoy, or is or are or shall be subject or liable to by Law: Provided nevertheless, that no Person by being sworn in and acting as or executing the Office of a Constable shall thereby gain a Settlement in such Parish.

Certain Fees to be paid over to Inspectors.

XLIII. And be it further enacted, That in all such Cases in which any of the Duties usually performed by Constables shall have been executed by any of the Officers appointed by the Inspectors as hereinbefore enacted, all Fees and Allowances for the Performance of such Duties shall be paid over to the said Inspectors, to be by them applied in aid of the Rate levied under the Provisions of this Act.

Five Engines to be provided.

XLIV. And be it further enacted, That it shall be lawful for the said Inspectors from Time to Time to provide and keep up Five Engines, with Pipes and other Utensils proper for the same, for the Use of the Parish adopting the Provisions of this Act, and to provide a proper Place or Places for the keeping of the same, and to place such Engines under the Care of some proper Person or Persons, and to make him or them such Allowance for his or their Trouble as may be thought reasonable, and the Expenses attending the providing and keeping of such Engines shall be paid out of the Money authorized to be received by the Inspectors under the Provisions of this Act.

Lamp Posts to be put up.

XLV. And be it further enacted, That it shall be lawful for the said Inspectors, and they are hereby empowered, from Time to Time to cause such Lamp Posts or Lamp Poles or other Posts to be put or fixed upon or against the Walls or Follies of any Houses, Tenements, Buildings, or Enclosures, (doing so little Damage as may be practicable thereto,) or to be put up and erected in such other Manner, within all or any of the said Roads, Streets, and Places within the Limits of this Act, as they shall think proper; and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and affixed and put upon such Lamp Posts and Lamp Poles, as they shall think necessary for lighting all or any of such Roads, Streets, and Places, and cause the same to be lighted with Gas, Oil, or otherwise, for such Number of Hours in every Twenty-four Hours as they shall think necessary; and also to cause such a Number of Watch-houses or Watch boxes to be provided, erected, or affixed as they shall think necessary for watching all or any of the Streets, Roads, and Places within the Limits of this Act.

Gas Pipes not to be laid on private Premises without Consent.

XLVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to authorize or empower the said Inspectors, or any Body or Bodies Public or Corporate, or Person or Persons contracting with the said Inspectors for lighting with Gas such Roads, Streets, and public Places, to carry or lay any Pipe or Pipes, Cocks or Branches from any Main or Pipes, against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, or to cut down the same, without the Consent in Writing of the Owner or Owners, Occupier or Occupiers for the Time being of such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings respectively, nor to enable any Body or Bodies Public or Corporate, or Person or Persons contracting with the said Inspectors for lighting such Streets and public Places, to enter into or upon any private Lands or Grounds, without the Consent in Writing of the Owner or Owners, Occupier or Occupiers of such Lands or Grounds for that Purpose first had and obtained.

Owners of private Grounds may also Plead non est of Pipes.

XLVII. Provided also, and be it further enacted, That in case the Soil, Fencing, or Pavement of any Road or Way, for the Purpose of laying any Gas Main or Gas Pipe along, under, or across the same, be broken up with the Consent of the Owner or Owners of the Soil for the Time being, and after the same shall have been so laid, and placed such Owner or Owners shall be deemed of having the same removed, it shall be lawful for such Owner or Owners at any Time or Times thereafter, if he, she, or they shall deem it necessary or expedient, at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to rely the same, so that no Damage be done thereby to the said Body or Bodies Public or Corporate or Person or Persons contracting with the said Inspectors, and so that such Body or Bodies Public or Corporate or Person or Persons contracting with the said Inspectors as aforesaid be not thereby prevented from or obstructed in lighting any public or private Road, unless such Damage or Obstruction be irreparable.

For stopping the Escape of Gas.

XLVIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by Order of the said Inspectors in pursuance of this Act, the Body or Bodies Public or Corporate, or Person or Persons whatsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street or Place, or any Houses, Manufactory, Building, or other Premises within the Limits of any Parish adopting the Provisions of this Act, shall at their own Expense, immediately after receiving Notice by Verbal or in Writing from any Person or Persons whatsoever, to be given or left at their Office or usual Place of transacting their Business, of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop or prevent such Gas from escaping; and to cause the said Body or Bodies Public or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice by Verbal or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Body or Bodies Public or Corporate, or Person or Persons as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witnesses or Witnesses, before any Two Justices of the Peace, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of any such

Penalty for Neglect.

Justice of the Peace as aforesaid, to be granted in like Manner and subject to the like Possession as are herein directed touching other Penalties to be recovered by virtue of this Act.

XLIII. And be it further enacted, That it shall be lawful for the Body or Bodies Public or Corporate, or other Person or Persons whatsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the Provisions of this Act, to lay down Pipes, of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient, under the Roads, Streets, and other public Places within the Limits of this Act, for the Purpose of carrying off the Wastings or other Waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Body or Bodies Public or Corporate, or other Person or Persons as aforesaid, doing as little Damage as may be in laying the said Pipes, and immediately repairing, at their own Expense, all such Damage; provided that no such Wastings or other Waste Liquids, or any other Matter or Thing made or arising in the Manufacture of such Gas, shall be conducted or conveyed into any River, Brook, Canal, or running Stream; and that no such Pipe shall be laid in any Situation where the same can, shall, or may in any Manner interfere with, prejudice, or affect any of the present or future public or private Wells, Sources, or Springs within the Limits of the Parish adopting the Provisions of this Act, or without the Consent of the said Inspectors.

L. And be it further enacted, That if any Body or Bodies Public or Corporate, Company or Companies of Proprietors, or any other Person or Persons whatsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the Provisions of this Act, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Wastings or other waste Liquids, Substances, or Things whatsoever which shall arise or be made in the Prosecution of the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Pool, Pond or Springhead, or Well, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be spoiled, fouled, or corrupted, then and in every such Case any such Body or Bodies Public or Corporate, Company or Companies of Proprietors, or other Person or Persons, so offending as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Law, by regular or summary Action of Debt or on the Case, or by Bill, Plea, or Information, wherein an Assize, Proceess, Privilege, Wages of Law not more than one hundredth shall be allowed; and the whole of such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided also, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from after the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not have been sued for or recovered, in case any of the Wastings or other waste Liquid, or noxious or offensive Liquid, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Pool, or Springhead, or Well, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons at whom the same shall belong, or by any other Person or Persons whatsoever, to the said Body or Bodies Public or Corporate, Company or Companies of Proprietors, or any of them, or other the Person or Persons making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within any Parish or Part of a Parish adopting the Provisions of this Act, or ordering, or to his, her, or their Clerk or Clerks, or to any Person in his or their Service or Employ, and such Body or Bodies Public or Corporate, Company or Companies of Proprietors, or other Person or Persons, shall not, within Twenty-four Hours after such Notice shall have been given to them or her or her or his aforesaid, stop and hinder or prevent all and every such Wastings, waste Liquids, or noxious or offensive Liquids, Substances, or Things, from being emptied, drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Body or Bodies Public or Corporate, Company or Companies of Proprietors, or other Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Wastings, waste Liquids, or noxious or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Nuisance, Injury or Damage, Act or Thing shall be so done or caused to be done as aforesaid; and such last mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

LI. And be it further enacted, That all and every the Pipes or other Conduits to be used or laid for the Conveyance of Gas, or Light, through Highways, Streets, or Roads, any Road, Street, or other Place within

Power to convey any Wastings of Gas Works.

Penalty for conveying Wastings into any River, &c.

Gas Pipes to be laid Year from Year.

Water Pipes,  
and in a par-  
ticular Manner.

the Limits of any Parish adopting the Provisions of this Act, shall be so laid at the greatest practical Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least from the outermost Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, or other Places within the Limits of any Parish adopting the Provisions of this Act, excepting in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practical Distance therefrom, and shall cross therewith at a Right Angle, and in such Cases the said Gas Pipes in crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the said Contractors or other Persons supplying Gas shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be to its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected and communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence the Sum of Five Pounds.

To prevent  
Escape of Gas,  
and Contamina-  
tion of Water.

II. And be it further enacted, That whenever the Water of any Company or Proprietors for supplying the Inhabitants of any Houses within the Limits of any Parish, Part of a Parish, or Place adopting the Provisions of this Act, with Water, shall be contaminated by any of the Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish, Part of a Parish, or Place adopting the Provisions of this Act, the Body or Bodies Public or Corporate, or Person or Persons, making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be used for and recovered and shall be applied to and for the Use and Benefit of the said Company supplying Water as aforesaid, and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Company or other Persons making, furnishing, or supplying such Gas shall, within Twenty-four Hours next after the Notice thereof in Writing, signed by the Treasurer or other Officer of and for such Water Company as aforesaid, or by any Person making use of such Water, to be left at the usual Place or Office of transacting Business of the said Body or Bodies Public or Corporate, or other Person or Persons, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water of such Company as aforesaid; and in case the said Body or Bodies Public or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, shall not, within Twenty-four Hours next after such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then the said Body or Bodies Public or Corporate, or other Person or Persons as aforesaid, shall on such and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company as aforesaid, for the Use and Benefit of the same Company, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Two Pounds for each and every Day during which the Water of the said last-mentioned Company shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of the said Water Company as aforesaid, or by and in the Name of any One or more of the Directors of the said Company, at the Option of the Parties prosecuting such Information against the said Body or Bodies Public or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, before any Two Justices of the Peace, with Oaths, to be sworn by such Justices, and to be levied by Distress and Sale of the Goods and Chattels of the said Body or Bodies Public or Corporate, or other Person or Persons, making, furnishing, or supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justices, which Warrant such Justices are hereby empowered to grant; and such Penalty or Penalties, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, for the Use of such Water Company.

For ascertain-  
ing if the Water  
be contami-  
nated.

III. And be it further enacted, That in any Case in which it shall be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Body or Bodies Public or Corporate, or other Person or Persons, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, it shall be lawful for the Company or Proprietors, or other the Owners or Proprietors of any Waterworks, to dig to and about and search and examine the Mains, Pipes, Cisterns, and Apparatus of the said Body or Bodies Public or Corporate, or other Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Body or Bodies Public or Corporate, or other Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas as aforesaid, the Costs and Expenses of the said Digging, Search, and Examination, and of the Repair of the Pavement of the Roads, Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Body or Bodies Public or Corporate, or Person or Persons as aforesaid; which Costs and Expenses of Digging, Search, and Examination shall be ascertained and determined, if necessary, by such Justices as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Printed image deposited by the University of Southampton Library Digitisation Unit

Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mines, Pipes, or Conduits of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, then and in such Case the said Company of Proprietors, or other the Owners or Proprietors of such Waterworks, shall bear and pay all the Costs and Expenses of such Search, Examination, and Repair as aforesaid, and shall also make good in the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned in the said Mines, Pipes, Conduits, or Apparatus of the said Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined by such Justice of the Peace as aforesaid.

LIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against any of the Officers, Servants, or Workmen of the Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the Provisions of this Act, in respect of any Works or other Means which shall be employed by them or any of them in making the said Gas, and using the same in furnishing with Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Body or Bodies Politic or Corporate, Company of Proprietors, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by Reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

LV. And be it further enacted, That if any Person shall wilfully break, throw down, spoil, or damage any Watch-house, Watch-box, or Lamp, Lamp Iron, Lamp Post, Pole, Rail, Chain, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, it shall be lawful for any Person or Persons who shall see the Offence committed to apprehend, and also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act and without any Warrant, and to deliver him or them to any Constable, who is to keep him, her, or them in safe Custody, and with all reasonable Dispatch to convey him, her, or them before any Justice of the Peace; and such Justice shall examine upon Oath any Witnesses or Witnesses who shall appear to be produced to give Evidence touching such Offence; and if the Party accused shall be convicted of any such Offence, either by his, her, or their Confession, or upon such Evidence as aforesaid, he, she, or they shall forfeit any Sum not exceeding Forty Shillings for every Lamp, Lamp Iron, or Lamp Post so broken, thrown down, or damaged, and shall also make full Satisfaction for the Damage which shall have been done thereby; and not exceeding Five Pounds for any other such Offence as aforesaid, and shall also make full Satisfaction for the Damage which shall have been done thereby; and one Moiety of such Forfeiture shall be paid to the Person or Persons apprehending such Offender, and the other Moiety shall be applied for the Purposes of this Act, and shall be levied and recovered in the same Manner as any Forfeiture is by this Act herein-before directed to be levied and recovered in the Case of any person assaulting any Watchman or other Person in the Execution of his Duty.

LVI. And be it further enacted, That if any Person shall carelessly or accidentally break any of the said Lamps, Lamp Irons, or Lamp Posts, or do any other such Damage or Injury as herein-before is mentioned, and shall not, upon Demand, make Satisfaction to the said Inspectors for the Damage or Injury so done, it shall and may be lawful for any Justice of the Peace, upon any Complaint thereof made to him upon Oath, to summon the Party complained of, and upon hearing the Parties upon both Sides, or on the Non-appearance of the Party complained of, to examine the Master of Complaint, and award such Sum of Money, by way of Satisfaction to the said Inspectors for such Damage, as such Justice shall think reasonable; and in case of Neglect or Refusal forthwith to pay such Money, then the same and all Expenses attending the Recovery thereof may be levied and recovered as any Forfeiture is by this Act herein-before directed to be levied and recovered in the Case of any Person assaulting any Watchman or other Person in the Execution of his Duty.

LVII. And be it further enacted, That it shall and may be lawful to and for the said Inspectors from Time to Time to enter into any Contract or Contracts with any Person, Company or Companies whatsoever, for lighting the same Streets, Roads, and other Places, or any of them, or any Part thereof, either with Oil or with Gas, or with any other Material or in any other Manner whatsoever, or for furnishing Lamps, Lamp Irons, Lamp Posts, Watch-houses, Posts, Chains, Poles, Rails, and other Things necessary for the Purposes aforesaid, or any Materials for the same, such Contract or Contracts shall specify the several Works to be done and the Prices to be paid for the same, and the Time or Times when the Works shall be completed, and the Penalties to be suffered in Cases of Non-performance thereof, and shall be signed by Two or more of the said Inspectors, and also by the Person or Persons contracting to perform such Works respectively, which Contract or Contracts, or a Copy or Copies thereof, shall be entered in a Book to be kept for that Purpose; but no Contract above the Value or Sum of Twenty Pounds shall be entered into, unless previous to the making of any such Contract Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County in which the said Parish shall be situate, expressing the Intention of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposal for that Purpose, to be offered and presented to the said Inspectors at a certain Time and Place in such Notice to be expressed, and that the said Inspectors

Persons supplying Gas shall be be directed for a Nuisance.

Person who wilfully destroys or injures Lamps

How Person accidentally breaking Lamps are to be dealt with.

Power for Inspectors to contract the Works directed to be done to this Act.

species shall be of species that it will not be advantageous to contract with the Person or Persons offering the lowest Price, it shall be lawful for the said Inspectors to contract with such other Person or Persons as they shall think proper.

Inspectors may  
use the Branch  
of Contract,

LXIII. And be it further enacted, That in case the same shall not be well and sufficiently performed, according to the Terms, Intent, and Meaning of such Contract or Contracts, or shall not be finished or completed at or within the Time or Times specified in such Contract or Contracts, then the said Inspectors may cause an Auction to be brought in any of His Majesty's Courts of Law at Westminster, against any such Contractor, for any Penalty contained in his Contract: and on Proof of his signing the said Contract or Contracts, or Non-performance thereof at the Time or Times for that Purpose to be therein expressed, the said Inspectors shall be entitled to and recover the full Penalty contained in any such Contract, which, when recovered, shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Inspectors (if they think fit) to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum of Money as the said Inspectors shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences which shall be occasioned thereby; and it shall be lawful for the said Inspectors to cancel or make void any Contract with any Person or Persons whomsoever, by mutual Consent, if they shall think proper.

or may compound with  
Contractor.

Inspectors may  
purchase or  
rent Ground  
or Buildings  
for the Pur-  
poses of this  
Act.

LXIV. And be it further enacted, That the said Inspectors may and they are hereby authorized and empowered to treat with the Owner or Owners and Occupier or Occupiers of any Houses, Buildings, Landa, and Grounds, for the Purposes of this Act, for such Sum or Sums of Money, or yearly Rent, or for such Time as to them shall appear reasonable, (which Sum or Sums of Money and yearly Rent shall be respectively paid out of the Monies to arise by virtue of this Act,) in each Place or Places as they may think proper.

Property of  
Lamps, Be-  
lowed in the  
Inspection.

LXV. And be it further enacted, That the Property of and in all Lamps, Lamp Irons, Lamp Posts, Watch-houses, Watchtowers, Posts, Chains, Falses, and Rads in, about, or belonging to the said Streets and Places within any Parish or Part of a Parish adopting the Provisions of this Act, or any of them, and of and in all the Irons, Timber, Stone, Bricks, and other Materials and Furniture and Things of, in, and belonging thereto, (except when the same shall be otherwise regulated by Contract with the said Inspectors,) shall be and the same are hereby vested in the said Inspectors, and may be sold and disposed of from Time to Time as they shall think proper: and the Money arising from such Sale or Sales shall be applied towards the Purposes of this Act; and the said Inspectors are hereby authorized and empowered to bring or cause to be brought any Action or Actions in such Name or Names and in manner as herein is provided, or to prefer or order and direct the preferring of any Bill or Bills of Indebtedness, against any Person or Persons who shall steal, take, or carry away (as the Case may be) all or any Part of such Lamp Irons, Lamp Posts, Watch-houses, Watchtowers, Iron, Timber, and Stone, Bricks, Furniture, Posts, Chains, Falses, Rads, or other Materials and Things as aforesaid: and in all such Actions or Bills of Indebtedness it shall be and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or such Bill or Bills of Indebtedness preferred, is or are the Property of the Inspectors, without particularly stating or specifying the Name or Names of all or any of the said Inspectors.

Inspectors of  
adjoining Par-  
ishes may  
write.

LXVI. And be it further enacted, That it shall be lawful for the Inspectors appointed by any Parish adopting the Provisions of this Act to write with the Inspectors of any adjoining Parish or Parishes, for the better carrying into effect the Purposes of this Act.

Form of In-  
formation and  
Conviction.

LXVII. And for the more easy Prosecution and Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justice of the Peace before whom any Person or Persons shall be convicted or prosecuted for any Offence against this Act shall and may cause the Information and Conviction respectively to be drawn in the Form following, or in other Words to the same Effect: (Not in to say.)

Form of In-  
formation

County of } BE it remembered, That on the Day of A. D. of  
in the } the Peace for the said informeth of His Majesty's Justice [or Justices] of  
of in the of that  
Time and Place, and follow the Act or Acts as may be, contrary to the Provisions of an Act made in the [Here describe the Offence, with the  
Year of the Reign of King William the Fourth, intituled [insert the Title of this Act],  
which hath imposed a Penalty of for the said Offence. Taken the  
Day of before

Form of Con-  
viction.

County of } BE it remembered, That on the Day of in the  
in the } Year of the Reign of and in the Year of our  
Justice [or Justices] of the Peace for the said A. D. is convicted before of His Majesty's  
place and where committed, contrary to the Provisions of an Act made in the Year of  
the Reign of King William the Fourth, intituled [insert the Title of this Act]; and  
do hereby declare and adjudge that the said hath forfeited for the said Offence the  
Sum of [or shall be convicted to for the Space of  
or the Case may be.] Given under Hand and Seal the Day and Year first above  
written.

LXIII. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule or Order made in pursuance hereof (the Mode of Recovery, wherever it is not herein otherwise provided for), may in case of Non-payment thereof be recovered in a summary Way, by Order and Adjudication of any Two Justices of the Peace, on Complaint to them for that Purpose exhibited, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Compulsion, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Persons or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices, who are hereby authorized and required to summon and examine any Witness upon Oath or Affirmation of Oath concerning such Offences, Matters, and Things, and to hear and determine (as aforesaid) and the Complaint (if any) of the Money raised or recovered, after discharging the Fine, Penalty or Forfeiture for which such Warrant shall be issued, and the Costs and Expenses of recovering and levying the same (if any such there be), shall be restored to the Owner or Owners of the Goods and Chattels so seized and distrained, all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Inspectors or their Treasurer, to be applied for such Purpose of this Act as the said Inspectors shall order and direct, except in all such Cases where the Penalty or Forfeiture shall be incurred by the said Inspectors, and then the same shall be paid to the Informer; and it shall be lawful for the said Justices in order to the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, in the Satisfaction of such Justices, for his, her, or their Appearance before the said Justices on each Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they have or hath not sufficient Goods and Chattels wherewith such Penalties, Forfeitures, Costs, and Expenses can be levied if a Warrant of Distress were issued, such Justices shall not be required to issue such Warrant of Distress, and thereupon a shall be lawful for such Justices, and they are hereby required and empowered, by Warrant or Warrants under their Hands and Seals, to commit such Offender or Offenders to the Common Goal or House of Correction in the said County or Place in which the said Parish shall be situate, there to be kept, with or without hard Labour, without Bail or Mainprize, for any Time not exceeding Six Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or shall otherwise be discharged by due Course of Law.

LXIV. Provided always, and be it further enacted, That nothing herein contained shall be deemed, construed, or taken to extend to render the said Inspectors personally, or any of their Goods and Chattels (other than such as may be invested in them in pursuance of this Act), liable to the Payment of any Sum or Sums of Money as or by way of Compensation or Satisfaction in the Cases in which such Compensation or Satisfaction is herein directed to be made by the said Inspectors.

LXV. And be it further enacted, That no Inhabitant of any Parish adopting the Provisions of this Act shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceedings to be had, made, prosecuted, or carried on under the Authority of this Act.

LXVI. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Inspectors, or any Order or Correction of One or more Justice or Justices of the Peace, it shall be lawful for such Person or Persons to appeal to any General or Quarterly Sessions of the Peace to be held in and for the County, City, Riding, Borough, Town, Wille, Division, Liberty, or Place in which the Parish shall be situate, within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month, then such Appeal shall be made to the next immediately succeeding Sessions, either of such Court or Sessions is hereby empowered to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive and upon all Parties; provided that the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the said Inspectors, or other the Respondent or Respondents, that within Five Days after such Notice shall enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the first next General Sessions or Quarterly Sessions of the Peace, which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjudgement thereof; and such Justices, upon hearing and finally determining such Matter of Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination as or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

LXVII. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Rule made by the Overseers of the Poor for the Purposes of this Act, he, she, and they may appeal to any General or Quarterly Sessions of the Peace to be held in and for the County, City, Riding, Borough, Town, Ward, Division, Liberty, or Place in which the Parish shall be situate, and all such Appeals shall be subject to the same Rules, Regulations, Proceedings, and Determinations as shall be directed by the University of Southampton Library Digitisation Unit.

Recovery and Application of Penalties.

Inspectors exempted from personal Liability.

Indemnities may be Warranted.

Appeal to the Quarter Sessions against Order of Inspectors, &c.

Appeals against Rules to be subject to same Rules as Appeals against Poor Rates.



done in the Prosecution of the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any public Sewer or Drain; and if such Surveyor or other Person or Persons acting by or under the Authority of Commissioners of Sewers shall at any such Time or Times be refused Admission or Entrance into any such Manufactory, Gasometer, Receiver, or other Building, for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed or prevented from making such Inspection and Examination as aforesaid, the said Gas Company or Companies, or the said Inspectors, so offending, shall forfeit and pay for every such Offence the Sum of Twenty Pounds.

LXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in Commissioners of Sewers, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

LXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of Oxford or Cambridge, or any of the Powers vested by Charter or otherwise in the Chancellors, Masters, and Scholars, and their Successors, of the said Universities.

LXXVII. And be it further enacted, That the Powers given to watch and light any Parish shall be understood to be given to any Wapentack, Division, City, Borough, Liberty, Township, Market Town, Francisc, Hamlet, Tithing, Precinct, and Chapelry, or Parts within the same; and that where the Word "Parish" is used, it shall be understood to extend to any Parts within the same; and that the Powers given to a Churchwarden shall be understood to be given to any Clergyman, Overseer, or other Person usually calling any Meeting on Parochial Business; and that the Words "Justice of the Peace" shall be understood to mean Justices of the Peace for the County, City, Borough, Town, Division, Riding, Shire, Liberty, or Place in which the Parish which may adopt the Provisions of this Act shall be situate; and the Word "Rate-payer" to include all Persons assessed to and paying Rates for the Relief of the Poor.

LXXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

#### C. A. P. XCI.

An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland. (a)

[28th August 1883.]

WHEREAS the Laws relative to the Qualifications and summoning of Jurors and the Formation of Juries in Ireland are numerous and complicated, and it is expedient to consolidate and simplify the same, and to alter the Mode of striking Special Juries, and in some respects to amend the said Laws; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Sheriff of any County, County of a City, or County of a Town in Ireland shall not, in answer to any Writ of Venue facias or Precept for the Return of Jurors, return the Names of any Persons not qualified to serve on Juries according to the Provisions of this Act; and that every Man, except as hereinafter excepted, between the Ages of Twenty-one Years and Sixty Years, residing in any County in Ireland, who shall have, in his own Name or in Trust for him, within the same County, Ten Pounds by the Year above Rents in Lands or Tenements, or in Rents issuing out of any Lands or Tenements, or in Lands, Tenements, and Rents taken together, in Fee Simple, Fee Tail, or for the Life of himself or some other Person or Persons, or who shall have within the same County Fifteen Pounds by the Year above Rents in Lands or Tenements held by Lease or Lessee originally made for an absolute Term of not less than Twenty-one Years, whether the same shall or shall not be determinable on any Life or Lives, and also every resident Merchant, Freeman, and Householder having a House and Tenements in any City, Town, or Borough, situate within the said County, of the clear yearly Value of Twenty Pounds, such City, Town, or Borough not being a County in itself, shall be qualified with respect to Property, and shall be liable to serve on Juries for all Issues joined in any of the King's Courts of Record in Dublin, and in all Courts of Assize, Nisi Prius, Oyer and Terminer, and Grand Delivery, such Issues being respectively triable in the County in which every Man so qualified respectively shall reside, and shall also be qualified with respect to Property, and liable to serve on Grand Juries in Courts of Sessions of the Peace, and on Petty Juries for the Trial of all Issues joined in such Courts of Sessions of the Peace, and triable in the County in which every Man so qualified respectively shall reside; and that every Man, except as hereinafter excepted, being between the aforesaid Ages, residing in any County of a City or County of a Town in Ireland, and being there qualified as aforesaid, and also every resident Merchant, Freeman, and Householder having Lands or Tenements or Personal Estate of the Value of One hundred Pounds, shall be qualified with respect to Property, and shall be liable to serve as a Juror for the Trial of all Issues joined in any of His Majesty's Courts of Record or Dublin, and in all Courts of Assize, Nisi Prius, Oyer and Terminer, and Grand Delivery, such Issues being respectively tried in the said City or Town in which every Man so qualified shall respectively serve.

Escape of Gas, &c.

Not to prejudice the Rights of the Commissioners of Sewers, nor to affect the Universities.

Consolidation of Act.

Public Act.

Shall not return any Persons as Jurors who are not qualified according to this Act. Age and Qualification of Jurors.



Exemptions  
from serving  
as Jurors.

II. Provided always, and be it further enacted, That all Peers; all Judges of the King's Courts of Record in Dublin, all Clergymen in Holy Orders, all Persons who shall teach or preach in any Religious Congregation; all Serjeants and Barristers at Law actually practising; all Assistant Barristers; all Judges of Ecclesiastical Courts; all Advocates in Ecclesiastical Courts or in Courts of the Civil Law, actually practising; all Attorneys, Solicitors, and Practisers duly admitted in any Court of Law or Equity, or of Ecclesiastical or Admiralty Jurisdiction, in which Attorneys, Solicitors, and Practisers have usually been admitted, actually practising (and having duly taken out their annual Certificates); all Officers of any such Courts, or of any Court of Criminal Jurisdiction, actually exercising the Duties of their respective Offices; all Public Notaries duly admitted; all Coroners, Gaolers, and Keepers of Houses of Correction; all Members and Licentiatees of the King and Queen's College of Physicians in Ireland actually practising; and all other Physicians actually practising; all Surgeons, being Members of One of the Royal Colleges of Surgeons in London, Edinburgh, or Dublin, and actually practising; all Apothecaries certified by the Court of Examiners of the Governor and Company of the Apothecaries Hall of the City of Dublin, and actually practising; all Officers in His Majesty's Navy or Army on full Pay; all Officers of Customs and Excise; all Sheriff Officers, Palace Constables, and Parish Clerks of Parsonages General and their Dependants, and all other Persons employed and acting in the Service of His Majesty's Post Office; all Treasurers, Secretaries of Grand Juries, shall be and are hereby absolutely freed and exempted from being returned, and from serving upon any Juries or Inquests whatsoever, and shall not be inrolled in the Lists to be prepared by virtue of this Act as hereto-after mentioned: Provided also, that all Persons exempted from serving upon Juries in any of the Courts aforesaid, by virtue of any Prescription, Charter, Grant, or Writ, shall continue to have and enjoy such Exemption, in as ample a Manner as before the passing of this Act, and shall not be named in the Lists hereto-after mentioned.

Also dis-  
qualified,  
except as  
Jurors de  
necessitate;  
Clerks of  
Courts, &c.,  
disqualified.  
Clerk of the  
Peace to  
omit Precept  
to Collectors  
of Grand  
Jury Cess  
in July.

III. Provided also, and be it enacted and declared, That no Man, not being a natural-born Subject of the King, or who shall be qualified to serve on Juries or Inquests, except only in Cases hereto-after expressly provided for, and no Man who hath been or shall be attainted of any Treason or Felony, or convicted of any Crime that is infamous, unless he shall obtain a free Pardon, nor any Man who is under Outlawry by virtue of any Criminal Process, or under Excommunication, is or shall be qualified to serve on Juries or Inquests in any Court or on any Occasion whatsoever.

IV. And, for the Assistance of the Sheriff in issuing the Jury Book, be it further enacted, That the Clerk of the Peace in every County and Clerk of the Peace in every County of a City and County of a Town in Ireland shall, within One Week after the Commencement, in every Year, of the Midsummer Sessions hereto-after next mentioned, issue and deliver his Precept (in the Form set forth in the Schedule hereto annexed, or as near thereto as may be,) to the High Constable and Collectors of Grand Jury Cess in each Barony, Half Barony, or other District of Collection, and to the Collectors of other Cess or Assessment where no Grand Jury Cess is levied, requiring such Collectors respectively to prepare and make out, within One Month then next ensuing, a true List of all Men residing within their respective Districts qualified with respect to Property, and liable to serve on Juries according to this Act as aforesaid, and also to perform and comply with all other the Regulations in the said Precepts contained.

Clerk of the  
Peace to issue printed  
Form of  
Returns to  
the Precept.

V. And be it further enacted, That every such Clerk of the Peace shall cause a sufficient Number of Precepts and Returns to be printed according to the several Forms set forth in the Schedule marked (A) hereto annexed, at the Expence of the County, City, or Town, and shall annex to every Precept a competent Number of Returns for the Use of the respective Persons by whom such Returns are to be made.

Where there  
are several  
Collectors,  
each is re-  
sponsible.

VI. Provided always, and be it further enacted, That where, in any Barony, Half Barony, or other District of Collection, there shall be more than One such Collector, in such Case the Clerk of the Peace or Town Clerk shall issue and deliver his Precept to every one of such Collectors, each of whom shall be individually liable for the due Performance of the several Matters commanded in such Precept throughout the whole of such Barony, Half Barony, or other District, and shall for the Non-performance thereof be subject to all and every the Penalties by this Act imposed upon any such Collector.

Collector of  
County Cess  
shall make out  
a List of Persons  
liable to serve.

VII. And be it further enacted, That each High Constable and Collector or Collectors shall forthwith, after the Receipt of such Precept from the Clerk of the Peace, prepare and make out in alphabetical Order a true List of every Man residing within their respective Districts of Collection who shall be qualified and liable to serve on Juries as aforesaid, with the Christian and Surname written at full Length, and with the true Place of Abode, the Title, Quality, Calling, or Business, and the Nature of the Qualification of every such Man, in the proper Columns of the Form of Return set forth in the Schedule marked (B) hereto annexed.

Collectors to  
deliver Lists  
to Clerk of  
Peace, &c.

VIII. And be it further enacted, That each High Constable and Collector or Collectors, having made out according to this Act a List of every Man within his or their Districts qualified and liable to serve on Juries as aforesaid, shall, within One Month from the Receipt of such Precept as aforesaid, deliver a true Copy of such List to the Clerk of the Peace of the County, and of every County of a City and County of a Town, who shall respectively keep the same for a Period of Three Weeks from the Delivery thereof in their respective Offices, to be perused by any of the Inhabitants of such County, County of a City, or County of a Town, at any reasonable Time during such Three Weeks, without any Fee or Reward, and shall after the Expiration of such Three Weeks by the same before the Justices assembled at Special Sessions in manner hereto-after provided.

At Quarter  
Sessions.

IX. And be it further enacted, That the Justices assembled at every October-General or Quarter Sessions of the Peace (to be held on in each Division of each County at large, and the Justices for and in each County

County of a City and County of a Town in Ireland, shall, at a Sessions to be holden at Order in every Year, in a Place within such Division and within such Counties of Cities and Counties of Towns respectively, and also a Term not less than Two nor more than Three Calendar Months after the first Day of such General or Quarter Sessions, for holding a Special Sessions for the Purpose of examining the said Lists of Jurors pursuant to the Provisions herein-after contained, and shall give public Notice at such Place and Time; at which Place and Time such Justices shall attend; and each High Conestable and Collectors as aforesaid, within such Divisions of Counties and within such Counties of Cities and Counties of Towns respectively, shall attend the said Justices, and shall answer upon Oath such Questions touching the same as shall be put to them by the Justices then present; and if any Man not qualified or not liable to serve as Juror as aforesaid shall be inserted in any List as aforesaid, it shall be lawful for the said Justices, if assented, from the Oath of any Party examined before them, or from other Proof, or upon their own Knowledge, that he is not qualified or not liable to serve as Juror, to strike his Name out of such List, and also to strike thereout the Name of any Man disabled by Lunacy or Imbecility of Mind, or by Deafness or Blindness or other permanent Infirmary, from serving as Juror; and it shall also be lawful for such Justices to insert in such List the Name of any Man omitted and who ought to have been inserted therein, and likewise to rectify any Errors or Omissions which shall appear to them to have been committed in respect to the Name, Place of Abode, Title, Quality, Calling, Business, or the Nature of the Qualification of any Man included in any such List: Provided always, that no Man's Name, if omitted, shall be inserted in such List, nor shall any Man's Name be struck out of such List, nor shall any Error or Omission in the Description of any Man in such List be reformed by the said Justices, unless upon the Application of such Man respectively, or unless such Man respectively shall have had Notice that an Application for such Purpose would be made to the Justices at such Special Sessions, or unless the said Justices at such Sessions, or any Two of them, shall cause Notice to be given to such Men respectively, requiring them to show Cause, either at the same Special Sessions, or at an Adjournment thereof to be holden within Four Days thereafter, and at such Time and Place as the said Justices shall in such Notice specify, why their Names should not be inserted or struck out of such List, or why any Error or Omission in the Description of such Men in such List should not be reformed; and when every such List shall be duly corrected by the Justices present at such Special Sessions or Adjournment thereof, and allowed and signed by them or Three of them, they the said Justices shall cause one personal List to be made out therefrom, containing the Names of all Persons whose Qualification shall have been so allowed, arranged according to Rank and Property; and the presiding Justices at such Sessions shall deliver the same to the Clerk of the Peace who shall thereupon cause the same to be truly and fairly copied, in the same Order, in a Book to be by him provided for that Purpose, at the Expense of the County, City, or Town respectively, with proper Colours for making the Register herein-after directed, and shall forthwith deliver the same Book to the Sheriff at the County, City, or Town, or his Under Sheriff, or the Town Clerk, which Book shall be called "The Jurors Book for the Year" (inserting the Calendar Year for which such Book is to be in such), and that every Sheriff, or quitting his Office, shall deliver the same to the succeeding Sheriff; and that every Jurors Book so prepared shall be brought into use on the first Day of January after it shall be so delivered by the Clerk of the Peace to the Sheriff or his Under Sheriff, and shall be used for One Year then next following.

X. And be it further enacted, That every Writ of Venire facias justitiorum, for the Trial in any County, County of a City, or County of a Town, of any Issue whatsoever, whether civil or criminal, or of any general Sessions, in any of the Courts herein-before mentioned, shall direct the Sheriff of such County, City, or Town to return Twelve good and lawful Men of the Body of his County, qualified according to Law, and the Rest of the Writ shall proceed in the accustomed Form; and that every Precept to be issued for the Return of Jurors before Courts of Oyer and Terminer, Gaol Delivery, and Sessions of the Peace, in Ireland, shall in like Manner direct the Sheriff to return a competent Number of good and lawful Men of the Body of his County, qualified according to Law, and shall not require the same to be returned from any particular Venue within the County; nor Law, Customs, or Usage to the contrary notwithstanding.

XI. And be it further enacted, That the Sheriff shall not, in answer to any Writ of Venire facias, or Precept for the Return of Jurors, return the Names of any Persons not contained in the Jurors Book for the then current Year; and that where Process for returning a Jury for the Trial of any of the Issues aforesaid shall be directed to any Convent, Monastery, or other Religious, he shall have free Access to the Jurors Book for the current Year, and shall not return the Names of any Persons not contained in the said Book: Provided always, that if there shall be no Jurors Book in existence for the current Year, it shall be lawful to return Jurors from the Jurors Book for the Year preceding; and that if it shall happen that any Person not in the Jurors Book shall be returned, and any Trial shall proceed, and Verdict be found, without any Objection to any such Person as a Juror, such Trial shall not be deemed a Mis-trial, nor shall the Verdict thereon be impeached or questioned on Account of the Return of such Juror: provided that nothing herein contained shall be construed to prevent any Sheriff or other Returning Officer, in making Returns to any Writ of Venire or Precept, from exercising his Discretion in fixing the Panel assigned to such Returns in such Manner as he is now by Law directed to do, save only so far as to prevent the Insertion in such Panel of any Names not contained in the said Jurors Book.

Peace and Time to be fixed for the examining the Lists.

Lists to be first presented, rectified, reformed, and allowed.

Justices to deliver an allowed List to Clerk of the Peace to be kept among the Records, and copied into a Book, to be the Record to the Sheriff, who shall deliver it to his Deputies.

Form of Venire facias writ of Precept for Jurors at Gaol Delivery and Sessions of the Peace

Jurors to be returned from Jurors Book by Sheriff, and by Convent and Monastery.



Jurors who are to try the Issue in such Case should have the View of the Place in question, in order to their better understanding the Evidence that may be given upon the Trial of such Issues, in every such Case such Court, or any Judge thereof in Vacation, may order a Rule to be drawn up concerning the usual Terms, and also requiring, if such Court or Judge shall so think fit, the Party applying for the View to deposit in the Hands of the Under Sheriff a Sum of Money to be named in the Rule, for Payment of the Expenses of the View, and commanding special Writs of Venue facias, Distraingas, or Habere corpus in viam, by which the Sheriff or other Minister to whom the said Writs shall be directed shall be commanded to have Six or more of the Jurors named in such Writ, or in the Panels thereunto annexed, (who shall be mutually consented to by the Parties, or, if they cannot agree, shall be nominated by the proper Officer of the respective Courts of King's Bench, Common Pleas, or Exchequer, at Middle, for the Causes in their respective Courts,) at the Place in Question, some convenient Time before the Trial, who then and there shall have the Place in question shown to them by Two Persons in the said Writs named, to be appointed by the Court or Judge: and the said Sheriff or other Minister who is to execute any such Writ shall, by a Special Return upon the same, certify that the View hath been had according to the Command of the same, and shall specify the Names of the Viewers.

XVII. And be it further enacted, That where a View shall be allowed in any Case, those Men who shall have had the View, or such of them as shall appear upon the Jury to try the Issue, and shall not be challenged off, shall be first sworn; and so many more shall be added to the Viewers who shall appear as shall, after all Defectors and Challenges allowed, make up a full Jury of Twelve.

XVIII. And be it further enacted, That the Summoners of every Man to serve on any Jury, Common or Special, in any of the Courts aforesaid, shall be made by the proper Officer Six Days at least before the Day on which the Juror is to attend, by showing to the Man to be summoned, or if such he shall be absent from the usual Place of his Abode, by leaving with some Person there inhabiting, a Note, in Writing under the Hand of the Sheriff, Sub-Sheriff, or other proper Officer, containing the Substance of such Summons.

XIX. And be it further enacted, That the Names of such Men who shall be summoned and impanelled in any Court of Assize or Nisi Prius, with the Place of his Abode and Addition, shall be written on a distinct Piece of Parchment or Card, such Pieces of Parchment or Card being all of an equal Size, and shall be delivered unto the Clerk of the Judge of Assize or Nisi Prius who is to try the Cause, by the Under Sheriff of the County, City, or Town, or other Officer returning the Process, and shall, by Direction and Care of such Clerk, be put together in a Box to be provided for that Purpose; and when any Issue shall be brought on to be tried, such Clerk shall in open Court draw out Twelve of the said Parchments or Cards one after another, who having taken them together, or, in Cases where any View shall have been directed and had as aforesaid, so many six, together with the Viewers who shall appear and be sworn, shall be sufficient to make up the Number of Twelve; and if any of the Men whose Names shall be so drawn shall not appear, or shall be challenged and set aside, then such further Number said Twelve Men, or such other Number as, together with such Viewers so appearing and sworn as aforesaid, shall make up the Number of Twelve, he drawn, who shall appear, and who, after all just Causes of Challenge allowed, shall remain as far and sufficient; and the said Twelve Men, their Names being marked in the Panel, and they being sworn, shall be the Jury to try the Issue, and the Names of the Men so drawn and sworn shall be kept upon by themselves until such Jury shall have given in their Verdict and the same shall be recorded, or until such Jury shall, by the Consent of the Parties or by Leave of the Court, be discharged, and then the same Names shall be returned to the Box, there to be kept with the other Names remaining at that Time undrawn, and so to be put on as long as any Issue remains to be tried: Provided always, that if any Issue shall be brought on to be tried in any of the said Courts before the Jury in any other Issue shall have been brought in their Verdict or been discharged, it shall be lawful for the Court to order Twelve of the Residue of the said Parchments or Cards, not containing the Names of any of the Jurors who shall not have so brought in their Verdict or been discharged, to be drawn in such Manner as aforesaid for the Trial of the Issue which shall be brought on to be tried: Provided also, that where both Parties shall consent thereto it shall be lawful for the Court to try any Issue with the same Jury that shall have previously tried or been drawn to try any other Issue, without their Names being returned to the Box and redrawn, or to order the Name or Names of any Man or Men on such Jury whom both Parties may consent to withdraw, or who may be justly challenged or excused by the Court, to be set aside, and another Name or other Names to be drawn from the Box, and to try the Issue with the Residue of such original Jury and with such Man or Men whose Name or Names shall be so drawn, and who shall appear and be approved as indifferent, and so to be put on as long as any Issue remains to be tried.

XX. And be it further enacted, That if any Man shall be returned as a Juror for the Trial of any Issue in any of the Courts herein before mentioned, who shall not be qualified according to this Act, the Want of such Qualifications shall be good Cause of Challenge, and he shall be discharged upon such Challenge, if the Court shall be satisfied of the Fact; and that if any Man returned as a Juror for the Trial of any such Issue shall be qualified in other respects according to this Act, the Want of Freehold shall not be accepted as good Cause of Challenge, either by the Crown or by the Party, nor as a Cause for discharging the Man so returned upon his own Application, any Law, Custom, or Usage to the contrary notwithstanding: provided that nothing herein contained shall extend in anywise to any Special Juror.

XXI. And be it further enacted, That no Challenge shall be taken to any Panel of Jurors for want of a Knight's being returned therein: That had any diversity qualified by reason of any such Challenge, any Law, Custom, or Usage to the contrary notwithstanding.

Court may order special Writs of Venue facias, Distraingas, or Habere corpus.

Viewers, in case of Appointment, to be sworn as soon as the Jury find. Jurors to be summoned Six Days before Day of Attendance.

Names of Jurors to be delivered to Clerk of Judge of Assize and to be kept by Jurors in Civil Courts.

Where the Jury have not brought in their Verdict, Twelve others to be drawn.

The same Jury, if excused or set aside, may try several Issues in Succession.

Want of Qualification in Common Jurors to be Cause of Challenge. Not to extend to Special Jurors. No Challenge for want of a Knight.

Act not to  
affect Irish  
Acts, 17 H. 4.  
1801, c. 4.  
1817 W. 3. c. 6.  
as to Con-  
sanguinity.

Court to have  
the Power of  
ordering Special  
Juries to be  
struck before  
the proper  
Officers.

What Per-  
sons shall be  
qualified and  
liable to  
serve on Spe-  
cial Juries.

A List to be  
made, and a  
Number to be  
put into each  
Box.

Numbers to  
be written on  
Cards and  
put into a  
Box.

Officers of  
Court to  
appoint the  
Time and  
Place for  
returning  
Special Juries.  
Under  
Sheriff, or  
his Agent,  
to attend  
Officers with  
the Special  
Juries List.

Officers to put  
all the Names  
into a  
Box, and to  
draw out  
Forty-eight,  
and to check  
them with the  
Numbers  
and Names  
in the List.

and to de-  
liver a List  
of the Forty-  
eight Names  
to each  
Party, to be

**XXII.** Provided always, and be it enacted, That nothing in this Act contained shall in any wise be con-  
strued or deemed to repeal, alter, or affect an Act made in the First Session of the Thirty-third Year  
of the Reign of His Majesty King Henry the Eighth, intitled *An Act that Consanguinity or Affinity,*  
*being not within the Fifth Degree shall be an original Challenge;* or an Act made in the Parliament of  
Ireland, in the Seventh Year of the Reign of King William the Third, intitled *An Act for Relief of In-*  
*conveniences for Want of Proof of the Disease of Persons beyond the Seas or absencing themselves upon whose*  
*Legal Estates it depends.*

**XXIII.** And be it further enacted and declared, That it is and shall be lawful for His Majesty's Courts  
of King's Bench, Common Pleas, and Exchequer in Ireland respectively, upon Motion made on behalf  
of the King, or upon the Motion of any Prosecutor, Relator, Plaintiff, or Demandant, or of any Defendant  
or Tenant, in any Case whatsoever, whether civil or criminal, or on any penal Statute, excepting only In-  
dulgences for Treason or Felony depending in any of the said Courts, and the said Courts and Judges  
respectively are hereby authorized in any of the Cases before mentioned to order and appoint a Special  
Jury to be struck before the proper Officer of each respective Court, for the Trial of any Issue joined in  
any of the said Cases and table by a Jury, in such Manner as hereinafter directed for the striking of  
Special Juries; and every Jury so struck shall be the Jury returned for the Trial of such Issue.

**XXIV.** And be it further enacted, That the Sheriff of every County, City, and Town respectively, or  
his Under Sheriff, shall, within Ten Days from the Delivery of the Juries Book for the Current Year to  
either of them, take from such Book the Names of all such Persons as are Sons of Peers, and of all  
Baronets, Knights, Magistrates, and of Persons who have served or been returned to serve the Office of  
Sheriff or Grand Juror at the Assizes, and of all Bankers and wholesale Merchants who do not exercise  
retail Trade, and of all Trades who are possessed of Personal Property of the Value of Five thousand  
Pounds, and of the eldest Sons of such Persons respectively, and if such Descriptions of Persons shall  
not be so numerous as to furnish a competent Number of Persons out of whom a Special Jury may be  
formed, as herein-after provided, then a sufficient Number of other Persons whose Names are contained  
in the Juries Book, Consideration being had of the Rank and Property of such Persons, and shall respec-  
tively cause the same to be fairly and truly copied out in alphabetical Order, together with the respective  
Places of Abode and Additions of each Man in a separate List, to be subjoined to the Juries Book, which  
List shall be called "The Special Juries List," and shall prefix to every Name in such List its proper  
Number, beginning the Numbers from the first Name, and commencing them in a regular arithmetical  
Series down to the last Name, and shall cause the said several Numbers to be written upon distinct Pieces  
of Parchment or Card, being all, as nearly as may be, of equal size, and, after all the said Numbers shall  
have been so written, shall put the same together in a separate Drawer or Box, and shall there safely  
keep the same, to be used for the Purpose herein-after mentioned.

**XXV.** And be it further enacted, That whenever any of the Courts or Judges above mentioned shall  
order a Special Jury to be struck before the proper Officer of such Court, such Officer shall appoint a  
Time and Place for the Nominations of such Special Jury; and a Copy of the Rule of Court and of such  
Officer's Appointment shall be served on the Sheriff or Under Sheriff of the County, City, or Town in  
which the Trial is to be had, and also on all the Parties who have usually been served with the same  
respectively in the accustomed Manner; and the said Officer, at the Time and Place appointed, being  
attended by such Sheriff or Under Sheriff, or his Agent, who are hereby respectively required to bring  
with them the Juries Book and such Special Juries List, or Two Copies thereof signed by such Sheriff or  
Under Sheriff, and all the Numbers to write on distinct Pieces of Parchment or Card as aforesaid, shall,  
in the Presence of all the Parties in any of the Cases aforesaid, and of their Attorneys, if they respectively  
choose to attend, or if the said Parties or their Attorneys, all or any of them, do not attend, then in their  
Absence, put all the said Numbers into a Box, to be by him provided for that Purpose, and after having  
shaken them together shall draw out of the said Box Forty-eight of the said Numbers, one after another,  
and shall, as each Number is drawn, refer to the corresponding Number in the Special Juries List, and  
read aloud the Name designated by such Number; and if at the Time of so reading any Name either  
Party or his Attorney shall object that the Man whose Name shall have been so referred to is in any  
Manner incapacitated from serving on the said Jury, and shall also then and there prove the same to the  
Satisfaction of the said Officer, such Name shall be set aside, and the said Officer shall instead thereof  
draw out of the said Box another Number, and shall in like Manner refer to the corresponding Number  
in the said List, and read aloud the Name designated thereby, which Name may be in like Manner set  
aside, and other Numbers and Names shall in every such Case be resorted to, according to the Mode  
of proceeding herebefore described for the Purpose of supplying Names in the Places of those set aside,  
until the whole Number of Forty-eight Names not liable to be set aside shall be completed; and if in any  
Case it shall so happen that the whole Number of Forty-eight Names cannot be obtained from the Special  
Juries List, then and in that Case the said Officer shall fairly and indifferently take, according to the  
Mode of Nominations herebefore pursued in nominating Special Juries, such a Number of Names from the  
General Juries List as shall be required to make up the full Number of Forty-eight Names, all and every  
of which Forty-eight Names shall in such Case be equally deemed and taken to be those of Special  
Juries; and the said Officer shall afterwards make out for each Party a List of the Forty-eight Names, in  
the Order in which they shall have been drawn as aforesaid, together with their respective Places of Abode  
and Additions, and after having made out such List shall return all the Numbers so drawn out, together  
with all the Numbers remaining undrawn, to such Sheriff or Under Sheriff, or his Agent, to be by such  
Sheriff or Under Sheriff safely and securely kept for future Use; and all the subsequent Proceedings for  
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referring the said List of Forty-eight, and all other Matters whatsoever relating to Special Juries, shall remain and continue in Force in hereinafter, except where the same or any Part thereof is expressly altered by this Act; and all the Fees heretofore legally payable on the striking of Special Juries shall continue to be paid as the accustomed Manner.

XXVI. Provided always, and he it further enacted, That nothing herein contained shall be construed so prevent the Person or any Cause, or their Attorneys, from consenting to have a Special Jury nominated according to the Mole used and accustomed before the passing of this Act; and upon a Consent to that Effect, signed by each Party or his Attorneys, being communicated to the proper Officer, he is lawfully authorized and required to nominate a Special Jury for the Trial of every such Cause according to the Mole used and accustomed before the passing of this Act: Provided also, that nothing herein contained shall be construed so prevent the same Special Jury, however nominated, from trying any Number of Causes, so as the Parties in every such Cause, or their Attorneys, shall have signified their Assent in Writing to the Nomination of such Special Jury for the Trial of their respective Causes, or shall consent thereto in open Court: Provided also, that it shall be lawful for the Court, if it shall so think fit, upon the Application of any Man who shall have served upon One Special Jury or more at any Assizes or Sessions of the Peace, to discharge such Man from serving upon any other Special Jury during the same Assizes or Sessions of the Peace.

XXVII. And he it further enacted, That the Person or Party who shall apply for a Special Jury shall pay the Fees for striking such Jury, and all the Expenses occasioned by the Trial of the Cause by the same, and shall not have any further or other Allowance for the same, upon Termination of Cause, than such Person or Party would be entitled unto in case the Cause had been tried by a Common Jury, unless the Judge before whom the Cause is tried shall immediately after the Trial certify under his Hand upon the Back of the Record that the same was a Cause proper to be tried by a Special Jury.

XXVIII. And he it further enacted, That where a full Jury shall not appear before any Court of Assize or Mid Peace in any Criminal Prosecution properly triable in such Court, or in any Suit or Action, or where, after Appearance of a full Jury, by Challenge of any of the Parties the Jury is likely to remain untried for Default of Jurors, every such Court, upon Request made for the King by any one therein authorized or assigned by the Court in Cases of Criminal Prosecutions as aforesaid, or on Request made by the Parties, Plaintiff or Defendant, or Tenant, or their respective Attorneys, in any Action or Suit, whether popular or private, shall command the Sheriff or other Minister to whom the making of the Return shall belong to name and appoint, as often as Need shall require, Twelve other able Men of the County, City, or Town, then present, and the Sheriff or other Minister aforesaid shall at each Command of the Court return Twelve such Men duly qualified, who shall be present or can be found to serve as such Jury, and shall add and annex their Names to the former Panel; provided that where a Special Jury shall have been struck for the Trial of any Issue, the Taleman shall be such as shall be impanelled upon the Common Jury Panel to serve at the same Court, if a sufficient Number of such Men can be found; and the Names of the Persons so to be named, with their Additions and Places of Abode, shall be written on several distinct Pieces of Parchment or Cards, being all of an equal Size, and shall be delivered to the Clerk of the Judge before whom such Issue is to be tried by the Sheriff or other Officer to whom the returning of such Jury shall belong, and shall, by the Direction and Care of such Clerk, be rolled up all as near or may be in the same Manner, and put together in a Box or Basket and shaken together, and some indifferent Persons, by Direction of the Court, in open Court, shall draw out such Pieces of Parchment or Card one after another, until a Number shall appear which shall be sufficient with those of the original Panel who appear, to make up the Number of Twelve, who shall be the Jury to try the said Issue; and the King, by any one so authorized or assigned as aforesaid, and all and every the Parties aforesaid, shall and may in each of the Cases aforesaid respectively have their respective Challenges to the Jurors so added and assessed; and the Court shall proceed to the Trial of every such Issue, with those Jurors who were before impanelled, together with the Taleman so newly added and assessed, as if all the said Jurors had been returned upon the Writ or Precept awarded to try the Issue.

XXIX. And whereas by an Act passed in the Parliament of Ireland in the First Year of the Reign of His late Majesty King George the Third, intituled *An Act for reviving, continuing, and extending several temporary Statutes, and for other Purposes therein mentioned*, it is amongst other things enacted, that no Issue shall be tried by a Jury of any City, in any Action or Suit concerning any Tolls, Duties, or Customs claimed by the Corporation of such City, but that every such Issue shall be tried by a Jury of an indifferent County, to be appointed by the Court in which such Action or Suit shall depend: And whereas by an Act passed in the Parliament of the United Kingdom in the Sixth Year of His late Majesty's Kings, intituled *An Act for the Amendment of the Law with respect to Special Juries, and to Trials in Counties of Cities and Towns and Towns Corporate in Ireland*, it is amongst other things enacted, that in every Action, whether the same be transitory or local, which shall be prosecuted or depending in any of His Majesty's Courts of Record in Dublin, and in every Indictment returned into His Majesty's Court of King's Bench in Dublin by a Writ of Certiorari, and in every Information filed by His Majesty's Attorney or Solicitor General in Ireland, or by Leave of the Court of King's Bench in Ireland, and in all Cases where any Person or Persons shall plead to or traverse any of the Facts contained in the Return to any Writ of Mandamus in Ireland, if the Venue in such Action, Indictment, or Information be laid in any County of a City, County of a Town, or Town Corporate within Ireland, or if such Writ of Mandamus be directed to any Person or Persons, or Body or Bodies as Corporation, in

England or Scotland.

Any Person may have a Special Jury which according to the ancient Mole.

Such Jury may try any Number of Causes. Courts may discharge a Juror.

Court of Special Jury. Take in Circumstances.

1 G. 3. (1).  
c. 17. s. 22.

c. 6. s. 2. 2.  
s. 2.

And, if it shall and may be lawful for the Court in which such Action, Indictment, Information, or other Proceeding shall be depending, at the Prayer and Instance of any Prosecutor or Plaintiff or of any Defendant, to direct the Issue or Issues joined in such Action, Indictment, Information, or Proceeding to be tried by a Jury of the County next adjoining to such County of a City, County of a Town, or Town Corporate, and to award proper Writs of Venue or Distringas accordingly, if the said Court shall think fit and proper so to do: And whereas it may be difficult, in Cases in which Compositions may be taken, to procure a Jury of suitable Persons or adjoining Counties, who shall not be of Kindred or Affinity in some collateral Degree with some Member of such Corporation, or such Degree of Kindred or Affinity may be so remote as to be unknown to the Sheriff or other Officers who shall return the Jury to try such Cases: And whereas it is expedient that Persons returned as any such Jury should not be liable to be challenged by either Plaintiff or Defendant for any remote Degree of collateral Kindred or Affinity with any Member of such Corporation: be it therefore enacted, That in any Action or Suit instituted by or against any Corporate Body in Ireland, it shall not be deemed, taken, allowed, or admitted as a good Cause or Ground of Challenge of any Person returned as a Jury to try the Issue in such Action or Suit, that such Person so challenged is of collateral Kindred or Affinity with any Member of such Corporate Body, unless such Person shall be either the Brother, Uncle, Nephew, or First Cousin of some Member of such Corporate Body, or the Brother, Uncle, Nephew, or First Cousin of the Wife of some Member of such Corporate Body, or unless some Member of such Corporate Body shall be the Brother, Uncle, Nephew, or First Cousin of the Wife of such Person as to be challenged: Provided always that nothing herein contained shall extend or be construed to extend to deprive any Plaintiff or Defendant in any such Action or Suit of any Right of Challenge of any Person returned on any such Jury for any other Cause for which any such Juror might have been challenged before the passing of this Act.

XXX. And be it further enacted, That whenever an Order shall be made in any such Action or Suit for a Special Jury to be struck. It shall and may be lawful to and for the proper Officer of the Court in which such Action or Suit shall be depending, after he shall in the Manner by this Act directed have made out a List of Forty-eight Persons, at the Instance of the Plaintiff or Plaintiff, or Defendant or Defendants, in such Action or Suit, or allow to the Party so applying each Name as shall appear to such Officer to be reasonable for the Purpose of making Inquiry respecting the several Persons named in such List, and if it shall be made appear satisfactorily to such Officer that any of the Persons named in such List shall be the Brother, Uncle, Nephew, or First Cousin of any Member of such Corporate Body, or the Brother, Uncle, Nephew, or First Cousin of the Wife of any Member of such Corporate Body, or that any Member of such Corporate Body shall be the Brother, Uncle, Nephew, or First Cousin of the Wife of any Person named in such List, then such Officer shall strike out of such List the Name or Names of any and every such Person, and the Name or Names of another or other Person or Persons shall be inserted in such List by the said Officer; and such Name or Names of such Person or Persons may be set aside or struck out in like Manner as if such Name or Names had been originally placed in such List as aforesaid; and in such Case the Names of other Persons shall be inserted so for the Purpose of supplying Names in the Places of those set aside or struck out, until the whole Number of Forty-eight Names of Persons not objected to as liable to be struck out shall be completed: and the said Officer shall afterwards make out for each Party a List of such Forty-eight Names, together with the respective Places of Abode and Additions of the Persons: and all the subsequent Proceedings for reducing the said List, and all other Matters whatsoever relating to Special Juries, shall remain and continue in force: and in any such Action or Suit it shall not afterwards be deemed, taken, allowed, or admitted as a Cause or Ground of Challenge of any of such Persons, that any such Person was of collateral Kindred or Affinity with any Member of such Corporate Body.

XXXI. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the Amendment of the Laws with respect to Special Juries* and to Trials in Counties of Cities and Towns and Towns Corporate in Ireland, it is amongst other things enacted, that in every Action, whether the same be transitory or local, which shall be prosecuted or depending in any of His Majesty's Courts of Record in Dublin, and in every Indictment removed into His Majesty's Courts of King's Bench in Dublin by Writ of Certiorari, and in every Information filed by His Majesty's Attorney or Solicitor General in Ireland, or by Leave of the Court of King's Bench in Ireland, and in all Cases where any Person or Persons shall plead to or traverse any of the Facts contained in the Return to any Writ of Mandamus in Ireland, if the Verdict in such Action, Indictment, or Information be laid in any County of a City, County of a Town, or Town Corporate within Ireland, or if such Writ of Mandamus be directed to any Person or Persons, or Body Public or Corporate, in Ireland, it shall and may be lawful for the Court in which such Action, Indictment, Information, or other Proceeding shall be depending, at the Prayer and Instance of any Prosecutor or Plaintiff, or of any Defendant, to direct the Issue or Issues joined in such Action, Indictment, Information, or Proceeding to be tried by a Jury of the County next adjoining to such County of a City, County of a Town, or Town Corporate, and to award proper Writs of Venue or Distringas accordingly, if the said Court shall think fit and proper so to do: And whereas it is expedient that the said Provisions of the said last-mentioned Act should be applied to Informations issued by Term Grand Juries of the County or County of the City of Dublin, in His Majesty's Court of King's Bench in Ireland, be it therefore enacted, That so much of the said Act of the Sixth Year of the Reign of King George the Fourth as is herein-before specified shall apply and extend to and include any Indictment found by any Term Grand Jury of

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No Cause of Challenge for collateral Affinity in a Corporate Body, unless in case of a Brother, Uncle, Nephew, or First Cousin to any Corporation or its Wife.

No striking special Juries in such Cases, if the said Officer shall be satisfied for Inquiry as to such Affinity, and the Rules may be so made, and another Special Jury named.

Common Provisions of 8 G. 4. c. 23, rendered applicable to Informations issued by Term Grand Juries in His Majesty's Court of King's Bench in Ireland.

the County of Dublin or of the County of the City of Dublin, in His Majesty's Court of King's Bench in Ireland, in like Manner, to all Intents and Purposes, as in the Case of an Indictment returned into the said Court by Writ of Certiorari.

XXXII. And be it further enacted, That if any Man, having been duly summoned to attend on any Kind of Jury in any of the Courts in this Act mentioned, shall not attend in pursuance of such Summons, or being Thrice called shall not answer to his Name, or if any such Man, or any Taleman, after having been called, shall be present but not appear, or after his Appearance shall wilfully withdraw himself from the Presence of the Court, the Court shall set such Fine upon every such Man or Taleman so making default (unless some reasonable Excuse shall be proved by Oath or Affidavit) as the Court shall think meet: Provided always, that where any Viewer, having been duly summoned to attend on any Jury, shall make default as aforesaid, the Court is hereby authorized and required to set upon such Viewer (unless some reasonable Excuse shall be proved as aforesaid) a Fine to the Amount of Ten Pounds at the least, and as much more as the Court, under the Circumstances of the particular Case, shall think proper.

XXXIII. And be it further enacted, That every Sheriff and other Minister to whom the Return of Juries shall belong shall do and is hereby indemnified for impaneling and returning any Man named in the Jurors Book, although he may not be qualified or able to serve as Juries; and that if any Sheriff or other such Minister shall wilfully impanel and return any Man to serve on any Jury before any of the Courts herein-before mentioned, (except as the Grand Jury at any Assizes or Sessions) such Man's Name not being inserted in the Jurors Book for the current Year, or if such Name has not been delivered, then in the Jurors Book last delivered, or if any Prothonotary, Judge's Clerk, Clerk of the Peace, Town Clerk, or other Officer of any of the Courts in this Act mentioned, shall wilfully record the Appearance of any Man so summoned and returned who did not really appear, in every such Case the Court shall, upon Recommendation in a summary Way, set such Fine upon such Sheriff, Minister, Prothonotary, Judge's Clerk, Clerk of the Peace, or other Officer offending, as the Court shall think meet.

XXXIV. And be it further enacted, That no Sheriff, Under Sheriff, Coroner, Elson, Bailiff, or other Officer or Person whatsoever, shall directly or indirectly take or receive any Money or other Reward, or Promise of Money or Reward, or any Consideration whatsoever, or the Promise of any Consideration, to cause any Man from serving or from being summoned to serve on Juries, or under any such Colour or Pretence; and that no Bailiff or other Officer appointed by any Sheriff, Under Sheriff, Coroner, or Elson, to summon Juries, shall summons any Man to serve thereon, other than those whose Names are specified in a Warrant or Mandate signed by such Sheriff, Under Sheriff, Coroner, or Elson, and directed to such Bailiff or other Officer; and if any Sheriff, Under Sheriff, Coroner, Elson, Bailiff, or other Officer shall wilfully transgress in any of the Cases aforesaid, or shall neglect to summons any Jurie, or shall summons any Jurie less than Four Days before the Day on which he is to attend, except in the Cases herein-before excepted, the Court of Assize, Nisi Prius, Oyer and Terminer, Goal Delivery, or Court of Sessions of the Peace within whose Jurisdiction the Offence shall have been committed, may and is hereby required, on Examination and Proof of such Offence, in a summary Way to set such a Fine upon every Person so offending as the Court shall think meet, according to the Nature of the Offence.

XXXV. And be it further enacted, That if any such High Constable or Collector as aforesaid shall refuse or neglect (unless prevented by Sickness) to make out or assist in making out any List required by this Act, so that the same shall not be made out on the Time and in the Manner herein-before directed, or shall wilfully omit out of such List any Man whose Name ought to be inserted therein, or shall wilfully insert therein the Name of any Man who ought to be omitted, or shall take any Money or other Reward, or Promise of Money or Reward, or other Consideration, for omitting or inserting any Man whatsoever, or shall wilfully insert therein a wrong Description of the Name, Place of Abode, Trade, Quality, Calling, Business, or the Nature of the Qualification of any Man; or shall refuse or wilfully neglect, to cause the Number of Forms of Returns delivered by the Clerk of the Peace shall be insufficient, to apply to the Clerk of the Peace for a sufficient Number, or that the List may be made out at the Time and in the Manner herein-before directed; or shall refuse to allow any Inhabitant of their respective Districts to inspect such List, or a true Copy thereof, gratis, at any reasonable Time during the Three Weeks herein-before mentioned; or shall on due Notice refuse or wilfully neglect to produce such List at such Sessions as aforesaid, or to answer on Oath such Questions touching the same as shall there be put, or to attend at such Sessions or any such Adjournment thereof as aforesaid; every such Person offending in any of the foregoing Cases shall for every such Offence forfeit a Sum not exceeding Fifty Pounds or less than Forty Shillings, at the Discretion of the Justice before whom he shall be convicted, (and the Justice before whom such Offender shall be convicted of any such Offence of a wrongful Insertion or Omission shall forthwith, in Writing under his Hand, certify the same to the Clerk of the Peace of the County, City, or Town in which the Man or Men so wrongfully omitted or inserted shall reside; and the said Clerk of the Peace shall cause the List in which such wrongful Insertion or Omission shall have occurred to be corrected according to such Certificate, and shall also give Notice thereof to the Sheriff or Under Sheriff, who shall correct the Jurors Book accordingly.

XXXVI. And be it further enacted, That if any Clerk of the Peace or Town Clerk shall refuse or wilfully neglect to cause a sufficient Number, either of Precepts or Forms of Returns, to be printed in the Manner herein-before directed, or shall refuse or wilfully neglect to issue and deliver to any Collector within the Meaning of this Act the Precepts as herein-before directed, or to annex to the same such a Number of the Forms of Returns as he shall send the same to any High Constable

Place an Order making default, 102.

Shall be deemed in returning any one on the List.

If he returns any out in the List, or if the Clerk of an Assize records Appearance falsely to be heard.

No Money to be taken in any case Persons from serving

Writ to be returned but those named in the Warrant.

Penalty on Collectors for neglecting to make out Lists, &c.

Penalty on Clerks of Peace, Town Clerks, and Sheriffs, for neglecting their Duty.



or Collector such additional Number thereof as he may apply for within Three Days after such Application; or shall refuse or wilfully neglect, to provide or prepare a Jurors Book within the Time or in the Manner and Form herein-before prescribed, or to deliver the same to the Sheriff or Under Sheriff within the Time herein-before prescribed, or to give Notice to the Sheriff or Under Sheriff of any wrongful Issuance or Detention certified to him by any Justice of the Peace as aforesaid; or if any Sheriff or Under Sheriff shall make or cause to be made any Alteration whatsoever in the List of Jurors contained in the Jurors Book, except in the Cases herein-before provided for; or if any Sheriff or Under Sheriff of a County shall wilfully neglect or refuse to provide or prepare a List of Special Jurors in the Manner and within the Time herein-before prescribed, or shall wilfully write or cause to be written therein the Name of any Person not qualified, or shall wilfully omit thereout the Name of any Person duly qualified as a Special Juror, or shall neglect or refuse to write or cause to be written the several Numbers contained in such List upon distinct Pieces of Parchment or Card, in the Manner and within the Time herein-before prescribed, or shall abstract or destroy, or by any Default or Neglect lose, any of the said Pieces of Parchment or Card, or shall wilfully neglect or refuse, upon Discovery of such Loss, to supply the same within Five Days; or if any Sheriff or Under Sheriff shall refuse or wilfully neglect, within Ten Days after the next succeeding Sheriff shall have entered upon Office, to deliver over to him, as well all the Jurors Books and Lists which shall be made or prepared in the Year of his Sheriffalty, as also such other like Books and Lists as were prepared in the Sheriffalty of any of his Predecessors, within Four Years then next preceding, and which were delivered over to him by any of his Predecessors; every such Clerk of the Peace, Sheriff, or Under Sheriff, offending in any of the said Cases, shall for every such Offence forfeit the Sum of One hundred Pounds, one Moiety whereof shall be to the Use of His Majesty, His Heirs or Successors, and the other Moiety, with full Costs, to such Person as shall sue for the same, in any of His Majesty's Courts of Record at Westminster, by Action of Debt, Bill, Plea, or Information, wherein no Escaign, Protection, or Wager of Law, nor more than One Imparison, shall be allowed.

XXXVII. Provided always, and it is hereby further enacted, That nothing herein contained shall extend or be construed to extend to deprive any Alien, indited or impeached of any Felony or Misdemeanor, of the Right of being tried by a Jury de vicinico Regni, but that to the Prayer of every Alien so indited or impeached the Sheriff or other proper Minister shall, by Command of the Court, return for One Half of the Jury a competent Number of Aliens, if so many there be in the Town or Place where the Trial is had, and if not, then so many Aliens as shall be found in the same Town or Place, if any; and that no such Alien Juror shall be liable to be challenged for Want of Freehold or of any other Qualification required by this Act, but every such Alien may be challenged for any other Cause, in like Manner as if he were qualified by this Act.

XXXVIII. And be it further enacted, That no Justice of the Peace shall be summoned or impeached as a Juror to serve at any Sessions of the Peace for the Jurisdiction of which he is a Justice.

XXXIX. And be it further enacted, That no Man shall be summoned or returned to serve on any Jury for the Trial of any Capital Offence in any County, City, or Town; and the same Matter and Cause being alleged by way of Challenge, and so found, shall be admitted and taken as a principal Challenge, and the Person so challenged shall and may be examined on Oath of the Truth of the said Matter; provided that if it shall happen that any such Person, not qualified as last aforesaid, shall have been summoned on any such Jury, and shall be sworn to try the issue in such Case as last aforesaid, without any Challenge having been taken in due Time for the Cause aforesaid, no Objection shall ever afterwards be admitted or taken for the Want of such Qualification.

XL. And be it further enacted, That no Man shall be summoned or impeached to serve as a Juror in any County, City, or Town in Ireland upon any Inquest or Inquiry to be taken or made by or before any Sheriff or Coroner by virtue of any Writ of Inquiry, or by or before any Commissioners appointed under the Great Seal or the Seal of the Court of Exchequer, who shall not be duly qualified according to this Act to serve as a Juror upon Trials at New Trials in such County, City, or Town: Provided always, that nothing herein contained shall extend to any Inquest of the Death of any Person to be taken by or before any Coroner by virtue of his Office, or to any Inquest or Inquiry to be taken or made by or before any Sheriff or Coroner of any Liberty, Franchise, City, Borough, or Town Corporate, not being Counties; but that the Sheriffs and Coroners in all such Cases to which this Act doth not extend as aforesaid shall and may respectively take and make all Inquests and Inquiries by Jurors of the same Description as they have been used and accustomed to do before the passing of this Act.

XLI. And be it further enacted, That if any Man having been duly summoned and returned to serve as a Juror in any County, City, or Town in Ireland, upon any Inquest or Inquiry before any Sheriff or Coroner by virtue of any Writ of Inquiry, or before any of the Commissioners aforesaid, shall not, after being openly called Three Times, appear and serve as such Juror, every such Sheriff, or, in his Absence, the Under Sheriff, and such Coroner and Commissioners respectively, are hereby authorized and required, unless some reasonable Excuse shall be proved on Oath or Affidavit, to impose such Fine upon every Man so making default as they shall respectively think fit, not exceeding Five Pounds; and every such Sheriff, Under Sheriff, Coroner, and Commissioners respectively shall make out and sign a Certificate, containing the Christian and Surname, the Residence and Trade or Calling of every Man so making default, together with the Amount of the Fine imposed, and the Cause of such Fine, and shall transmit such Certificate to the Clerk of the Peace or Town Clerk for the Place in which every such Defaulter shall reside on or before the first Day of the Quarter Session next ensuing, and every such Clerk of the Peace and Town

Jurors de vicinico Regni.

1833

Jurors not to be summoned as Jurors.

Persons qualified to serve in Civil Cases not to be returned to serve on Capital Offences, but if sworn, not afterwards to be objected to.

Qualification of Jurors on Writs of Inquiry, &c. Exception for Coroners, &c.

Sheriffs, Coroners, and Commissioners may fine Jurors for non-appearance.

Fines to be levied by Clerk of the Peace, and listed as

Clerk is hereby required to copy the Fines so certified on the Roll on which all Fines and Forfeitures imposed at each Quarter Sessions shall be copied; and the same shall be extracted, levied, and applied in like Manner, and subject to the like Powers, Provisions, and Penalties, in all respects, as if they had been Part of the Fines imposed at such Quarter Sessions.

Fines imposed at Quarter Sessions.

XLII. And be it further enacted, That all Fines to be imposed under this Act by any of the King's Courts of Record at Dublin, or by any Court of Assize, Nisi Prius, Oyer and Terminer, or Goal Delivery, or any Court of the Sessions of the Peace in Ireland, shall be levied and applied in the same Manner as any other Fines imposed by the same Court; and that all other Penalties hereby created (for which no other Remedy is given) shall, on Conviction of the Offender before any one Justice of the Peace within the Jurisdiction, be levied, unless such Penalty be forthwith paid, by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, who is hereby authorized to hear and examine Witnesses on Oath or Affirmation on any Complaint, and to determine the same, and to mitigate the Penalty, if he shall see fit, to the Extent of One Month thereof; and all Penalties the Application whereof is not herein-before particularly directed shall be paid to the Comptroller; and for Want of sufficient Distress the Offender shall be committed, by Warrant under the Hand and Seal of such Justice, to the Common Goal or House of Correction for such Term not exceeding Six Calendar Months as such Justice shall think proper, unless such Penalty be sooner paid.

New Fines and Penalties are to be assessed and applied.

XLIII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; *viz*;

Form of Conviction.

**B**E remembered, That on \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ at \_\_\_\_\_ A. B. is convicted before me C. D. one of His Majesty's Justices of the Peace for that he the said A. B. did \_\_\_\_\_ the Offence \_\_\_\_\_ and the Time and Place where the same was committed, as the Case shall be; and the said A. B. is for his said Offence adjudged by me the said Justice to forfeit and pay the Sum of \_\_\_\_\_ Given under my Hand and Seal, the Day and Year first above mentioned.

XLIV. And be it further enacted, That so such Conviction shall be quashed for Want of Form, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Dublin; and that where any Writs shall be made for any Penalty to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall such Party be deemed a Trespasser at all on account of any Irregularity which shall be afterwards done by him, but the Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages (if any) in an Action upon the Case, first giving Notice in Writing of the Cause of Action in the opposite Party One Calendar Month before the Commencement of such Action, but no Plaintiff shall recover in any Action for such Irregularity if Tender of sufficient Amounts shall have been made before such Action brought, or if a sufficient Sum of Money to satisfy the Damages and Costs up to that Time shall have been paid into Court after such Action brought, by or on behalf of the Party distressing.

Conviction not to be quashed for Want of Form.

XLV. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person for any thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence on any Trial to be had thereupon, or in Replevin may give generally that the Goods in question were taken under and by virtue of this Act; and if a Verdict shall pass for the Defendant or Awerment, or the Plaintiff shall become acquitted, or discontinue his or her Action after Issue joined, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant or Awerment shall recover Double Costs, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be held certify his Approbation of the Action, and of the Verdict obtained thereon.

Persons suing for any thing done in pursuance of this Act may plead the General Issue.

XLVI. And be it further enacted, That all Actions, Suits, and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be had and tried in the County where the Fact was committed, unless where the Defendant or Awerment in such Action shall be the Sheriff or Under Sheriff or other Person having the Return of Jury Process in such County, in which Case it may, at the Option of the Plaintiff, be had and tried in any next adjoining County; and every such Action, Suit, and Prosecution shall be commenced within Six Calendar Months after the Fact committed, and not otherwise; and that Notice in Writing of such Cause of Action shall be given to the Defendant or Defendants, or Awerment or Awerments, One Calendar Month at least before the Commencement of the Action.

Place to be had in the County where the Fact is committed.

XLVII. And be it further enacted, That from and after the passing of this Act it shall not be lawful, either for the King or any One on His Behalf, or for any Party or Parties in any Case whatsoever, to commence or prosecute any Writ of Attainder against any Jury or Jurors for the Verdict by them given, or against the Party or Parties who shall have Judgment upon such Verdict; and that no Inquest shall be taken to inquire of the Concealments of other Inquests, but that all such Attainders and Inquests shall henceforth cease, become void, and utterly abolished; any Law, Statute, or Usage to the contrary notwithstanding.

Writs of Attainder, &c. against Jurors abolished.

Embassy and  
corrupt Jurors  
punishable by  
Fine and Im-  
prisonment.

XLVIII. Provided always, and be it enacted and declared, That notwithstanding any thing herein contained, every Person who shall be guilty of the Offence of Embassy, and every Juror who shall wilfully or corruptly concern themselves, shall and may be respectively proceeded against by Indictment or Information, and be punished by Fine and Imprisonment, in like Manner as every such Person and Juror might have been before the passing of this Act.

Commence-  
ment of Act.

XLIX. And be it further enacted, That those Parts of this Act which relate to the issuing of Warrants and Precepts for the Return of Jury Lists, the Preparation, Production, Reformation, and Allowance of those Lists, the holding of Sessions for those Purposes, the Formation of a Jurors Book, and the Delivery thereof to the Sheriff, and the Preparation of a List of Special Jurors, and of Parchment or Cards, in the Manner heretofore mentioned, shall commence and take effect as soon after the passing of this Act as the proper Periods for doing those Things shall occur; and that the rest of this Act shall commence and take Effect on the First Day of January in the Year One thousand eight hundred and thirty-four.

Repeal of an-  
cient Acts re-  
lating to Ire-  
land, &c.

L. And be it further enacted, That from and after the Commencement of the several Parts of this Act, the several Statutes and Acts, and Parts of Statutes and Acts, heretofore mentioned, so far as the same relate to Ireland, shall be repealed; (that is to say,) so much of the Provisions made in the Forty-third Year of the Reign of King Henry the Third as relates to Exemptions from Assizes, Juries, and Inquests; and so much of a Statute made in the Fifty-second Year of the same Reign as relates to the like Exemptions; and so much of the same Statute as provides that all, being Twelve Years of Age, ought to appear at Inquests for the Death of Man; and so much of a Statute made at Westminster in the Thirtieth Year of the Reign of King Edward the First as directs that the Justices shall not put in Assizes or Juries any other than those that were first summoned to the same at first; and so much of the same Statute as ordains how many and what Sort of Persons shall be returned as Juries and Petty Assizes; and a Statute made in the Twenty-first Year of the same Reign, intitled *Statutum de illis qui deficiunt post in Jurem in Assize*; and so much of a Statute made in the Twenty-eighth Year of the same Reign, intitled *Articul super Carta*, as directs that the Jurors shall be of the next Neighbourhood; and an Ordinance made in the Thirty-third Year of the same Reign, commonly called *An Ordinance for Depurats*; and so much of a Statute made in the Thirty-fourth Year of the same Reign, commonly called *Ordinatio Forestarum*, as ordains that none of the Ministers thereto mentioned be put in Assizes, Juries, or Inquests without the Consent; and so much of a Statute made in the Sixth Year of the Reign of King Edward the Third as relates to the Punishment of a corrupt Juror; and so much of a Statute made in the Twentieth Year of the same Reign as relates to the Punishment of Embroosers and corrupt Jurors; and so much of a Statute or Ordinance made in the Twenty-seventh Year of the same Reign, commonly called *The Ordinance of the Regis*, as prescribes the Mode of Trial where one Party or both Parties are Absent; and so much of a Statute made in the Twenty-eighth Year of the same Reign as directs that all Manner of Inquests and Process shall be taken between Aliens and Denizens; and so much of a Statute made in the Thirty-fourth Year of the same Reign as ordains that Panels of Inquests shall be of the Neighbourhood; and so much thereof as directs the Proceedings against Jurors taking a Reward to give their Verdict; and so much thereof as relates to the Qualification of Jurors on Inquests of Escheat; and so much of a Statute made in the Thirty-sixth Year of the same Reign as relates to Jurors on Inquests of Escheat; and so much of the First Statute made in the Thirty-eighth Year of the same Reign as ordains the Penalty on corrupt Jurors and Embroosers; and so much of a Statute made in the Forty-second Year of the same Reign as ordains that Panels to Assizes shall be arrayed Four Days before the Sessions, and that the Jurors therein shall be those that have the best Knowledge of the Truth, and be nearest; and so much of a Statute made in the Seventh Year of the Reign of King Richard the Second as relates to granting a Writ of *Nisi propter* at the Suit of any Jurors; and so much of a Statute made in the Eleventh Year of the Reign of King Henry the Fourth as directs that Jurors in Indictments shall be returned by the Sheriff or Bailiff without the Demurrance of any; and so much of the Second Statute made in the Second Year of the Reign of King Henry the Fifth as relates to the Qualifications of Jurors; and so much of a Statute made in the Sixth Year of the Reign of King Henry the Sixth as relates to the Panels in Special Assizes; and so much of a Statute made in the Eighth Year of the same Reign as relates to Inquests and Panels taken between Aliens and Denizens; and so much of a Statute made in the Twenty-third Year of the same Reign as ordains that no Sheriff or Under Sheriff shall return any of their Officers or Servants in any of the Causes therein mentioned, and an Act passed in the First Year of the Reign of King Richard the Third, intitled *An Act for returning Jurors*; and that the several Acts and Parts of Acts passed in the Parliament of Ireland, and heretofore mentioned, shall also be repealed; (that is to say,) an Act passed in the Seventh Year of the Reign of King Henry the Sixth, intitled *An Act for the Addition of Jurors*; and also an Act passed in the Thirteenth Year of the Reign of King Henry the Eighth, intitled *An Act touching Jurors* is gone in Ireland; and also an Act passed in the Second Session of the Fourth Year of the Reign of King Charles the First, intitled *An Act concerning the Appearance of Jurors in the Nisi Propter*; and also an Act passed in the Tenth and Eleventh Years of the same Reign, intitled *An Act for the issuing of peremptory Challenges in Cases of Treason and Felony*, and so forth; and so much of an Act passed in the Sixth Year of the Reign of Queen Anne, intitled *An Act for the Amendment of the Law, and the better Advancement of Justice*, as relates to Writs of *Vecore facias*, and to Jurors having the View; and also so much of an Act passed in the Sixth Year of the Reign of King George the First, intitled *An Act for amending the Proceedings of this Kingdom from certain Proceedings in which they are now subject*, as relates to Exemptions from serving upon Jurors; and also so much of an Act passed in the Twelfth Year of the same Reign, intitled *An Act for the better regulating the Office of Sheriffs, and of the Justices of the Peace, and the Fees payable by the said Sheriffs and Justices*.

Repeal of Acts  
made in Ire-  
land, &c.

1 H. 6. c. 4.  
1 H. 6. c. 5.  
1 H. 6. c. 6.  
1 H. 6. c. 7.  
1 H. 6. c. 8.  
1 H. 6. c. 9.  
1 H. 6. c. 10.  
1 H. 6. c. 11.  
1 H. 6. c. 12.  
1 H. 6. c. 13.  
1 H. 6. c. 14.  
1 H. 6. c. 15.  
1 H. 6. c. 16.  
1 H. 6. c. 17.  
1 H. 6. c. 18.  
1 H. 6. c. 19.  
1 H. 6. c. 20.  
1 H. 6. c. 21.  
1 H. 6. c. 22.  
1 H. 6. c. 23.  
1 H. 6. c. 24.  
1 H. 6. c. 25.  
1 H. 6. c. 26.  
1 H. 6. c. 27.  
1 H. 6. c. 28.  
1 H. 6. c. 29.  
1 H. 6. c. 30.  
1 H. 6. c. 31.  
1 H. 6. c. 32.  
1 H. 6. c. 33.  
1 H. 6. c. 34.  
1 H. 6. c. 35.  
1 H. 6. c. 36.  
1 H. 6. c. 37.  
1 H. 6. c. 38.  
1 H. 6. c. 39.  
1 H. 6. c. 40.  
1 H. 6. c. 41.  
1 H. 6. c. 42.  
1 H. 6. c. 43.  
1 H. 6. c. 44.  
1 H. 6. c. 45.  
1 H. 6. c. 46.  
1 H. 6. c. 47.  
1 H. 6. c. 48.  
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1 H. 6. c. 50.  
1 H. 6. c. 51.  
1 H. 6. c. 52.  
1 H. 6. c. 53.  
1 H. 6. c. 54.  
1 H. 6. c. 55.  
1 H. 6. c. 56.  
1 H. 6. c. 57.  
1 H. 6. c. 58.  
1 H. 6. c. 59.  
1 H. 6. c. 60.  
1 H. 6. c. 61.  
1 H. 6. c. 62.  
1 H. 6. c. 63.  
1 H. 6. c. 64.  
1 H. 6. c. 65.  
1 H. 6. c. 66.  
1 H. 6. c. 67.  
1 H. 6. c. 68.  
1 H. 6. c. 69.  
1 H. 6. c. 70.  
1 H. 6. c. 71.  
1 H. 6. c. 72.  
1 H. 6. c. 73.  
1 H. 6. c. 74.  
1 H. 6. c. 75.  
1 H. 6. c. 76.  
1 H. 6. c. 77.  
1 H. 6. c. 78.  
1 H. 6. c. 79.  
1 H. 6. c. 80.  
1 H. 6. c. 81.  
1 H. 6. c. 82.  
1 H. 6. c. 83.  
1 H. 6. c. 84.  
1 H. 6. c. 85.  
1 H. 6. c. 86.  
1 H. 6. c. 87.  
1 H. 6. c. 88.  
1 H. 6. c. 89.  
1 H. 6. c. 90.  
1 H. 6. c. 91.  
1 H. 6. c. 92.  
1 H. 6. c. 93.  
1 H. 6. c. 94.  
1 H. 6. c. 95.  
1 H. 6. c. 96.  
1 H. 6. c. 97.  
1 H. 6. c. 98.  
1 H. 6. c. 99.  
1 H. 6. c. 100.

*their Accounts, as relates to the impeaching or Return of Juries; and also an Act passed in the Twenty-ninth Year of the Reign of King George the Second, intitled An Act for better regulating Juries, as far as the same relates to Counties at large; and also so much of an Act passed in the Thirteenth and Fourteenth Years of the Reign of King George the Third, intitled An Act for revising and continuing several temporary Statutes, and for prevent the defective Practice of treating Fish in the Bay of Dublin, as revises or continues the said Act of the Twenty-ninth Year of King George the Second; and also so much of an Act passed in the Seventeenth and Eighteenth Years of the Reign of King George the Third, intitled An Act for the Amendment of the Law with respect to Distresses, returning Special Juries, and the future Effects of Bankrupts, as revises or continues the said Act of the Twenty-ninth Year of King George the Second; and also so much of an Act passed in the Twenty-third and Twenty-fourth Years of the Reign of King George the Third, intitled An Act for establishing a Post Office within this Kingdom, as relates to any Excution from serving upon any Jury or Inquest; and also an Act passed in the Twenty-fifth Year of the same Reign, intitled An Act to take away the Challenge in the Array of Panels of Juries for Want of a Knight or Baron or Lord of Parliament in a Party; and also so much of an Act passed in the Thirty-fourth Year of the same Reign, intitled An Act for revising and continuing certain temporary Statutes, as revises and makes perpetual the said Act of the Twenty-fifth Year of the same Reign; and also so much of an Act passed in the Twenty-sixth Year of the same Reign, intitled An Act for making, widening, and repairing public Roads in the County of Dublin, and for repairing Parts of several Acts formerly made for that Purpose, as provides that any Treasurer, Inspector of the Accounts, Secretary of the Grand Jury, or Collector of any Burrow, shall not be returned upon any Panel for any Jury in the County of Dublin; and also so much of an Act passed in the Thirty-fifth Year of the same Reign, intitled An Act for the better Regulation of the Receipts and Issues of His Majesty's Treasury, and for repairing an Act of Parliament passed in the Tenth Year of Henry the Seventh, intitled An Act authorizing the Treasurer to make all Officers as the Treasurer of England doth; as relates to any Excution from serving upon any Jury; and that so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland in the Sixth Year of the Reign of His late Majesty, intitled An Act for the Amendment of the Law with respect to Special Juries, and to Trials in Counties of Cities and Towns and Towns Corporate in Ireland, as relates to Special Juries in any Indictments or Informations tried in any County or large Inland, shall also be repealed; and the said several herein-before recited Statutes and Acts, and Parts of Statutes and Acts, are hereby severally and respectively repealed accordingly, save only so far as the same or any of them repeats or refers any other Acts or Parts of Acts, and save only so far as any of them directs that the Sheriff, Sub-Sheriff, or other Returning Officer, shall return upon Panels, when so required by Writ of Venue facias or other Precept, such Persons as shall be most suitable, substantial, and worthy of Credit, and not suspect: Provided always, that nothing herein contained shall be construed to affect or alter any Part of an Act passed in the Parliament of Ireland in the Nineteenth Year of the Reign of King George the Second, intitled An Act for accepting the solemn Affirmation or Declaration of the People called Quakers, instead of an Oath in the usual Form: Provided also, that nothing herein contained shall extend or be construed to extend to alter, abridge, or effect any Power or Authority which any Court or Judge now hath, or any Practise or Form in regard to Trials by Jury, Jury Process, Juries or Juries, except in those Cases only where any such Power or Authority, Practise or Form, is repealed or altered by this Act, or is or shall be inconsistent with any of the Provisions thereof, nor to abridge or affect any Privileges of Parliament: Provided also, that nothing herein contained shall extend to or in any Manner affect any Juries or Juries in any Matter or Cause to be heard or tried by Civil Bill before any Assistant Barrister in Ireland, but that all such Matters and Causes may be heard and tried as before the passing of this Act.*

*L. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.*

## SCHEDULE (A).

PANELLER FOR RETURNING LISTS OF JURIES.

County of \_\_\_\_\_ [or County of the \_\_\_\_\_] To the High Constable and Collector of Grand Jury Cans [or City of \_\_\_\_\_] A. B. one of the Collectors of Grand Jury Cans in the Burrow \_\_\_\_\_ [or Hall Burrow, or District, &c.] in the said County [City or Town].

YOU are hereby required, within One Month from the Date hereof, to make out a true List in Writing, in the Form hereunto annexed, containing the Names of all Men, being natural-born Subjects of the King, between the Ages of Twenty-one and Sixty, residing within your District of Collection qualified to serve upon Juries; (that is to say,) of every such Man who has in his own Name or in Trust for him a clear Income of Ten Pounds by the Year in Lands or Tenements situate in the said County [City or Town], or in Rents issuing out of any such Lands or Tenements, or in such Lands, Tenements, and Rents taken together, in Fee Simple or Fee Tail, or for his own Life, or for the Life of any other Person; and also of every such Man who has a clear Income of Fifteen Pounds by the Year in Lands or Tenements situate in the said County [City or Town], held by Lease, originally made for an absolute Term of Twenty-one Years or more, or under any other Term, or by any other means, and also of every such Man who has a clear Income of Five Pounds by the Year in Lands or Tenements situate in the said County [City or Town], held by Lease, originally made for an absolute Term of

of any resident Merchant, Freeman, and Householder having a House and Tenement in any City, Town, or Borough situate within the said County, of the clear yearly Value of Twenty Pounds, such City, Town, or Borough not being a County of itself; (and if in any City or Town, add, (and also of every resident Merchant, Freeman, and Householder having Lands or Tenements or Personal Estate of the Value of One hundred Pounds;) and you are required to make out the said List in alphabetical Order, and to write the Christian and Surname of every Man at full Length, and the Place of his Abode, his Title, Quality, Calling, or Business, and the Nature of his Qualification, in the proper Columns of the Form herewith annexed, according to the Specifications given in such Columns for your Guidance; and if you have not a sufficient Number of Forms, you must apply to me for more; and in making such Lists you are to insert the Names of all Peers, all Judges, all Clergymen, all Roman Catholic Priests, all Ministers of any Religious Congregation; all Serjeants and Barristers at Law, all Assistant Barristers, all Advocates in Ecclesiastical Courts or in Courts of the Civil Law, if actually practicing; and all Attorneys, Solicitors, and Proctors, if actually practicing, and having taken out their usual Certificates; all Officers of the Courts of Law and Equity, and of the Admiralty and Ecclesiastical Courts, and Courts of the Civil Law, and of all Courts of Criminal Jurisdiction, if actually exercising the Duties of their respective Offices; all Public Notaries, all Coroners, all Gaolers and Keepers of the Houses of Correction; all Members and Licentiates of the King and Queen's College of Physicians in Ireland, and all other Physicians, all Members of the Royal College of Surgeons in London, Edinburgh, and Dublin, and Apothecaries certified by the Court of Examiners of the Governor and Company of the Apothecaries Hall of the City of Dublin, if actually practicing as Physicians, Surgeons, or Apothecaries respectively; all the Officers of the Navy and Army on Full Pay; all Officers of Customs and Excise; all Sheriffs Officers, Police Constables, and Parish Clerks; all Persons employed or acting in the Service of His Majesty's Post Office; all Treasurers, and Secretaries of Grand Juries; and also all Persons exempt by virtue of any Prescription, Charter, Grant, or Writ: And when you have made out such List you are authorized to order a sufficient Number of Copies thereof to be printed, (the Expence of which printing will be allowed you by the County), and you are required, within One Month from the Date hereof, to deliver a true Copy of such List to the Clerk of the Peace of the County of every County of a City or County of a Town within the said County, and to attend the Justices at any Special Sessions to be held for the Purpose of examining the Lists, of the Time and Place of holding which you shall be previously informed, and there to answer on Oath such Questions as shall be put to you by His Majesty's Justices of the Peace there present touching the said Lists: And these several Matters you are in Oath to do, upon the Penal Oath may cease.

Given under my Hand, at \_\_\_\_\_ in the said County, the \_\_\_\_\_ Day of \_\_\_\_\_ to the Year \_\_\_\_\_ Clerk of the Peace for the said County [City, or Town.]

## SCHEDULE (B).

## FORM OF RETURN OF JURORS.

County of \_\_\_\_\_ [or] The Return of the High Constable and of the Collector of the Grand Jury  
County of the City of \_\_\_\_\_ Cons of the District of \_\_\_\_\_ in the County [City or  
or County of the \_\_\_\_\_ Town] of  
Town of \_\_\_\_\_

## MEN QUALIFIED TO SERVE ON JURIES.

| Christian and Surname, in alphabetical Order of Surnames. | Rank, Office, and Place in which the Man is. | Title, Quality, Calling, or Business. | Qualification, whether Freehold or Leasehold, Merchant, Freeman, or Householder. |
|---|--|---------------------------------------|--|
|   |  |                                       |  |

## C A P. XCII.

An Act to explain and amend the Provisions of certain Acts for the erecting and establishing Public Infirmaries, Hospitals, and Dispensaries in Ireland. [25th August 1833.]

WHEREAS it is expedient that the Provisions contained in certain Acts relating to the erecting and establishing Public Infirmaries and Hospitals and Dispensaries in Ireland should be explained and amended: And whereas the Vice-Treasurer or Vice-Treasurers of Ireland in or are empowered and directed, by an Act of the Parliament of Ireland of the Fifth George Third, to pay a stated Sum half-yearly to the Treasurers of each Infirmary or Hospital in Ireland: And whereas it is enacted by an Act of the Fifty-fourth George Third, that it shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town to be directed to present a certain Sum as an Addition to the Salary of the Surgeon or Physician of the Infirmary or Hospital of such County, County of a City, or County of a Town, over and above the Sum to be advanced by the Vice-Treasurer or Vice-Treasurers aforesaid: And whereas it is also provided by the aforesaid Act, that before any such Provisions shall be made a Certificate signed by at least Five Governors of such Infirmary or Hospital, as therein directed, shall be laid before the Grand Jury: And whereas it is also provided by an Act passed in the Parliament of Ireland in the Fifth of George Third, that the Governors or Governesses of any Infirmary or Hospital aforesaid shall at a General Meeting appoint a standing Committee to regulate the Economy thereof: he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Doctor or Doctors at any Side or Sums of Money to any of the said Infirmaries or Hospitals shall be permitted to vote at any Election upon any Vacancy which may hereafter occur for the Office of Surgeon or Physician to such Infirmary or Hospital, unless he, she, or they shall have respectively paid the Donation by virtue of which he, she, or they claim a Right to vote at such Election One Year at least before such Vacancy shall have occurred.

II. Be it further enacted, That all Sums or Sums of Money directed to be raised by the Vice-Treasurer and Vice-Treasurers of Ireland, under the said recited Act or Acts, shall be applied either to the Payment of a Surgeon and a Physician, or to the Payment of a Surgeon or a Physician, except as excepted by the said Act.

III. Be it further enacted, That any such Provisions as is directed by the said recited Act or Acts shall be made half-yearly, and the Assent thereof paid to the Treasurer of such Infirmary or Hospital of such County, County of a City, or County of a Town; and also that the Certificate as directed by such recited Act or Acts aforesaid shall, in addition to what is required by the said Act or Acts, contain the following Words; that is to say, "That the said Surgeon or Physician both since the late Assizes diligently complied with the Rules and Regulations of the Governors of the said Infirmary or Hospital," and also that true Copies of such Letters Testimonial as are required by the Act of the Parliament of Ireland of the Thirty-sixth George Third to be obtained by such Surgeon or Physician shall be laid before such Grand Jury previous to their making any such Provisions.

IV. Be it further enacted, That in every Case where the Surgeon or Physician of any Infirmary or Hospital is now required or enabled by Law to receive any Patient into the Hospital or Infirmary in his Charge, other than by the written Recommendation of one of the Governors or Governesses aforesaid, the said Surgeon or Physician is hereby required to report such Case to the standing Committee at the next Meeting, as well as to preserve the Certificates of all Persons recommended as their Admissons; and should any Patient be so recommended by any Governor or Governess of any such Infirmary or Hospital, who, on Consultation by such Surgeon or Physicians, shall appear to him or them to be inadmissible, from the Rules and Regulations of the Governors or Governesses of any such Infirmary or Hospital, it shall be lawful for the said Surgeon or Physician to report such Patient as an Intern Patient, and he is hereby required to explain, in Writing on the Back of such Certificate of Recommendation, to such Governor or Governess so recommending every such Patient, the due Cause of his not admitting every such Patient as aforesaid.

V. And be it further enacted, That no Subscriber to any Dispensary for the Support of which any Grand Jury in Ireland shall hereafter present any Sum or Sums of Money shall be entitled to vote at the Election of any Surgeon or Physician of any Dispensary as aforesaid, unless such Person shall have paid his or her Subscription to the Treasurer of such Dispensary at least One Year completed before any such Election shall take place, save and except such Persons as shall have subscribed to the said Dispensary at its original Foundation, or prior to the first Grand Jury Provisions to aid of the same.

VI. And be it further enacted, That any Grand Jury may appoint to the Care of County Gaol, subject to the Provisions of the said recited Acts, a Surgeon being a Member or Licentiate of one of the Royal Colleges of Surgeons, or a Physician being a Member or Licentiate of one of the Royal Colleges of Physicians; and that whomever the Surgeon or Physician so appointed to the Care of any County Gaol shall also be the Surgeon of a County Infirmary situate within Five Miles of such County Gaol, he shall for and in consideration of such additional Salary which the Grand Jury is empowered to present to the Surgeon of an Infirmary, pursuant to the Provisions of the aforesaid recited Act of the Fifty-fourth Year of the Reign of His Majesty King George the Third, give his professional Services and Attendance to the Prisoners and others within such County Gaol, without other Fee, Salary, or Reward; and it shall not be lawful for any Grand Jury to present any Sum as a Salary to be paid to such Surgeon in virtue of his

Irish Act,  
3 G. 3. c. 20.  
24 G. 3. c. 24.

Irish Act,  
5 G. 3. c. 11.

No Person to  
vote at Elec-  
tion who  
has not paid  
Subscription  
for One Year.

Sums paid by  
Vice-Treasurer  
to be applied  
proporcionally  
to Surgeon and  
Physician.

Provisions to  
be paid to  
Treasurer.  
Certificates.  
Testimonials.

Admission of  
Patients.

No Subscriber  
to a Dispensary  
to vote at Elec-  
tion unless  
Subscription  
for One Year  
previously paid.

Grand Jury to  
appoint a Sur-  
geon to County  
Gaol without  
Salary other  
than of the  
Surgeon of an  
Infirmary  
within Five  
Miles of  
the Gaol,  
but otherwise  
with a Salary.

Appointment as Surgeon or Physician of such County Gaol: Provided nothing herein contained shall prevent any Grand Jury presenting a Sum or Salary for the Physician or Surgeon of County Gaols, if such Person be other than the Surgeon of an Infirmary situate within Five Miles of the County Gaol of such County.

Grand Jury empowered to withhold Payment in case of Delinquency at Elections of Surgeons, &c.

VII. And he it further enacted, That it shall and may be lawful to and for any Grand Jury in Ireland, at the Assizes or Presiding Term next ensuing after the Election of any such Surgeon or Physician as aforesaid, as well here before them, and to examine such Surgeon or Physician so elected, or any other Person or Persons in said County, upon Oath, touching the said Election; and if it shall appear that any Offer, Gift, Promise, or Loan of any Money or other valuable Thing shall have been made, with the Privy or on behalf of any such Surgeon or Physician, either then or in prospect, to procure any Vote or Votes for his Election, it shall then be competent for the said Grand Jury, and the said Grand Jury are hereby authorized and required, thereupon to withhold any Sum or Sums of Money presented or to be by them presented for or as the Salary of the said Surgeon or Physicians of such Infirmary, Hospital, or Dispensary aforesaid, and also and in that Case such Surgeon or Physician shall be deemed incapable of receiving at any future Time any Money by Payment from the said County for the Management of any Infirmary, Hospital, or Dispensary within the same.

## C. A. P. XCIII.

An Act to regulate the Trade to China and India.

[29th August 1833.]

WHEREAS the exclusive Right of trading with the Dominions of the Emperor of China, and of trading in Tea, now enjoyed by the United Company of Merchants of England trading to the East Indies, will cease from and after the Twenty-second Day of April One thousand eight hundred and thirty-four: And whereas it is expedient that the Trade with China, and the Trade in Tea, should be open to all His Majesty's Subjects, and that the Restrictions imposed on the Trade of His Majesty's Subjects with Places beyond the Cape of Good Hope to the Straights of Magellan, for the Purpose of protecting the exclusive Rights of Trade heretofore enjoyed by the said Company, should be removed: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the said Twenty-second Day of April One thousand eight hundred and thirty-four an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intimated *An Act to consolidate and amend the several Laws now in Force with respect to Trade from and to Places within the Limits of the Charter of the East India Company, and to make further Provisions with respect to such Trade, and to amend an Act of the present Session of Parliament, for the extending of Fovels, as far as it relates to Fovels registered in India, shall be repealed, except such Parts thereof as relate to Arctic Sailors, Lazars, being Natives of the Territories under the Government of the East India Company, but so as not to revive any Act or Parts of Acts by the said Act repealed; and except also as to such Voyages and Adventures as shall have been actually commenced under the Authority of the said Act; and except as to any Edicts and Proceedings which may have been commenced, and shall be depending on the said Twenty-second Day of April One thousand eight hundred and thirty-four; and from and after the said Twenty-second Day of April One thousand eight hundred and thirty-four the Enactments herein after contained shall come into operation.*

Repeal of the Act 5 G. 4. c. 80, except in certain circumstances.

II. And he it further enacted, That so much of an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intimated *An Act for the general Regulation of the Customs, as prohibits the Importation of Tea, unless from the Place of its Growth, and by the East India Company, and into the Port of London; and also so much of the said Act as prohibits the Importation into the United Kingdom of Goods from China, unless by the East India Company, and into the Port of London; and also so much of the said Act as requires that the Masters of Ships departing from Places in China shall be authenticated by the Chief Supercargo of the East India Company; and also that so much of another Act passed in the said Sixth Year of the Reign of His said late Majesty King George the Fourth, intimated *An Act to regulate the Trade of the British Possessions Abroad, as prohibits the Importation of Tea into any of the British Possessions in America, and into the Island of Mauritius, except from the United Kingdom, or from some other British Possession in America, and unless by the East India Company or with their Licence, shall be, from and after the Twenty-second Day of April One thousand eight hundred and thirty-four, repealed; and thenceforth notwithstanding any Provisions, Enactment, Statute, or Thing made for the Purpose of protecting the exclusive Rights of Trade heretofore enjoyed by the said Company, in any Charter of the said Company in the said Act or any other Act of Parliament contained, it shall be lawful for any of His Majesty's Subjects to carry on Trade with any Countries beyond the Cape of Good Hope to the Straights of Magellan.**

Repeal of Provisions upon the Importation of Tea and Goods from China, imposed by 6 G. 4. c. 107, and 6 G. 4. c. 114.

All British Subjects may carry on Trade beyond the Cape of Good Hope to the Straights of Magellan. List of Persons on board any Ship arriving in India to be delivered to Officers of Customs.

III. Provided always, and he it enacted, That the Person having the Command of any Ship or Vessel arriving at any Place in the Possession of or under the Government of the said Company shall make out, sign, and deliver to the principal Officer of the Customs, or other Person thereunto lawfully authorized, a true and perfect List, specifying the Names, Capacities, and Descriptions of all Persons who shall have been on board such Ship or Vessel at the Time of its Arrival; and if any Person having the Command of such Ship or Vessel shall not make out, sign, and deliver such List, he shall forfeit One hundred Pounds, one Half Part of which Penalty shall belong to such Person or Persons as shall inform or sue

for the same, and the other Half Part to the said Company; and if the said Company shall inform or sue for the same, then the Whole of the said Penalty shall belong to the said Company.

IV. And be it enacted, That the Penalty or Forfeiture aforesaid shall be recoverable by Action of Debt, Bill, Plea, or Information in any of His Majesty's Courts of Record in the United Kingdom of Great Britain and Ireland, and in India or elsewhere, or in any Courts or Judge to which Jurisdiction may hereafter be given by the Governor General of India in Council on that Behalf, to be commenced in the County, Presidency, Colony, or Settlement where the Offender may happen to be; or by Citation in a summary Way before Two Justices of the Peace in the United Kingdom, or in India, or the County or Presidency where such Offender may happen to be; and upon such Conviction the Penalty or Forfeiture aforesaid shall and may be levied by Distress and Sale of the Goods and Chattels of the Offender; and for Want of such sufficient Distress every such Offender may be committed to the Common Gaol or House of Correction for the Space of Three Calendar Months.

V. And whereas it is expedient for the Objects of Trade and amicable Intercourse with the Dominions of the Emperor of China that Provision be made for the Establishment of a British Authority in the said Dominions; be it therefore enacted, That it shall and may be lawful for His Majesty, by any Commission or Commissions or Warrant or Warrants under His Royal Sign Manual, to appoint not exceeding Three of His Majesty's Subjects to be Superintendants of the Trade of His Majesty's Subjects to and from the said Dominions, for the Purpose of protecting and promoting such Trade, and by any such Commission or Warrant so aforesaid to nominate and Subordinate among the said Superintendants (One of whom shall be styled the Chief Superintendant), and to appoint such Officers to assist them in the Execution of their Duties, and to grant such Salaries to such Superintendants and Officers, as His Majesty shall from Time to Time deem expedient.

VI. And be it enacted, That it shall and may be lawful for His Majesty, by any such Order or Orders, Commission or Commissions, as to His Majesty in Council shall appear expedient and salutary, to give to the said Superintendants, or any of them, Powers and Authorities over and in respect of the Trade and Commerce of His Majesty's Subjects within any Part of the said Dominions; and to make and issue Directions and Regulations touching the said Trade and Commerce, and for the Government of His Majesty's Subjects within the said Dominions; and to impose Penalties, Forfeitures, or Imprisonments for the Breach of any such Directions or Regulations, to be enforced in such Manner as in the said Order or Orders shall be specified; and to create a Court of Justice with Criminal and Admiralty Jurisdiction for the Trial of Offences committed by His Majesty's Subjects within the said Dominions, and the Ports and Havens thereof, and to the High Seas within One hundred Miles of the Coast of China; and to appoint One of the Superintendants herein-before mentioned to be the Officer to hold such Court, and other Officers for executing the Process thereof; and to grant such Salaries to such Officers as in His Majesty in Council shall appear reasonable.

VII. And be it enacted, That no Superintendant or Commissioner appointed under the Authority of this Act shall accept for or in discharge of his Duties any Gift, Donation, Gratuity, or Reward, unless than the Salary which may be granted to him as aforesaid, or be engaged in any Trade or Traffic for his own Benefit, or for the Benefit of any other Person or Persons.

VIII. And be it enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council, by any Order or Orders to be issued from Time to Time, to impose, and to empower such Persons as His Majesty in Council shall think fit to collect and levy from or on account of any Ship or Vessel belonging to any of the Subjects of His Majesty entering any Port or Place where the said Superintendants or any of them shall be stationed, such Duty on Tonnage and Goods to shall from Time to Time be specified in such Order or Orders not exceeding in respect of Tonnage the Sum of Five Shillings for every Ton, and not exceeding in respect of Goods the Sum of Ten Shillings for every One hundred Pounds of the Value of the same, the Fund arising from the Collection of which Duties shall be appropriated, in such Manner as His Majesty in Council shall direct, towards defraying the Expenses of the Establishments by this Act authorized within the said Dominions: Provided always, that every Order in Council issued by Authority of this Act shall be published in the London Gazette; and that every such Order in Council, and the Amount of Expense incurred, and of Duties raised under this Act, shall be annually laid before both Houses of Parliament.

IX. And be it enacted, That if any Suit or Action shall be brought against any Person or Persons for any thing done in pursuance of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Six Months after the Fact committed, and not afterwards, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of His Majesty's Courts having Civil Jurisdiction, and then within Six Months after the Plaintiff or Plaintiffs and Defendant or Defendants shall have been within the Jurisdiction of any such Court; and the same and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of His Majesty's Courts having Civil Jurisdiction; and the Defendants or Defendants shall be entitled to the like Notice, and shall have the like Privilege of tendering Amends to the Plaintiff or Plaintiffs, or their Agent or Attorney, as is provided in Actions brought against any Justice of the Peace for Acts done in the Execution of his Office by an Act passed in the Twenty-fourth Year of the Reign of King George the Second, intituled *An Act for the bettering Justice of the Peace more apt in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants, and other Statutes in that behalf made*; and in every such Action or Suit shall be deemed that the Defendant

Penalty for Neglect, 1800.  
Penalties here recoverable.

Three Superintendants of the China Trade to be appointed.

His Majesty in Council may issue Orders and Commissions to have full Power to make and issue Regulations touching the Trade; and create a Court of Justice for the Trial of Offences in that Part

Superintendants, &c. not to accept Gifts, or to trade.

A Tonnage Duty to be imposed, to be appropriated towards defraying the Expenses of Establishments in China.

Limitation of Actions.



If Action  
brought after  
Time limited,  
&c.

Issue, and give the special Matter in Evidence; and if the Matter or Thing complained of shall appear to have been done under the Authority and in execution of this Act, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought and laid in any other County or Place than the same ought to have been brought or laid in as aforesaid, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue any Action after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be taken against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for Recovery thereof as any Defendant or Defendants hath or have in any Cases of Law.

Teach Cases.

### C A P. XCIV.

An Act for the Regulation of the Proceedings and Practice of certain Offices of the High Court of Chancery in England. (a)

[28th August 1833.]

W. W. A.  
c. 121.

WHEREAS by an Act passed in the Second and Third Years of the Reign of His present Majesty, intituled *An Act to abolish certain Stancards Offices connected with the Court of Chancery, and to make Provision for the Lord High Chancellor on his Retirement from Office*, it was enacted, that the Offices of the Patentee of the Salspurgs Office and the Registrar of Affidavits, amongst others, should cease from and after the Twentieth Day of August One thousand eight hundred and thirty-three, except as to any Person appointed to any such Office on or before the First Day of June then last: And whereas the Patentee of the Salspurgs Office was appointed before that Date: And whereas it is necessary that Provision should be made for the due Performance of the Duties to such Offices belonging; and it is expedient that other Offices connected with the said Court should be regulated; and that others should be abolished, and that such of the Duties performed in the Offices so to be abolished as are necessary to be continued should be transferred to other Offices; and that the Costs and Expenses of Proceedings in the said Court should be diminished, and that increased Facilities should be afforded for the Dispatch of Business therein; therefore be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Office of Master of the Report Office, and the Office of Entering Clerks or Entering Registrars of the said Court, and of Clerk of the Executions, and Agent to the Senior Deputy Registrar of the same Court, as the same have been heretofore held, shall be and the same are hereby abolished:

Offices  
abolished.

Six Registrars  
appointed.

II. And whereas it is expedient that the Six or Deputy Registrars of the said Court should be nominated Registrars of the said Court, and that the Fees and Emoluments to be received by the said Registrars and by the Clerks in the Office of the said Registrars should be regulated, and that the Business of the Officers of the Court in the Office of the Registrars should be facilitated and expedited; therefore be it enacted, That hereafter there shall be Six Registrars of the said Court; and that Francis Benjamin Balfour, James Christian Foy, Edward Dod Colville, and Joseph Collier Register, the present Four Six or Deputy Registrars, and John Francis Le Couteur and Robert George Walker Esquires, the Two present Entering Clerks, shall be such Six Registrars; and that on the Death, Resignation, or Removal of any of the Six Registrars of the said Court, other than the junior Registrar, the Vacancy thereby occasioned shall be filled up by the Registrar next in Seniority, to whom no sufficient Objection to the Satisfaction of the Lord Chancellor shall be made; and that on the Death, Resignation, Pension, or Removal of the junior Registrar, the Vacancy thereby occasioned shall be filled up by the senior Clerk in the said Office for the Time being, to whom no sufficient Objection to the Satisfaction of the Lord Chancellor shall be made; and that each of such Persons so appointed to be Registrars, and all and every Person and Persons hereafter to be appointed to be such Registrars, shall be and are hereby authorized and empowered and required personally to do and perform all such Matters and Things necessary and proper to the due Execution of their said Offices as belong or appertain thereto, and as have been heretofore done and performed by the Six or Deputy Registrars of the said Court, excepting so far as the same are or shall be altered or varied by this Act, or by any Rules or Orders to be made or made by the Lord Chancellor for the Time being relative thereto.

Filing up of  
Vacancies.

Registrars to attend each  
Judge of the  
Court as the  
Lord Chan-  
cellor, &c.  
shall direct.

In case of Ill-  
ness, they may  
appoint a De-  
puty.

III. And be it further enacted, That the Registrars shall attend the Court of the Lord Chancellor, the Court of the Master of the Rolls, and the Court of the Vice Chancellor, in such Order and Manner as shall be found most expedient for furthering the Business of the Court, and as the Lord Chancellor, with the Concurrence of the Master of the Rolls and the Vice Chancellor, or One of them, shall from Time to Time by any general Order direct; and that in case of Illness it shall be lawful for any of such Registrars, from Time to Time as Occasion may require, to appoint a Deputy, such Deputy and also the Occasion for such Appointment to be first approved by the Judge on whom it shall be the Duty of such Registrar to attend, upon a Petition to be verified by Affidavit, for such Time and under such general Regulations as the Lord Chancellor, together with the Master of the Rolls and Vice Chancellor, or One of them, shall direct; and no such Appointment of a Deputy shall continue for any longer Time than shall be allowed and specified in and by the Order which shall be made by the Judge to whom such Petition shall have been presented, provided that in case any Registrar of the said Court who shall be prevented by Illness from giving his personal Attendance shall continue for the Space of Two Days to appoint such Deputy, the Judge on whom it shall be the Duty of such Registrar to attend shall, if he

shall see fit, himself appoint such Deputy, and direct what Part of the Salary and Fees of such Registrar shall be received by such Deputy, and the same shall be paid over to and recovered by him accordingly.

IV. And be it further enacted, That there shall be Six Clerks to the Registrar of the said Court, and that *Henry Edgeworth Bristol*, *James Montrose Stables*, *Henry Henry*, *Francis Robert Daboll*, *Carl Morris*, and *Edward Dodd Colville junior* shall be such Clerks; and that on the Death, Resignation, Promotion, or Removal of any of them the said Clerks, other than the junior Clerk, the Vacancy thereby occasioned shall be filled up by the Clerk next in Seniority, to whom no sufficient Objection to the Satisfaction of the Lord Chancellor shall be made.

Clerks to the Registrar appointed.

V. And be it further enacted, That on all future Vacancies of the Office of Sixth Clerk to the said Registrar, other than in the Cases provided for by the Assistant Clerks, the Lord Chancellor for the Time being shall appoint some proper Person who has been admitted and entered on the Roll of Solicitors or Attorneys of some one of His Majesty's Courts in *Westminster Hall*, or who shall have duly served a Term of not less than Five Years under Articles of Clerkship to some Solicitor or Attorney of some one of the said Courts, to be such Sixth Clerk to the said Registrar; and that the several Clerks to the said Registrar so appointed and so appointed shall and they are hereby required personally to perform all such Matters and Things as are necessary and proper in the due Execution of the Business of the said Office of the Registrar, and as have been hitherto done and performed by the Clerks of the Sub or Deputy Registrars of the said Court, excepting so far as the same are or shall be varied by this Act, or by any Rules or Orders to be made or issued by the Lord Chancellor for the Time being relative thereto.

Made of future Appointments of Sixth Clerk.

VI. And be it further enacted, That *Robert Walker Fry* and *Richard Howell Leach* shall act as Assistant Clerks to the before-mentioned Registrar, and that the said *Robert Walker Fry* and *Richard Howell Leach*, each in his Turn, shall succeed to the Office of junior Clerk of the said Registrar as and when Vacancies shall occur, unless Cause shall be shown to the contrary to the Satisfaction of the Lord Chancellor; but no Clerk shall be appointed to supply the Place of the said *Robert Walker Fry* and *Richard Howell Leach*, or either of them.

Assistant Clerks to Registrar.

VII. And be it enacted, That if it shall hereafter appear to the Lord Chancellor that the Business of the said Registrar's Office cannot be discharged with due Dispatch without more than Six Clerks, then and in such Case it shall be lawful for the Lord Chancellor from Time to Time to appoint One or more additional Clerk or Clerks, so that the Number of Clerks in the said Office shall in no Case exceed the Number of Eight Clerks; and such additional Clerk or Clerks shall succeed to and fill any Vacancy when and as the same may occur by any Death, Resignation, Promotion, or Removal of any other Clerk, in the same Manner as the Right of Succession is given to the said before-mentioned Clerks and Assistant Clerks.

Lord Chancellor may increase Number of Clerks in Registrar's Office to Eight.

VIII. And be it further enacted, That there shall be an Officer to be called "The Master of Reports and Entries," to which Office the said several Registrars and the Six senior Clerks to the said Registrars shall in the Event of a Vacancy in the said Office, according to their Seniority, be entitled to succeed; but any such Registrar or Clerk so taking such Office shall vacate his Office of Registrar or Clerk, and shall not thereafter be entitled to fill either of such Offices, or to succeed any other Registrar or Clerk; and in the Event of the said Registrars and senior Clerks declining to accept such Office upon any Vacancy, the same shall be filled by the Nominations from Time to Time of the Lord Chancellor; and the Duties heretofore performed by the Master of the Report Office, by the Entering Registrars or Entering Clerks, and by the Clerk of the Exceptions of the said Court, so far as it shall be found necessary or expedient to continue such Duties, shall be performed by the said Master of Reports and Entries in such Manner and under such Rules and Regulations as the Lord Chancellor, together with the Master of the Rolls and Vice Chancellor, or One of them, shall, by any general Rules or Orders to be issued by them, direct or appoint; and the said Master of Reports and Entries shall receive and account for, in manner herein-after mentioned, all the Fees heretofore receivable by the said Master of the Report Office, the Entering Clerks or Entering Registrars, and the said Clerk of the Exceptions.

Master of Reports and Entries appointed.

IX. And be it further enacted, That there shall be in the Office of the said Master of Reports and Entries, and subject to his Direction, a Clerk to be called the Clerk of Reports; Two Clerks, to be called Clerks of Entries, and Ten Clerks of Accounts; that *John Henry Stables*, now acting as Agent to the Master of the Report Office, shall be such Clerk of Reports; that *John Reid* and *Edward Reid*, now acting as Clerks to the Entering Registrars, shall be such Clerks of Entries; and that *William Laxport*, *Jonathan Williams White*, *Edward Johnson*, *John Reid*, *Thomas Augustus Gale*, *Geoffrey Warden*, *Henry Frederick White*, *John Crump Rowledge*, and *Charles Rowledge*, now acting as Clerks of Accounts in the said Office, shall be continued in the said Office, and that one or other such Clerk shall be appointed by the Lord Chancellor; and that on the Death, Resignation, Promotion, or Removal of any of the said Clerks of Accounts in the said Office, or their Successors, other than the junior Clerk, the Vacancy thereby occasioned shall be filled up by the Clerk next in Seniority, against whom no Objection to the Satisfaction of the Lord Chancellor shall be made; and that in the Event of a Vacancy happening by the Death, Resignation, Promotion, or Removal of the junior Clerk, the Lord Chancellor shall from Time to Time appoint some proper Person to be such junior Clerk; and the said Lord Chancellor shall also appoint a Successor in the Event of a Vacancy of the Clerk of Reports and of either Clerk of Entries.

Clerks to the Office of the Master of Reports and Entries.

X. And be it further enacted, That any Person shall be at Liberty to take an Office Copy of or search only of any Decree, Order, Report, or Exceptions as he may require; and that, unless the Court shall otherwise specially direct, no Records shall be introduced in any Decree or Order of the said Court, but the Pleadings, Pleadings, Notices, Reports, Evidence, Affidavits, Exhibits, or other Matters or Documents on which such Decrees and Orders shall be founded shall always be received and used according to the

As to Copies of Decrees, &c. No Records to be introduced in Decrees and Orders.

the Lord Chancellor, if he shall think fit, together with the Master of the Rolls and Vice Chancellor, or One of them, to make and issue such Rules and Regulations as to the Form of such Decrees and Orders as he may deem necessary or proper for the proper drawing up of such Decrees and Orders, and carrying into effect the Provisions of this Act in regard thereto.

Clerk of Affidavits.

XI. And be it further enacted, That there shall be an Officer, to be called The Clerk of the Affidavits, who shall do and perform all the Duties heretofore done and performed by the Registrar of Affidavits, and shall receive and account for, in manner hereinafter mentioned, all such Fees as were heretofore receivable by the said Registrar of Affidavits; and that there shall be an Assistant Clerk to the said Clerk of the Affidavits; and that such Clerk of the Affidavits and Assistant Clerk shall be from Time to Time appointed by the Lord Chancellor.

Assistant Clerk.

Patrons of Religious Offices.

XII. And be it further enacted, That from and after the Death, Resignation, or Removal from his Office of the present Patronage of the Subpoena Office, all the Duties of such Office shall be performed by the said Clerk of the Affidavits, who shall thereupon receive and account for, in manner hereinafter mentioned, all the Fees now receivable by the said Patronage.

Masters in Court obtain Interlocutory Orders, subject to Appeal.

XIII. And be it further enacted, That the Masters in Ordinary of the High Court of Chancery shall hear and determine all Applications for Time to plead, answer, or demur, and for Leave to amend Bills, and for enlarging Pleadings, and all such other Matters relating to the Conduct of Suits in the said Court as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls and Vice Chancellor, or One of them, shall by any general Order or Orders direct, in such Manner and under such Rules and Regulations as by any general Order or Orders to be also issued by the Lord Chancellor, with the Advice and Assistance aforesaid, shall be directed; and that it shall be lawful for either Party to appeal by Motion from the Order made on such Application to the Lord Chancellor, Master of the Rolls, or Vice Chancellor, and that the Order made on such Appeal shall be final and conclusive.

But not the Court, except on Appeal.

XIV. And be it enacted, That no such Application as above mentioned shall in future be heard by any of the Judges of the said Court of Chancery, except on Appeal aforesaid-before provided.

Court on Interlocutory Matters.

XV. And be it enacted, That it shall be lawful for the said Masters, on all Applications made to them by virtue of this Act, to direct that the Costs of all or any of the Parties shall be Costs in the Cause or Matter, or to award such liquidated Sum by way of Costs to any of the Parties as they shall think reasonable; and the Costs so awarded shall be recoverable in like manner as Costs directed to be paid by an Order of the Court of Chancery.

Masters to be Inveighed upon by the King by Letters Patent.

XVI. And be it enacted, That the Appointments of all Masters in Ordinary of the High Court of Chancery, other than the *Acting General* of the said Court, shall be vested in His Majesty, His Heirs and Successors, and that such Master shall hereafter be appointed by Letters Patent under the Great Seal of Great Britain, and shall take the usual Oaths before the Lord Chancellor, in like Manner as such Oaths have been heretofore administered.

Masters of the Court of Chancery to report yearly to the Lord Chancellor, and return to each Report a List of Causes then pending in their Offices.

XVII. And be it further enacted, That each of the said Masters in Ordinary of the High Court of Chancery shall within the first Four Days of Michaelmas Term in each and every Year present or cause to be presented to the Lord Chancellor a Report in Writing under the Hand of such Master, stating the Days on which he shall have attended at his Office for and during Twelve Months preceding such Return in the Performance of his Duty, specifying the Number of Hours occupied in each of such Day's Attendance as aforesaid; and further, that each such Master shall annex to such his Report a List or Schedule, to be signed by him in like Manner, of the several Causes, Petitions, or Matters of every Description then pending in his Office, showing the true State and Stage of the same respectively, designating each Cause, Petition, or Matter by the Name or Names of the Party or Parties thereto, or some of them, with the Name or Names of each Solicitor engaged therein; and thereupon it shall be lawful for the said Lord Chancellor to make and issue such Order for filing or depositing and otherwise giving Publicity and Access to such List or Schedule as he in his Discretion shall think fit.

As to the Persons to be appointed Chief Clerk.

XVIII. And be it further enacted, That no Person shall be appointed to be Chief Clerk of any Master in Ordinary of the said Court unless he shall have been admitted on the Roll of Solicitors or Attorneys, in one of the Courts of Westminster Hall for not less than Five Years, or shall have been a Justice Clerk in the Office of one of the said Masters for a Term of Ten Years.

Solicitors not compellable to take Copies.

XIX. And be it further enacted, That no Person shall be compelled or required to take or pay for any Copy of any Paper or Document being in the Office of any Master in Ordinary; and that every Person shall be at Liberty to take a Copy of such Part only as he may require of any Paper or Document being in the Office of any such Master, and of any Interrogatories and Depositions being in the Office of either of the Examiners of the said Court: Provided always, that in the Taxation of Costs as between Party and Party, or as between Solicitor and Client, no Person be allowed the Costs of the Copy of any Paper or Document, or of any Part of any Paper or Document, originating in the Master's Office, or brought in before a Master, unless such Copy shall have been either made in the Master's Office, or transcribed from a Copy made therein, and taken by the Party claiming to be allowed the Costs of such Second or other Copy, or unless such Copy shall have been made for the Use of any Master, or of the Court, or by the Desire or for the Use of the Client or Clients of the Solicitor claiming to be paid for such Copy.

Officers and Clerks to hold their Offices during good Behaviour.

XX. And be it further enacted, That each and every of the Masters in Ordinary, Registrars, and Clerks of the said Registrars, Master of Reports and Entries, Clerk of Affidavits, and Examiners of the said Court, shall hold their said Offices during their good Behaviour, and so long as they shall personally give their Attendance upon their respective Duties, and shall conduct themselves honestly and faithfully in the discharge of the same, and shall be removable from their said Offices only by the Order of the Court.

XXI. And be it further enacted, That the several Offices of the High Court of Chancery shall be and continue open for the Dispatch of Business during such Hours in the Day, and that the Officers and Clerks belonging thereto respectively shall attend in such Offices in the Discharge of their several Duties during such Times and for such Number of Hours in each Day, as the Lord Chancellor, together with the Master of the Rolls and Vice Chancellor, or One of them, shall by any Order or Orders to be issued by them from Time to Time direct; and that the Officers and Clerks in and said respective Offices shall give their personal Attendance in their respective Offices during the Times they shall so be so abroad be directed to attend, unless otherwise engaged in the Business of their respective Offices, or prevented by Sickness or other unavoidable Cause.

Hours of Business in the several Offices.

XXII. And be it further enacted, That it shall and may be lawful for the Lord Chancellor, with the Advice of the Master of the Rolls and Vice Chancellor, or One of them, and they are hereby required, forthwith to make and issue such general Orders as they shall think fit for carrying the Provisions of this Act into execution, and such other Rules and Orders, not being inconsistent with the Enactments and Provisions of this Act, as they shall think fit and proper, for simplifying, establishing, and settling the Course of Practice of the said Court and of its several Offices.

Lord Chancellor empowered to make Rules for simplifying and settling the Practice of the Court, and to amend or alter the same.

XXIII. And be it enacted, That the Lord Chancellor, with the like Advice of the Master of the Rolls and Vice Chancellor, or One of them, shall be and is hereby authorized and empowered, by the like general Orders to be made and issued by them as aforesaid, from Time to Time to amend, alter, or vary any Orders which may have been so an aforesaid made and issued, and to issue new Rules and Orders for the Purposes herein-before mentioned, or any of them.

XXIV. And be it further enacted, That it shall be lawful for the Master of the Rolls for the Time being, and he is hereby required, to hear and determine all such Motions arising in Causes depending in the High Court of Chancery as shall be duly made before him according to the Usage and Practice of making Motions in Causes before the Lord Chancellor, and to hear and determine all such Pleas and Demurrers filed in Causes depending in the High Court of Chancery as shall be duly set down for hearing before him; and that all Orders made by the said Master of the Rolls for the Time being upon the hearing of such Motions, Pleas, and Demurrers respectively shall be deemed and taken to be respectively valid Orders of the High Court of Chancery; subject nevertheless in every Case to be discharged, reversed, or altered by the Lord Chancellor for the Time being.

Master of the Rolls to determine Pleas and Demurrers arising in the High Court of Chancery.

XXV. Provided also, and be it further enacted, That nothing herein contained shall be construed to require the present Master of the Rolls to hear and determine any such Motions, Pleas, or Demurrers, unless he shall think fit to give Directions for that Purpose.

Exception as to present Master of the Rolls.

XXVI. And be it further enacted, That every Solicitor or Attorney who shall be appointed to and shall accept any Office or Employment under or by virtue of this Act shall forthwith be struck off the Roll of Solicitors of the High Court of Chancery, and off the Roll of Attorneys of any of His Majesty's Courts of Record at Westminster, on which his Name may be.

Solicitors appointed in any Office under this Act to be struck off the Rolls.

XXVII. And be it further enacted, That the Examiners of the High Court of Chancery shall be and they are hereby authorized and empowered to administer the usual and accustomed Oaths, and to take the usual Affirmations of the Witnesses examined before them; and that all Depositions of Witnesses examined in the High Court of Chancery shall hereafter be taken in the First Form; and the said Examiners shall receive and account for, in manner herein-after mentioned, all the Fees heretofore receivable by the said Examiners or their Clerks.

Examiners authorized to administer Oaths to Witnesses.

XXVIII. And be it enacted, That as Vacancies may occur in the Office of Six Clerks of the said Court, such Vacancies shall not be filled up until the Number of such Six Clerks be reduced to Two Clerks, and that such Two Clerks shall have all the Rights and Privileges and perform all the Duties heretofore had and performed by the Six Clerks, whether as Clerks of the Inrolment of the High Court of Chancery, or otherwise, until it shall be otherwise provided by Act of Parliament; and when and as often as any One or more of the Six Clerks, other than the Two Clerks to be continued, as aforesaid, shall die, or resign, or be removed from his Office, all Fees and Emoluments which would have accrued to any such Six Clerk or Six Clerks if he or they had lived and continued in Office shall be received by and be accounted for on Oath (such Oath to be administered by One of the Masters of the said Court), and be paid by the surviving or continuing Six Clerks into the Bank of England, to the Credit of the Accountant General of the said Court, to be by him placed to the Credit of an Account to be entitled "The SIX CLERKS FUND ACCOUNT."

Vacancies in Six Clerks Office not to be filled up until the Number be reduced to Two.

XXIX. And be it further enacted, That no Clerk shall be entitled to any Sworn Clerk or Writing Clerk of the said Court at any Time between the passing of this Act and the First Day of May next.

Repeals as to Sworn Clerks.

XXX. And be it further enacted, That the Powers and Authorities given by this Act to the Lord High Chancellor shall and may be exercised in like Manner and are hereby given to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal respectively for the Time being.

As to the Powers given to the Lord Chancellor, Lord Keeper, and Lords Commissioners for the Custody of the Great Seal.

XXXI. And be it enacted, That the Practice of the Subpoena Office shall forthwith provide a Seal, to each Form and with such Impressions as the Lord Chancellor shall approve of; and that the Lord Chancellor for the Time being may cause such Seal or Impressions to be varied from Time to Time as to him may seem fit; and that any Person desirous of issuing a Writ of Subpoena, such as has been heretofore issued by such Practice, may prepare such Subpoena, and present the same for sealing, and the same shall hereafter be so open Writ, and either in the present Form or in any other Form which the Lord Chancellor may from Time to Time direct; and such Writ shall, upon Presentation thereof for that Purpose, be forthwith sealed with such Seal, and shall have the same Force and Validity as if it were a Sub-

pass now in use when sealed with the Great Seal, and there shall hereafter be paid for each such Subpoena on the same being sealed, the Sum of Five Shillings and Sixpence, which Sum shall be recovered by the Possessor of the Subpoena before his Death, or Resignation, or Removal from his said Office, who, out of each Sum so to be received by him, shall pay to the Receiver of the Sopsenny Writ Duty the Sum of Sixpence, to the Clerk and his Deputy, for their equal Use, the Sum of Two-pence, and to the Sealer attached to the Great Seal and his Deputy, for their equal Use, the like Sum of Two-pence; and from and after the Death, Resignation, or Removal of the present Possessor, such Writs of Subpoena shall be sealed by the said Clerk of the Affidavits, who shall himself receive the same Sum of Five Shillings and Sixpence, and after discharging the like Fees and Outgoings to the several before-mentioned Officers shall pay what may remain to the said Accountant General, to be by him placed to the Credit of the said Account entitled "The Salaries Fee Fund Account."

XXXII. And be it further enacted, That the several annual Sums or yearly Payments provided for and directed to be paid to the Sub or Deputy Registrars of the High Court of Chancery for the Time being, and their Clerks in the same Office, and to the Master of the Report Office and his Clerks, by any Act or Acts of Parliament whatsoever now in force, shall cease.

XXXIII. And be it further enacted, That there shall be paid by the said Accountant General, out of the Fund to be placed to his Account, to be entitled "The Salaries Fee Fund Account," to the several Officers named in the Schedule hereunder written, the several Salaries or yearly Sums not opposite to their respective Names or Titles in such Schedule, and that such Salaries or yearly Sums shall be payable and paid by equal quarterly Payments on the Twenty-fifth Day of February, the Twenty-fifth Day of May, the Twenty-fifth Day of August, and the Twenty-fifth Day of November in every Year, the first of such quarterly Payments to be made on the Twenty-fifth Day of February One thousand eight hundred and thirty-four.

XXXIV. And be it further enacted, That in the Event of the Death, Resignation, or Removal of the Masters in Ordinary or their Clerks, or of any Officer to be appointed or continued by virtue of this Act, or the Interval between any of the quarterly Days of Payment on which his Salary is hereby made payable, the Officer so resigning or being removed, or the Executors or Administrators of the Officer so dying, shall be entitled to receive and shall be paid such proportionate Part of his said Salary as shall have accrued from the next preceding quarterly Day of Payment to the Day of such Death, Resignation, or Removal; and the Person next in Succession to any such Officer shall be entitled to receive and be paid such Portion of the said Salary as shall have accrued and may accrue from the Day of such Death, Resignation, or Removal as aforesaid to the next succeeding quarterly Day of Payment.

XXXV. And be it further enacted, That there shall be paid by the said Accountant General, out of the like Fund, the Sum of One hundred and twenty-five Pounds to the said Clerk of the Affidavits, and the Sum of Thirty-seven Pounds Ten Shillings to the said Assistant Clerk of the Affidavits, for and in lieu of their respective Salaries, from the passing of this Act to the Twenty-fifth Day of November following.

XXXVI. And be it further enacted, That if at the End of any Year there shall be a Surplus standing to the Credit of the said Account entitled "The Salaries Fee Fund Account," after Payment of the several Salaries or Sums of Money hereby charged thereon, it shall be lawful for the Lord Chancellor, by any Order or Order of the said Court of Chancery, to direct that any Surplus which may remain on the said Account to be entitled "The Salaries Fee Fund Account," after paying the several Salaries or Sums of Money hereby charged thereon, or such Part thereof as to the said Lord Chancellor shall seem fit, shall be invested in the Purchase of Parliamentary or Government Securities, in the Name of the said Accountant General, to be placed to an Account to be entitled "Account of Monies placed out to provide for the Officers of the High Court of Chancery;" and it shall be lawful for the Lord Chancellor in like Manner to direct the Investment of the Dividends or Interest to accrue from Time to Time on such last-mentioned Securities, or so much of such Dividends and Interest as he shall think fit, in the Purchase of Parliamentary or Government Securities, in the Name of the said Accountant General, to be by him placed to the Credit of the said last-mentioned Account; and in the Event of there being a Deficiency in the said Account to be entitled "The Salaries Fee Fund Account," at any of the Times hereby appointed for Payment of the Salaries herein-before mentioned, to raise and pay the several Sums then due, it shall be lawful for the Lord Chancellor to direct the said Accountant General from Time to Time to make good such Deficiency, as often as the same shall arise, by carrying over and placing to the said Account to be entitled "The Salaries Fee Fund Account" a Sum sufficient for that Purpose out of the Interest and Dividends to arise from the Government or Parliamentary Securities standing to the said Account to be entitled "Account of Monies placed out to provide for the Officers of the High Court of Chancery," or by a Sale of so much of the said Securities as may be necessary for that Purpose, and in case such last-mentioned Securities, and the Interest and Dividends thereof, shall at any Time be insufficient to meet any such Deficiency, it shall be lawful for the Lord Chancellor to direct the said Accountant General from Time to Time to make good such last-mentioned Deficiency, as often as the same shall arise, by carrying over and placing to the said Account to be entitled "The Salaries Fee Fund Account" a Sum sufficient for that Purpose out of the Interest and Dividends that have arisen or may hereafter arise from the Government or Parliamentary Securities now or hereafter to be placed to Two several Accounts in the Bank of England, standing in the Name of the said Accountant General, and entitled "Account of Monies placed out for the Benefit and better Security of the Sums of the High Court of Chancery," and "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Sums of the High Court of Chancery."

XXXVII. And be it enacted, That it shall be lawful for the Lord Chancellor, with the Advice and Approbation of the Master of the Rolls and the Vice Chancellor, or One of them, to fix and send a Table of Fees to be received and taken by the Clerks to the Masters in Ordinary, and by the said Registrars and their Clerks; and that the said Clerks to the said Masters in Ordinary, and the said Registrars and their Clerks, shall and may thereupon take and receive such Fees; and that the said Clerks to the said Masters in Ordinary, and the said Registrars and their Clerks, and also the said Master of Reports and Entries, the Clerk of the Affidavits, and the Examiners, shall pay into the Bank of England, to the Credit of the said Accountant General, once in every Month, all Fees or Sums of Money to be received by them respectively by virtue of this Act (the Amount so received and paid by them to be verified by Affidavit to be sworn before One of the Masters of the said Court); and that the several Sums, when so paid in, shall be from Time to Time placed to the said Account to be entitled "The Suits Fee Fund Account." Provided always nevertheless, that the Master of Reports and Entries, before making such Payment as aforesaid, shall be allowed to deduct from the Sums so received by him, and so pay to the said Clerk of Reports, One Penny Halfpenny per Folio of Ninety Words for every Office Copy made and delivered by him, and to the Clerks of Entries the like Sum of One Penny Halfpenny per Folio of Ninety Words for all Entries made by them; and that the Clerk of the Affidavits shall in like Manner be allowed to deduct from the Sums so received by him, and to pay to his Assistant Clerk, the Sum of One Penny Halfpenny per Folio of Ninety Words for every Office Copy of Affidavits made and delivered by him; and that the Examiners shall in like Manner be allowed to deduct from the Sums to be received by them in manner aforesaid, and to pay to their Clerks, the Sum of One Penny Halfpenny per Folio of Ninety Words for every Office Copy to be made and delivered by them.

XXXVIII. And be it enacted, That the Table of Fees so to be taken and received shall, within Fourteen Days next after the same shall be settled in manner aforesaid, be laid on the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following.

XXXIX. And whereas by an Act passed in the Fifth Year of the Reign of His late Majesty King George the Third the annual Sum of Two hundred Pounds was directed to be paid to each of the eleven Masters in Ordinary of the High Court of Chancery, out of the Interest and Dividends of the Government or Parliamentary Securities heretofore and now heretofore mentioned; and by an Act passed in the Forty-sixth Year of the Reign of His late Majesty King George the Third the annual Sum of Four hundred Pounds was directed to be paid to each of the said eleven Masters in Ordinary, out of the Interest and Dividends of the same Securities, in addition to their respective Salaries; but if further enacted, That so much of the said Act as directs the Payment of the said several Sums of Two hundred Pounds and Four hundred Pounds to each and every of the said Masters, other than the Accountant General, shall be and the same is hereby repealed; and that out of the Interest and Dividends of the said Government or Parliamentary Securities carried on or to be carried to the said Account entitled "Account of Money placed out for the Benefit and better Security of the Salaries of the High Court of Chancery," and out of the Interest and Dividends of the Government or Parliamentary Securities carried to the said Account entitled "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Money placed out for the Benefit and better Security of the Salaries of the High Court of Chancery," in the said recited Acts passed in the Fifth and Forty-sixth Years of the Reign of His late Majesty King George the Third respectively mentioned, and out of the Interest and Dividends of any Government or Parliamentary Securities heretofore to be purchased and placed to the last-mentioned Accounts, there shall be paid (but subject to and without Prejudice to the Payment of all Salaries and other Sums of Money by any Act or Acts of Parliament not hereby repealed, amended or authorized to be paid thereout) by the Governor and Company of the Bank of England, by virtue of an Order or Orders of the High Court of Chancery to be made for that Purpose, without any Draft from the Accountant General of the said Court, the annual Sum of Two thousand five hundred Pounds to each and every of the Masters in Ordinary of the said Court for the Time being, exclusive of the Accountant General, free from all Parliamentary Taxes, and Deductions whatsoever, which said annual Sum of Two thousand five hundred Pounds to each of the said Masters, exclusive as aforesaid, shall commence from the Twenty-fifth Day of November next, and shall be paid by equal quarterly Payments on the Twenty-fifth Day of February, the Twenty-fifth Day of May, the Twenty-fifth Day of August, and the Twenty-fifth Day of November in every Year.

XL. And be it further enacted, That it shall be lawful for the Copying or Writing Clerks of the said Masters to receive and take the Sum of One Penny Halfpenny per Folio of Ninety Words, and no more, for every Copy of every Document or Writing, or a Part of any Document or Writing, made in the Masters Offices, from the Party requiring the same, and also for the Transcript of every Report, and for such Sum of One Penny Halfpenny per Folio shall be retained by the said Writing or Copying Clerks to be employed by the said Masters in their respective Offices, and that no Part thereof shall be received or retained by or applied for the Use or Benefit of any other Person or Persons on any Pretence whatsoever.

XLI. And be it further enacted, That if any Master in Ordinary of the High Court of Chancery, or any Person holding any Office, Situation, or Employment in any Office of the said Court, or under any of the Judges or Officers thereof, shall, for any thing done or proposed to be done relating to his Office, Situation, or Employment, or under colour of doing any thing relating to his Office, Situation, or Employment, willfully take, receive, or retain, or shall cause to be taken, received, or retained, or shall

Table of Fees to be received and paid in the Fee Fund Account.

Allowances for copying

Table of Fees to be laid before Parliament.

2,000 to be paid annually to the Masters in Ordinary, exclusive of the Accountant General.

11c per Folio to be paid to Copying Clerks in the Masters Offices.

Officers and Clerks not to take Gratuity.

him or on his Account, or for or on account of any Person by him named, or in Trust for him or for any other Person by him named, any Fee, Gift, Gratuity, or Emolument, or any thing of Value, other than what is allowed or directed to be taken by him as aforesaid, the Person so offending, when duly convicted, shall forfeit and pay the Sum of Five hundred Pounds, and shall be removed from any Office, Situation, or Employment he may hold in the said Court, and shall be rendered and is hereby rendered incapable for ever thereafter of holding any Office, Situation, or Employment in the said Court, or otherwise serving His Majesty, His Heirs or Successors.

Family or  
Continuation of  
Offender.

How Offences  
may be prosecuted

Lord Chan-  
cellor may  
order Dis-  
payers of the  
Officers to be  
paid

XLII. And he it enacted, That any such Offender may be prosecuted either by Information at the Suit of His Majesty's Attorney General, or by Criminal Informations before His Majesty's Court of King's Bench, or by Indictment.

XLIII. And he it further enacted, That it shall be lawful for the Lord Chancellor, by virtue of any Order or Warrant of the said Court to be made for that Purpose, to order and direct an annual Account to be taken, and to order Payment, out of the Funds hereto-after mentioned, of all such Sums as shall appear to the Lord Chancellor to be reasonable and proper to be paid to the Masters, the Registrars, the Master of Reports and Entries, the Clerk of Affidavits, and the Examiners, and the Clerks in the same several Offices respectively, in order to reimburse them for any Expenses reasonably and necessarily expended by them, from and after the Day on which this Act shall come into operation until the Fifth Day of April then next following, and after that Time between the Sixth Day of April in every Year and the Fifth Day of April in the following Year, both inclusive, for the Care or cleaning of the Rooms or Buildings in which any such Officers may be held, or for any Rent payable for or in respect of any such Buildings or Rooms, in paying for Books or Stationery provided or supplied for carrying on the Business of the said respective Offices, other than the Paper used for making Copies for Parties in the said several Offices of the Masters, the Master of Reports and Entries, the Clerk of Affidavits, and the Examiners, or in providing Coals and Candles and other necessary Articles for the said Offices and each of them, or in Payment of Taxes, Rates, and other Assessments charged upon or payable for or in respect of the said Offices and Buildings, and each or either or any of them, or to which the said several Officers or any of them may be liable in respect thereof; and that the Expenses aforesaid of or relating to the said several Offices and Buildings shall be paid out of the Interest and Dividends of the Government or Parliamentary Securities carried in the said Two several Accounts entitled " Account of Monies placed out for the Benefit and better Security of the Suits of the High Court of Chancery," and " Account of Securities purchased with Surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suits of the High Court of Chancery," or either of them.

Lord Chan-  
cellor, &c. may  
direct, &c. the  
said Fees.

XLIV. And he it further enacted, That it shall and may be lawful for the Lord Chancellor, with the Advice and Concurrence of the Master of the Rolls and the Vice Chancellor, or One of them, from Time to Time, by any general Order or Orders, to direct that the several Fees hereto by authorized to be received and taken, or any of them, may be varied and increased or reduced in Amount, or wholly omitted to be received, as or when shall seem fit, and as Circumstances may require, provided that sufficient of such Fees shall be left to meet the Demands hereby directed to be paid thereout.

Money retained  
by the  
Suits of  
Suits of  
Suits of

XLV. And he it further enacted, That the surplus Interest and annual Produce which hath arisen and shall arise from the Monies placed out on the several Accounts entitled " Account of Monies placed out for the Benefit and better Security of the Suits of the High Court of Chancery," and " Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suits of the High Court of Chancery," beyond what shall be sufficient to answer or the Purpose of this and the several other Acts relating to such Securities, and also the Interest produced from the Securities purchased with such surplus Interest and annual Produce, shall from Time to Time be placed out in the Purchase of Government or Parliamentary Securities, in the Name of the Accountant General of the said Court, and placed to the Credit of the said Account, entitled " Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suits of the High Court of Chancery."

Money placed  
out, if required  
to answer  
Demands of  
Suits, to be  
called on.

XLVI. And he it further enacted, That if at any Time hereafter the Whole or any Part of the Monies placed out to the said Two several Accounts entitled " Account of Monies placed out for the Benefit and better Security of the Suits of the High Court of Chancery," and " Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suits of the High Court of Chancery," or to be placed out in pursuance of this Act, shall be wanted to answer any of the Demands of the Suits of the said Court of Chancery, then and in such Case the said Court may and shall direct the Whole or any Part of such Monies to be called in, and the Securities in which the same and the surplus Interest and Dividends hereto-before mentioned shall be placed, to be sold and disposed of, in order that the Suits of the said Court may at all Times be paid their respective Demands out of the common and general Cash belonging to such Suits.

Power to  
change Secu-  
rities.

XLVII. And he it further enacted, That it shall be lawful for the Lord Chancellor, by any Order or Orders of the said Court of Chancery, to authorize the Change of the Security or Securities, or of any Part of the Securities, to be purchased pursuant to this Act.

Lords of the  
Treasury may  
grant Com-  
pensation to

XLVIII. And whereas it is alleged that the Employments of the present Masters in Chancery, and of the Registrars and the Clerks of the said Registrars, and of the Clerks to the Entering Registrars, and of the Examiners and their Clerks, will be greatly diminished by the Operation of this Act, for which they printed images deposited by the University of Southampton in their Catalogue 1832. class

claim to have Compensation made: And whereas the Office of Master of the Report Office, now held by Thomas Alexander Bagnall Esquire, and the Office of Clerk of Exception, and of Agent to the Senior Deputy Registrar, now held by Mr. James Bird, will be abolished by this Act: And whereas the Office of Registrar of Affidavits will have ceased and discontinued from and after the Twentieth Day of August One thousand eight hundred and thirty-three, and a Clerk of Affidavits, with greatly reduced Emoluments, is to be substituted for the said Registrar by virtue of this Act; and instead of Two Assistant Clerks in the said Office there is hereafter to be only One such Clerk: And whereas William Nicholson, the present Senior Clerk in the said Office, has been employed as a Clerk therein for Forty-two Years past, and by infirm Health is become incapable of effectually discharging the Duties of the Office of Clerk of Affidavits: and the said Thomas Alexander Bagnall Esquire, James Bird, and William Nicholson claim Compensation in respect of their said several Offices so held by them: be it therefore enacted, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby required, within the Space of Six Calendar Months next after the passing of this Act, by Examination on Oath or otherwise, which Oath they and each of them are and is hereby authorized to administer, to inquire whether any, and if any what, Compensation ought to be made to all or any of the said Officers and Persons herein-before mentioned as claiming such Compensation, the said Commissioners having regard to the Conditions as to which the Appointment of any such Officer was made, or to any Notice which at the Time of such Appointment may have been given to such Officer, that such Office was to be held subject to any Provision by Parliament for the Abolition or Hospitalisation thereof, but with full Power for the said Commissioners to investigate and determine whether, from the Nature of the said Office or the Mode of Acquisition thereof, any such Conditions or Notice could have been properly made or given, and also having regard to the holding of any Office, Place, or Situation by such Officer under this Act; and that in all Cases in which it shall appear to the said Lords Commissioners that Compensation ought to be granted, it shall be lawful for the said Lords Commissioners, or any Three or more of them, by Warrant under their Hands, to order and direct that such annual or other Compensation shall be made to the Persons so claiming such Compensation as aforesaid, or any of them, as to the said Lords Commissioners in their Discretion shall seem just and reasonable; and all such Compen- sations, whether annual or in gross, shall be issued and paid and payable by the said Accountant General, by virtue of an Order or Orders for that Purpose to be made by the said Court of Chancery, out of the Funds hereby directed to be carried to the said Account entitled "The Sixteen Far Fund Account": Provided always, that an Account of all such Compen- sations shall, within Fourteen Days next after the same shall be so granted, be laid upon the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following.

XLIX. And whereas it may be expedient for the further diminishing of the Expence of Suits in the said Court of Chancery that other Abolitions may be made in the Practice of the said Court by abolishing Orders of Course and otherwise, and such Abolitions may materially diminish the present Emoluments of the Secretary of the Master of the Rolls: be it enacted, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury to inquire whether any, and if any what, Compensation ought to be made to the said Secretary for any such Loss of Emoluments, regard being had to the Nature of his Office, and to the Compen- sations under which such Emoluments are payable and have lately in- creased; and if it shall appear to the said Lords Commissioners that Compensation ought to be granted, it shall be lawful for the said Lords Commissioners, or any Three or more of them, by Warrant under their Hands, to order and direct that such annual or other Compensation shall be made to the present Secretary, or to the Secretary of the Master of the Rolls for the Time being, as to the said Lords Com- missioners in their Discretion shall seem just and reasonable; and such Compensation, whether annual or in gross, shall be issued and paid in like Manner and out of the like Fund as is herein-before provided with reference to Compen- sations to be granted to other Officers of the said Court; and an Account of any such Grant of Compensation shall be laid before Parliament in the same Manner as is provided as to other Compen- sations.

L. And whereas by an Act passed in the Forty-sixth Year of the Reign of His late Majesty King George the Third, intitled *An Act for making Provision for such Masters or Ordinary of the High Court of Chancery as from Age or Infirmity shall be desirous of resigning their Office, and the Appoint- ment of the said Court, and for augmenting the Income of the Masters or Ordinary of the said Court*, it is provided, amongst other Things, that it shall be competent to the Lord Chancellor to order an Annuity or clear yearly Sum of Money, not exceeding One thousand five hundred Pounds, to be paid to any of the Eleven Masters or Ordinary of the High Court of Chancery who shall have been a Master or Ordinary of the said Court for the Term of Twenty Years, or who shall be afflicted with some per- manent Infirmity disabling him from the due Execution of his Office, and who shall be desirous of resigning the same: And whereas it is expedient that Allowance should not be made to any of such Masters hereafter to be appointed in respect of Length of Service, but only in case of permanent Infirmity and Disability: be it therefore enacted, That no Master or Ordinary of the High Court of Chancery to be appointed after the passing of this Act shall receive or be entitled to receive any Annuity or Allowance whatsoever in respect only of Length of Service; any thing in the said heretofore Act to the contrary notwithstanding.

LI. And be it further enacted, That in case any Order shall hereafter be made by the Lord Chancellor for the Payment to any such Master or Ordinary of an Annuity or Allowance, he shall be bound to

Persons herein mentioned under certain Conditions.

Treasury may grant Compensation in Discretion of the Master of the Rolls.

Masters or Chancery appointed after the passing of this Act are not to be entitled to Annuity for Length of Service.

Order for Payment of Annuity to



Masters to receive the Cause of making the same.

that such Master may have become afflicted with some permanent Infirmary disabling him from the due Execution of his Office, then and in such Case the said Lord Chancellor shall in such Order state the Cause for the making the same, and shall cause a Copy of such Order to be laid on the Table of the House of Commons within Fourteen Days next after the making the same if Parliament shall be then assembled, and if Parliament shall not be sitting, then within Fourteen Days next after the assembling thereof.

Copy of any Order for the Annuity to be laid before the House of Commons.

LII. And be it further enacted, That in all Cases in which the said Lord Chancellor shall order any Annuity to be paid to any Officer whatsoever of the Court of Chancery, by virtue of any Authority vested in him for that Purpose, the said Lord Chancellor shall cause a Copy of every such Order to be laid on the Table of the House of Commons within the Periods herein-before mentioned.

Commencement of Act.

LIII. And be it further enacted, That this Act shall come into operation, as to the Office of Clerk of the Affidavits, and the Duties therein and incident thereto, immediately after the passing of this Act, and as to all other Matters herein contained, on the Twenty-sixth Day of November One thousand eight hundred and thirty-three.

THE SCHEDULE herein-before referred to.

|  | Salary.         |
|--|-----------------|
| The First Registrar  | £2,000 per Ann. |
| Second Do.   | 1,800 —         |
| Third - Do.  | 1,800 —         |
| Fourth Do.   | 1,500 —         |
| Fifth - Do.  | 1,500 —         |
| Sixth - Do.  | 1,250 —         |
| The First Clerk to the Registrars  | 800 —           |
| Second   | 800 —           |
| Third  | 600 —           |
| Fourth   | 600 —           |
| Fifth  | 400 —           |
| Sixth  | 400 —           |
| Seventh  | 300 —           |
| Eighth   | 300 —           |
| Master of Reports and Entries  | 1,000 —         |
| Clerk of Reports   | 200 —           |
| First Clerk of Entries   | 150 —           |
| Second   | 100 —           |
| First Clerk of Assessors   | 800 —           |
| Second   | 400 —           |
| Third  | 500 —           |
| Fourth   | 300 —           |
| Fifth  | 300 —           |
| Sixth  | 300 —           |
| Seventh  | 150 —           |
| Eighth   | 150 —           |
| Ninth  | 150 —           |
| Tenth  | 100 —           |
| Clerk of Affidavits  | 800 —           |
| Assistant Clerk to Do.   | 150 —           |
| To the Chief Clerk of each of the Masters in Ordinary, other than the Accountant General | 1,000 —         |
| To the junior Clerk of each of such Masters  | 150 —           |
| To each of the Two Examiners of the Court  | 700 —           |
| To the Clerk of each of the Examiners  | 150 —           |

C. A. P. XCIV.

An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices, and Pensions. (r)

[20th August 1833.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, intitled *An Act to appoint Commissioners for carrying into execution several Acts granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, and continuing to His Majesty various Duties on Personal Estates, Offices, and Pensions in England*; And whereas another Act was passed in the Ninth Year of the Reign of His said late Majesty, intitled *An Act, for rectifying Mistakes in the Names of the Land Tax Commissioners, and for appointing additional Commissioners, and authorizing such Persons as have acted without due Authority in execution of the Acts thereof*

(r) See Chap. 18. and.

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*revised: And whereas another Act was passed in the Second and Third Years of the Reign of His present Majesty King William the Fourth, intitled An Act for appointing additional Commissioners to put in execution the Acts for granting an Aid to His Majesty by a Land Tax, and continuing the Duties on Personal Estates, Offices, and Professions; And whereas it is expedient to appoint additional Persons to put in execution the several Acts for granting an Aid to His Majesty by a Land Tax in Great Britain, and for continuing to His Majesty certain Duties on Personal Estates, Offices, and Professions in England; he it therefore enacted by His Majesty's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several and respective Powers herein-after named shall and may all be lawfully empowered and authorized (being duly qualified) to put in execution the said Acts, and all the Clauses, Powers, Matters, and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties, Cities, Towns, and Places of Great Britain herein-after severally and respectively mentioned and expressed, as fully and effectually as if they had been named with the other Commissioners in the said revised Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth; [that is to say.]*

*[Here follow the Names of the Commissioners for England, Scotland, and Wales.]*

II. And he it further enacted, That all the Powers, Authorities, Privileges, Matters, and Things contained in the said revised Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, and in any other Act or Acts, in relation to any Acts, Matters, and Things to be done by Commissioners of Land Tax, shall extend to this Act and to the Commissioners named therein, and shall be construed therewith, as fully and effectually to all Intents and Purposes whatsoever as if the same had been severally and separately repeated and re-enacted in this Act, and made Part thereof.

### C A P. XCVL

An Act to apply the Sum of Six Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-three, and to appropriate the Supplies granted in this Session of Parliament. [10th August 1833.]

- I. There shall be applied, for the Service of the Year 1833, £6,000,000 out of the Consolidated Fund.
- II. The Treasury may cause £6,000,000 of Exchequer Bills to be made out in manner prescribed by 43 G. 3. c. 1.
- III. The Clauses, &c. in that Act extended to this.
- IV. Exchequer Bills to bear Interest not exceeding 5½ per Cent. per Annum;
- V. And to be placed as so much Cash in the Exchequer.
- VI. The Money aforesaid to be applied by the Treasury to Services voted in this Session.
- VII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.
- VIII. The Bank may advance not exceeding £25,000,000 on the Credit of this Act.
- IX. Money coming into the Exchequer by *cap. l. 3. & 18. ante.*—£12,000,000 by Exchequer Bills under *c. 2. ante.*—£15,152,000 by Exchequer Bills under *c. 25. ante.*—and also the said £25,000,000 shall be applied as hereafter expressed.
- X. There shall be issued and applied,

|            |   |   |  |
|------------|---|---|--|
| £4,655,154 | 0 | 0 | For Naval Services, <i>vide</i>  |
|            |   |   | For One Year to 31st April 1834.   |
| 555,220    | 0 | 0 | For Wages of Officers, Seamen, &c. (including 27,000 Men and Royal Marines,) and for Wages of Officers, Ship-keepers, and Men of Yachts in Ordinary, and of Crews of Navy Transports, Yard Craft, Hays, and Tank Yachts. |
| 425,000    | 0 | 0 | For Provisions and Victualling Stores.   |
| 104,070    | 0 | 0 | For Salaries, &c. of Officers, and Contingent Expenses of the Admiralty Office.  |
| 31,725     | 0 | 0 | For ditto of the Navy Pay Office.  |
| 92,109     | 0 | 0 | For ditto of the Scientific Departments of the Navy.   |
| 114,870    | 0 | 0 | For ditto of Naval Establishments at Home.   |
| 28,422     | 0 | 0 | For ditto of Naval Establishments Abroad.  |
| 426,426    | 0 | 0 | For Wages to Artificers and Labourers in His Majesty's Yards at Home.  |
| 26,905     | 0 | 0 | For ditto in Naval Establishments Abroad.  |
| 405,000    | 0 | 0 | For Naval Stores for Building and Repairing Docks, Wharfs, &c.   |
| 63,700     | 0 | 0 | For New Works in the Dock Yards.   |
| 31,300     | 0 | 0 | For Medicines and Medical Stores.  |
| 40,290     | 0 | 0 | For Naval Miscellaneous Services.  |
| 571,566    | 0 | 0 | For Half Pay of Navy and Marines.  |
| 693,403    | 0 | 0 | For Military Personnel.  |
| 395,243    | 0 | 0 | For Civil Pensions and Allowances.   |
| 300,500    | 0 | 0 | For Transports and Victualling of Troops, and Freight of Stores on Account of the Army and Ordnance.   |

|       |   |            |    |    |  |
|-------|---|------------|----|----|--|
|       | £ | 118,500    | 0  | 0  | For conveying Convicts to <i>New South Wales</i> .   |
| XI.   | £ | 6,654,818  | 8  | 6  | For Land Forces and other Services after mentioned, to the 31st March 1834.  |
|       | £ | 3,168,216  | 14 | 1  | For the Forces in the United Kingdom and Stations Abroad (except India).   |
|       | £ | 110,834    | 15 | 5  | For General Staff Officers, and Officers of Hospitals in the United Kingdom, and in Foreign Stations (except India).   |
|       | £ | 94,627     | 15 | 7  | For Allowances to principal Officers of Public Departments in the United Kingdom, their Deputies and Clerks, and contingent Expenses.  |
|       | £ | 11,000     | 0  | 0  | For Medicines and Surgical Materials.  |
|       | £ | 33,418     | 9  | 10 | For Garrison at Home and Abroad.   |
|       | £ | 15,705     | 19 | 0  | For the Royal Military Asylum.   |
|       | £ | 101,318    | 15 | 2  | For Volunteer Corps in the United Kingdom.   |
|       | £ | 37,700     | 0  | 0  | For Exchange Fees upon Issues for Army Services.   |
|       | £ | 139,000    | 0  | 0  | For Pay of General Officers not being Colonels of Regiments.   |
|       | £ | 86,000     | 0  | 0  | For Full Pay for reduced and retired Officers.   |
|       | £ | 692,000    | 0  | 0  | For Half Pay and Allowances to reduced and retired Officers.   |
|       | £ | 88,480     | 0  | 0  | For Half Pay and reduced Allowances to Officers of Detached Foreign Corps, Pensions to wounded Foreign Officers, and Allowances to Widows and Children of deceased Foreign Officers.   |
|       | £ | 145,244    | 0  | 0  | For Pensions to Widows of Officers.  |
|       | £ | 170,516    | 0  | 0  | For Compensate List, Allowances of His Majesty's Bounty, and Pensions to wounded Officers.   |
|       | £ | 1,231,740  | 9  | 2  | For Civil and Ecclesiastical Hospitals.  |
|       | £ | 31,574     | 5  | 6  | For Superannuations to Persons formerly belonging to Public Departments.   |
|       | £ | 12,000     | 0  | 0  | For Exchange Fees upon Issues for non-effective Army Services.   |
|       | £ | 264,580    | 9  | 7  | For dishonoured Medals and Pensions, &c. to the Regular and Local Militia.   |
|       | £ | 290,205    | 7  | 10 | For the Commissariat Department.   |
|       | £ | 31,985     | 13 | 4  | For Half Pay and Superannuations of Commissariat Officers, and Pensions, &c. to their Widows and Children.   |
| XII.  | £ | 1,462,323  | 0  | 0  | For Ordnance Services for the Year 1833-34.  |
|       | £ | 71,900     | 0  | 0  | For Salaries to the Master General and principal Officers and Clerks, &c. at the Tower, Pall Mall, Treaty Street, and Dublin.  |
|       | £ | 6,865      | 0  | 0  | For Salaries to the Departments at Woolwich.   |
|       | £ | 16,509     | 0  | 0  | For Salaries to the Ordnance Establishments at Home.   |
|       | £ | 28,871     | 0  | 0  | For do. Abroad and in Ireland.   |
|       | £ | 37,705     | 0  | 0  | For do. of Barrack Masters and Sergeants.  |
|       | £ | 5,018      | 0  | 0  | For Master Gunners in Great Britain, Germany, Jersey, and Ireland.   |
|       | £ | 60,019     | 0  | 0  | For the Engineers, Sappers, and Miners, and Establishment for their Instruction.   |
|       | £ | 975,156    | 0  | 0  | For the Royal Artillery.   |
|       | £ | 54,988     | 0  | 0  | For Horse Artillery and Riding House Troop for United Kingdom.   |
|       | £ | 384        | 0  | 0  | For the Director General of Artillery and Field Train Department.  |
|       | £ | 3,805      | 0  | 0  | For the Medical Establishment of the Military Department of the Ordnance.  |
|       | £ | 25,224     | 0  | 0  | For Superannuations of Works and Repairs.  |
|       | £ | 55,104     | 0  | 0  | For the Extraordinaries on account of Works and Repairs and Storekeepers Expenditure, after deducting £695,500 for Hints, &c. and £10,000 voted last Year.   |
|       | £ | 25,187     | 0  | 0  | For Superannuations of building and repair of Barracks.  |
|       | £ | 68,384     | 0  | 0  | For Extraordinaries of the Ordnance Office, after deducting £16,700 for East of Caenosa, &c. and £10,000 voted last Year.  |
|       | £ | 65,792     | 0  | 0  | For Barrack Master Department.   |
|       | £ | 122,719    | 0  | 0  | For Military, Civil, and Barrack Contingencies.  |
|       | £ | 84,000     | 0  | 0  | For the Ordnance and Military Store Branch.  |
|       | £ | 50,000     | 0  | 0  | For Stores for Works and Repairs for the Year ending 31st March 1834.  |
|       | £ | 25,228     | 0  | 0  | For Ordnance Services not provided for in 1832-33.   |
|       | £ | 245,204    | 0  | 0  | For superannuated retired Officers, Disabled Men, and Pensions to Widows and Children of deceased Officers, and Allowances, &c. to retired Civil Officers of the Ordnance and Barrack Department, and Widows Pensions for 1833-34. |
|       | £ | 2,179      | 0  | 0  | For Fees on Ordnance Estimates.  |
|       | £ | 7,000      | 0  | 0  | For Fortifications, &c. at Jersey and the Mauritius.   |
| XIII. | £ | 25,898,800 | 0  | 0  | To pay of Exchange Bills charged on the Aids of 1830 and 1831.   |
| XIV.  | £ | 974,000    | 0  | 0  | To pay of Exchange Bills issued for Public Works, &c.  |
| XV.   | £ | 1,851,000  | 0  | 0  | To pay of Exchange Bills raised pursuant to 11 G. 4. c. 13.  |
| XVI.  | £ | 2,400      | 0  | 0  | For the Civil Establishment of the <i>Robinson Islands</i> to 31st March 1834.   |

|         |           |   |  |                          |
|---------|-----------|---|--|--------------------------|
| 4,245   | 18        | 4 | For the Civil Establishment of Bermuda to 1st April 1834.  |                          |
| 5,350   | 0         | 0 | For ditto of Prince Edward's Island to 31st March 1834.  |                          |
| 12,461  | 0         | 0 | For ditto of Newfoundland ditto.   |                          |
| 17,369  | 16        | 0 | For ditto of Settlements in Western Africa ditto.  |                          |
| 18,370  | 18        | 6 | For Ecclesiastical Establishments in North America ditto.  |                          |
| 6,200   | 19        | 6 | For Settlement in Western Australia ditto.   |                          |
| 20,000  | 0         | 0 | For the Indian Department in Canada ditto.   |                          |
| 4 XVII. | 3,000,000 | 0 | To discharge the like Amount of Supplies granted for 1832, or any preceding Year.  |                          |
| 50,500  | 0         | 0 | To Bureaux for revising Lists of Voters in 1832.   |                          |
| 16,844  | 0         | 0 | For the British Museum to Christmas 1833.  |                          |
| 2,728   | 0         | 0 | To Mr. Marshall for Copies of his Digest.  |                          |
| 100,000 | 0         | 0 | For Civil Contingences to 31st March 1834.   |                          |
| 40,000  | 0         | 0 | For ditto do ditto.  |                          |
| 42,270  | 0         | 0 | For Public Buildings and Works heretofore charged upon the Civil List ditto.   |                          |
| 2,071   | 0         | 0 | For Alterations in the Palace at Brighton ditto.   |                          |
| 18,730  | 0         | 0 | For Works, &c. at Kingston Harbour ditto.  |                          |
| 3,439   | 0         | 0 | For ditto at Port Patrick Harbour ditto.   |                          |
| 4,326   | 0         | 0 | For ditto at Donaghadee Harbour for 1833.  |                          |
| 3,981   | 0         | 0 | For Holyhead and Liverpool Roads, and Holyhead and Newb Harbours, to 28 <sup>th</sup> April 1834.  |                          |
| 24,000  | 0         | 0 | For new Buildings at the British Museum to 31st March 1834.  |                          |
| 40,000  | 0         | 0 | For Repairs at Windsor Castle ditto.   |                          |
| 1,800   | 0         | 0 | For Fixings for State Paper Office ditto.  |                          |
| 6,482   | 0         | 0 | For the Pier at Middle Point ditto.  |                          |
| 1,644   | 0         | 0 | For building Churches in Scotland.   |                          |
| 10,000  | 0         | 0 | For erecting a National Gallery to 31st March 1834.  |                          |
| 45,569  | 0         | 0 | For the Offices of the Houses of Parliament for 1833.  |                          |
| 22,270  | 0         | 0 | For Expenses of the Houses of Parliament   | } To<br>31st March 1834. |
| 58,820  | 0         | 0 | For Deficiency of Fee Fund in the Treasury   |                          |
| 10,745  | 0         | 0 | For ditto at the Home Office   |                          |
| 15,400  | 0         | 0 | For ditto at the Foreign Office  |                          |
| 19,273  | 12        | 5 | For ditto at the Colonial Office   |                          |
| 15,800  | 0         | 0 | For ditto at the Privy Council Office  |                          |
| 2,000   | 0         | 0 | For Salary to the Lord Privy Seal  |                          |
| 7,800   | 0         | 0 | For Contingent Expenses at the Treasury  |                          |
| 35,000  | 0         | 0 | For ditto in the Foreign Department  |                          |
| 6,284   | 0         | 0 | For ditto in the Home Department   |                          |
| 5,600   | 0         | 0 | For ditto in the Colonial Department   |                          |
| 5,435   | 0         | 0 | For ditto in the Privy Council   |                          |
| 4,266   | 0         | 0 | For Messengers and Officers at the Treasury and Exchequer  |                          |
| 1,264   | 0         | 0 | For Professors in Oxford and Cambridge   |                          |
| 12,350  | 0         | 0 | For Salaries and Expenses of Insolvent Debtors Court   |                          |
| 1,085   | 0         | 0 | For Superintendance of Alms  |                          |
| 8,800   | 0         | 0 | For the Penitentiary at Millbank   |                          |
| 1,514   | 0         | 0 | For Deficiency of Fee Fund in the Registry of Staves   |                          |
| 4,579   | 0         | 0 | For the State Paper Office and Offices for the Custody of Records  |                          |
| 7,097   | 0         | 0 | For Commissioners of Common Law Inquiry for 1833.  |                          |
| 16,500  | 0         | 0 | For Commissioners for preventing the Traffic in Slaves to 31st March 1834.   |                          |
| 78,075  | 0         | 0 | For Salaries, &c. of Consuls ditto.  |                          |
| 13,150  | 0         | 0 | For Commissioners for inquiring into Charities ditto.  |                          |
| 55,967  | 0         | 0 | For retired Allowances to Persons formerly in Public Offices or in the Public Service ditto.   |                          |
| 11,112  | 0         | 0 | For Travellers and Clergymen Emigrants, Dutch Naval Officers, St. Domingo Sufferers, American Loyalists, &c. ditto.  |                          |
| 2,300   | 0         | 0 | For the Vaccine Establishment for 1833.  |                          |
| 2,000   | 0         | 0 | For the Refuge for the Destitute ditto.  |                          |
| 2,598   | 0         | 0 | For confining and maintaining Criminal Lunatics to 31st March 1834.  |                          |
| 4,000   | 0         | 0 | For Dissenting Ministers, French Refugee Clergy and Laity, &c. ditto.  |                          |
| 38,460  | 0         | 0 | For Foreign and other Secret Services ditto.   |                          |
| 56,000  | 0         | 0 | For printing Acts and other Papers for the Houses of Parliament ditto.   |                          |
| 115,288 | 0         | 0 | For Stationery, Printing, and Binding for Public Departments in England and Ireland to 31st March 1834, and for Paper for Printing for Parliament for the Session of 1833. |                          |

|        |   |         |    |   |  |                          |
|--------|---|---------|----|---|--|--------------------------|
|        | £   | 31,700  | 0  | 0 | For Expenses of Gold and Silver Coinage to 31st March 1834.                                  |                          |
|        |   | 8,000   | 0  | 0 | For Proscriptions relating to the Coin ditto.  |                          |
|        |   | 15,000  | 0  | 0 | For Law Charges ditto.   |                          |
|        |   | 50,534  | 0  | 0 | For Convicts at Home and in <i>Stromboli</i> ditto.  |                          |
|        |   | 25,000  | 0  | 0 | For the Support of captured Negroes, &c. ditto.  |                          |
|        |   | 150,000 | 0  | 0 | For Convicts in <i>New South Wales</i> and <i>Van Diemen's Land</i> ditto.                   |                          |
|        |   | 8,000   | 0  | 0 | For Commissioners of Public Records ditto.   |                          |
|        |   | 5,616   | 13 | 5 | For the Purchase of certain Prisons granted by King Charles II.                              |                          |
|        |   | 2,000   | 0  | 0 | For a Voyage of Discovery to the Polar Regions in 1833.                                      |                          |
|        |   | 2,500   | 0  | 0 | To Mr. <i>Norton</i> for his Patent Ship to 31st March 1834.                                 |                          |
|        |   | 5,000   | 0  | 0 | For Parliamentary Fees on Turnpike Road Bills in 1833.                                       |                          |
|        |   | 40,000  | 0  | 0 | For the <i>Redes</i> and <i>Canals</i> to 31st March 1834.                                   |                          |
|        |   | 14,587  | 0  | 0 | For Salaries to Governors, &c. in the <i>West India Colonies</i> ditto.                      |                          |
|        |   | 2,830   | 0  | 0 | For Repairs, &c. of <i>Marshall Chapel</i> .   |                          |
|        |   | 15,500  | 0  | 0 | For Commissioners for inquiring into Municipal Corporations in 1833.                         |                          |
|        |   | 10,000  | 0  | 0 | For erecting Lighthouses for the <i>Gallesee Straits</i>                                     | } To<br>31st March 1834. |
|        |   | 20,000  | 0  | 0 | For Erection of School Houses in Great Britain   |                          |
|        |   | 57,217  | 6  | 4 | For Miscellaneous Charges for Scotland   |                          |
| XVIII. |   | 25,000  | 0  | 0 | For Advancement of Education in <i>Ireland</i>   |                          |
|        |   | 22,000  | 0  | 0 | For the Founding Hospital in <i>Dublin</i>   |                          |
|        |   | 19,000  | 0  | 0 | For the House of Industry in <i>Dublin</i> , the Lunatic Department, and Hospitals attached  |                          |
|        |   | 850     | 0  | 0 | For the <i>Albion Marine Society</i>   |                          |
|        |   | 1,045   | 0  | 0 | For the Female Orphan House in <i>Dublin</i>   |                          |
|        |   | 2,764   | 0  | 0 | For the <i>Watercock Lock Hospital</i>   |                          |
|        |   | 1,500   | 0  | 0 | For the <i>Lying-in Hospital</i>   |                          |
|        |   | 1,500   | 0  | 0 | For <i>Dr. Stevens' Hospital</i>   |                          |
|        |   | 3,800   | 0  | 0 | For the <i>Fever Hospital</i>  |                          |
|        |   | 500     | 0  | 0 | For the Hospital for leucisimias   |                          |
|        |   | 8,228   | 0  | 0 | For <i>Roman Catholic College</i>  |                          |
|        |   | 2,500   | 0  | 0 | For the <i>Royal Dublin Society</i>  |                          |
|        |   | 500     | 0  | 0 | For the <i>Royal Irish Academy</i>   |                          |
|        |   | 800     | 0  | 0 | For the <i>Royal Hibernian Academy</i>   |                          |
| XIX.   |   | 700     | 0  | 0 | For the Board of Charitable Bequests   |                          |
|        |   | 1,500   | 0  | 0 | For <i>Bequest</i> Academic Institutions   |                          |
|        |   | 17,500  | 0  | 0 | For Board of Works   |                          |
|        |   | 22,000  | 0  | 0 | For Secretaries to Lord Lieutenant, of the Privy Council Office, &c.                         |                          |
|        |   | 14,141  | 0  | 0 | For Household of the Lord Lieutenant, and other Officers, formerly charged on the Civil List |                          |
|        |   | 6,850   | 0  | 0 | For the Office of Vice Treasurer and Teller of the Exchequer                                 |                          |
|        |   | 4,100   | 0  | 0 | For publishing Proclamations and Statutes to 31st December 1833.                             |                          |
|        |   | 24,324  | 0  | 0 | For Dissenting Ministers to 31st March 1834.   |                          |
|        |   | 50,000  | 0  | 0 | For Criminal Prosecutions ditto.   |                          |
|        |   | 15,000  | 0  | 0 | For the <i>Dublin Police</i> ditto.  |                          |
|        |   | 3,275   | 0  | 0 | For Public Works ditto.  |                          |
|        |   | 4,000   | 0  | 0 | For <i>Dunmore Harbour</i> ditto.  |                          |
|        |   | 2,000   | 0  | 0 | For <i>Townland Survey of Ireland</i> ditto.   |                          |
|        |   | 5,000   | 0  | 0 | For Roads in <i>Galway</i> ditto.  |                          |
|        |   | 2,800   | 0  | 0 | For Compensation to <i>Sir A. B. King</i> for 1833.  |                          |
|        |   | 1,000   | 0  | 0 | To repay Mr. <i>Owen</i> Money paid to the Consolidated Fund.                                |                          |
| XX.    | Supplies to be applied only for the Purposes aforesaid.   |         |    |   |  |                          |
| XXI.   | Notice to be observed in the Application of the Sum appropriated to Half Pay. This Act not to prevent receiving Half Pay under any Act relating to the General or Local Militia, the Yeomanry, or Volunteers.         |         |    |   |  |                          |
| XXII.  | Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1825. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament. |         |    |   |  |                          |
| XXIII. | Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.   |         |    |   |  |                          |
| XXIV.  | Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required by 2 & 3 W. 4. c. 125, indemnified.  |         |    |   |  |                          |
| XXV.   | Half Pay allowed to the Officers of the <i>Misc. Forces</i> .   |         |    |   |  |                          |
| XXVI.  | Half Pay Allowances to Chaplains of Regiments not being in possession of Ecclesiastical Benefices derived from the Crown.   |         |    |   |  |                          |

§ XXVII. The Surplus of the Sum appropriated by 2 & 3 H. 4. c. 126. authorized to be disposed of to reward or meritorious Officers, or their Widows or Children, as His Majesty shall direct.

XXVIII. Widows and Persons claiming Pensions or Allowances to take the required Oath. By whom such Oath is to be administered.

## C. A. P. XXVII.

An Act to prevent the selling and uttering of forged Stamps, and to exempt from Stamp Duty artificial Mineral Waters in Great Britain, and to allow a Draw-back on the Exportation of Gold and Silver Plate manufactured in Ireland. [29th August 1833.]

WHEREAS the Laws heretofore enacted and now in force in Great Britain have been found insufficient to prevent the selling and uttering of forged Stamps on Vellum, Parchment, and Paper, and it is expedient to make further Enactments in that behalf: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act it shall be lawful for the Commissioners of Stamps, by Writing under the Hand of any Two or more of them, to grant a License free of Expense to any Person whom they in their Discretion shall think fit and proper for the Purpose (not being a Distributor of Stamps appointed by the said Commissioners, nor a Sub-Distributor appointed by any such Distributor,) to vend and deal in Stamps at any Place or Places in Great Britain to be named in such License: Provided always, that every Person to whom any such License shall be granted shall enter into a Bond to His Majesty, His Heirs and Successors, in a penal Sum of One hundred Pounds, conditioned that such licensed Person shall not sell or offer for Sale or Exchange, or keep or have in his Possession for the Purpose of Sale or Exchange, any Stamp or Stamps other than such as he shall have purchased or procured at the Head Office for Stamps in Westminster or Edinburgh, or from some Distributor of Stamps duly appointed by the said Commissioners, or from some Person licensed to deal in Stamps under the Authority of this Act: Provided always, that such Bond shall not be liable in any Stamp Duty, and that One License and One Bond only shall be required for any Number of Persons in Companyship: and provided also, that it shall be lawful for the said Commissioners, whenever they shall think fit, by Notice in Writing, signed by any Two or more of them, to revoke and make void any such License as aforesaid.

II. And be it enacted, That in every such License to vend or deal in Stamps there shall be truly specified the proper Christian Name and Surname and Place of Abode of the Person to whom the same shall be granted, and a true Description of the House or Shop or Houses or Shops in or at which he shall by such License be authorized to vend or deal in Stamps; and such Person shall not be thereby authorized or entitled to vend or deal in Stamps in or at any other House, Shop, or Place than such as shall be so specified and described in such License.

III. And be it enacted, That no Person other than such Distributor or Sub-Distributor of Stamps as aforesaid shall vend or deal in Stamps in any Part of Great Britain without having duly obtained from the Commissioners of Stamps a License for that Purpose, which shall be subsisting in force and unrevoked at the Time of such vending or dealing; and if any Person other than such Distributor or Sub-Distributor as aforesaid shall sell or offer for Sale any Vellum, Parchment, or Paper, stamped or marked with any Stamp or Mark, denoting or purporting to denote any Stamp Duty, or shall exchange any such stamped Vellum, Parchment, or Paper for any other stamped Vellum, Parchment, or Paper, or for any other Article or Thing, without having duly obtained and having in force such License as aforesaid, authorizing him in that behalf, or in or at any House, Shop, or Place not specified and described in any such License as aforesaid, granted to him, he shall for every such Offence forfeit the Sum of Twenty Pounds: and if any Proceedings shall be had for Recovery of such Penalty of Twenty Pounds, and it shall thereupon appear that any Stamp or Stamps impressed on any such Vellum, Parchment, or Paper which shall have been so sold or exchanged, or offered for Sale or exchanged, was or were false, forged, or counterfeit, although the same shall not have been so alleged in the Information or Pleading, then and in such Case the said Penalty shall be doubled, and Judgment shall be given against the Offender for the Sum of Forty Pounds, and the said special Matter shall be stated in such Judgment as the Cause of such increase of Penalty: and if on any such Proceeding any Issue shall be tried by a Jury, in which the selling or exchanging, or offering for Sale or Exchange, of such Vellum, Parchment, or Paper, with any Stamp or Stamps thereon, shall be in question, such Jury shall be required to say whether such Stamp or Stamps was or were false, forged, or counterfeit, or not: Provided always, that nothing herein contained shall extend to exempt any Person from the legal Consequences of selling, uttering, or having in possession any Vellum, Parchment, or Paper with any false, forged, or counterfeit Stamp or Stamps thereon, knowing the same to be false, forged, or counterfeit, if such Knowledge shall be duly proved in any criminal Proceeding or Proceeding against such Person for any such Offence.

IV. Provided always, and be it enacted, That it shall be lawful for any Person employed to prepare, write, or impress any Deed or Instrument liable to Stamp Duty to charge his Employer with the Amount of the Stamp or Stamps impressed on the Vellum, Parchment, or Paper upon which such Deed or Instrument shall be written or impressed, without having obtained any such License as aforesaid to vend or deal in Stamps.

V. And be it enacted, That every Person who shall be licensed under the Authority of this Act to deal in Stamps shall cause to be printed in Roman Capital Letters, One Inch at the least in Height and of a proper size for convenient Reading, by some qualified and trustworthy Person, the following Words in plain

Commissioners of Stamps may issue License to deal in Stamps.

Person licensed to give Bond. Condition thereof.

Bond not liable to Stamp Duty. License may be revoked.

Particulars to be specified in License.

No Person to deal in Stamps without such License.

Penalty.

Nothing herein to exempt Person from Consequences of selling forged Stamps.

As to Person employed to write or impress Instruments liable to Stamp Duty.

Printed in Roman Capital Letters in plain

that Names,  
 &c. in Front of  
 their Houses or  
 Shops.

Penalty.

Proviso as to  
 Persons.

Penalty on un-  
 licensed Persons  
 printing or  
 using their Shops  
 as their Signs  
 respecting that  
 they are Dealers  
 in Stamps.

Allowance to  
 be made for  
 Stamps in the  
 Possession of  
 Vendors at the  
 Time of the  
 passing of this  
 Act.

Proviso.

Allowance to  
 be made for  
 Stamps in the  
 Possession of  
 Licensed Ven-  
 dors dying, or  
 becoming  
 bankrupt or in-  
 solvent, or  
 whose Licenses  
 are revoked.

Houses or Shop in or at which he shall be licensed to deal in Stamps, and so that the same shall be at all Times plainly and distinctly visible and legible, the Christian Name and Surname of such licensed Person as full Length, together with the Words, "Licensed to sell Stamps," and such Person shall continue such Names and Words so printed as aforesaid during all the Time that he shall continue licensed as aforesaid; and if any Person licensed as aforesaid shall neglect or omit to cause such Names and Words to be so printed, as aforesaid, or shall neglect or omit to continue the same so printed according to the Directions of this Act, he shall forfeit Ten Pounds for every such Offence: Provided always, that in the Case of several Persons licensed as aforesaid in Copartnership it shall be sufficient if the Christian Name and Surname of One only of such Persons be printed in manner aforesaid.

VI. And be it enacted, That if any Person shall write, print, or mark, or seal, or cause or procure to be written, printed, or marked, or shall permit or suffer to continue written, printed, or marked, upon any Part of his House, Shop, or Premises, either in the Inside or on the Outside thereof, or upon any Board or any Material whatsoever exposed to public View, and whether the same shall or shall not be affixed to such House, Shop, or Premises, any Word or Words which shall import or signify, or be intended to import or signify, that such Person is a Vendor or a Dealer in Stamps, such Person not being licensed to deal in Stamps under the Authority of this Act, and not being a Distributor or Sub-Distributor of Stamps duly appointed as aforesaid, he shall forfeit Ten Pounds for every Day such Offence shall be committed or continued.

VII. And be it enacted, That it shall be lawful for any Stationer or other Person who, in the regular Course of his Trade or Business, before and at the Time of the passing of this Act, shall have been a Vendor of Stamps, and who at the Time of the passing of this Act shall have in his Possession for the Purpose of Sale any stamped Vellum, Parchment, or Paper which shall not be in any Manner applied or rendered useless or unfit for the Purpose intended, to bring or send the same to the head Office for Stamps in Westminster or Edinburgh at any Time within Three Calendar Months next after the Commencement of this Act; and it shall be lawful for the Commissioners of Stamps, or any Officer of Stamp Duties duly authorized in that Behalf, to receive the same, and to pay to the Person bringing or sending the same the Amount of the Stamp Duty thereon, deducting therefrom such Per-centage as is allowed by Law on the Purchase of Stamps of the like Description from the said Commissioners, and also to pay the Amount of the Value of such Vellum, Parchment, and Paper, according to the Rates at which Vellum, Parchment, and Paper of the like Quality and Description shall be sold by the said Commissioners; and thereupon such Stamp shall be immediately cancelled: Provided always, that the Person who shall bring or send such stamped Vellum, Parchment, or Paper to the said head Office shall make Proof to the Satisfaction of such Commissioners or authorized Officer that such Vellum, Parchment, or Paper was actually in the Possession of such Person for the Purpose of Sale at the Time of the passing of this Act, and shall also make Proof in like Manner that such stamped Vellum, Parchment, or Paper, or the Stamps impressed thereon, was or were purchased by the Person who shall bring or send the same as aforesaid directly at the head Office for Stamps in Westminster or Edinburgh, or from some Distributor or Sub-Distributor of Stamps duly appointed as aforesaid.

VIII. And be it enacted, That if any Person licensed to read or deal in Stamps shall die, or become bankrupt or insolvent, or if the License of any Person to vend or deal in Stamps shall expire or be revoked, and any such Person, at the Time of his Death, Bankruptcy, or Insolvency, or at the Expiration or Revocation of any such License as aforesaid, shall have in his Possession any Quantity of stamped Vellum, Parchment, or Paper, it shall be lawful for such Person, or his Executor or Administrator or Assignee, within Three Calendar Months after the Expiration or Revocation of such License, or next after such Death, Bankruptcy, or Insolvency, as the Case may be, to bring or send such stamped Vellum, Parchment, or Paper to the head Office for Stamps in Westminster or Edinburgh; and it shall be lawful for the Commissioners of Stamps, or any Officer of Stamp Duties duly authorized on that Behalf, to receive the same, and to pay to the Person bringing or sending the same the Amount of the Stamp Duty thereon, deducting therefrom such Per-centage as is allowed by Law on the Purchase of Stamps of the like Description from the said Commissioners, and also to pay the Amount of the Value of such Vellum, Parchment, and Paper, according to the Rates at which Vellum, Parchment, and Paper of the like Quality and Description shall be sold by the said Commissioners, and thereupon such Stamps shall be immediately cancelled: Provided always, that the Person who shall bring or send such stamped Vellum, Parchment, or Paper to the said head Office shall make Proof to the Satisfaction of such Commissioners or authorized Officer that such Vellum, Parchment, or Paper was actually in the Possession of the Person so dying, or becoming bankrupt or insolvent, or having had such License which had expired or been revoked, or for the Purpose of Sale, at the Time when such Person so died or became bankrupt or insolvent, or when the said License expired or was revoked, and shall also make Proof in like Manner that such stamped Vellum, Parchment, or Paper, or the Stamps impressed thereon, was or were purchased or procured by the Person in whose such License shall have been granted at the head Office for Stamps in Westminster or Edinburgh, or from some such Distributor of Stamps or Person licensed to deal in Stamps as aforesaid.

IX. And be it enacted, That upon Information given to the Commissioners of Stamps upon the Oath of One or more credible Persons or Persons, (which Oath the said Commissioners, or any One or more of them, or any Justice of the Peace, are and is hereby empowered to administer,) that there is reasonable Cause to suspect that any such Distributor or Sub-Distributor as aforesaid, or Person licensed or who shall have been licensed under the Authority of this Act, hath in his Possession any forged or counterfeit Stamp or Printed image designed by the University of Southampton Library Digitisation Unit. Stamps,

Commissioners  
 of Stamps im-  
 proved in  
 great Measure  
 to search and  
 suppress the

Stamps, it shall be lawful for the said Commissioners, or any Three or more of them, by Warrant under their Hands, to authorize any Officer or Officers of Stamp Duties, and such Officer or Officers in civil are hereby fully authorized accordingly, with the Assistance, if required, of any Constable or other Peace Officer, to enter between the Hours of Nine in the Morning and Seven in the Evening into the Dwelling House, Room, Shop, Warehouse, Out-house, or other Building of or belonging to any Distributor or Sub-Distributor of Stamps, or of or belonging to any Person licensed, or who at any Time within Six Calendar Months then last past shall have been licensed as aforesaid, to vend or deal in Stamps; and if, on Demand of Admittance and Notice of such Warrant, the Door of any such Dwelling House, Room, Shop, Warehouse, Out-house, or other Building, or any inner Door thereof, shall not be opened, then to break open the same respectively, and to search for and to seize and take into his and their Possession all such stamped Vellum, Parchment, or Paper as shall be in any such Place as aforesaid, or elsewhere in the Custody or Possession of such Distributor or Sub-Distributor, or Person licensed or having been licensed as aforesaid; and all Constables and other Peace Officers are hereby required, upon the Request of any Person or Persons acting under such Warrant, to aid and assist him or them in the Execution thereof; and if any Constable or other Peace Officer shall, upon any such Request as aforesaid, refuse or neglect to be aiding and assisting in the Execution of any such Warrant as aforesaid, or if any Person shall refuse to permit any such Search or Seizure as aforesaid to be made, or shall assault, oppose, molest, or obstruct any Person employed or acting in the Execution or under the Authority of any such Warrant, or aiding or assisting in the Execution thereof, every such Constable, Peace Officer, or other Person so offending in any of the Cases aforesaid shall forfeit Fifty Pounds.

X. Provided always, and be it enacted, That any Person who shall execute any such Warrant shall, if required, give to the Person in whose Custody or Possession any Stamps shall be found and seized an Acknowledgment of the Number, Particulars, and Assent of the Stamps so seized, and shall permit such last-mentioned Person, or any Person employed by him, to mark the same before the Removal thereof; and if the Person in whose Custody or Possession any Stamps shall be so found and seized shall be or shall have been within the Time aforesaid a licensed Vendor of Stamps, he shall be entitled to claim and receive in Money from the Commissioners of Stamps the Assent of such of the Stamps so seized as shall be found to be genuine (deducting therefrom such Percentage as is allowed by Law on the Purchase of Stamps of the like Description), and also to receive the Amount of the Vellum, Parchment, or Paper whereon the same shall be impressed, according to the Rates at which Vellum, Parchment, and Paper of the like Quality and Description shall be sold by the said Commissioners or their Distributors of Stamps; or, if the said Commissioners shall think fit, such of the said Stamps so seized as shall be found to be genuine shall be returned to the Person from whose Custody or Possession the same shall have been taken, with such reasonable Amounts as the Lords Commissioners of His Majesty's Treasury may think fit to award.

XI. And be it enacted, That whenever any Vellum, Parchment, or Paper shall be found in the Possession of any Person licensed to vend or deal in Stamps, or who shall have been so licensed at any Time within Six Calendar Months then next preceding, such Vellum, Parchment, or Paper having thereon any false, forged, or counterfeit Stamp, Mark, or Impression resembling or representing, or intended or liable to pass or be mistaken for any Stamp, Mark, or Impression of any Die, Plate, or other Instrument which at any Time whatever hath been or shall or may be provided, made, or used, by or under the Direction of the Commissioners of Stamps, for the Purpose of expressing or denoting any Stamp Duty whatever, then and in every such Case the Person in whose Possession such Vellum, Parchment, or Paper shall be so found shall be deemed and taken to have so had the same in his Possession with Intent to vend, use, or utter the same with such false, forged, or counterfeit Stamp, Mark, or Impression thereon, unless the contrary shall be satisfactorily proved; and such Person shall also be deemed and taken to have such Vellum, Parchment, or Paper so in his Possession, knowing the Stamp, Mark, or Impression thereon to be false, forged, and counterfeit, and such Person shall be liable to all Penalties and Punishments by Law imposed or inflicted upon Persons residing, using, uttering, or having in possession false, forged, or counterfeit Stamps, knowing the same to be false, forged, or counterfeit, unless such Person shall in every such Case satisfactorily prove that such Stamp or Stamps was or were procured by or for such Person from some Distributor of Stamps appointed by the said Commissioners, or from some Person licensed to deal in Stamps under the Authority of this Act.

XII. And be it enacted, That if any Person shall knowingly and without lawful Excuse (the Proof whereof shall be on the Person accused) have in his Possession any false, forged, or counterfeit Die, Plate, or other Instrument, or Part of any such Die, Plate, or Instrument, resembling or intended to resemble, either wholly or in part, any Die, Plate, or other Instrument which at any Time whatever hath been or shall or may be provided, made, or used, by or under the Direction of the Commissioners of Stamps, for the Purpose of expressing or denoting any Stamp Duty whatever; or if any Person shall knowingly and without lawful Excuse (the Proof whereof shall be on the Person accused) have in his Possession any Vellum, Parchment, or Paper having thereon the Impression of any such false, forged, or counterfeit Die, Plate, or other Instrument, or Part of any such Die, Plate, or other Instrument as aforesaid, or having thereon any false, forged, or counterfeit Stamp, Mark, or Impression resembling or representing, either wholly or in part, or intended or liable to pass or be mistaken for, the Stamp, Mark, or Impression of any such Die, Plate, or other Instrument which hath been or shall or may be so provided, made, or used as aforesaid, knowing such false, forged, or counterfeit Stamp, Mark, or Impression to be false, forged, or counterfeit; or if any Person shall fraudulently use, pass, fix, or place on, with or upon any Vellum, Parchment, or Paper any Stamp, Mark, or Impression which shall have been made, forged, or printed, or fraudulently affixing Stamps, &c.

Books of  
Stamps of  
Distribution  
and Licensed  
Dealers.

Power of  
Entry.

Provision for  
refusing to  
admit, and  
in the  
Execution  
of such  
Warrants,  
or molesting  
Persons  
employed  
in the  
Execution  
thereof, &c.

Acknowledg-  
ment to be  
given for  
stamps seized

Licensee  
entitled to  
claim the  
Amount of  
genuine Stamps  
seized, or to  
have them  
returned to  
him.

Licensee  
having  
counterfeit  
Stamps in  
his  
Possession  
liable to the  
Penalties of  
making forged  
Stamps, unless  
it be proved  
that they were  
procured  
from some  
Distributor  
or licen-  
sed Vendor.

Persons know-  
ingly having  
forged Dies or  
Stamps in  
their Posses-  
sion,



or sending  
Notes, Bills,  
&c. shall return  
to the  
Owner  
again  
or knowingly  
using any  
stamped  
Vellum, &c.  
from which any  
Notes, Bills,  
&c. shall have  
been fraudu-  
lently received,  
guilty of  
Felony.

Persons who  
are proved of being  
concerned in  
the forging of  
Bank Stamps,  
or in the Com-  
mission of other  
Offences Acts,  
may be  
warranted.

removed from any other Vellum, Parchment, or Paper; or if any Person shall fraudulently erase, cut, scrape, discharge, or get out of or from any stamped Vellum, Parchment, or Paper any Name, Sum, Date, or other Matter or Thing thereon written, printed, or expressed, with intent to use any Stamp or Mark then impressed, or being upon such Vellum, Parchment, or Paper, or that the same may be used for any Debt, Instrument, Matter, or Thing in respect whereof any Stamp Duty is or shall or may be or become payable; or if any Person shall knowingly use, utter, sell, or expose to Sale, or shall knowingly and without lawful Excuse (the Proof whereof shall lie on the Person accused) have in his Possession any stamped Vellum, Parchment, or Paper from or off or out of which any such Name, Sum, Date, or other Matter or Thing as aforesaid shall have been fraudulently erased, cut, scraped, discharged, or gotten as aforesaid; then and in every such Case every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person in committing any such Offence, and being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

XIII. And be it enacted, That on any Information given before any Justice of the Peace upon the Oath of One or more credible Person or Persons (which Oath such Justice is hereby empowered to administer) that there is just Cause to suspect any Person of being or having been in any way engaged or concerned in making any false or counterfeit Die, Plate, or other Instrument, or unlawfully marking or impressing any Stamp, Mark, or Impression on any Vellum, Parchment, or Paper with any such Die, Plate, or Instrument; or in the unlawful Possession of any forged or counterfeit Die, Plate, or Instrument, or of any Vellum, Parchment, or Paper with any counterfeit Stamp, Mark, or Impression thereon; or in unlawfully or fraudulently, or without due Authority, marking or impressing any lawful Stamp on any Vellum, Parchment, or Paper, or in causing or procuring the same to be so marked or impressed, or in aiding, abetting, or assisting in so marking or impressing the same; or in the unlawful Possession of any Vellum, Parchment, or Paper, or other Material, unlawfully or fraudulently or without due Authority stamped or marked, contrary to any of the Provisions or Regulations contained in any Act relating to Stamp Duties; or of being or having been in any way engaged or concerned in the fraudulent erasing, cutting, scraping, discharging, or getting out of or from or off any stamped Vellum, Parchment, or Paper any Matter or Thing thereon written, printed, or expressed; or in the unlawful Possession of any stamped Vellum, Parchment, or Paper from or off or out of which any Matter or Thing shall have been fraudulently erased, cut, scraped, discharged, or gotten as aforesaid, then and in every or any of the said Cases it shall be lawful for such Justice by Warrant under his Hand to cause any and every Dwelling House, House, Workshop, Out-house, or other Building, Yard, Garden, or other Place belonging to such suspected Person, or where any such Person shall be suspected of being or of having been in any way engaged or concerned in the Commission of any such Offence as aforesaid, or of secreting any such Die, Plate, or Instrument, or any such Vellum, Parchment, or Paper, or any of the Machinery, Implements, or Utensils necessary or applicable in the Commission of any such Offence as aforesaid, to be searched for any such stamped Vellum, Parchment, or Paper, and for any such Die, Plate, or Instrument, Machinery, Implement, or Utensil, or other Matter or Thing as aforesaid; and if any of the said several Matters and Things shall be found in any Place so searched, or in the Custody or Possession of any Person whatsoever not having the same by some lawful Authority, it shall be lawful for the Person finding any such Matters or Things to seize the same respectively, and to carry the same forthwith to the Justice by whom such Warrant shall be granted, or to any other Justice of the Peace having Jurisdiction where the same shall be seized, who shall cause the same to be secured and produced in Evidence against any Person who shall or may be prosecuted in any Court of Justice for any of the Offences aforesaid, and afterwards the said Matters and Things so seized, whether produced in Evidence or not, shall, by Order of the Court or Judge before whom such Offender shall be tried, or by Order of some Justice of the Peace in case there shall be no such Trial, be delivered over to the Commissioners of Stamps, to be defaced or destroyed, or otherwise disposed of, as the said Commissioners shall think fit.

XIV. And be it enacted, That if any Person, whether he shall be licensed to vend or deal in Stamps or not, shall hawk or carry about for Sale or Exchange any stamped Vellum, Parchment, or Paper, or if any Person shall utter or offer for Sale or Exchange, at any House, Shop, or Place other than the House or Shop in which he shall reside or deal, *à la* carry on his Trade or Business, any such stamped Vellum, Parchment, or Paper, every such Person shall forfeit the Sum of Twenty Pounds, once and above any Penalty to which he may be liable for vending or dealing in Stamps without being licensed as to do, and it shall moreover be lawful for any Person, without any other Warrant than this Act, for that Purpose to apprehend any Person so hawking, carrying about, uttering, or offering for Sale or Exchange such stamped Vellum, Parchment, or Paper, and to take him or cause him to be taken before any Justice of the Peace having Jurisdiction where the Offence shall be committed, who shall hear and determine the Matter; and if the Offender shall not immediately on his Conviction pay the said Penalty such Justice shall commit him to Prison for any Period of Time not less than One nor more than Three Calendar Months, unless such Penalty shall be sooner paid or satisfied; and all stamped Vellum, Parchment, and Paper which shall be found in the Possession of such Offender shall be forfeited to His Majesty, and shall be taken possession of by such Justice, and be delivered over to the Commissioners of Stamps, to be disposed of in any Manner as they shall think fit: Provided always, that if such Offender shall not be apprehended and proceeded against in the Manner herein-before directed, then the said Penalty of

Twenty Pounds shall be recoverable by any other of the Ways and Means provided for the Recovery of Possibilities incurred under this Act.

XV. And for the better preventing and detecting of Felonies and Frauds in relation to stamped Vellum, Parchments, or Paper, be it enacted, That it shall be lawful for any Justice of the Peace having Jurisdiction where any stamped Vellum, Parchment, or Paper shall be or be supposed to be concealed or deposited, upon any reasonable Suspicion that such stamped Vellum, Parchment, or Paper has been stolen or fraudulently obtained, to issue his Warrant for the seizing and detaining of such stamped Vellum, Parchment, and Paper, and for apprehending and bringing before such Justice or any other Justice within the same Jurisdiction the Person in whose Possession or Custody such stamped Vellum, Parchment, or Paper shall be found, to be dealt with according to Law; and if such Person shall omit or refuse to account for the Possession of such stamped Vellum, Parchment, or Paper, or shall be unable satisfactorily to account for the Possession thereof, or it shall not appear that the same was or were purchased by him at the head Office for Stamps in Westminster or Edinburgh, or from some Distributor or Sub-Distributor of Stamps, or some Vendor of Stamps duly licensed under the Authority of this Act, then and in every such Case such stamped Vellum, Parchment, and Paper, or such Part thereof of which an Account or an satisfactory Account shall be given, or which shall not appear to have been purchased at either of the said head Offices, or from some Distributor or Sub-Distributor of Stamps or licensed Vendor as aforesaid, shall be forfeited to His Majesty, and shall be accordingly condemned by such Justice, and thereupon the same shall be delivered over to the Commissioners of Stamps, who shall keep the same for the Space of Six Calendar Months, and afterwards cancel and destroy the same, or dispose thereof for the Use of His Majesty's Revenue, as they shall think fit: Provided always, that if at any Time within Six Calendar Months next after such Condemnation any Person shall make out to the Satisfaction of such Justice that the Vellum, Parchment, or Paper as aforesaid, or any Part thereof, was or were stolen or otherwise fraudulently obtained from him, and it shall also appear that the same was or were purchased by him at either of the said head Offices, or from some Distributor or Sub-Distributor or licensed Vendor of Stamps as aforesaid, it shall be lawful for such Person to have the same, or such Part thereof as shall be so proved to have been stolen or fraudulently obtained from him, delivered up to him, on producing a Certificate under the Hand and Seal of such Justice that the Right of such Person therein hath been duly proved: provided also, that no such Certificate shall be given unless Notice in Writing under the Hand of such Justice shall be given to the Solicitor of Stamps Seven clear Days at the least previously to the Day of hearing any Claim in respect of such stamped Vellum, Parchment, or Paper, of the Time and Place appointed for such Hearing.

XVI. And be it enacted, That it shall be lawful for the Commissioners of Stamps from Time to Time, whenever they shall deem it necessary or expedient, to discontinue the Use of all or any of the Dies heretofore provided or used, or so any Time hereafter to be provided or used, for denoting or marking any Stamp Duty, which now is or at any Time hereafter shall be by Law payable for or in respect of any Matter or Thing whatsoever, and to cause any new Die or Dies, with such altered Device or Devices respectively thereon as the said Commissioners shall think fit, to be provided and used in lieu of the Die or Dies so discontinued.

XVII. And be it enacted, That whenever the said Commissioners shall determine to discontinue the Use of any Die or Dies, and shall provide any new Die or Dies to be used in lieu thereof, and the said Commissioners shall give public Notice thereof by Advertisement in the London and Edinburgh Gazettes respectively, then from and after such Day or Time as shall be fixed and appointed by such Advertisement, not being within the Space of One Calendar Month next after the same shall have been published in the said Gazettes respectively, the said new Die or Dies so provided shall be the only true and lawful Die or Dies for denoting the Duty charged or chargeable to any Case to which such Die or Dies is or are respectively applicable, and all Dies and Instruments for the marking or stamping of which any such new Die or Dies shall have been provided, and which after the Day so fixed and appointed as aforesaid shall be impressed, written, or printed upon Vellum, Parchment, or Paper stamped or marked with any other Die or Dies than the said new Die or Dies so provided for the same as aforesaid, and also all such Dies and Instruments as aforesaid which, having been impressed, written, or printed upon Vellum, Parchment, or Paper stamped or marked as last aforesaid, shall not have been executed or signed by any Party thereto before or upon the said Day so fixed and appointed as aforesaid, shall respectively be deemed to be impressed, written, or printed on Vellum, Parchment, or Paper not duly stamped or marked as required by Law: Provided always, that in the Case of any Die or Instrument required to be stamped or marked with such new Die or Dies as aforesaid which shall be impressed, written, or printed upon Vellum, Parchment, or Paper stamped or marked, others no than with such new Die or Dies, and which after the said Day or Time so fixed and appointed as aforesaid shall be first executed or signed by any Party thereto at any Place out of the United Kingdom, it shall be lawful for the said Commissioners, and they are hereby required, upon Proof of the Facts to their Satisfaction, to cancel and alter the Stamp or Stamps impressed on such Dies or Instruments, and to cause such Dies or Instruments to be stamped or marked with such new Die or Dies, to the same Amount of Duty, without Payment of any Penalty, provided such Die or Instrument shall be produced to the said Commissioners for the Purpose aforesaid within One Calendar Month next after the same shall arrive in this Kingdom.

XVIII. Provided always, and be it enacted, That whenever the said Commissioners shall discontinue the Use of any Die or Dies, and shall provide any new Die or Dies to be used in lieu thereof, and shall give public Notice thereof by Advertisement in the London and Edinburgh Gazettes, they shall be lawful

Justice may issue Warrant for seizing Stamps suspected to be stolen or fraudulently obtained.

Commissioners may discontinue Dies, and provide new ones in lieu thereof.

After a Day fixed by Notice in the Gazette the new Dies to be the only true and lawful Dies.

Dies, &c. stamped with any other Dies after the Day so fixed to be deemed not duly stamped.

Stamps are altered and cancelled by the Commissioners of the said Revenue of old for

Die and the  
providing of  
new Dies, to  
be allowed and  
reimbursed.

For all Persons who shall have in their Custody or Possession any Vellum, Parchment, or Paper stamped or marked with any Die or Dies in lieu of which any such new Die or Dies shall have been provided, and which Vellum, Parchment, or Paper shall, by reason of the providing of such new Die or Dies, be rendered useless or inapplicable for the Purpose for which the same was originally designed, and save the same to the head Office for Stamps in Westminster or Edinburgh at any Time within Three Calendar Months next after the Day so fixed and appointed by such Advertisement as aforesaid: and it shall be lawful for the said Commissioners, or for any Officer of Stamp Duties duly authorized in that Behalf, to cause the Stamp or Stamps upon such Vellum, Parchment, or Paper to be cancelled, and such Vellum, Parchment, or Paper or (if the said Commissioners or such Officer shall think fit) any other Vellum, Parchment, or Paper to be duly stamped or marked with such new Die or Dies in lieu of and to an equal Amount with the Stamp or Stamps so cancelled.

Commissioners  
authorized to  
refund in  
Money the  
Amount of  
Stamps  
spoiled or re-  
vised, unless.

XIX. And be it enacted, That in any Case in which the Commissioners of Stamps are or shall be by this Act or any other Act relating to Stamp Duties authorized and directed to cancel Stamps spoiled or rendered useless or unfit for the Purpose intended, and to make Allowance for the same by giving other Stamps in lieu thereof, it shall be lawful for the said Commissioners, if they in their Discretion shall think fit, instead of giving Stamps, to refund and repay to the Party entitled to such Allowance the Amount thereof in Money, deducting therefrom such Pro-centage as is allowed by Law on the Purchase of Stamps of the same Description as those in respect of which such Allowance shall be made, and it shall also be lawful for the said Commissioners, if they in their Discretion shall think fit, to refund and repay to any Person possessed of any Stamp or Stamps which shall not have been spoiled or rendered useless or unfit for the Purpose intended, but for which he shall have no immediate Use or Occasion, the Amount or Value of such Stamp or Stamps in Money, deducting therefrom such Pro-centage as aforesaid upon his delivering up such Stamp or Stamps to the said Commissioners to be cancelled, and proving to their Satisfaction that the same was or were purchased by him with a *good bill* Intend to use the same, and that he has paid the full Amount or Value decreed by such Stamp or Stamps, without any Deduction, save and except only the Amount of such Pro-centage as aforesaid, and further, that such Stamp or Stamps was or were so purchased within the Period of Three Calendar Months next preceding, and if the same was or were so purchased after the passing of this Act, then that the same was or were so purchased by such Person at the head Office for Stamps in Westminster or Edinburgh, or from some Distributor or Sub-Distributor of Stamps duly appointed as aforesaid, or from some Person licensed under the Authority of this Act to vend or deal in Stamps.

C. 9. c. 120.

XX. And whereas by an Act passed in the Fifty-second Year of the Reign of King George the Third, entitled *An Act to amend an Act passed in the Forty-fourth Year of His Majesty's Reign, for granting Stamp Duties in Great Britain, as far as regards the Duties granted on Medicines and on Liquors for drinking the same*, it was enacted that the Duties imposed by the said Act of the Forty-fourth Year of the said King's Reign upon divers Medicines and medicinal Preparations should be decreed and taken to extend to and upon upon the several Articles mentioned and set forth in the Schedule annexed to the said Act of the Fifty-second Year of the said King's Reign: And whereas it is expedient to alter the said Schedule in the Manner hereinafter mentioned: be it enacted, That from and after the Tenth Day of October in the Year One thousand eight hundred and thirty-three so much of the said Schedule as is contained in the following Words: (that is to say,) "Waters, carbonic, all artificial Mineral Waters, and all Waters impregnated with Soda or Mineral Alkali or with Carbonic Acid Gas, and all Compositions in a liquid or solid State to be used for the Purpose of expounding or making any of the said Waters," shall be and the same is hereby repealed.

So much of the  
Schedule  
inserted in  
section 14th  
of the said  
Act as relates  
to artificial  
Mineral  
Waters  
repealed.

C. 9. c. 118.

XXI. And whereas by an Act passed in the Forty-seventh Year of the Reign of King George the Third, entitled *An Act to grant in His Majesty certain Inland Duties of Excise and Taxes in Ireland, and to alter certain Drawbacks as respect thereof in lieu of former Duties of Excise, Taxes, and Drawbacks*, a Duty of One Shilling was granted and imposed in Ireland for and upon every Ounce, Troy Weight, of Gold or Silver Plate wrought, made, or manufactured in Ireland, and so in proportion for any greater or less Weight: And whereas for the better Encouragement of the Exportation of such Gold and Silver Plate from Ireland to Foreign Parts it is expedient to allow a Drawback of the whole Amount of Duty paid on such Plate exported: be it enacted, That from and after the Tenth Day of October One thousand eight hundred and thirty-three, upon the Exportation from Ireland for any Foreign Parts of any Gold or Silver Plate wrought or manufactured in Ireland, (the same being new Plate, not having been used,) which by the said last-mentioned Act is charged or chargeable with the said Duty of One Shilling per Ounce, and which shall appear to have been duly marked for denoting the Payment of the said Duty, there shall be allowed and paid to the Exporter of such Plate a Drawback or Allowance after the Rate of One Shilling per Ounce Troy of such Plate as exported, in like Manner, and under and subject to the like Terms, Conditions, and Regulations as the Drawback or Allowance is decreed to be paid or allowed on the Exportation from Great Britain of any Gold or Silver Plate under or by virtue of an Act passed in the Parliament of Great Britain in the Twenty-fifth Year of the Reign of King George the Third, entitled *An Act for altering and amending an Act made in the last Session of Parliament, intitled 'An Act for granting to His Majesty certain Duties on all Gold and Silver Plate exported, and also certain Duties on all Gold and Silver wrought Plate made in Great Britain'*: Provided always, that no Drawback or Allowance shall be paid or allowed on the Exportation of any Plate of Gold wrought or manufactured into Rings, nor upon the Exportation of any other Articles of Gold which shall not respectively exceed the Weight of Three Ounces.

Drawback of the  
whole Duty to  
be allowed  
on the Exporta-  
tion from  
Ireland of Gold  
or Silver Plate

C. 9. c. 104.

No Drawback  
on Gold Rings,  
or Articles not  
exceeding one  
Ounce.

Printed and Sold by W. G. and J. R. Nichols, Printers, in the Strand, near St. Dunstons Church, London.

XXII. And whereas it is expedient for facilitating the Execution of the Powers vested in the Commissioners of Stamps that they should be authorized to appoint Officers to take Affidavits; he it therefore enacted, That it shall be lawful for the said Commissioners, and they or any Two of them are hereby authorized, to appoint by Writing under their Hands and Seals any Officer employed under them to take and receive any Affidavit or Affirmation which is now by Law authorized to be made before the said Commissioners, or any One or more of them; and every such Officer so appointed as aforesaid is hereby authorized to take and receive any such Affidavit upon the Oath of the Person or Persons making the same, and any such Affidavits in the Case of Persons commonly called Quakers, and if any Person making any such Affidavit or Affirmation shall knowingly and wilfully make a False Oath or Affirmance of or concerning any of the Matters to be therein specified and set forth, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to such Penes and Penalties as by any Law now in force Persons convicted of wilful and corrupt Perjury are subject and liable to.

XXIII. And be it enacted, That all pecuniary Penalties imposed by or which may be incurred under this Act may be recovered, for the Use of His Majesty, His Heirs and Successors, in any of His Majesty's Courts of Record at Westminster, for any Offence committed in England, Wales, or Berwick-upon-Tweed, and in His Majesty's Court of Exchequer in Scotland for any Offence committed in that Part of Great Britain called Scotland, by Action of Debt, Bail, Pleas, or Informations, wherein no Excoise, Protection, or Privilege, nor more than One Imparience, shall be allowed: Provided always, that it shall be lawful for the Commissioners of Stamps to mitigate or compound any such Penalty, or to stay Proceedings in any Action, Suit, or Prosecution commenced for the Recovery thereof, on such Terms as the said Commissioners shall judge proper and expedient, and also at their Discretion to give all or any Part of any Sum paid by way of Penalty or Compensation to the Person suffering from the Offence in respect of which such Sum shall be paid.

XXIV. Provided always, and be it enacted, That it shall be lawful for any Justice of the Peace having Jurisdiction where the Offence shall be committed to hear and determine any Offence against this Act which may subject the Offender to any pecuniary Penalty, and it shall be lawful for any Justice, and he is hereby required, upon Information given or Complaint made before him by the Solicitor, or any other Officer of His Majesty's Stamp Duties in England or Scotland, to summon the Party accused, and also the Witnesses on either Side, to be and appear before the said Justice or before any other Justice of the Peace at a Time and Place to be appointed for that Purpose, and either on the Appearance of the Party accused or in default thereof it shall be lawful for such Justice, or any other Justice present at the Time and Place appointed for such Appearance, to proceed to examine into the Matter of Fact, and upon due Proof made thereof by voluntary Confession of the Party, or by Oath of One or more Witnesses or Witnesses, to give Judgment for the Penalty, and to award and issue out his Warrant for the levying of any Penalty so adjudged, together with the Costs and Expenses of such Proceedings, and also the Costs and Expenses of such Warrant, and of executing the same on the Goods of the Offender, and to cause Sale to be made of such Goods in case they shall not be redeemed within Five Days, reserving to the Party the Overplus, if any; and where the Goods of such Offender cannot be found sufficient to answer the Penalty and all such Costs and Expenses, it shall be lawful for such Justice and he is hereby required to commit such Offender to the Common Goal or House of Correction, there to remain for any Term not less than Three Calendar Months, and not exceeding Six Calendar Months, unless such Penalty and all such Costs and Expenses shall be sooner paid and satisfied; and if the Person convicted shall find himself aggrieved by the Judgment of any such Justice, it shall be lawful for such Person to appeal against the same to the Justices of the Peace at the General or Quarter Sessions of the Peace for the County or Place within which the Offence shall be committed which shall be held next after the Expiration of Ten Days from the Day on which such Conviction shall have been made, of which Appeal Notice in Writing shall be given to the Prosecutor or Informer Seven clear Days previous to the first Day of such Sessions; and such Justices at such Sessions are hereby authorized to examine Witnesses upon Oath, and finally to hear and determine such Appeal; and in case the Judgment of any such Justice shall be affirmed, it shall be lawful for the Justices at such Sessions to award and order the Person appealing to pay such Costs occasioned by such Appeal as to them shall seem meet: Provided always, that no Person convicted before any such Justice shall be confined or permitted to appeal against such Conviction in manner aforesaid, unless within Three Days next after such Conviction made he shall enter into a Recognizance with Two sufficient Sureties before such Justice to enter and prosecute such Appeal, and to pay the Amount of the Penalty and Costs in which he shall have been convicted, and also to pay such further Costs as shall be awarded in case such Conviction shall be affirmed on the hearing of such Appeal; provided also, that no such Proceedings, as to be had or taken shall be quashed or vacated for Want of Form, or shall be removed by Certiorari, Suspension, Adjournment, or Reduction, or by any other Writ or Process, into any superior or other Court or Jurisdiction; any Law or Usage to the contrary notwithstanding.

XXV. And be it enacted, That it shall be lawful for any Justice of the Peace before whom any Person shall be convicted of any Offence against the Provisions of this Act which may subject the Offender to any pecuniary Penalty to mitigate such Penalty as he shall see fit; provided that all reasonable Costs and Charges expended or incurred in prosecuting for such Offence shall be always allowed, over and above the Sum to which such Penalty shall be mitigated, and so as such Mitigation do not reduce the Penalty to less than One Fourth of the Penalty incurred, exclusive of such Costs and Charges; any thing herein contained to the contrary notwithstanding.

XXVI. And

Commissioners may appoint Officers to take Affidavits.

Penalties recoverable in the superior Courts.

Commissioners may mitigate Penalties, &c.

Any Justice of the Peace may determine Offences subject to Penalties upon Information by Solicitor or Officer of Stamp Duties. Mode of proceeding.

Appeal

Proceedings not to be quashed for Want of Form, or removed.

Justices may mitigate Penalties.

Limitation of  
Actions.

Verres.

Notice of  
Action  
General Issue.

Tender of  
Amends.

XXVI. And be it enacted, That all Actions and Prosecutions which shall be brought or commenced against any Person for any thing done in pursuance of or under the Authority of this Act shall be commenced and prosecuted within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and the Defendant in such Action may plead the General Issue, and give this Act and any other Matter or Thing in Evidence at any Trial to be had thereupon; and if the Cause of Action shall appear to arise from any Matter or Thing done in pursuance and by the Authority of this Act, or if any such Action shall be brought after the Expiration of such Three Calendar Months, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if Tender of sufficient Amends shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; and if a Verdict shall pass for the Defendant, or if the Plaintiff shall become Nonsuit, or shall discontinue any such Action, or if, as Defendant or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as any Defendant may have for Costs of Suit in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be had shall at the Time of such Trial certify in Writing his Approbation of the Action and of the Verdict obtained thereupon.

Construction of  
the Terms used  
in this Act.

XXVII. And to avoid the frequent Use of diverse Terms and Expressions in this Act, and to prevent any Misconstruction of the Terms and Expressions used therein, be it enacted, That whenever in this Act, with reference to any Person, Matter, or Thing, any Word or Words in or are used importing the Singular Number or the Masculine Gender only, yet such Word or Words shall be understood and construed to include several Persons as well as One Person, Females as well as Males, Bodies Politic or Corporate as well as Individuals, and several Matters or Things as well as One Matter or Thing, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Commence-  
ment of Act.

XXVIII. And be it enacted, That this Act shall commence and take effect on the Eleventh Day of October One thousand eight hundred and thirty-three.

#### C A P. XCVIII

An Act for giving to the Corporation of the Governor and Company of the Bank of England certain Privileges, for a limited Period, under certain Conditions. [20th August 1833.]

WHEREAS an Act was passed in the Thirty-ninth and Fortieth Years of the Reign of His Majesty King George the Third, intitled *An Act for establishing an Agreement with the Governor and Company of the Bank of England for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred*: And whereas it was by the said recited Act declared and enacted, that the said Governor and Company should be and continue a Corporation, with such Powers, Authorities, Emoluments, Profits, and Advantages, and such Privileges of exclusive Banking as are in the said recited Act specified, subject nevertheless to the Powers and Conditions of Redemption, and on the Terms in the said Act contained: And whereas an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the better regulating the Partnerships of certain Bankers in England, and for extending to each of an Act of the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intitled "An Act for establishing an Agreement with the Governor and Company of the Bank of England for advancing the Sum of Three Millions towards the Supply for the Service of the Year One thousand eight hundred," so relative to the same*: And whereas it is expedient that certain Privileges of exclusive Banking should be continued to the said Governor and Company for a further limited Period, upon certain Conditions: And whereas the said Governor and Company of the Bank of England are willing to derive and allow to the Public, from the Sums now payable to the said Governor and Company for the Charges of Management of the Public Redeemed Debt, the annual Sum herein-after mentioned, and for the Period in the Act specified, the Privilege of exclusive Banking specified in this Act as extended to the said Governor and Company for the Period specified in this Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Governor and Company of the Bank of England shall have and enjoy such exclusive Privilege of Banking as is given by this Act as a Body Corporate, for the Period and upon the Terms and Conditions herein-after mentioned, and subject to Termination of such exclusive Privilege at the Time and in the Manner in this Act specified.

It. And be it further enacted, That during the Continuance of the said Privilege, no Body Politic or Corporate, and no Society or Company, or Persons united or to be united in Conventions or Partnerships, exceeding Six Persons, shall make or issue in London, or within Sixty-five Miles thereof, any Bill of Exchange or Promissory Note, or Engagement for the Payment of Money on Demand, or upon Printed stamps designed by the University of Southampton's Library, Classification 1121. which

W & A. G. L.  
1833

T. G. & C. 1833

Bank of Eng-  
land to enjoy  
the exclusive  
Privilege of  
Banking upon  
certain Con-  
ditions.

During such  
Privilege, no

which any Person holding the same may obtain Payment on Demand: Provided always, that nothing herein or in the said recited Act of the Seventh Year of the Reign of His late Majesty King George the Fourth contained shall be construed to prevent any Body Public or Corporate, or any Society or Company, or Incorporated Company or Corporation, or Co-partnership, carrying on and transacting Banking Business at any greater Distance than Sixty-five Miles from London, and not having any House of Business or Establishment as Bankers in London, or within Sixty-five Miles thereof (except as hereinafter mentioned), to make and issue their Bills and Notes, payable on Demand or otherwise, at the Place at which the same shall be issued, being more than Sixty-five Miles from London, and also in London, and to have an Agent or Agents in London, or at any other Place at which such Bills or Notes shall be made payable for the Purpose of Payment only, but no such Bill or Note shall be for any Sum less than Five Pounds, or be retained in London, or within Sixty-five Miles thereof.

III. And whereas the Intention of this Act is, that the Governor and Company of the Bank of England should, during the Period stated in this Act (subject nevertheless to such Exemption as is described in the Act), continue to hold and enjoy all the exclusive Privileges of Banking given by the said recited Act of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King George the Third aforesaid, as regulated by the said recited Act of the Seventh Year of His late Majesty King George the Fourth, or any prior or subsequent Act or Acts of Parliament, but no other or further exclusive Privilege of Banking: And whereas Doubts have arisen as to the Construction of the said Act, and as to the Extent of such exclusive Privilege; and it is expedient that all such Doubts should be removed; be it therefore declared and enacted, That any Body Public or Corporate, or Society, or Company, or Partnership, although consisting of more than Six Persons, may carry on the Trade or Business of Banking in London, or within Sixty-five Miles thereof, provided that such Body Public or Corporate, or Society, or Company, or Partnership do not borrow, owe, or take up in England any Sum or Sums of Money on their Bills or Notes payable on Demand, or at any less Time than Six Months from the borrowing thereof, during the Continuance of the Privileges granted by this Act to the said Governor and Company of the Bank of England.

IV. Provided always, and be it further enacted, That from and after the First Day of August One thousand eight hundred and thirty-four all Promissory Notes payable on Demand of the Governor and Company of the Bank of England which shall be issued at any Place in that Part of the United Kingdom called England out of London, where the Trade and Business of Banking shall be carried on for and on behalf of the said Governor and Company of the Bank of England, shall be made payable at the Place where such Promissory Notes shall be issued; and it shall not be lawful for the said Governor and Company, or any Committee, Agent, Cashier, Officer, or Servant of the said Governor and Company, to issue, at any such Place out of London, any Promissory Note payable on Demand which shall not be made payable at the Place where the same shall be issued; any thing in the said recited Act of the Seventh Year aforesaid to the contrary notwithstanding.

V. And be it further enacted, That upon One Year's Notice given within Six Months after the Expiration of Ten Years from the First Day of August One thousand eight hundred and thirty-four, and upon Representation by Parliament to the said Governor and Company, or their Successors, of all Principal Money, Interest, or Annuities which may be due from the Public to the said Governor and Company at the Time of the Expiration of such Notice, in like Manner as is hereinafter appointed and provided, in the Event of such Notice being delivered until after the First Day of August One thousand eight hundred and fifty-five, the said exclusive Privileges of Banking granted by this Act shall cease and determine at the Expiration of such Year's Notice; and any Vote or Resolution of the House of Commons, signified by the Speaker of the said House in Writing, and delivered at the Public Office of the said Governor and Company, or their Successors, shall be deemed and adjudged to be a sufficient Notice.

VI. And be it further enacted, That from and after the First Day of August One thousand eight hundred and thirty-four, unless and until Parliament shall otherwise direct, a Tender of a Note or Notes of the Governor and Company of the Bank of England, expressed to be payable to Bearer on Demand, shall be a legal Tender, to the Amount expressed in such Note or Notes, and shall be taken to be valid as a Tender to such Amount for all Sums above Five Pounds on all Occasions on which any Tender of Money may be legally made, as long as the Bank of England shall continue to pay on Demand their said Notes in legal Coin: Provided always, that no such Note or Notes shall be deemed a legal Tender of Payment by the Governor and Company of the Bank of England, or any Branch Bank of the said Governor and Company; but the said Governor and Company see not to become liable or be required to pay and satisfy, at any Branch Bank of the said Governor and Company, any Note or Notes of the said Governor and Company not made specially payable at such Branch Bank; but the said Governor and Company shall be liable to pay and satisfy at the Bank of England all Notes of the said Governor and Company, or of any Branch thereof.

VII. And be it further enacted, That no Bill of Exchange or Promissory Note made payable at or within Three Months after the Date thereof, or not having more than Three Months to run, shall, by reason of any Interest which thereon or secured thereby, or any Agreement to pay or receive or allow Interest in discounting, stipulating, or transferring the same, be void, nor shall the Liability of any Party to any Bill of Exchange or Promissory Note be affected by reason of any Statute or Law in force for the Prevention of Usury, nor shall any Person or Persons drawing, accepting, indorsing, or signing any such Bill or Note, or lending or advancing any Money, or taking more than the present Rate of legal Interest in Great Britain and Ireland, be held liable for the same; and any such Bill or Note shall be subject

Banking Company of more than Six Persons or more Notes payable on Demand within London, or Sixty-five Miles thereof.

Any Company or Person may carry on Business of Banking in London, or within Sixty-five Miles thereof, upon the Terms herein mentioned.

All Notes of the Bank of England payable on Demand which shall be issued out of London shall be payable at the Place where issued, &c.

Exclusive Privileges hereby given to and upon One Year's Notice given at the End of Ten Years after August first.

What shall be deemed such Notice.

Bank Notes to be a legal Tender, except at the Bank and Branch Banks.

Bills not being void for Three Months, &c. as to, not subject to Usury Laws.

in any Penalty under any Statute or Law relating to Usury, or any other Penalty or Forfeiture; any thing in any Law or Statute relating to Usury or any Part of the United Kingdom to the contrary notwithstanding.

VIII. And be it further enacted, That an Account of the Amount of Bullion and Securities in the Bank of England belonging to the said Governor and Company, and of Notes in Circulation, and of Deposits in the said Bank, shall be transmitted weekly to the Chancellor of the Exchequer for the Time being, and such Accounts shall be consolidated at the End of every Month, and an average State of the Bank Accounts of the preceding Three Months, made from such consolidated Accounts as aforesaid, shall be published every Month in the next succeeding London Gazette.

IX. And be it further enacted, That One Fourth Part of the Debt of Fourteen million six hundred and eighty-six thousand eight hundred Pounds, now due from the Public to the Governor and Company of the Bank of England, shall and may be repaid to the said Governor and Company.

X. And be it further enacted, That a general Court of Proprietors of the said Governor and Company of the Bank of England shall be held at some Time between the passing of this Act and the Fifth Day of October One thousand eight hundred and thirty-four, to determine upon the Proposal of dividing and appropriating the Sum of Three million six hundred thirty-eight thousand two hundred and fifty Pounds, out of or by means of the Sum to be repaid to the said Governor and Company as herein-before mentioned, or out of or by means of the Fund to be provided for that Purpose, amongst the several Persons, Bodies Politic or Corporate, who may be Proprietors of the Capital Stock of the said Governor and Company on the said Fifth Day of October One thousand eight hundred and thirty-four, and upon the Manner and Terms for making such Division and Appropriation, not inconsistent with the Provisions for that Purpose herein contained; and in case such General Court, or any adjourned General Court, shall determine that it will be proper to make such Division, then, but not otherwise, the Capital Stock of the said Governor and Company shall be and the same is hereby declared to be reduced from the Sum of Fourteen million five hundred and fifty-three thousand Pounds, of which the same now consists, to the Sum of Ten Million nine hundred fourteen thousand seven hundred and fifty Pounds, making a Reduction or Difference of Three million six hundred and thirty-eight thousand two hundred and fifty Pounds Capital Stock, and such Reduction shall take place from and after the said Fifth Day of October One thousand eight hundred and thirty-four; and thereupon, out of or by means of the Sum to be repaid to the said Governor and Company as herein-before mentioned, or out of or by means of the Fund to be provided for that Purpose, the Sum of Three million six hundred and thirty-eight thousand two hundred and fifty Pounds Sterling, or such Proportion of the said Fund as shall represent the same, shall be appropriated and divided amongst the several Persons, Bodies Politic or Corporate, who may be Proprietors of the said Sum of Fourteen million five hundred and fifty-three thousand Pounds Bank Stock on the said Fifth Day of October One thousand eight hundred and thirty-four, at the Rate of Twenty-five Pounds Sterling for every One hundred Pounds of Bank Stock which such Persons, Bodies Politic and Corporate, may then be Proprietors of or shall have standing in their respective Names in the Books kept by the said Governor and Company for the Entry and Transfer of such Stock, and so in proportion for a greater or lesser Sum.

XI. Provided always, and be it enacted, That the Reduction of the Share of each Proprietor of and in the Capital Stock of the said Governor and Company of the Bank of England, by the Repayment of such One Fourth Part thereof, shall not disqualify the present Governor, Deputy Governor, or Directors, or any or either of them, or any Governor, Deputy Governor, or Director who may be chosen in the Room of the present Governor, Deputy Governor, or Directors at any Time before the General Court of the said Governor and Company to be held between the Twenty-fifth Day of March and the Twenty-fifth Day of April One thousand eight hundred and thirty-five: Provided that at the said General Court, and from and after the same, no Governor, Deputy Governor, or Director of the said Corporation shall be capable of being chosen such Governor, Deputy Governor, or Director, or shall continue in his or their respective Offices, unless he or they respectively shall at the Time of such Choice have, and during such his respective Office continue to have, in his and their respective Names, in his and their own Right, and for his and their own Use, the respective Sums or Shares of and in the Capital Stock of the said Corporation as and by the Charter of the said Governor and Company prescribed as the Qualification of Governor, Deputy Governor, and Directors respectively.

XII. Provided also, and be it enacted, That no Proprietor shall be disqualified from attending and voting at any General Court of the said Governor and Company, to be held between the said Fifth Day of October One thousand eight hundred and thirty-four and the Twenty-fifth Day of April One thousand eight hundred and thirty-five, in consequence of the Share of such Proprietor of and in the Capital Stock of the said Governor and Company having been reduced by such Repayment as aforesaid below the Sum of Five hundred Pounds of and in the said Capital Stock; provided such Proprietor had in his own Name the full Sum of Five hundred Pounds of and in the said Capital Stock on the said Fifth Day of October One thousand eight hundred and thirty-four; nor shall any Proprietor be required, between the said Fifth Day of October One thousand eight hundred and thirty-four and the Twenty-fifth Day of April One thousand eight hundred and thirty-five, to take the Oath of Qualification in the said Charter.

XIII. And be it further enacted, That from and after the said First Day of August One thousand eight hundred and thirty-four, the said Governor and Company, in consideration of the Privileges of exclusive Banking given by this Act, shall, during the Continuance of such Privileges, but no longer, deduct from the Sums now payable to the said Governor and Company, for the Charges of Management of the Public Printed and published by the University of Southampton Library. Digitized by Google

Accounts of Bullion, Sec- and of Notes in Circulation, to be sent weekly to the Chancellor of the Exchequer, &c.

Writhe to pay the Bank One Fourth Part of the Debt of 14,000,000.

Capital Stock of the Bank may be re- duced.

Governor, Deputy Governor, or Directors not to be disqualified by Reduction of their Share of the Capital Stock.

Proprietors not to be disqualified.

Bank to deduct the annual Sum of 125,000*l.* from Year

Unredeemed Debt, the actual Sum of One hundred and twenty thousand Pounds, any thing in any Act or Acts of Parliament or Agreement to the contrary notwithstanding: Provided always, that such Deductions shall in no respect prejudice or affect the Right of the said Governor and Company to be paid for the Management of the Public Debt of the East and according to the Terms provided in an Act passed in the Forty-eighth Year of His late Majesty King George the Third, intitled *An Act to authorize the advancing for the public Service, upon certain Conditions, a Proportion of the Balance remaining in the Bank of England for Payment of unclaimed Dividends, Annuities, and Lottery Prizes, and for regulating the Manner to be made for the Management of the National Debt.*

Management of National Debt

48 G. 3. c. 1

XIV. And be it further enacted, That all the Powers, Authorities, Franchises, Privileges, and Advantages given or recognized by the said recited Act of the Thirty-sixth and Fortieth Years aforesaid, as belonging to or enjoyed by the Governor and Company of the Bank of England, or by any subsequent Act or Acts of Parliament, shall be and the same are hereby declared to be in full force and continued by this Act, except so far as the same are altered by this Act, subject nevertheless to such Redirection upon the Terms and Conditions following: (that is to say,) that at any Time, upon Twelve Month Notice to be given after the First Day of August One thousand eight hundred and fifty-five, and upon Repayment by Parliament to the said Governor and Company or their Successors of the Sum of Eleven millions fifteen thousand one hundred Pounds, being the Debt which will remain due from the Public to the said Governor and Company after the Payment of the One Fourth of the Debt of Fourteen millions six hundred and eighty-six thousand eight hundred Pounds as herein-before provided, without any Deduction, Discount, or Abatement whatsoever, and upon Payment to the said Governor and Company and their Successors of all Arrears of the Sum of One hundred thousand Pounds *per Annum* in the said Act of the Thirty-sixth and Fortieth Years aforesaid mentioned, together with the Interest or Annuities payable upon the said Debt or in respect thereof, and also upon Repayment of all the Principal and Interest which shall be owing unto the said Governor and Company and their Successors upon all such Tallies, Exchequer Orders, Exchequer Bills, or Parliamentary Funds which the said Governor and Company or their Successors shall have remaining in their Hands or be entitl'd to at the Time of such Notice to be given as last aforesaid, then and in each Case, and not till then (unless under the Proviso herein-before contained), the said exclusive Privileges of Banking granted by this Act shall cease and determine at the Expiration of each Notice of Twelve Months.

Provision of Act of 1792, 40 G. 3. c. 39 remains in force, except as altered by this Act.

Act may be amended this Session.

XV. And be it further enacted, That this Act may be altered, amended, or repealed by any Act to be passed in the Session of Parliament.

C. A. P. XCIX.

An Act for facilitating the Appointment of Sheriffs, and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Issues, forfeited Recognizances, Penalties, and Forfeitures; and to establish certain Officers in the Court of Exchequer.

[24th August 1833.]

WHEREAS the Appointment of Sheriffs, and the Audit and passing of their Accounts in the Court of Exchequer, are attended with unnecessary Expence, Delay, and Trouble; for Remedy whereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act passed in the Third Year of the Reign of His Majesty King George the First, intitled *An Act for the better regulating the Office of Sheriffs, and for authorizing them Fees, and the Fees for suing out their Writs and passing their Accounts, as enables and authorizes certain Officers therein and in the Schedule thereto mentioned to demand, take, and receive the Fees named in the said Schedule, and also the said Schedule, and also an Act passed in the said Third Year of the Reign of His Majesty King George the First, intitled *An Act for better enabling Sheriffs to sue out their Writs and pass their Accounts*, be and the same are hereby repealed.*

Repeal of Part of 5 G. 1. c. 12 and of 3 G. 1. c. 10.

II. And be it further enacted, That from and after the passing of this Act it shall not be necessary for any Sheriff or Sheriff of any County, City, or Town in England or Wales to sue out any Writ or Writ of Assistance, or to make or pay Professors, nor shall any Bailiff or Bailiffs of Liberties in England or Wales be required to make or pay any Professors, nor shall he or they have any Day of Professors, or be apposed, or take any Oath or Oaths before the Coroner Baron to account, or account, or be cast out of Court, as now or herebefore is use in His Majesty's Court of Exchequer; any Law, Statute, or Usage to the contrary notwithstanding.

Sheriffs not to sue out Writs or pass Accounts in Exchequer.

III. And be it further enacted, That whenever any Person shall be duly picked or nominated by His Majesty for and to be Sheriff of any County in England or Wales, except the County Palatine of Lancaster, the same shall be forthwith received in the London Gazette, and a Warrant in the Form set forth in the Schedule to this Act shall be forthwith made out and signed by the Clerk of the Privy Council, and transmitted by him to the Person so nominated and appointed Sheriff as aforesaid; and the Appointment of Sheriff thereby made shall be as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if the same had been made by Patent under the Great Seal of Great Britain, or by any Writs and Monies herebefore in use; and the Sheriff and Sheriffs so appointed as aforesaid shall thereafter, and upon taking the Oath of Office hereafter mentioned, have and exercise all Powers, Privileges, and Authorities whatsoever now or herebefore used or enjoyed by Sheriffs of Counties, Cities, Burghs, Towns, and

Appointments of Sheriff.



without any Patent Writ of Assistance or other Writ whatsoever, or entering into any Recognizance by himself or Sureties, and without Payment of or being liable to pay any Fees whatsoever for the same.

IV. Provided always, and be it further enacted, That a Duplicate of the said Warrant shall, within Ten Days next after the Date of the same Warrant, be transmitted by the said Clerk of the Peace Committed to the Clerk of the Peace of the County for which such Person shall be arrested and appointed Sheriff, to be by the said Clerk of the Peace enrolled, and which he is hereby required to enroll and keep without Fee or Reward.

V. And be it further enacted, That from and after the passing of this Act every Person so appointed Sheriff as aforesaid shall, within One Calendar Month next after the Notification of his Appointment in the London Gazette, by Writing under his Hand, nominate and appoint some fit and proper Person to be his Under Sheriff, and shall transmit a Duplicate thereof to the Clerk of the Peace for the County, to be by him filed, and which he is hereby required to file, among the Records of his Office, and for which he shall be entitled to demand and have from such Under Sheriff the Sum of Five Shillings and no more, and such Appointment and Duplicate shall not be liable to any Stamp Duty whatsoever.

VI. And be it further enacted, That such and every Person so appointed Sheriff and Under Sheriff as aforesaid, except the Sheriffs of London and Middlesex and their Under Sheriffs, shall, before he comes upon the Execution of his Office, take the Oath of Office hereafter and now required by Law, which Oath shall be duly written on Parchment (without being subject to any Stamp Duty) and signed by him, and shall and may be sworn before the Barons of His Majesty's Exchequer or any of them, or any One of His Majesty's Justices of the Peace for the County of which he shall be appointed Sheriff or Under Sheriff, and the same shall be thereupon transmitted to the Clerk of the Peace for the same County, who is hereby required to file the same among the Records at his Office, and for which he shall be entitled to demand and have from such Sheriff or Under Sheriff the Sum of Five Shillings and no more.

VII. And be it further enacted, That every Sheriff of any County, City, Liberty, Division, Town Corporate, or Place shall at the Expiration of his Office make out and deliver to the new or incoming Sheriff a true and correct List and Account under his Hand of all Process to be Committed, and of all Writs and other Process in his Hands not wholly executed by him, with all such Particulars as shall be necessary to explain to the said incoming Sheriff the several Matters intended to be transferred to him, and shall thereupon turn over and transfer to the Care and Custody of the said incoming Sheriff all such Prisoners, Writs, and Process, and all Records, Books, and Matters appertaining to the said Office of Sheriff, and the said incoming Sheriff shall thereupon sign and give a Duplicate of such List and Account to the Sheriff going out of Office to whom the same shall be a good and sufficient Discharge of and from all the Prisoners therein mentioned and transferred to the said incoming Sheriff, and the further Charge of the Execution of the Writs, Process, and other Matters therein contained, without any Writ of Discharge, or other Writ whatsoever; and the said incoming Sheriff shall thereupon stand and be charged with the said Prisoners, and also with the Execution and Care of the said Writs, Process, and other Matters, contained in the said List and Account, as fully and effectually as if the same Writs and Process had been turned over by Indenture and Schedule; and in case any Sheriff shall refuse or neglect, at the Expiration of his Office, to make out, sign, and deliver such List and Account as aforesaid, and to turn over the Process aforesaid in manner aforesaid, every such Sheriff so neglecting or refusing shall be liable to make such Satisfaction by Damages and Costs to the Party aggrieved, as he, she, or they shall sustain by such Neglect or Refusal.

VIII. And be it further enacted, That the Accounts of the present and future Sheriffs of Counties, Cities, and Towns within England, (except the Countess Palatine of Chester, Lancaster, and Durham,) shall from and after the passing of this Act be examined and audited by the Commissioners appointed or to be appointed for auditing Public Accounts under and by virtue of the Three several Acts herein-after next mentioned: (That is to say,) an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act for better examining and auditing the Public Accounts of the Kingdom*; an Act passed in the Forty-sixth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for making more effectual Provisions for the more speedy and regular Examination and Audit of the Public Accounts of this Kingdom*; and an Act passed in the First and Second Years of the Reign of His late Majesty King George the Fourth, intituled *An Act to alter and amend certain Parts of Proceedings in the Exchequer and Audit Office relative to Public Accounts, and for making further Provisions for the Purpose of facilitating and expediting the passing of Public Accounts in Great Britain*; and to render perpetual and amend an Act passed in the Fifty-fourth Year of His late Majesty, for the effectual Examination of the Accounts of certain Colonial Revenue; and all the Powers and Provisions now in Force of the same Acts shall extend and be applicable to the Examination, Audit, and Discharge of the Accounts of such Sheriffs by the said Commissioners (so far as those Powers and Provisions are applicable thereto, and are not varied by this Act).

IX. And be it further enacted, That every Person and Process who now are or who hereafter shall be Sheriff or Sheriffs of any County, City, or Town within England, (except the said Countess Palatine of Chester, Lancaster, and Durham,) shall within Two Calendar Months next after the Expiration of his or their Office, or in case of the Death of any Sheriff or Sheriffs the Under Sheriff by him or them appointed shall within Two Calendar Months next after the Death of such Sheriff or Sheriffs transmit to the said Commissioners for auditing Public Accounts a just and true Account, under his or their Hand or Hands, of all Sums received by such Sheriff or Sheriffs to or for the Use of His Majesty, and of all Sums paid or applied for by such Sheriff or Sheriffs on his or their behalf, with such Receipts, vouchers, and other

Clerk of Peace to enroll the Writs.

No Bill to appoint an Under Sheriff, and transmit a Duplicate thereof to the Clerk of the Peace for the County.

Oath of Sheriff and Under Sheriff.

Prisoners and Writs to be turned over by Sheriffs at the Expiration of their Office to the Incoming Sheriff.

Sheriffs Accounts to be audited by Commissioners for auditing Public Accounts.

1791. c. 57.  
1802. c. 101.

1802. c. 1.  
— 181.

Sheriffs going out of Office to transmit Accounts to Commissioners.

and allowed in the Bill of Credits), with all such Particulars as shall be needful to explain the same: Provided always, that such Under Sheriff shall not be personally responsible for any Sums or Sums received by such deceased Sheriff, but that the same shall be answered by the Representatives of the said deceased Sheriff, or otherwise in due Course of Law: Provided always, that the Sheriff of Westmoreland shall yearly, within Two Calendar Months next after the Fast Day of January in every Year, transmit or cause to be transmitted to the said Commissioners for auditing the Public Accounts a true Account under his Hand, or the Hand of his Under Sheriff, of all Sums paid by him to or for the Use of His Majesty within or during the Year of our Lord next preceding, and of all Sums paid or claimed by him or on his Behalf during the same Year (since such Sums or Sums or have been usually inserted in the Bill of Credits), with all such Particulars as shall be needful to explain the same.

X. And be it further enacted, That in case it shall be necessary for any such Sheriff or Sheriffs, or his or their Under Sheriff, to make Oath or Affidavit to any such Account, or any Article, Matter, or Thing relating thereto, such Oath or Affidavit, except when the said Commissioners shall require his or their personal Examination before them, shall and may be sworn before any of the Judges of His Majesty's Superior Courts of Record at Westminster, or before any Commissioner for taking Affidavits in any of the same Courts, or before any Master or Master Extraordinary in the High Court of Chancery, or before any of His Majesty's Justices of the Peace.

XI. And be it further enacted, That the Claim of every Sheriff or Sheriffs for certain Allowances usually called the Bill of Credits shall, from and after the passing of this Act, be preferred to the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, who, or any Three or more of whom, shall and may grant a Warrant for the Allowance of the same in the Amount of such Sheriff or Sheriffs, or for the Payment of such Sum or Sums of Money in respect thereof as they shall think reasonable in that Behalf.

XII. And whereas the present Mode of managing and collecting certain Quit Rents and Vicountial or Vicountal Rents due to His Majesty, and the present Mode of accounting for and paying Post-fines or Alienation of Lands and other Hereditaments, have been found disadvantageous to the Public Service, and inconvenient and troublesome to Sheriffs, for remedy whereof be it enacted, That from and after the Tenth Day of October next, no Sheriff or Sheriffs shall receive or shall be chargeable with the Collection and Receipt of Quit Rents, Vicountial or Vicountal Rents, and other Rents or Payments issuing out of or payable to His Majesty in respect of any Honors, Manors, Lands, Townships, or Hereditaments in England or Wales, but the same (except such as shall be released pursuant to the Provision hereinafter contained) shall hereafter be considered as Part and Parcel of the Land Revenue of the Crown, and shall be under the Care, Management, and Direction of His Majesty's Commissioners of Woods, Forests, and Land Revenue, who shall have and exercise the same Powers and Authorities for collecting and enforcing the Payment thereof as are given to or vested in them for collecting and enforcing Payment of any other Part of His Majesty's Land Revenue by any Act or Acts now in force concerning the same.

XIII. And whereas many of the said Rents are very ancient, and have become obsolete, and it is not known out of or from what Hereditaments and Premises the same are issuing and payable, so that Payment thereof cannot be collected: be it therefore enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury, and he and they are hereby empowered, by Warrant under his or their Hands, to remit, release, and discharge all or any of the same Rents, and the Arrears thereof, or any Part thereof.

XIV. And be it further enacted, That so much of an Act passed in the Thirty-second Year of the Reign of His Majesty King George the Second, intituled *An Act for the more regular and easy collecting, accounting for, and paying of Post-fines which shall be due to the Crown, and for the Ease of Sheriffs in respect of the same*, as requires the Receiver of Post-fines at the Alienation Office to become bound by Recognizance to pay, or to pay to any Sheriff or producing his Quotum, the Sum Total of the Post-fines mentioned in such Quotum, and as requires such Receiver to become in His Majesty's Hand to pay, or to pay unto all and every the Lords of Liberties, Proprietors and Grantees of Post-fines under the Crown, or to their lawful Bailiffs or Attorneys, on producing the respective Schedules of the Foreign Apposer or Clerk of the Exchequer of the Court of Exchequer, the Sums of Money in such Schedules contained, be and the same is hereby repealed.

XV. And be it further enacted, That no Sheriff or Sheriffs of any County, City, or Town within England and Wales shall from henceforth receive or be charged or chargeable with any Fine or Fines usually called Post-fines and Post-fines, payable on Alienation of Lands or other Hereditaments, but the same Fines shall be received by the said Receiver General of Alienation Fines, who shall pay and apply the same to such Person or Persons, in such Sums, and in such Manner as the Lord High Treasurer or the Commissioners of His Majesty's Treasury shall, by Warrant under his or their Hands, order or direct, except as to any such Fine or Fines, Sum or Sums of Money, as shall or may be ordered to be paid by any Order of His Majesty's Court of Exchequer in pursuance of the Provision hereinafter contained.

XVI. Provided always, and be it further enacted, That nothing herein contained shall extend to the Pre-fines and Post-fines arising within the County Palatine of Lancaster, which last-mentioned Pre-fines and Post-fines shall be received and accounted for in like Manner as hath hitherto been accustomed.

Sheriff of Westmoreland to transmit the Accounts yearly.

The Oath or Affidavit of Sheriff may be taken before a Judge, Commissioner, or Magistrate.

Bill of Credits to be sent by the Treasury

Quit Rents, &c. to be received by Commissioners of Woods, Forests, and Land Revenue.

Power to release certain Rents.

Certain Parts of 22 C. 2. to be repealed.

Sheriffs not to be chargeable with Pre-fines or Post-fines.

Not to extend to the County Palatine of Lancaster.

Receiver General to keep Books, with Liberty of his Officers to Persons entitled to them.

Treasury may order Payments to Parties entitled.

On Demand of Treasury, Appaid may be made on the Court of Exchequer by Parties.

Accounts of Receiver General to be audited by Commissioners for existing Public Accounts.

Accounts when audited to be transmitted to Lords of Treasury.

Part of Stat. 23 & 24 C. 1 relating to the Receiver General to be repealed and amended with the Receiver General's Tax, revised.

XVII. And be it further enacted, That for the better Information of all Parties interested in or who may claim Title to the Fines last before mentioned, or any of them, the Receiver General of Alienation Fines shall provide and keep Books, in which he shall, in the English Language, in a concise and legible Hand and Character, and as to Name and Dates in Words or Letters, enter and keep a true and full Account of every Fine and Part Here received by him, and as what Town, Parish, or Place the Parties are situate in respect of which the same Fine or Fines shall have been paid or received; all which Books shall at all reasonable Times be open to the Inspection and Examination of all and every Body Corporate or Public, Person or Persons, claiming to be entitled to or interested in the same Fine or any of them, and in and their Heir or Heirs, Agent or Agents.

XVIII. And be it further enacted, That it shall be lawful for the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury, by Warrant under his or their Hand, from Time to Time to order and direct the said Receiver General to pay such of the same Fines, or any of them, or any Part thereof, to any Body Public or Corporate, Person or Persons, entitled to the same, or to his, her, or their Heir or Heirs, Agent or Agents: Provided always, that notwithstanding such Payment, any Body Public or Corporate, Person or Persons, aggrieved thereby, shall not apply by Petition to the Manager hereinafter mentioned against the Party or Parties to whom such Payment shall have been made, to restore or refer the same by law or them so received.

XIX. Provided always, and be it further enacted, That in case the Commissioners of His Majesty's Treasury shall neglect, refuse, or decline to order the Payment of any Fine or Fines received by the Receiver General of Alienation Fines which shall be claimed by any Body Corporate or Public, Person or Persons, or of any Party shall be approved by any Order for Payment made by the said Commissioners, it shall be lawful for any such Body Corporate or Public, Person or Persons, to apply by Petition, to a necessary Magistrate, to the Lord Chief Baron and the other Judges of His Majesty's Court of Exchequer, setting forth the Nature of the Claim or Title of the Petitioner or Petitioners; and thereupon the said Judges of His Majesty's Court of Exchequer shall and they are hereby authorized to proceed to call the proper Parties before them, and to hear and determine the Matter of the said Petition, and to give such Costs and to make such Order or Orders thereon as they shall consider just; and in case Payment be thereby ordered of any Sum or Sums of Money in respect of such Fine, or any of them, by the said Receiver General of Alienation Fines, he is hereby authorized and required to pay the same according to such Order or Orders.

XX. And be it further enacted, That from and after the passing of this Act the Accounts of the said Receiver General of Alienation Fines shall be audited and examined by the said Commissioners appointed or to be appointed for auditing Public Accounts under and by virtue of the said heretofore recited Acts passed in the Twenty-fifth and Forty-sixth Years of the Reign of His late Majesty King George the Third, and the said recited Act, passed in the First and Second Years of the Reign of His late Majesty King George the Fourth; and all the Powers and Provisions now in force of the same Acts, so far as the same are applicable to such Accounts of the said Receiver General, and not varied by this Act, shall extend and be applicable to the Accounts of the said Receiver General in the same Manner and as fully and effectually as if the said Receiver General had been named and included in the said last-mentioned Acts as a Public Accountant.

XXI. Provided always, and be it further enacted, That it shall not be necessary to declare the Accounts by this Act required to be audited by the Commissioners of Public Accounts by or before the Chancellor of the Exchequer, but the said Commissioners of Audit shall transmit a Statement of every Account examined and audited by them under the Authority of this Act to the Lord High Treasurer or the Commissioners of the Treasury for the Time being, who, having considered such Statement, shall return the same to the Commissioners of Audit, together with his or their Warrant, directing them to make up and pass the Account, either conformably to the Statement, or with such Variations as he or they may deem just and reasonable; and the Account having been made up pursuant to such Directions, and signed by Three or more of the said Commissioners for auditing the Public Accounts, shall remain deposited in the Audit Office, and shall have the same Force and Validity, and to be as effectual in Law for all Purposes whatsoever, as if the same had been declared according to the usual Course by the Chancellor of the Exchequer; and the said Commissioners shall thereupon, as soon as conveniently may be, cause such as the Certificate thereof, in the Nature of a Subpoena, to be made out and delivered as is now practised by them with regard to declared Accounts, and which shall be equally valid and effectual to discharge the Accountants, and to all other Issues and Purposes.

XXII. And whereas an Act was passed in the Twenty-second and Twenty-third Years of the Reign of His late Majesty King Charles the Second, intituled *An Act for the better and more certain Recovery of Fines and Forfeitures due to His Majesty*, and which Act was made perpetual by an Act made in the Fourth and Fifth Years of the Reign of These late Majesties King William and Queen Mary: And whereas it is expedient that further Provisions should be made for the speedy and regular Returns of Fines, Issues, Amerciaments, Penalties, forfeited Recognizances, and Defaults, in certain Cases; be it therefore further enacted, That from and after the Tenth Day of October next so much of the aforesaid Act passed in the Twenty-second and Twenty-third Years of the Reign of His late Majesty King Charles the Second as requires all Fines, Forfeitures, Issues, Amerciaments, forfeited Recognizances, Sums and Sums of Money paid in less satisfaction of them or any of them, and all other Forfeitures whatsoever, set, assessed, levied, or forfeited in His Majesty's Courts of King's Bench, Common Pleas, or Exchequer, or by or before any Judge or Judges of Assize, Circuit, or Sessions, or Commissioners of Sessions, throughout the Kingdom

of England, to be certified and returned into the Court of Exchequer twice in every Year yearly, at the Times thereby appointed, and also such Part of the aforesaid Act of Their late Majesties King William and Queen Mary as makes perpetual the aforesaid Provisions contained in the said Act passed in the Twenty second and Twenty-third Years of the Reign of King Charles the Second, shall be and are hereby repealed.

XXIII. And be it further enacted, That the Clerk of the Parliament shall, within Fourteen Days next after every Session of Parliament, make out an Account of all and every Fines or Pains which shall or may be let or imposed, and also of all Recognizances ordered to be entered, by the Lords Spiritual and Temporal in Parliament assembled during each preceding Session of Parliament, with the Names and Residences of the Parties, and distinguishing such of the said Fines as shall have been received, and transmit the same to the Lord High Treasurer or to the Commissioners of His Majesty's Treasury, and also a Duplicate thereof to the said Commissioners for auditing the Public Accounts, and also shall, within the Time aforesaid, certify and return all such Fines as shall not have been received by him to and into His Majesty's Court of Exchequer.

XXIV. And be it further enacted, That all Fines which shall be received by the said Clerk of the Parliament shall be paid by him to such Person or Persons, at such Times, and in such Manner as the Lord High Treasurer, or any Three of the Commissioners of His Majesty's Treasury, shall by Warrant direct.

XXV. And be it further enacted, That the Clerk of the House of Commons shall, within Fourteen Days next after every Session of Parliament, make out an Account of all Recognizances certified by the Speaker of the said House or extracted by him into the Exchequer, with the Names and Residences of the Parties, and transmit the same to the Lord High Treasurer, or to the Commissioners of His Majesty's Treasury, and also a Duplicate thereof to the said Commissioners for auditing the Public Accounts.

XXVI. And be it further enacted, That the King's Counsel and Attorney of His Majesty's Court of King's Bench, and the Prothonotaries of His Majesty's Court of Common Pleas, and His Majesty's Remembrancer of the Court of Exchequer, and also the Master and Prothonotaries of the Office of Pains in the said Court, respectively, shall on the First Day of every Term make out an Account of all Fines, Issues, Amerciaments, Penalties, and Recognizances set, lost, imposed, or forfeited, in or for the Use of His Majesty in the said Courts respectively, and set before extracted, with the Names and Residences of the Parties, and distinguishing such as shall have been paid, and transmit the same to the Commissioners of His Majesty's Treasury, and also a Duplicate thereof to the said Commissioners for auditing the Public Accounts.

XXVII. And be it further enacted, That the said Counsel and Attorney of His Majesty's Court of King's Bench, the Prothonotaries of the Court of Common Pleas, and the Master and Prothonotaries of the Office of Pains, and King's Remembrancer respectively, shall on the First Day of every Term, and at such other Times or Times as they shall respectively be ordered or required so to do by any Order of the said Courts respectively, or by the Order of any Judge or Justice thereof, certify and return all such Fines, Issues, Amerciaments, Penalties, and Recognizances set, lost, imposed, or forfeited as aforesaid, and not received by them respectively, to and into the said Court of Exchequer.

XXVIII. And be it further enacted, That all such Fines, Issues, Amerciaments, Penalties, and Recognizances set, lost, imposed, or forfeited as aforesaid, which shall be received by any of the said Officers of the said Courts of King's Bench, Common Pleas, or Exchequer, shall be paid by them respectively to such Officer or Officers or to such Person or Persons entitled thereto, and at such Times and in such Manner as the Lord High Treasurer or the Commissioners of His Majesty's Treasury shall by Warrant under his or their Hands direct.

XXIX. And be it further enacted, That an Account in Writing of all Fines, Issues, Amerciaments, Penalties, and Recognizances set, lost, imposed, or forfeited in or for the Use of His Majesty by or before any Judge or Judge of Assize, Clerk of the Market, or Commissioners of Sewers, throughout the Kingdom of England, and also all Decretals found or forfeited to or for the Use of His Majesty throughout the same Kingdom, shall, within Fourteen Days next after any such Fines, Issues, Amerciaments, Penalties, Recognizances, or Decretals shall respectively be set, lost, imposed, forfeited, found, or accrued, be made out by the Clerk of Assize, Clerk of the Market, Commissioners of Sewers, and Coroners, or other Person or Persons respectively to whom it doth appertain or belong to make Return thereof, with the Names and Residences of the Parties liable to make Payment thereof respectively, and distinguishing such as shall have been paid or received; and Two Copies of such Account when so made out shall be signed by the Person or Persons so required to make out the same, who shall, within the Time last aforesaid, transmit one Copy thereof to the Commissioners of His Majesty's Treasury, and another Copy thereof to the Commissioners for auditing the Public Accounts; and the said Fines, Issues, Amerciaments, Penalties, Recognizances, and Decretals shall also within the Time last aforesaid be duly certified and returned by each Officer and Person respectively to and into the said Court of Exchequer; and all Sums and Sums of Money which shall have been received for or on account of any such Fines, Issues, Amerciaments, Penalties, Forfeitures, Recognizances, or Decretals, shall be paid over by the Parties respectively receiving the same into the Sheriff or Sheriffs of the County, City, or Town wherein the same shall have been set, lost, imposed, forfeited, found, or accrued, to the intent that such Sheriff or Sheriffs may be charged therewith, and duly account for the same.

XXX. Provided always, and be it enacted, That in all Cases where any Fines, Issues, Recognizances, Penalties, Forfeitures, or Decretals are required by any Act of Parliament to be set or imposed, made

Clerk of Parliament to return to Treasury or to Commissioners an Account of all Fines set in the House of Lords,

and pay Fees provided as Treasury shall direct.

Clerk of House of Commons to make Return of all Recognizances.

Account of Fines in King's Bench, Common Pleas, and Exchequer to be transmitted to Treasury and to Council secretaries of Audit.

Warrant paid to be extracted.

Fines, &c. received to be paid in Treasury shall direct.

Account of Fines by Clerks of Assize, Commissioners of Sewers, Clerks of the Market, and of Sheriffs, to be transmitted to Treasury and to Commissioners of Audit.

Where fines, &c. are not extracted upon

That, such  
Duties may be  
taken before a  
Judge, &c.

Accounts to be  
returned to the  
Commissioners for  
the said Court,  
and  
to the Treasurer  
of the said Court.

Process to be  
issued every  
Term, or  
whenever, to levy  
Fines, &c.

Process to  
issue Process,  
and discharge  
the Fines, &c.

Process to be  
issued to any  
Term, &c.  
to compel  
Accounts.

The Treasurer  
may order Pay-  
ment of Fines,  
&c.

If Treasurer  
neglects Claims,  
the Party may  
apply to the  
Court of Ex-  
chequer.

Act not to  
prejudice  
Rights of Cor-  
porations, &c.

This Act not  
to affect Juris-  
diction of Court  
of Exchequer

Act not to  
affect Rights of

Cash, or into the Court of Exchequer, such Cash shall and may be received and taken before a Judge of any His Majesty's Superior Courts of Record at Westminster, or before any Commissioners for taking Affidavits in the said Courts, or before any Master Extraordinary in the High Court of Chancery, or before any of His Majesty's Justices of the Peace; and every such Extent shall be transmitted to and filed with His Majesty's Remembrancer of the said Court of Exchequer, and received and entered by him without Fee or Reward.

XXXI. And be it further enacted, That His Majesty's Remembrancer do and shall, on or before the first Seal Day next after every Term, make out an Account in Writing of all Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances and Deadwads, entered during the preceding Vacation and Term, and also of all Returns within the same Period of Sheriffs to Process issued for the Purpose of levying any aforesaid Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances, and Deadwads, and shall, within the Time last aforesaid, transmit and send one Copy of such Account to the Commissioners of His Majesty's Treasury, and another Copy thereof to the said Commissioners for auditing the Public Accounts.

XXXII. And be it further enacted, That His Majesty's said Remembrancer shall, on the first Seal Day next after every Term, and also at any other Time or Times when required by the Court of Exchequer, or by the King or Order of any Barons thereof, make out and issue, or cause to be made out and issued, according to the Practice of the Court of Exchequer, and without Fee or Reward, Process for duty, levying and enforcing Payment of all such Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances, and Deadwads entered as aforesaid (except as herein-after mentioned), which shall not theretofore have been levied, recovered, vacated, or discharged, and so from Time to Time until the same shall be fully paid or levied, vacated or discharged.

XXXIII. And be it further enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury, and he or they are hereby authorized, by Warrant under his or their Hands directed to the proper Officer or Officers, to stay the issuing or Execution of all or any Process touching any of the Matters set, last, imposed, forfeited, or entered as aforesaid, and to vacate and discharge such Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances, or Deadwads, or any of them, or any Part thereof: provided that nothing in this Clause contained shall extend to enable the said Lord High Treasurer or the Commissioners of His Majesty's Treasury to remit or restore any Fine, Issue, Amerciaments, Penalty, Forfeited Recognizance, or Deadwad to which any Body Corporate or Politic, Person or Persons, shall or may be entitled, which shall have been actually levied by or paid to them.

XXXIV. And be it further enacted, That all Bodies Corporate and Politic, and all and every other Person and Persons, having or claiming Title to any Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances, Deadwads, Sums or Sums of Money contained in any Account transmitted by virtue of this Act to the Commissioners for auditing Public Accounts, shall and may, by themselves, or their, his, or her Bailiff, Steward, or Agent, at all reasonable Times, have access to the said Accounts, and take Minutes or Extracts therefrom.

XXXV. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury, from Time to Time to order and direct Payments by Warrant under his or their Hand, of the said Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances, Deadwads, Sums and Sums of Money, or any of them, to any Body Corporate or Politic, Person or Persons, entitled to the same, or to their, his, or her Bailiff, Steward, or Agent: Provided always, that notwithstanding such Payment any Body Politic or Corporate, Person or Persons, aggrieved thereby, shall and may apply by Petition in the Manner herein-after mentioned upon the Party or Parties to whom such Payment shall have been made, to remit or refund the Sum or Sums by him or them so received.

XXXVI. Provided always, and be it further enacted, That in case the Commissioners of His Majesty's Treasury shall neglect, refuse, or decline to order the Payment of any Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances, Deadwads, Sums or Sums of Money, so claimed as aforesaid, or if any Party shall be aggrieved by any Order made by the said Commissioners, it shall be lawful for any such Body or Bodies Corporate or Politic, Person or Persons, to apply, in a summary Way, by Petition to the Lord Chief Baron and the other Barons of His Majesty's Court of Exchequer, setting forth the Nature of the Claim or Title of the Petitioner or Petitioner; and thereupon the said Barons of His Majesty's Court of Exchequer shall and they are hereby authorized to proceed to call the proper Parties before them, and to hear and determine the Matter of the said Petition, and to give such Costs and to make such Order and Orders therein as they shall deem just.

XXXVII. Provided also, and be it further enacted, That nothing herein contained shall extend or be prejudicial to the Rights, Privileges, and Remedies of any Bodies Politic or Corporate, or of any Lord or any Baron, Liberty, or Franchise whatsoever, or of any Person or Persons claiming Title under or by virtue of any Grant from the Crown; any thing herein contained to the contrary notwithstanding.

XXXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend to prejudice or affect the Power, Jurisdiction, or Authority of the Lord Chief Baron and the other Barons of His Majesty's Court of Exchequer as to the said Fines, Issues, Amerciaments, Penalties, Forfeited Recognizances, and Extracts, or any Process or Proceedings thereon.

XXXIX. Provided always, and be it enacted, That nothing herein contained shall extend or be prejudicial to the Rights, Privileges, or Remedies of any Body Politic or Corporate, Person or Persons, or

sons, in right of His Duchy or County Palatine of Lancaster or Duchy of Cornwall, or the Duke of Cornwall when there shall be a Duke of Cornwall, or to the Rights, Liberties, or Privileges of the Prince Bishop of Durham and the County Palatinate of Durham, or to the Rights, Customs, Liberties, Privileges, Charters or Chartiers of the City of London, but that the same Rights and Privileges shall be enjoyed and used as fully to all intents and Purposes as before the passing of this Act.

XL. Provided also, and be it further enacted, That nothing herein contained shall extend to or prejudice the Rights, Liberties, and Privileges of the City and County of the City of Chester, but that the Sheriff thereof shall and may access and obtain their Gaoltes in like Manner as hath heretofore been accustomed.

XLII. And whereas many of the Duties and much of the Business of the Lord Treasurer's Remembrancer and Clerk of the Pipe, and the Offices connected therewith, in His Majesty's Court of Exchequer, have been transferred to other Offices, or have ceased, or as the passing of this Act will cease, and other Duties have become obsolete: and it is expedient that the said Offices and other Offices connected therewith should be abolished, and the Duties thereof remaining hereafter to be performed be transferred to and performed by His Majesty's Remembrancer of the said Court; be it therefore enacted, That from and after the Tenth Day of October next the several Offices in His Majesty's Court of Exchequer heretofore mentioned; namely, of Lord Treasurer's Remembrancers, together with the Fiscal, Secretaries, Deputy Remembrancer, and Sworn and other Clerks and Bagbearers belonging thereto; of Clerk of the Pipe, Deputy Clerk of the Pipe, Comptroller and Deputy Comptroller of the Pipe, Secretaries, Attornies, or Sworn and other Clerks and Bagbearers in the said Office of Clerk of the Pipe; of Clerk of the Treasury; of Surveyor of the Green Wax; of the Foreign Appraiser and Deputy Foreign Appraiser, and of Clerk of the Nicholls, shall wholly cease and determine.

XLIII. And whereas it may be reasonable and fit that Compensation should be made to the Persons now holding the Offices heretofore mentioned and hereby abolished, and to the other Officers of the said Court whose lawful Fees and Emoluments shall be taken away or diminished by this Act: for the Less thereof; be it therefore enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, as any Three or more of them, by Warrant under their Hands, to order and direct that such annual or other Compensation shall be made to the Persons now holding the Offices hereby abolished, and to the other Officers of the said Court of Exchequer whose lawful Fees and Emoluments are diminished by this Act, for any Less thereof which they will respectively obtain by reason of the Provisions of this Act, as to the said Commissioners of the Treasury to their Discretion shall seem just and reasonable; and all such Compensation, whether annual or in gross, shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided always, that an Account of all such Compensation shall within Fourteen Days next after the same shall be so granted be laid upon the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following.

XLIII. And be it further enacted, That for the better enabling the Commissioners of His Majesty's Treasury to form a correct Judgment of the Nature and Amount of the Compenations which it may be reasonable and proper to make to the said Officers whose Fees may be taken away or diminished as aforesaid, for the Less thereof, it shall and may be lawful for the Commissioners of His Majesty's Treasury, if they shall see fit, from Time to Time to refer all or any Claims for such Compensation to the Examination and Consideration of the Commissioners appointed or to be appointed under and by virtue of an Act passed in the First Year of the present Majesty's Reign, intituled *An Act for regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law, and also by virtue of an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to explain and amend an Act for regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law; and such last-mentioned Commissioners, in all such Cases so referred to them, are hereby authorized and required to inquire and certify, in the Manner directed by the said last-mentioned Acts, the gross and net annual Value of the lawful Fees and Emoluments of every such Officer or Person whose Claim to Compensation shall be referred to them as aforesaid, so that the Account of such Fees and Emoluments be taken in respect of or for Ten Years, or such other Time as the Case may require, next preceeding the First Day of January One thousand eight hundred and thirty-three, instead of preceeding the Twentieth Day of May One thousand eight hundred and thirty.**

XLIV. And be it enacted, That the Officers and Persons claiming Compensation under and by virtue of this Act shall, for the Purpose of such Inquiry and Certificate as aforesaid, be subject and liable to all such Examinations, Rules, Penalties, Murtons, and Things as or to which the Persons claiming Compensation under and by virtue of the said Two last-mentioned Acts are thereby made subject and liable.

XLV. And be it further enacted, That the several Records, Books, and other public Documents of and concerning the Duties and Business of the said Offices so abolished as aforesaid shall upon or immediately after the said Tenth Day of October be delivered by the several Officers or Persons having Custody of the same into the Hands and Care of the King's Remembrancer of the said Court of Exchequer, to be by him preserved and kept; subject nevertheless to such Rules, Orders, and Regulations as the Lord Chief Baron and the other Barons of the Court of Exchequer, and the Lord High Treasurer, or any Three of the Commissioners of His Majesty's Treasury, shall or may from Time to Time ordain or make touching the aforesaid things: deposited by the University of Southampton Library, Digitisation Unit.

XLVI. And

County Palatine of City of London.

Rights of the City of Chester and.

Lord Treasurer's Remembrancer and other Offices in Exchequer abolished.

Compensation to Officers.

Power to Treasury to refer to the Commissioners the Compenations.

1 W. 4. c. 73

1 & 2 W. 4. c. 53

Claims as to the Rights and Privileges of 1 W. 4. c. 73 and 1 & 2 W. 4. c. 53

Records, etc. to be transferred to the King's Remembrancer subject to Rules.

Printed and  
Sold by  
King's  
Printers,  
St. Martin's  
Lane.

XLVI. And be it further enacted, That from and after the said Tenth Day of October all Process and other Proceedings, Charges, Discharges, Estates, Matters, and Things usually issued, done, had, received, filed, recorded, or taken by the Officers whose Offices are hereby abolished, or any of them, which shall from thenceforth be by Law required or needful to be issued, done, had, received, filed, recorded, or taken, shall and may be issued, done, had, received, filed, recorded, and taken by His Majesty's Remembrancer of the said Court of Exchequer, or by the Officers in his Office by and under his Direction, according to the Course and Practice thereof, as fully and effectually, to all Intents, Constructions, and Purposes, as the same might or could have been issued, done, had, or taken by the said Officers whose Offices are hereby abolished before the passing of this Act; subject nevertheless to all such Rules, Orders, and Regulations as shall or may be made from Time to Time for regulating or discontinuing the same by the Lord Chief Baron and the other Barons of His Majesty's Court of Exchequer, and which they are hereby authorized to make and obtain accordingly: Provided always, that the Accounts of His Majesty's Revenue of Excise shall be credited once only by or in the said Office of His Majesty's Remembrancer.

Searches may  
be made and  
Copies taken,  
which shall be  
as aforesaid.

XLVII. And be it further enacted, That Searches may be made, and Copies or Extracts of and from the said Records, Books, and Documents shall and may be had and taken, as such Terms and in such Manner and upon Payment of such Fees as the Lord Chief Baron and the other Barons of the said Court of Exchequer, together with the Lord High Treasurer or the Commissioners of His Majesty's Treasury, shall or may direct, and all such Copies or Extracts signed and authenticated by His Majesty's Remembrancer, or such other Person or Persons as shall or may be appointed by him for that Purpose, shall be as available in Evidence, and as valid and effectual, in all Intents and Purposes, as the same would by Law have been if the same had been signed, authenticated, and given before the passing of this Act by the Officers whose Offices are hereby abolished, or any of them.

#### SCHEDULE to which this Act refers.

At the Court at the King's most Excellent Majesty in Council. Day of

To A. B. of cetera.

Wheras His Majesty was this Day pleased, by and with the Advice of His Privy Council, to nominate and appoint you for and to be Sheriff of the County of during His Majesty's Pleasure: These are therefore to require you to take the Custody and Charge of the said County, and duly to perform the Duties of Sheriff thereof during His Majesty's Pleasure; and whereof you are duly to answer according to Law.

Dated this

Day of

By His Majesty's Command,  
C. D.

#### C A P. C.

An Act for the Relief of the Owners of Tithes in Ireland, and for the Amendment of an Act passed in the last Session of Parliament, intitled *An Act to amend Three Acts passed respectively in the Fourth, Fifth, and in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, providing for the establishing of Compositions for Tithes in Ireland, and to make such Compositions permanent.* [29th August 1830.]

WHEREAS it is expedient to make Provision for the Purpose of removing the Necessity for the Collection of Tithes and Compositions for Tithes in Ireland in this present Year, and for the Recovery of the Arrears of Tithes for the Years One thousand eight hundred and thirty-one and One thousand eight hundred and thirty-two; and to make an Advance of Money in lieu of Tithes and Arrears of Tithes and Compositions for Tithes for such Years to each of the Persons entitled thereto as may be desirous of obtaining Relief under this Act, and to make Provision for the Repayment of such Advances by Installments on the next Five Years; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Commissioners of the Treasury for the Time being from Time to Time, by Warrant under their Hands, to raise or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer or Warehouse for any Sum or Sums of Money not exceeding in the whole the Sum of One Million Pounds; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, except where other Directions for making out the same are particularly expressed in this Act, as are directed and prescribed in and by an Act passed in the Forty-eighth Year of the Reign of His Majesty King George the Third, intitled *An Act for regulating the issuing and paying off of Exchequer Bills.*

II. And be it further enacted, That, save as aforesaid, all and every the Clauses, Provisions, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act of the Forty-eighth Year of the Reign of His Majesty King George the Third shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually, in all Intents and Purposes, as if the same had been made and given before the passing of this Act, as if the same had been signed, authenticated, and given before the passing of this Act, as if the same had been signed, authenticated, and given before the passing of this Act.

Tithes, as-  
to three Exche-  
quer Bills to  
be made out in  
the Amount of  
One Million.

44 G. 3. c. 1.  
Printed and  
Sold by  
King's  
Printers,  
St. Martin's  
Lane.

good as if the said several Clauses or Provisions had been particularly repeated and re-enacted in the Body of this Act.

II. And be it enacted, That the said Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny per Centum per Diem upon or in respect of the whole of the Monies respectively contained therein; and the Principal Sums contained in such Exchequer Bills, and the Interest accruing due thereon, shall be made payable at such Periods and at such Places as shall be fixed by the said Commissioners of His Majesty's Treasury; notwithstanding as to that all such Bills as shall be made out in pursuance of this Act shall be made payable within Five Years from the Date thereof; and that the Principal Sums contained in every such Bill, and such Interest as may be due thereon, shall be paid off and discharged, either together or separately, upon the Days and Times respectively appointed for the Payment thereof.

IV. Provided always, and be it further enacted, That all and every the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled after the respective Days on which they shall become due and payable, shall and may after that Time pass and be current to all and every the Receivers and Collectors, in Great Britain and Ireland, of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever due or payable to His Majesty, His Heirs or Successors, and also at the Receipt of the Exchequer in Great Britain, and at the Bank of Ireland, to the Credit and Account of the Teller of His Majesty's Exchequer in Ireland, from the said Receivers or Collectors; but no such Receiver or Collector shall exchange, at any Time before the said Day of Payment thereof, for any Money of such Revenue, Aid, Taxes, or Supplies in his Hands, any Exchequer Bill which shall have been issued as aforesaid by virtue of this Act, nor shall any Action be maintained against such Receiver or Collector for neglecting or refusing to exchange any such Exchequer Bill for ready Money before the said Day of Payment thereof, any thing in this Act contained to the contrary in anywise notwithstanding; and that such of the same Bills as shall be received at the said Receipt of the Exchequer in Great Britain, and at the said Bank of Ireland, to the Credit and Account of the said Teller of His Majesty's Exchequer there, shall and may be locked up and secured as Cash, according to the Course of the said Exchequers of Great Britain and Ireland respectively settled and established by Law for locking up and securing Monies received in Specie at the said Exchequer of Great Britain or Bank of Ireland, to the Credit and Account of the Teller of the said Exchequer of Ireland respectively.

V. And be it enacted, That when and so often as any Advances may become payable under the Provisions hereinafter contained it shall and may be lawful for the Lord Lieutenant of Ireland to certify to the Commissioners of the Treasury the Amount of the Exchequer Bills required, on Occasion shall arise for such Advances, and thereupon the said Lords Commissioners of the Treasury shall certify to the Auditor of the Receipts of His Majesty's Exchequer at Westminster for the Time being the Amount of Exchequer Bills so required; and such Auditor shall, on such Certificate of the Commissioners of the Treasury being deposited in his Office, cause and direct such Exchequer Bill or Bills to such Amount and payable at such Periods and bearing such Rate of Interest as may be expressed in the said Certificate of the Commissioners of the Treasury, to be delivered to the Teller of His Majesty's Exchequer of Ireland, or to such Person as shall be by such Teller duly authorized on his Behalf to receive the same, and such Bill or Bills shall be by such Teller issued and delivered, upon the Warrant in Writing of the said Lord Lieutenant, to the Person or Persons in such Warrant named; and every such Exchequer Bill shall bear Date on the Day on which the said Lords Commissioners of the Treasury shall appoint and direct, and shall and may be signed by the Auditor of the Receipts of His Majesty's Exchequer at Westminster, or in his Name by any Person duly authorized so to do.

VI. And be it enacted, That it shall and may be lawful for the Governor and Company of the Bank of England, or the Governor and Company of the Bank of Ireland, or for the Directors and Company of the Provincial Bank of Ireland, respectively to advance or lend to His Majesty, at the respective Receipts of the Exchequers of Great Britain or Ireland, upon the Credit of the Exchequer Bills issued under this Act, any Sum or Sums of Money not exceeding in the whole the Sum of One million Pounds, any thing in an Act made in the Fifth and Sixth Years of the Reign of King William and Queen Mary, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Freight, and upon Salt, Ale, and other Liquors, for securing certain Revenues and Advantages in the said Act mentioned to such Process as shall voluntarily advance the Sum of One million for hundred thousand Pounds towards carrying the War against France, or in any other Act or Acts to the contrary thereof in anywise notwithstanding.*

VII. And be it enacted, That it shall and may be lawful for any Tithe arising out of Lands in Ireland for the Years One thousand eight hundred and thirty one or One thousand eight hundred and thirty-two, or for the present Year One thousand eight hundred and thirty-three, to make Application, at any Time within Three Calendar Months after the passing of this Act, to the said Lord Lieutenant, praying Relief under this Act in respect of such Tithe; and such Application shall be made by a Memorial, showing the Tithe in respect whereof such Relief may be sought, and the Right and Interest of such Person in and to the same, and the Amount or Value thereof, computed as hereinafter mentioned; and to each such Memorial shall be annexed a Schedule, specifying the several Lands out of which and the Year in which such Tithe may lawfully be taken or arise, and the Amount or Value arising out of each Holding respectively, and the Names and Descriptions of the several Persons chargeable with each several Tithe, with their Names and Qualities, and the several Lands and Tenements of each of the

Exchequer Bills to bear Interest, and to make or what Date.

Exchequer Bills to be current with Collectors of Revenue when due.

Exchequer Bills to be issued agreeably to Certificates of Commissioners of the Treasury.

Bank of England or Ireland, or Provincial Bank, may advance Money on Exchequer Bills.

Any Person entitled to any Tithe, for 1831, 1832, or 1833, may apply to Lord Lieutenant for Relief under this Act by Memorial. What Memorial and Schedule must contain



If Value of  
Tithes shall not  
be ascertained  
by Composition,  
Agreement, or  
otherwise, the  
Value to be  
paid shall be  
ascertained on  
Average of  
Years past  
during 10 Years,  
or such other  
Period as  
shall be  
thought fit.

Some remaining due by each of such Persons respectively); and if the Value of the Tithes arising out of such Lands shall not have been ascertained by Composition, Agreement, or otherwise, then and in such Case the Value thereof shall in every such Memorial be estimated and calculated on the Average of the Same annually paid or agreed or adjudged to be paid on account of the Tithes of the same Lands during and for the Years One thousand eight hundred and twenty-eight, One thousand eight hundred and twenty-nine, and One thousand eight hundred and thirty; and such Memorial and Schedule shall delineate accordingly the Tithes payable under and by virtue of any Composition or Agreement, and those not so payable; and the several Matters set forth and alleged in each such Memorial and Schedule shall be verified upon Oath by the Memorialist, such Oath to be administered by any Justice of the Peace for the County in which such Memorialist usually resides; and with every such Memorial and Schedule a Duplicate thereof shall be transmitted to the said Lord Lieutenant by the Memorialist: Provided always, that if it shall be made to appear by the Oath of such Memorialist that Evidences of the Same paid or agreed or adjudged to be paid as aforesaid cannot be had by reference to any Books of Accounts, Papers, or Documents in the Power or Possession of such Memorialist, or of his Agents, Bailiffs, or Proctors, or by any Adjudications which may have been made in respect of such Tithes for and during the Years aforesaid, then and in such Case it shall be lawful for such Memorialist to estimate and calculate the Value thereof according to the best Information he can obtain, and to verify the same to the best of his Belief and Information as aforesaid.

VIII. Provided always, and he it enacted, That no Tithes for the Years One thousand eight hundred and thirty-one or One thousand eight hundred and thirty-two shall be included in any such Memorial or Schedule which may be due and owing from or by Persons who do not at the Time of presenting such Memorial continue interested in or in occupation of the Lands out of which such Tithes may have arisen; nor shall any Composition for Tithes be included in such Memorial and Schedule the Payment of which Composition may have been agreed for and undertaken by any Person entitled to enter into such Agreement and Undertaking under and pursuant to the Provisions of an Act passed in the last Session of Parliament, intitled *An Act to amend Three Acts passed respectively in the Fourth, Fifth, and in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, providing for the establishing of Compositions for Tithes in Ireland; and to amend such Compositions permanent.*

IX. And he it further enacted, That from and after the passing of this Act it shall not be lawful to take any such Proceedings for the Recovery of any Tithes or Arrears of Tithes which may have become vested in His Majesty, His Heirs and Successors, under and by virtue of an Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act to facilitate the Recovery of Tithes in certain Cases in Ireland, and for Relief of the Clergy of the Established Church, as by such Act directed; and every Court wherein any such Proceedings may have been taken shall forthwith stay such Proceedings, and in case any Writ or Process of Execution shall have issued, set aside the same, and discharge the Defendant if taken thereunder; and any Ecclesiastical Person who may be desirous of Relief under this Act, in respect of any Tithes for the Year One thousand eight hundred and thirty-one, shall and may include in such Memorial and Schedule as herein-before mentioned the Tithes to which such Ecclesiastical Person may have been entitled for the said Year One thousand eight hundred and thirty-one, although he may have received Relief under the said recited Act, any thing in the said recited Act directing such Ecclesiastical Person of the Right to such Tithes to the contrary notwithstanding: Provided always, that in such Case any Ecclesiastical Person desirous of Relief under this Act shall state in his Memorial the Same advanced to him under Authority of the said recited Act.*

X. And he it enacted, That upon every such Application, and due Consideration of the several Matters stated in each such Memorial and Schedule, it shall and may be lawful for the said Lord Lieutenant or Justice, by and with the Advice and Consent of His Majesty's Privy Council there, to declare the Person making such Application as aforesaid entitled to Relief under this Act, and upon such Declaration the Right, Title, and Interest of such Person in and to all Tithes due and unpaid for the Years One thousand eight hundred and thirty-one, One thousand eight hundred and thirty-two, and One thousand eight hundred and thirty-three, save and except the Tithes and Compositions hereto-before directed not to be included in his said Memorial and Schedule, and also his Right, Title, and Interest in and to all Tithes remaining due and unpaid for any Year previous to the Year One thousand eight hundred and thirty-one, shall wholly cease and determine.

XI. Provided, and he it enacted, That the Declaration of such Lord Lieutenant and Council on the Right of any Memorialist under this Act shall be drawn and taken only to decide the Right of such Memorialist to Relief under this Act; but that the Determination of any Tribunal or Court of Justice upon the Right of Property in the Tithes included in such Memorial and Schedule shall not prejudice the Recovery by His Majesty of any Advances made under this Act, or any Instrument thereof, in manner herein-after provided, of and from the Person who shall be entitled to the Receipt of the Composition for such Tithes.

XII. And he it further enacted, That the said Lord Lieutenant and Council shall cause a Notice of every Application which shall be made to them under this Act, and upon which they shall declare the Applicant entitled to Relief, to be inserted in the *Dublin Gazette*, and in some Newspaper commonly circulated in the Neighbourhood of the Parish to the Tithes whereof such Application shall relate, and also to be posted on the usual Places for posting Notices of Applications for Grand Jury Presentments in such Parish; and every such Notice shall mention some convenient Dwelling House in or near to such Parish where a true Copy of every such Memorial and Schedule shall be deposited and remain for and during Printed images digitized by the University of Southampton Library Digitisation Unit. Twenty-

If Value for  
Tithes shall not  
be ascertained  
by Memorial,  
Agreement, or  
otherwise, the  
Value to be  
paid shall be  
ascertained on  
Average of  
Years past  
during 10 Years,  
or such other  
Period as  
shall be  
thought fit.

No Proceed-  
ings for the  
Recovery of  
Tithes shall be  
taken under  
the Act of 1831  
in any Proceed-  
ing already  
taken shall be  
 stayed.

Tithes of 1831  
may be re-  
cluded in Me-  
morial,  
although Re-  
lief obtained  
under recited  
Act.

In such Case  
Summs advanced to  
be cleared.

Lord Lieu-  
tenant may de-  
clare Person  
making Ap-  
plication entitled  
to Relief, and  
thereupon his  
Right to Tithes  
in his Mem-  
orial, and all  
Arrears pre-  
vious to 1831,  
shall cease.

Declaration  
only to decide  
Right to  
Relief.

No subsequent  
Decisions to  
prejudice Right  
of Crown to

Twenty-one Days (Sundays not included in such Computation) next ensuing the Date of such Notice, and between the Hours of Ten in the Morning and Four in the Afternoon of each Day, open to public Inspection; and the said Lord Lieutenant and Council shall cause a Copy of every such Memorial and Schedule to be so deposited for public Inspection accordingly, and it shall and may be lawful for any Person to make any Extract therefrom without Fee or Reward; and the Publication in the Duke's Gazette of any such Notice as aforesaid shall be sufficient Evidence of the Application mentioned therein, and of the Party making the same having been decided by the said Lord Lieutenant and Council to be entitled to Relief under this Act.

XIII. And be it further enacted, That Special Sessions for the Purpose of revising all Memorials and Schedules relating to the Tithes arising out of Lands situate in each County shall be held in each such County by and before the Assistant Barrister or Chairman of the Sessions of such or any adjoining County, or a Deputy to be appointed in manner hereinafter provided; and such Special Sessions shall be held at such Times and Places, and observe such Order in the Revision of all such Memorials and Schedules, as the said Lord Lieutenant shall direct; and the Clerk of the Peace in and for each such County, or his Deputy, shall, Twenty-one Days at least before the first Day appointed for the holding of such Special Sessions cause to be posted in conspicuous Places within each County Notices that such Session will be holden for the Revision of such Memorials and Schedules on the Days and at the Places appointed for that Purpose, and shall specify the Memorials and Schedules to be revised pursuant to such Direction of the said Lord Lieutenant at each such Time and Place appointed for the holding of such Special Sessions, and shall require the Parties desirous of making Objections to any Charge or Item in any such Memorial and Schedule to enter the same with such Clerk of the Peace on or before the first Day of the Meeting of the Special Sessions appointed for the Revision of the Memorial and Schedule to which such Objections may relate; and in the Case of Memorials relating to Tithes which arise out of Lands situate in different Counties, such Lord Lieutenant shall and may refer the same for Revision to the Special Sessions holden in any of such Counties; and such Lands shall for the Purposes of this Act be deemed and taken to be all situate in such County.

XIV. And be it enacted, That every Person who may think himself aggrieved by any Charge made or Credit granted in any such Schedule shall six clear Days before the Day appointed for the Revision of such such Memorial and Schedule as aforesaid give to the Memorialist, or his known Agent, Bailiff, or Tithes Proctor, or leave at the Dwelling House of such Memorialist, or of his said Agent, Bailiff, or Tithes Proctor, or in case the said Memorialist or his Agent shall not reside in the Parish, then to the High Constable of the Parson, a Notice in Writing of his Intention to object to such Charge, or to claim such Credit; and such High Constable shall without Delay transmit all Notices so given to him to the Clerk of the Peace, who shall cause the same, and deliver, upon Demand, a List thereof to the Memorialist concerned therein, who shall pay for such List a Fee of Five Shillings and no more.

XV. And be it enacted, That the Clerk of the Peace for each such County respectively, or his Deputy, shall attend at each such Special Sessions, and shall in a Book to be by him for that Purpose provided, and which Book shall be a Record of the County, enter all such Objections to any such Memorial and Schedule as he shall be thereunto required; and the Lord Lieutenant shall cause the Original of every such Memorial and Schedule to be transmitted to the said Clerk of the Peace for the County in which such Memorial and Schedule is to be revised.

XVI. And be it enacted, That the Barrister presiding at each such Special Sessions shall hear and decide upon all such Objections to any Charge or Item in each Memorial and Schedule as shall be entered with the Clerk of the Peace in manner aforesaid, in the Order in which the same may have been so entered, and shall have all such Powers of administering Oaths to Witnesses and Parties, and compelling the Attendance of such Witnesses and Parties, and for punishing Persons giving false Testimony, and for trying any controverted Fact by a Jury, and in all respects have and exercise such Jurisdiction and Powers concerning the Revision of such Memorials and Schedules, and the Determination of all Objections therein, as any Assistant Barrister is empowered to exercise in respect of any Cause or Proceeding by Civil Bill before such Assistant Barrister: Provided always, that in case of any Objection to any Charge or the Amount of any Charge contained in any such Memorial and Schedule, the Memorialist shall be required to give Evidence in support of the same, in like Manner as the Plaintiff or Solicitor in any such Cause or Proceeding by Civil Bill; and in case of Credit being claimed for the Render or Payment of any Tithes or Sums on account thereof, entered in any such Memorial and Schedule, the Person claiming such Credit shall be required and required to establish the same according to the Course and Practice of Proceedings by Civil Bill before any Assistant Barrister: Provided always, that no Objection entered as aforesaid with the Clerk of the Peace shall be heard, unless the Person making the same shall, if so required by such Barrister, prove to the Satisfaction of such Barrister that Notice of such Objection shall have been given in manner hereinafter appointed; and every such Objection shall be dealt with as if the same were a Cause or Proceeding by Civil Bill, in so far as may be consistent with this Act; and the Decision of such Barrister presiding at such Special Sessions on each such Objection shall be deemed and taken to be a Decree, or Dismissal, as the Case may be; save that no Process shall issue to enforce the same, and that no Appeal shall lie therefrom, and for the entering of every such Objection, and the signing of every such Decision, and for returning any Jury and entering any Verdict, or attending any Hearing or drawing up any Decree, the like Fees shall be payable, and no more, as are by Law payable on the entering of any Cause, or signing any Decree or Dismissal, or returning any Jury or entering any Verdict, or attending any Hearing or drawing up any Decree or Dismissal, as if such Proceeding by Civil Bill before any Assistant Barrister; and every Sheriff, Clerk of the Peace, or other Officer shall give

Notice of Application to be received in Duplicate Gazette, and to be posted in Parish.

Notice shall declare where Copy of Memorial and Schedule to be deposited for Public Inspection.

Party Publication as to Evidence of Party being entitled to Relief.

A Special Session shall be held for revising Memorials and Schedules, of which Notice shall be given.

Memorialist being to object to Schedules shall give Notice to Memorialist, his Agent, or the High Constable, who shall transmit same to Clerk of Peace.

Clerk of Peace shall attend such Sessions, and enter the objections in Memorials and Schedules.

Assistant Barrister at each Special Session shall hear and decide upon all Objections to all Memorials and Schedules as upon Cause by Civil Bill.

Notice to be given to Person shall make, or Appeal be therefrom.

Fee.

Attendance and do all such Matters and Things at such Special Sessions as he may be bound to do at any Sessions held before the Assizes Barriester of any County for the hearing and determining Causes by Civil Bill.

XVII. And be it enacted, That the said Assistant Barriester or Chairman shall award such Costs upon the hearing of every such Objection, to be paid by or to the Memorialist or Party making such Objection, as any Assizes Barriester may have Power and Authority to award on any Proceeding by Civil Bill, to be paid by or to the Plaintiff or Defendant therein; and such Costs shall be in like Manner (and) paid for the Recovery and levying of any such Costs Execution shall and may issue, as in any such Proceedings by Civil Bill against the Body or Goods of the Party against whom such Award shall be made.

XVIII. And be it enacted, That the Assistant Barriester or Chairman presiding at each such Special Sessions, having heard and decided upon all such Objections as may be made to such such Memorial and Schedule, shall amend the same accordingly, and transmit such Memorial and Schedule, so amended, with his Signature thereunto attached, to the said Lord Lieutenant, who shall thereupon authorize and direct such Sum to be advanced to the said Memorialist as shall appear by his said Memorial and Schedule, so amended and attested, to be due and owing to him on account of the Taxes included in such Memorial and Schedule, deducting thereout Twenty-five Pounds per Centum on the Amount of such of the said Taxes as shall so appear due and owing for the Year One thousand eight hundred and thirty-one and One thousand eight hundred and thirty-two, or either of them, and Fifteen Pounds per Centum on the Amount of such of the said Taxes as shall so appear due and owing for the Year One thousand eight hundred and thirty-three, and also deducting, in the Case of every Ecclesiastical Person who may have received Relief under the said recited Act of the Second Year of His present Majesty's Royal, any Moneys which may have been advanced to him under Authority of that Act.

XIX. And be it enacted, That the said Lord Lieutenant shall cause every such original Memorial and Schedule so amended, together with a Certificate under his Hand of the Amount of the Advances made to the Memorialist, to be lodged with the proper Officer in the Office of the Receiver-General of the Court of Exchequer in Ireland, there to remain of Record; and that the Amount stated in each such Certificate to have been so advanced shall be repaid by Five equal Instalments, the first thereof to be made on the First Day of November which will be in the Year One thousand eight hundred and thirty-four, and One of the Four remaining Instalments to be paid on each First Day of November in the next succeeding Four Years; and such Instalments shall be payable by the Person who shall from Time to Time be entitled to the Receipt of the Composition for Tithes to which or to any Arrears whereof the Memorialist in respect of whose Right such Advances may have been made shall be or may have been entitled, or which shall be or have been established in lieu of the Tithes, to which or to any Arrears whereof such Memorialist shall be or have been entitled; and each such Instalment shall be paid to the Collector of Rates of the District, or otherwise, as the Commissioners of the Treasury shall direct; and in default of Payment of any such Instalment on the Day when the same shall fall due, or within Three Months thereafter, such Instalment shall be recoverable as a Debt upon Record due, by the Person at such Time entitled to the Receipt of such Composition as aforesaid, to the King's Majesty, His Heirs and Successors, with all Costs and Charges attending the same; provided that no Process shall issue against the Body of any Person owing such Instalment, and provided that no Landlord who may have agreed and undertaken to pay any such Composition shall be deemed to be within the Meaning of this Act, the Person entitled to the Receipt of such Compositions, any Thing in the said recited Act of the last Session of Parliament relating such Landlord to recover such Compositions over against any Person whatsoever in the contrary notwithstanding.

XX. And be it further enacted, That the Moneys from Time to Time paid or received in manner aforesaid shall be transmitted, in such Manner as the Commissioners of the Treasury shall direct, to the Credit and Account of the Teller of the Receipt of His Majesty's Exchequer in Ireland, distinctly and apart from all other Moneys; and that it shall be lawful for the said Commissioners of the Treasury, by Warrants under their Hands, to order and direct that all or any Part of the Sum or Sums of Money from Time to Time arising or accruing to the Credit of the Account of the said Teller of His Majesty's Exchequer in Ireland, under the Provisions herein made, shall be issued to such Person or Persons in such Warrant named, for the Purpose of being remitted and transferred to the Receipt of His Majesty's Exchequer at Westminster; and that there shall be provided and kept in the Office of the Auditor of the Receipts of the said Exchequer at Westminster a Book or Books in which all the Moneys paid to the Credit and Account of the said Teller by virtue of this Act, and received and transmitted as aforesaid, shall be entered separate and apart from all other Moneys paid into the said Receipt upon any other Account whatever; and that all the Moneys so paid to the Credit and Account of the said Teller by virtue of this Act, and received and transmitted as aforesaid, shall be subject and liable to the Uses and Purposes herein-after mentioned; (that is to say,) in the first place for paying off and discharging all the Exchequer Bills to be made out and issued by virtue of this Act, with such Interest as shall be payable thereon, at the respective Days and Times and as the Order and Usage in which the same may be directed to be discharged; and all such Exchequer Bills and Interest thereon as aforesaid, shall be and are hereby charged and chargeable upon and shall be repaid and borne by and out of the first Moneys that shall so arise to and to the Credit and Account of the said Teller of the Receipt of His Majesty's Exchequer in Ireland accordingly; and the Surplus of such Moneys, if any, shall be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

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XXI. And be it further enacted, That on the several Days and Times on which any Exchequer Bills made pursuant to the Directions of this Act shall become payable, or within Ten Days thereafter, the said Comptrollers of the Treasury shall cause a true and right Account to be taken and attested by the proper Officers of all such Exchequer Bills falling due and payable on such respective Days and Times, and of the Monies which shall then be in the Receipt of the Exchequer at *Warranter* applicable to the Payment and Discharge of the same; and of the Money which shall have arisen in the said Exchequer from or on Account of the Payments, Receipts, and Transfers to be made, by virtue of the Provisions herein-before contained, by the Teller of His Majesty's Exchequer in *London*, shall not be sufficient to discharge the Principal and Interest due and payable as aforesaid, then such Deficiency shall and may be supplied and made good by and out of the *Aids* or Supplies which shall be or have been granted for the Service of the Year in which such Exchequer Bills shall become payable; and in case the Monies arising from such *Aids* or Supplies shall not at the Time be sufficient for that Purpose, then all the said Exchequer Bills remaining undischarged, with the Interest and Charges incident to or attending the same shall be and are hereby charged and chargeable upon such Monies as at any Time or Times after any such Deficiency shall happen shall be or remain in the Receipt of the said Exchequer of the said Consolidated Fund, except such Monies of the said Consolidated Fund as may be or have been appropriated to any particular Use or Uses by any Act or Acts of Parliament in that behalf; and such Monies of the said Consolidated Fund shall and may be issued and applied from Time to Time, as soon as the same can be regularly stated and ascertained, for and towards paying off, concealing, and discharging such remaining Exchequer Bills, Interest and Charges, until the whole of them shall be paid off, cancelled, and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable, on Demand, to the respective Proprietors thereof: Provided always, that whatever Monies shall be so issued out of the Consolidated Fund shall from Time to Time be replaced by and out of the First Supplies to be distributed granted to Parliament, any thing therein contained to the contrary notwithstanding: and that whenever Monies shall thereafter arise in the said Receipt of the Exchequer, from or on account of the Payments, Receipts, and Transfers to be made, by virtue of the Provisions herein-before contained by the Teller of His Majesty's Exchequer in *London*, shall be applied towards replacing the Monies before issued out of the said *Aids* or Supplies or Consolidated Fund, as the Case may be, any thing herein contained to the contrary notwithstanding.

XXII. And be it enacted, That the said Lord Lieutenant shall cause a Duplicate of every such Memorial and Schedule so amended as aforesaid, together with an Account of the several Sums, if any, recovered by His Majesty, under the Provisions of the said recited Act of the Second Year of His Majesty's Reign, in respect of the Tithes included in such Memorial and Schedule, and of the Names of the Persons from whom such Sums may have been so recovered, such Memorial, Schedule, and Account being attested by the Signature of the Chief or Under Secretary of such Lord Lieutenant, to be referred to some proper and discreet Person to be by him for that Purpose selected, and who shall be remunerated in such Manner as the said Lord Lieutenant shall think proper; and such Person shall ascertain, by Inspection of such Memorial and Schedule so amended, and of such Account, the Amount of the Sums remaining due and owing on account of Tithes or any Composition for Tithes from and out of the several Lands liable thereto, which Amount, subject to a Deduction of Twenty-five Pounds per Centum on so much thereof as shall have accrued due for the Years One thousand eight hundred and thirty-one or One thousand eight hundred and thirty-two, and Fifteen Pounds per Centum on so much thereof as shall have accrued due for the Year One thousand eight hundred and thirty-three, shall be the Sum to be added to the Composition for Tithes payable out of each of such Lands respectively in manner hereinafter mentioned.

XXIII. And be it enacted, That the Person to whom every such Memorial and Schedule shall then be referred as aforesaid shall make out a Return of the several Sums, ascertained in manner herein-before directed, to be added to the Composition for Tithes payable out of each of such Lands respectively, specifying and particularizing such several Lands, and the Amount payable out of each Holding respectively; and such Return shall be attached to the Duplicate of the Memorial and Schedule and Account referred to such Person, and, together therewith, lodged by him, duly attested under his Hand, with the Clerk of the Peace of the County in which such Lands shall be situate, or if such Lands shall be situate in Two or more Counties, then with the Clerk of the Peace of either or any of such Counties; and a certified Copy of or Extract from such Memorial and Schedule, or Return attached thereto, shall be sufficient Evidence in all Inquests and Processes of the several Matters and Things therein set forth.

XXIV. And be it enacted, That One Fifth of the several Sums appearing by such Return chargeable on such Lands respectively shall be payable thereout, in addition to and together with the Composition for Tithes arising thereout, on the First Day of November which will be in the Year One thousand eight hundred and thirty-four, and One of the remaining Four Fifths shall in like Manner be payable on the First Day of November in each of the succeeding Four Years; and such Addition to the said Composition shall be payable by the Person from Time to Time liable to the Payment of such Composition to the Memorialist or Person from Time to Time entitled to the Receipt of such Composition; and Payment of such Addition to such Composition shall and may be recovered and levied by all such Ways and Means as by Law provided for the Recovery of such Composition, and as if it were Part thereof; provided that any Landlord who may have agreed for and undertaken the Payment of any Composition shall be deemed to be, within the Meaning of this Act, the Person liable to the Payment thereof.

Treasury to cause Accounts to be taken of all Bills falling due and Money applicable thereto on the Times; and in case of Difficulty in the Exchequer for Payment thereof, the same to be supplied out of the Aids for the current Year, or the Consolidated Fund.

Monies so received out of Consolidated Fund to be a charge by other Means.

A Duplicate of amended Memorial and Schedule to be referred to some proper Person, who shall ascertain the Sums so accrued, subject to the Deduction of certain Percentages.

Commissioner to make a Return of Sums to be added to Composition, specifying Particulars, to be attached to Duplicate of Memorial and Schedule, and lodged with Clerk of Peace. Terms of Payment of the same chargeable on such Lands and of the Composition arising thereout.

When the Person owing a Sum for Tithes shall occupy in his Land, the Landlord, on a 15 day notice, may sell such Sum to the Best, in three Days Payment thereof on such

Person who occupies Land, and, as is liable to Payment of Composition

Persons liable to Payment of Addition to Composition to be subject to certain Provisions as the Title of Tithe due to them for certain Years

A. D. 1834 C. 110

Chief Landlord or Lessee of Lands chargeable with Composition for Tithes entitled to enforce Payment of such Term of years as is preferred to others, provided he shall signify his Desire within 10 Weeks after passing of this Act

XXV. And be it enacted, That whenever the Person appearing by any such amended Memorial and Schedule and Account, as deposited with the Clerk of the Peace as aforesaid, to have owed, at the Time of presenting such Memorial, any Sum for or on account of the Tithe included in such Memorial and Schedule, shall occupy the Land in respect whereof such Tithe ought to have been paid, then and in such Case any Landlord liable to and paying the Sum hereby added to the Composition for Tithe payable in respect of such Land shall be entitled, on each Occasion of paying such additional Sum, to add One Fifth of the Sum appearing by such amended Memorial and Schedule and Account to have been due, at the Time of presenting such Memorial, for Tithe by such Tenant to the Rent payable by such Tenant, and shall and may enforce Payment thereof by all such Ways and Means as by Law provided for the Recovery of Rent: Provided always, that where any aforesaid Landlord shall be liable to the Payment of such Composition, he shall be entitled, upon each such Occasion as aforesaid, to recover, by all such Ways and Means aforesaid, such Fifth of the Arrears of Tithe appearing due by such Schedule and Account as aforesaid from his next immediate Tenant, and such next immediate Tenant shall be entitled, in like Manner and by like Means, to recover the same from the Tenant deriving next under him, and so on successively to the immediate Landlord of such occupying Tenant, who shall be entitled to receive, in like Manner and by like Means, the same and from such occupying Tenant by whom such Arrears of Tithe may have been insured.

XXVI. And whereas the Sum to be added to the Composition for Tithes payable out of the several Land liable thereto is hereto-before directed to be computed by reference to the Amount of the Sums appearing by every such Memorial and Schedule as aforesaid to remain due and owing for Tithe from and out of such Lands respectively, subject to the Deduction of certain Per-centages hereto-before mentioned, and such Deduction is intended as a Bonus to the Persons liable to the Payment of such Compositions, but in some Cases such Persons may be the same Persons by whom such Arrears of Tithe may have been incurred, and it is not just that any Bonus should be afforded to such Persons: be it therefore enacted, That whenever the Person liable to the Payment of the Addition to any Composition payable therewith by the Provisions of this Act shall appear by any such amended Memorial and Schedule and Account as aforesaid to owe any Sum for or on account of any Tithe included therein, such Person shall, over and above such Composition and the Addition payable therewith, be bound to pay on each Occasion of paying such Addition such Sum as shall be equal to Twenty-five Pounds per Centum on the Fifth of the Arrears of Tithe due by such Person for the Year One thousand eight hundred and thirty-one and One thousand eight hundred and thirty-two, and Fifteen per Cent. on the Fifth of the Arrears of Tithe due by him for the Year One thousand eight hundred and thirty-three, and such Sum, calculated as aforesaid, shall be deemed and taken to be Part of such Composition, and recoverable as well as the said Addition therewith.

XXVII. And whereas an Act was passed in the last Session of Parliament, intitled *An Act to amend Three Acts, passed respectively in the Fourth, Fifth, and in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, providing for the Establishment of Compositions for Tithes in Ireland, and to make such Compositions permanent*, whereby it was among other things enacted, that it should be lawful for any Person having in possession any Estate or Interest in Land charged or which may become chargeable with the Payment of any Composition for Tithes, such Person not being a Tenant for any longer Term than a Term of Twenty-one Years from the Commencement thereof, and any such Person was thereby empowered and entitled to agree for and undertake the Payment of such Composition, on the Terms and in the Manner and subject to the Preference and other Regulations in the said recited Act of the last Session of Parliament contained: And whereas it was by the said last-recited Act further enacted, that the chief Landlord or Lessee seized of any Rent and Reversion in Land charged or which might become chargeable with any such Composition for Tithes should be entitled to agree for and undertake the Payment of such Composition in preference to all other Persons whatsoever, provided that such chief Landlord or Lessee should signify, in manner by the said last-recited Act provided and appointed, his Desire so to do within Six Calendar Months next after the passing of the said last-recited Act: And whereas the Period by the said last-recited Act limited for the Preference of such chief Landlords or Lessors has expired, and it is expedient that further Time should be given to allow such chief Landlords or Lessors to take upon them the Payment of such Compositions, be it therefore enacted, That the chief Landlord or Lessee seized of any Rent or Reversion in Land charged or which may become chargeable with any Composition for Tithes shall be entitled to agree for and undertake the Payment of such Composition on the Terms and in the Manner and subject to the Regulations in the said last-recited Act contained, in preference to all other Persons whatsoever, provided that such chief Landlord or Lessee shall signify, in manner by the said last-recited Act appointed, his Desire so to do within Twelve Calendar Months next after the passing of this Act: Provided always, that from and after the Expiration of the Period hereby limited for the Preference of such chief Landlords or Lessors it shall and may become lawful for Persons having Estates or Interests derived under such chief Landlords or Lessors, and not being Tenants for any longer Term than a Term of Twenty-one Years from the Commencement thereof, to agree for and undertake the future Payment of such Compositions, on the Terms, and in the Manner, and subject to the Preference among such other, and to the other Regulations in the said recited Act contained, and provided further, that nothing herein contained shall extend to disturb or invalidate any Agreement or Undertaking for the Payment of such Compositions which may have been entered into before the passing of this Act by any inferior Landlord or Lessee, nor to enable any such Landlord or Lessee to recover any such Compositions, provided always, that if



establishing Compositions for Tithes respectively limited for making Appeal against such Compositions shall have expired; and in any Case in which such Appeal shall be made all such Proceedings upon such Application shall be suspended until the Determination thereof; and upon such Determination the Memorial and Schedule by which such Application may have been made shall, if need be, be transmitted to the Memorialist, to be by him amended and returned to the said Lord Lieutenant and Council, if he shall so think fit; and upon the Return of any such Memorial and Schedule all such Proceedings as by this Act directed in respect of any Application for Relief thereunder shall and may be taken in respect thereof, although the Time limited by this Act for the making Applications for Relief thereunder shall have expired: Provided always, that such Memorial and Schedule shall be returned within Six Weeks after the same shall have been so transmitted to the Memorialist.

XXXIV. And be it further enacted, That whenever, upon any Appeal made under this Act or any of the Acts in force for establishing Compositions for Tithes in Ireland, the Lord Lieutenant and Council shall make Order for altering the Amount of any Composition or Apportionment thereof, such Order shall relate to and take effect from such Time as each Lord Lieutenant and Council shall think fit to declare; and the Book of Appointments shall in all such Cases be altered and amended as each Lord Lieutenant and Council shall direct.

XXXV. And whereas by the Acts now in force in Ireland for the establishing Compositions for Tithes such Compositions are payable by Two equal half-yearly Payments, one on the First Day of May and one on the First Day of November in each Year, and it is expedient that such Compositions should be made payable by One yearly Payment on the First Day of November in every Year, be it therefore enacted, That so much of the said Acts as authorizes or directs the Collection of Levy of such Compositions by Two equal half-yearly Payments, the one whereof to become due on the first Day of May and the other on the first Day of November in each and every Year, shall be repealed, and that the Amount of such Compositions shall be collected and levied by One yearly Payment which shall become due on the first Day of November in each and every Year, and which shall and may be recovered by all such Ways and Means as by the said recited Acts provided for the Recovery of any such half-yearly Payment as aforesaid.

XXXVI. And be it further enacted, That it shall and may be lawful for the said Lord Lieutenant to order and direct that any such Sum or Sums of Money as he shall think necessary shall from Time to Time be advanced out of the Produce of the Consolidated Fund arising in Ireland for the defraying of any Expenses to be incurred in the carrying this Act into execution, not exceeding the Sum of Two hundred Pounds for carrying the same into execution in any one County, and that all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations, as shall from Time to Time be ordered and directed by each Lord Lieutenant, and as shall be signified in the usual Manner by the Chief Secretary of each Lord Lieutenant, or in his Absence by the Under Secretary; and that a Certificate of the Amount of the Money so advanced for carrying this Act into execution in each County, under the Hand of such Chief Secretary or Under Secretary, shall be sent to the Treasurer of the County for which such Money shall have been so advanced; and such Treasurer shall lay such Certificate before the Grand Jury of each County at the next Assizes; and such Grand Jury shall and they are hereby required to present the Amount stated in such Certificate to be raised all such County in the next Quarter as any Money presented by any Grand Jury may by Law be raised therefrom; and it shall not be lawful for the Court at any such Assizes so far as any Presentments for raising any other Money until such Presentments for the Repayment of such Advances be first made and allowed; and whenever the Amount stated in such Certificate shall be levied, the same shall be paid over to the Collector of Excise of the District (or in each other Manner as the Commissioners of the Treasury shall direct), and the Monies so arising shall be applied to replace the Sums so advanced out of the said Consolidated Fund.

XXXVII. And be it further enacted, That it shall be lawful for the said Lord Lieutenant of Ireland, at his Discretion, to appoint, by Warrant under his Hand, for the Duty of presiding at the Special Sessions to be held under the Provisions of this Act in any County, any Barrister or Barristers of not less than Six Years standing at the said Bar, to be Assistant or as Deputies of the Assize Barrister or Chairman; and that all the Powers, Duties, and Authorities given or imposed by this Act to or upon any Assize Barrister or Chairman are and shall be by virtue of such Warrant given to and imposed upon such Assistant or Deputy; and that all Acts to be done by such Deputies or Assistants shall be of the same Efficacy in Law as if done by the Assize Barrister or Chairman, upon whom such Duties would have otherwise devolved under this Act; and that all such and the like Fees as would have been payable to any such Assistant Barrister or Chairman at any Special Sessions under the Provisions of this Act shall be paid and payable, for his own Use, to the Deputy or Assistant who may by virtue of such Warrant preside at such Special Sessions; and it shall and may be lawful for the said Lord Lieutenant to grant to any Barrister acting under any such Warrant such Remuneration, in addition to the Amount of Fees so received by him, as such Lord Lieutenant shall think fit, but so that the Amount of such Fees, together with such additional Remuneration, shall not in the whole exceed Five Guineas for each Day during which he may be so employed, over and above his travelling or other Expenses; and every such Barrister, after the Termination of his last Sitting, shall lay or cause to be laid before the said Lord Lieutenant a Statement of the Amount of such Fees, and of the Number of Days during which he shall have been employed, and an Account of the travelling and other Expenses incurred by him in respect

of such Employment, and such Lord Lieutenant shall make an Order for the Amount to be paid to such Barrister out of the Consolidated Fund.

XXXVIII. And be it further enacted, That no Stamp Duty shall be paid or chargeable upon any Proceeding, Order, Copy, Instrument, Document, Receipt, or other Matter or Thing occurring, used in, or occasioned by any Proceeding under this Act; any other Act or Acts, or any Law or Usage, to the contrary hereof notwithstanding.

XXXIX. And be it further enacted, That if any Person or Persons who shall make or take any Oath or Affidavit under or in pursuance of the Provisions of this Act, and therein wilfully or knowingly swear or answer falsely to any Matter or Thing, every such Person, being duly convicted thereof, shall sever and suffer such Penalties, Pains, and Disabilities as Persons convicted of wilful and corrupt Perjury are by Law liable to.

XL. And be it enacted, That the words " Lord Lieutenant " or " Lord Lieutenant of Ireland," wherever used in this Act, shall extend to and include any Lords Justice or other Chief Governor or Governors of Ireland for the Time being; and the Words " Commissioners of the Treasury " shall be construed to mean any Three or more of such Lords Commissioners of His Majesty's Treasury, or the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, and whenever such Officer there shall be; and the Words " any Person entitled to any Tithe " shall be construed to extend to and include all Ecclesiastical Persons, and Bodies Corporate, Sole, or Aggregate, Lay or Ecclesiastical or Collegiate, and all Incumbents of Parishes, whether Rectors, Vicars, or Curates, and all Proprietors and Approprietors, and every Person or Persons whatsoever being the Owner or Owners of or entitled in any Manner whatsoever, at Law or in Equity, in law, her, or their own Right, or in Trustes, Devisees, Personal Representatives, Lessees, or otherwise, to any Tithes or Portion or Portions of Tithes, or Composition for Tithes, as well as to Tithes; and the Word " Composition " shall extend and be applied to any Portion or Portions of a Composition as well as to a Composition; and the Word " County " shall extend and be applied to any Riding, County of a City, or County of a Town as well as a County at large; and the Word " Parish " shall extend and be applied to any Extra-parochial Place or Places separately chargeable with any Composition for Tithes as well as to a Parish; and whatsoever the Word " Landlord " or " Person " or " Memorialist " is used in this Act, the Provision shall extend to and include the Heirs, Executors, Administrators, or Assigns of such Landlord or Person or Memorialist; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing, and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male, save and except where in the Use of any of the Words or Expressions aforesaid the Nature of the Provision or the Context shall exclude such Construction.

XLI. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in the present Session of Parliament.

## C A P. CL

## An Act to provide for the Collection and Management of the Duties on Tea.

[10th August 1833.]

WHEREAS the exclusive Right of trading in Tea now enjoyed by the United Company of Merchants of England trading to the East Indies will on the Twenty-second Day of April One thousand eight hundred and thirty-four terminate, and it is therefore necessary to make further Provisions for the Regulation of the Trade in Tea and the Duties payable thereon, and to transfer the Management of the said Duties from the Commissioners of Excise to the Commissioners of Customs; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-second Day of April One thousand eight hundred and thirty-four it shall be lawful to import any Tea into the United Kingdom from the Cape of Good Hope and from Places Eastward of the same in the Straits of Malacca, and not from any other Place, in such and the like Manner as if the same were set forth in an Act passed in the present Session of Parliament for the general Regulation of the Customs.

II. And be it further enacted, That it shall be lawful to import any Tea into any of the Islands of Guernsey, Jersey, Alderney, or Sark, or into the British Possessions of America, from the Cape of Good Hope and Places Eastward of the same to the Straits of Malacca, or from the United Kingdom, and not from any other Place, in such and the like Manner as if the same were set forth in an Act passed in the present Session of Parliament to regulate the Trade of the British Possessions Abroad.

III. And be it further enacted, That from and after the Twenty-second Day of April One thousand eight hundred and thirty-four the Duties of Excise payable upon Tea in the United Kingdom shall cease and determine, except as hereafter provided, and that in lieu of such Duties there shall be paid the several Duties of Customs as the same are set forth in the Table following, and such Duties shall be raised, levied, collected, and paid unto His Majesty, and shall be appropriated and applied in like

All Proceed-  
ings under this  
Act exempt  
from Stamp  
Duty.  
Persons who  
swear falsely  
shall suffer as  
for Perjury.

Interpretation  
of Words and  
Expressions in  
this Act.

An Act may be  
altered this  
Session.

Tea import-  
able into the  
United King-  
dom from the  
Cape of Good  
Hope and  
Places East-  
ward thereof.

Tea importable  
into British  
Possessions,  
&c. from Cape  
of Good Hope,  
&c.  
Duties.



Manner as if the same had been imposed by an Act passed in the present Session of Parliament for granting Duties of Customs: (that is to say,

TABLE OF DUTIES ON TEA IN WAREHOUSE, OR IMPORTED INTO THE UNITED KINGDOM :

| Tea: <i>vide</i> list,   |           | <i>℥</i> | <i>s.</i> | <i>d.</i> |
|--|-----------|----------|-----------|-----------|
| — Bhoja  | the Pound | 0        | 1         | 6         |
| — Congou, Twankay, Hysonskin, Orange Pekoe, and Carpoi   | the Pound | 0        | 2         | 2         |
| — Souchong, Flowery Pekoe, Hyson, Young Hyson, Gaspouder, Imperial, and other Sorts not enumerated | the Pound | 0        | 3         | 0         |

Not to affect Tea sold before 22d April 1833.

A Payment of Draft.

Abatement for Sea Damages not to be allowed.

Mixed Tea liable to highest Duty.

Tea Sorts in same Package not allowed, to be forbidden.

Importation of Tea in the same Management of Commissioners of Customs, but Acts done by Exchequer to be legal.

Licences to sell Tea, and Permits, not to be affected.

Treasury may discontinue Permits for Tea and other Goods, and substitute other Regulations.

Provided always, that nothing herein contained shall alter or affect the Duties payable upon Tea which shall have been sold by the East India Company at their public sales prior to the said Twenty-second Day of April One thousand eight hundred and thirty-four; provided also, that the Allowance commonly called Draft now made by the Commissioners of Excise in the weighing of Tea shall be made by the Commissioners of Customs under the Authority of this Act.

IV. And be it further enacted, That no Abatement of Duty shall be made on account of Damage received by any Tea during the Voyage, but it shall be lawful for the Importer to separate the damaged Parts, and to abandon the same to the Commissioners of the Customs for the Duty.

V. And be it further enacted, That if different Sorts of Tea mixed together be imported in the same Package, the whole shall be liable to the highest Rate of Duty to which any of such Sorts would be separately liable; and if Two or more Sorts of Tea not perfectly mixed together be imported in One Package, the same shall be forfeited, and shall not may be seized, used for, recovered, and dealt with in the same Manner as any Forfeitures incurred under any Law relating to the Customs.

VI. And be it further enacted, That from and after the passing of this Act it shall be lawful for the Lords Commissioners of His Majesty's Treasury, by any Warrant under the Hands of any Three or more of them, to order and direct that the Importation of Tea and the Duties thereon shall be under the Management of the Commissioners of Customs instead of the Management of the Commissioners of Excise, and from and after the Time specified in any such Warrant the same shall be transferred accordingly: Provided always, that until the Transfer of such Management and of the Custody of Tea in Warehouse shall have been fully made under the Directions of the Lords Commissioners of His Majesty's Treasury, any Act, Matter, or Thing done or performed by, to, or with the Commissioners of Excise or their Officers shall have the same Effect in Law as if the same had been done or performed by, to, or with the Commissioners of the Customs or their Officers under the Authority of this Act; but nothing herein-before contained shall extend to alter or affect any Law of Excise relating to Licences for the Sale of Tea, or relating to Permits for the Removal of Tea, or otherwise to the internal Management of Tea by the Commissioners of Excise, after the Duties of Importation on the same shall have been paid, and after the same has been delivered out of the Charge of the Officers of the Customs.

VII. And be it further enacted, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury, by any Warrant or Order under the Hands of any Two or more of them, to direct and the Practice of requiring and issuing Permits for the Removal of Tea, and to make and establish any other Rules, Regulations, and Restrictions, either of Customs or Excise, in lieu of such Practice, as to them shall, after the Discontinuance of the same, appear necessary for the Security of the Revenue; and all Rules, Regulations, and Restrictions so made and established shall have the Force of Law as fully as if the same were enacted in this Act, and shall be obeyed and enforced in like Manner as any Rules, Regulations, and Restrictions of Customs or of Excise respectively are or can be obeyed or enforced under the Provisions of any Act or Acts of Parliament relating to the Customs or to the Excise respectively; and Copies of such Rules, Regulations, and Restrictions shall be laid before Parliament.

### CAP. CIL.

An Act to repeal certain penal Enactments made in the Parliament of Ireland against Roman Catholic Clergymen for celebrating Marriages contrary to the Provisions of certain Acts made in the Parliament of Ireland. [29th August 1833.]

WHEREAS Roman Catholic Clergymen were by certain Acts of the Parliament of Ireland rendered liable to Punishment, Fines, and Penalties for celebrating Marriages contrary to the Provisions thereof, to which Punishment, Fines, and Penalties no other Clergymen or Ministers are liable: And whereas it is expedient to amend the Law in this respect: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the following Acts made in the Parliament of Ireland; (that is to say,) of an Act passed in the Sixth Year of the Reign of Queen Anne, intitled *An Act for the more effectual preventing the taking away and carrying Children against the Will of their Parents or Guardians*; also of an Act passed in the Twelfth Year of the Reign of King George the First, intitled *An Act to prevent Marriages by deposed Clergymen and Popish Priests, and for preventing Marriages contracted from being avoided by Protestants*, and for the more effectual preventing of Bigamy; also of an Act passed in the Twenty-third Year of the Reign of King George the Second, intitled *An Act for explaining and making more effectual an Act, intitled 'As Printed alledge deposed by the University of Southampton in their Graduation List*. *Act*

No month of the year between 1833 and 1834.

1833. 1 (1)

1834. 1 (1)

*Act for the more effectual preventing clandestine Marriages: and another Act passed in the Twelfth Year of His late Majesty's Reign, intitled An Act to prevent Marriages by degraded Clergymen and Popish Priests, and for preventing Marriages contracted from being annulled by Protestants, and for the more effectual punishing of Bigamy; also of an Act passed in the Thirty-third Year of the Reign of King George the Third, intitled An Act for the Relief of His Majesty's Popish or Roman Catholic Subjects of Ireland, as contains any penal Enactment which exclusively affects a Roman Catholic Clergyman celebrating Marriage between any Persons, knowing them or either of them at the Time of such Marriage to be of the Protestant Religion, or as declares or enacts that any Roman Catholic Clergyman who shall celebrate any Marriage between Two Protestants or between a Protestant and a Roman Catholic, shall be guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy or of the Statute, or as enacts and declares that any Roman Catholic Clergyman who shall celebrate any Marriage between Two Protestants, or between any such Protestant and Papist, unless such Protestant and Papist shall have been first married by a Clergyman of the Protestant Religion, shall forfeit the Sum of Five hundred Pounds to His Majesty upon Conviction thereof, shall from and after the passing of this Act be repealed, and that so much and such Parts only of the said recited Acts are hereby repealed.*

II. Provided always, and be it enacted, That nothing herein contained shall extend to any Proceeding, Criminal or Civil, commenced before the passing of this Act; and that nothing herein contained shall be construed to repeal as much of any of the said recited Acts as expressly or by Implication repeals any former Act or Acts, nor to revive or recognize any Enactment as being in force at the Time of the passing of this Act which by any Act heretofore made was expressly or by Implication repealed or altered.

III. And be it further enacted, That nothing in this Act shall extend or be construed to extend to the giving Validity to any Marriage Ceremony in Ireland, which Ceremony is not now valid under the existing Laws, or to the repeal of any Enactments now in force for preventing the Performance of the Marriage Ceremony by degraded Clergymen.

C. A. P. CIII.

An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom. [23<sup>rd</sup> August 1833.]

WHEREAS it is necessary that the Hours of Labour of Children and young Persons employed in Mills and Factories should be regulated, inasmuch as there are great Numbers of Children and young Persons now employed in Mills and Factories, and their Hours of Labour are longer than is desirable, due regard being had to their Health and Means of Education; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of January One thousand eight hundred and thirty-four no Person under Eighteen Years of Age shall be allowed to work at Night, (that is to say,) between the Hours of Half past Eight o'Clock, in the Evening and Half past Five o'Clock in the Morning, except as herein after provided, in or about any Cotton, Woollen, Worsted, Hemp, Flax, Tow, Linnen, or Silk Mill or Factory where Steam or Water or any other mechanical Power is or shall be used to propel or work the Machinery in such Mill or Factory, either in scutching, carding, raising, spinning, panning, twisting, winding, throwing, doubling, setting, making Thread, dressing or weaving of Cotton, Wool, Worsted, Hemp, Flax, Tow, or Silk, either separately or mixed, in any such Mill or Factory situate in any Part of the United Kingdom of Great Britain and Ireland: Provided always, that nothing in this Act shall apply or extend to the working of any Steam or other Engine, Water-wheel, or other Power in or belonging to any Mill or Building or Machinery when used in that Part of the Process or Work commonly called fulling, reeling, or hating of Woolfles, nor to any Apprentices or other Persons employed therein, nor to the Labour of young Persons above the Age of Thirteen Years when employed in packing Goods in any Warehouse or Place situate in any Mill, and not used for any Manufacturing Process; provided also, that nothing in this Act shall apply or extend to any Mill or Factory used solely for the Manufacture of Lace.

II. And be it further enacted, That no Person under the Age of Eighteen Years shall be employed in any such Mill or Factory in such Description of Work as aforesaid more than Twelve Hours in any One Day, nor more than Sixty-nine Hours in any One Week, except as herein after provided.

III. Provided always, and be it further enacted, That if at any Time in any such Mill, Manufactory, or Building situated upon any Stream of Water, Tame shall be lost in consequence of the Want of a due Supply of or of an Excess of Water, or by reason of its being expended in higher Re-movers, then and in every such Case and so often as the same shall happen it shall be lawful for the Occupier of any such Mill, Manufactory, or Building to extend the Time of Labour in this Act prescribed at the Rate of Three Hours per Week until such lost Time shall have been made good, but no longer, such Time to be worked between the Hours of Five of the Clock in the Morning and Nine of the Clock in the Evening: Provided also, that no Time shall be recoverable after it has been lost Six Calendar Months.

IV. And be it further enacted, That when any extraordinary Accident shall happen to the Steam Engine, Water-wheel, Weir, or Watercourse, Main Shafting, Main Gear, or Gas Apparatus of any such Mill, Manufactory, or Building, by which not less than Three Hours Labour at any One Tame shall be lost, (not reckoned for any legal purpose) such Work may, after the Rate of One Hour per Day

12 G. 4. (1)

10 G. 4. (1)  
as enacts in  
relating to  
Roman Catholic  
Clergymen in  
certain Mar-  
riages between  
Protestants,  
&c. repealed.

Nothing shall  
be construed to  
extend to any  
former  
Proceedings  
nor to affect  
any of the re-  
cited Acts that  
repeal former  
Acts.

Act not to give  
Validity to any  
Ceremonies not  
now valid, &c.

1833  
1834  
1835  
1836  
1837

Persons under  
18 Years of  
Age not al-  
lowed to work  
at Night in the  
Mills or Fac-  
tories where de-  
scribed.

Persons under  
18 not to work  
more than 12  
Hours a Day.

Extension of  
Hours of work-  
ing in certain  
Cases.

Providing for  
unavoidable  
Time lost in  
Cases of Acci-  
dent.

in addition to the aforesaid and herein-after restricted Hours of Labour for the Twelve following working Days, but not after.

V. And whereas during Periods of Drought and of Floods the Power of Water-wheels on some Rivers is wholly intercepted, or so far diminished that the Machinery or Part or Parts of the Machinery dependent upon such Power cannot be regularly worked at one and the same Time, and in consequence thereof a certain Portion of the Time of such Persons as are employed in the working of such Machinery may be lost in each Day during such Period of Drought or Floods as it is therefore enacted, That it shall be lawful for the Occupier of any Mill, Manufactory, or Building, when Time is so lost, then and in every such Case and so often as the same shall happen, to extend the Hours between which Persons under Eighteen Years of Age are herein-before allowed to work, (provided, from Five of the Clock in the Morning till Nine in the Evening,) as herein-before limited, to such Period as may in such Case be necessary to prevent the Loss of Time, and no longer: Provided always, that no Child or young Person within the respective Ages prescribed by this Act shall be actually employed a greater Number of Hours within the Twenty-four Hours of any One Day than this Act declares to be lawful; and provided also, that no Child under Thirteen Years of Age shall be employed after the Hour of Nine of the Clock in the Evening nor before the Hour of Five in the Morning.

VI. And be it further enacted, That there shall be allowed in the Course of every Day not less than One and a Half Hours for Meals to every such Person restricted as herein-before provided to the Performance of Twelve Hours Work daily.

VII. And be it enacted, That from and after the First Day of January One thousand eight hundred and thirty-four it shall not be lawful for any Person whatsoever to employ in any Factory or Mill an apprentice, except in Mills for the Manufacture of Silk, any Child who shall not have completed his or her Ninth Year of Age.

VIII. And be it further enacted, That from and after the Expiration of Six Months after the passing of this Act it shall not be lawful for any Person whatsoever to employ, keep, or allow to remain in any Factory or Mill an apprentice for a longer Time than Forty-eight Hours in any One Week, nor for a longer Time than Nine Hours in any One Day, except as herein provided, any Child who shall not have completed his or her Eleventh Year of Age, or after the Expiration of Eighteen Months from the passing of this Act any Child who shall not have completed his or her Twelfth Year of Age, or after the Expiration of Thirty Months from the passing of this Act any Child who shall not have completed his or her Thirteenth Year of Age: Provided nevertheless, that in Mills for the Manufacture of Silk, Children under the Age of Thirteen Years shall be allowed to work Ten Hours in any One Day.

IX. And be it further enacted, That all Children and young Persons whose Hours of Work are regulated and limited by this Act shall be entitled to the following Holidays; to-wit, on Christmas Day and Good Friday the entire Day, and not fewer than Eight Half Days besides in every Year, each Half Day to be at such Period or Periods, together or separately, as may be most desirable and convenient, and as shall be determined on by the Master of each Children and young Persons: Provided nevertheless, that in Scotland any other Days may be substituted for Christmas Day and for Good Friday, both or either, as such Master may determine.

X. And be it further enacted, That if any Child within the Age herein-before restricted to Nine Hours of Day Labour shall have been employed in any One Day for less than Nine Hours in One Factory or Mill, it shall be lawful for any Person to employ such Child in any other Factory or Mill on the same Day for the Residue of such Nine Hours; provided that such Employment in such other Mill or Factory shall not increase the Labour of such Child to more than Nine Hours in any One Day, or to more than Forty-eight Hours in any One Week.

XI. And be it further enacted, That from and after the Expiration of Six Months after the passing of this Act it shall not be lawful for any Person to employ, keep, or allow to remain in any Factory or Mill any Child who shall not have completed his or her Eleventh Year of Age without such Certificate as herein-before mentioned, certifying such Child to be of the ordinary Strength and Appearance of a Child of the Age of Nine Years, not from and after the Expiration of Eighteen Months after the passing of this Act any Child who shall not have completed his or her Twelfth Year of Age, without a Certificate of like-sense-Form, not from and after the Expiration of Thirty Months after the passing of this Act any Child who shall not have completed his or her Thirteenth Year of Age, without a Certificate of the same Form, which Certificate shall be taken to be sufficient Evidence of the Ages respectively certified therein.

XII. And be it further enacted, That for the Purpose of obtaining the Certificate herein-before required, in the Case of Children under the Age of Eleven, Twelve, or Thirteen Years respectively, the Child shall personally appear before some Surgeon or Physician of the Place or Neighbourhood of his Residence, and shall submit itself to his Examination; and unless the Surgeon or Physician before whom the Child has so appeared shall certify his having had a personal Examination or Inspection of such Child, and also that such Child is of the ordinary Strength and Appearance of Children of or exceeding the Age of Nine Years, and unless also such Certificate shall within Three Months of its Date be counter-signed by some Inspector or Justice, or in that Part of the United Kingdom called Scotland by some Inspector or Justice or Burgh Magistrate, such Child shall not be employed in any Factory or Mill.

XIII. And be it further enacted, That the Certificates herein-before required in the Case of Children under the Age of Eleven, Twelve, or Thirteen Years respectively shall be in the Form following:

Law of Time from the Want or Excess of Water or the Dryness provided for.

Time for Meals.

Employment of Children under Nine Years prohibited.

The Employment of Children under 11, 12, and 13 Years of Age for more than Eight Hours a Day prohibited.

Holidays to be allowed.

Children employed in any One Mill less than Nine Hours and to be employed in any other Mill only after the Expiration of 6 or 9 Months.

Children not to be employed without a Certificate from a Surgeon or a Physician of the ordinary Strength and Appearance.

Certificates to be made by a Surgeon or Physician.

Form of Certificates.

IX. [Name and Place of Residence] Surgeon [or Physician] do hereby certify, That A. B. the Son [or Daughter] of [Name and Residence of Parents, or of his Parents, then the Residence of the Child] has appeared before me, and submitted to my Examination, and that the said [Name] is of the ordinary Strength and Appearance [according to the Age] of a Child of at least Nine Years of Age [or of apparently above Nine, as exceeding].

Surgeon or  
Physician.

XIV. And he is further enacted, That from and after the Commencement of the several Periods herein-before appointed for restricting the Employment of Children under the Ages of Eleven, Twelve, and Thirteen Years respectively, it shall not be lawful to employ, keep, or allow to remain in any Factory or Mill any Person between the said Ages respectively and the Age of Eighteen for more than Nine Hours in any Day, nor between the Hours of Nine o'Clock in the Evening and Five o'Clock in the Morning, without first requiring and receiving from such Person a Certificate in proof that such Person is above the Age of Eleven, Twelve, and Thirteen respectively; which Certificate, if a new Certificate shall be required, shall be in such Form as may be ordered by any Inspector.

Children between 11 and 12 not to be employed in Factories more than Nine Hours a Day, or at Night, without a Certificate of Age. Inspectors against Persons not having Certificates not to be heard of. It shall appear that the Person employed was above the Age required. Provisions of new Regulations relative to compulsory Certificates.

XV. Provided nevertheless, and he is enacted, That the Penalties and Provisions herein-before provided against any Person not requiring or not receiving such Certificate shall not be levied, if upon the Complaint or Proceeding for the Enforcement of such Penalties it shall appear to the Satisfaction of the Inspector or Justice or Bench Magistrate by or before whom such Proceeding shall be had, that the Person so employed more than Nine Hours in the Day, or between the Hours of Nine o'Clock in the Evening, and Half past Five o'Clock in the Morning, without such Certificate, was at the Time of the alleged Offence above the Age of Eleven, Twelve, or Thirteen respectively.

XVI. And he is further enacted, That in case any Inspector or Justice or Bench Magistrate shall refuse to consent any such Certificate, he shall state in Writing his Reasons for such Refusal, and the Parents of such Child may thereupon take the Certificate to the Justices of the Peace at Petty Sessions for the Place or District of the Child's Residence, who are hereby empowered and required to decide upon the Validity of such Refusal; and every such Act of any such Petty Sessions shall be free of all Charge, Cost, or Expence whatsoever.

XVII. And whereas by an Act, intitled *An Act for the Preservation of the Health and Morals of Apprentices and others employed in Cotton and other Mills and Cotton and other Factories*, passed in the Forty-second Year of the Reige of His late Majesty George the Third, it was amongst other things provided, that the Justices of the Peace for every County or Place in which such Mills was situated should appoint yearly Two Persons not interested in or in any way connected with such Mills or Factories in such County to be Visitors of such Mills or Factories, which Visitors as appointed were empowered and required by the aforesaid Act to visit such Factories at any Time they might think fit, and examine and report in Writing whether the same were conducted according to the Laws of the Realm, and also to direct the Adaption of such statutory Regulations as they might, on Advice, think proper: And whereas it appears that the Provisions of the said Act with relation to the Appointment of Inspectors were not duly carried into execution, and that the Laws for the Regulation of the Labour of Children in Factories have been evaded, partly as consequence of the Want of the Appointment of proper Visitors or Officers whose special Duty it was to enforce their Execution; be it therefore enacted, That upon the passing of this Act it shall be lawful for His Majesty by Warrant under His Sign Manual to appoint during His Majesty's Pleasure Four Persons to be Inspectors of Factories and Places where the Labour of Children and young Persons under Eighteen Years of Age is employed, and in the Case of the Death or Dismissal of any of them to appoint another in the Place of such deceased Inspector, which and several Inspectors shall carry into effect the Powers, Authorities, and Provisions of the present Act; and such Inspectors or any of them are hereby empowered to enter any Factory or Mill, and any School attached or belonging thereto, at all Times and Seasons, by Day or by Night, when such Mills or Factories are at work, and having so entered to examine therein the Children and any other Persons or Persons employed therein, and to make inquiry respecting their Condition, Employment, and Education; and such Inspectors or any of them are hereby empowered to take or call to their Aid in such Examination and Inquiry such Persons as they may choose, and to examine and require any Person upon the Spot or elsewhere to give Evidence upon such Examination and Inquiry, and to administer to such Person an Oath.

40 G. 3. c. 75.

Inspectors to be appointed

XVIII. And he is further enacted, That the said Inspectors or any of them shall have Power and are hereby required to make all such Rules, Regulations, and Orders as may be necessary for the due Execution of this Act, which Rules, Regulations, and Orders shall be binding on all Persons subject to the Provisions of this Act; and such Inspectors are also hereby authorized and required to enforce the Attendance at School of Children employed in Factories according to the Provisions of this Act, and to order Tickets or such other Means as they may think fit for Vouchers of Attendance at such Schools; and such Inspectors are also hereby required to regulate the Custody of such Tickets or Vouchers, and such Inspectors may require a Register of them to be kept in every School and Factory; and such Inspectors are also hereby authorized and required to order a Register of the Children employed in any Factory, and of their Sex and Hours of Attendance, and of their Absence on account of Sickness, to be kept in each Factory; and all Registers, Books, Entries, Accounts, and Papers kept in pursuance of this Act shall at all Times be open to such Inspectors, and such Inspectors may take or cause to be taken for their use any such Copy as they may think proper; and such Inspectors shall also make such

Powers and Duties of the Inspectors for the Enforcement of this Act.

Regulations as may be proper to continue in force any Certificates, Tickets, or Vouchers required by this Act, and such Certificates, Tickets, or Vouchers so continued in force shall have the same Operation and Effect as new Certificates, Tickets, or Vouchers; and such Inspector shall order and is hereby authorized to order the Overseer of any Factory or Mill to register or cause to be registered any Information with relation to the Performance of any Labour in such Mill or Factory, if such Inspector deems such Information necessary to facilitate the due Enforcement of any of the Provisions of this Act or of any of the Regulations which he may make under the Authority of this Act; and such Inspector is hereby authorized to order such Overseer of any Mill or Factory to transmit, in such Manner as may be directed in such Order, any Information with relation to the Persons employed or the Labour performed in such Mill or Factory that such Inspector may deem requisite to facilitate the Performance of his Duties or any Inquiry made under the Authority of this Act.

**XIX.** And be it further enacted, That it shall be lawful for One of His Majesty's Principal Secretaries of State, if he shall see fit, upon the Application of any Inspector, to appoint any One or more Persons to superintend, under the Direction of any Inspector, the Execution of the Provisions of this Act, and of all Rules, Regulations, and Orders made under the Authority thereof; and such Person shall be paid by such Salary as may be determined by One of His Majesty's Principal Secretaries of State; and such Person so appointed shall have Authority to enter any School-rooms, Counting-house, or any Part of any Factory or Mill, excepting such Part or Parts as may be used for manufacturing Processes; and if any Constable or Peace Officer shall be required by any Inspector to perform any continuous Service, it shall be lawful for such Inspector to allow a special Allowance to such Constable or Peace Officer for such Service; Provided nevertheless, that any such Orders may be obtained or disallowed by One of His Majesty's Principal Secretaries of State, on Complaint made to him by Memorial from any Party interested.

**XX.** And be it further enacted, That from and after the Expiration of Six Months from the passing of this Act every Child heretofore restricted to the Performance of Forty-eight Hours of Labour in any One Week shall, so long as such Child shall be within the said restricted Age, attend some School to be chosen by the Parents or Guardians of such Child, or such School as may be appointed by any Inspector in case the Parents or Guardians of such Child shall omit to appoint any School, or in case such Child shall be without Parents or Guardians; and it shall and may be lawful, in such last-mentioned Case, for any Inspector to order the Employer of any such Child to make a Deduction from the weekly Wages of such Child as the same shall become due, not exceeding the Rate of One Penny in every Shilling, to pay for the Schooling of such Child; and such Employer is hereby required to pay the Sum so deducted according to the Order and Direction of such Inspector.

**XXI.** And be it further enacted, That after the Expiration of Six Months from the passing of this Act it shall not be lawful to employ or continue to employ in any Factory or Mill any Child restricted by this Act to the Performance of Forty-eight Hours of Labour in any One Week, unless such Child shall, on Monday in every Week next after the Commencement of such Employment, and during every succeeding Monday or other Day appointed for that Purpose by an Inspector, give to the Factory Master or Proprietor, or to his Agent, a Schoolmaster's Ticket or Voucher, certifying that such Child has for Two Hours at least for Six out of Seven Days of the Week next preceding attended his School, excepting in Cases of Sickness, to be certified in such Manner as such Inspector may appoint, and in case of any Holiday, and in case of Absence from any other Cause allowed by such Inspector, or by any Justice of the Peace in the Absence of the Inspector; and the said last-mentioned Ticket shall be in such Form as may be settled by any Inspector.

**XXII.** And be it further enacted, That whenever it shall appear to any Inspector that a new or additional School is necessary or desirable to enable the Children employed in any Factory to obtain the Education required by this Act, such Inspector is hereby authorized to establish or procure the Establishment of such School.

**XXIII.** And be it further enacted, That if upon any Examination or Inquiry any Inspector shall be of opinion that any Schoolmaster or Schoolmistress is incompetent or in any way unfit for the Performance of the Duties of that Office, it shall and may be lawful for such Inspector to disallow and withhold the Order for any Payment or any Salary to such Schoolmaster or Schoolmistress as heretofore provided.

**XXIV.** And be it further enacted, That if any Child within the several Ages heretofore restricted to the Performance of Nine Hours of Day Labour shall be kept or allowed to remain in any Room or Place whatsoever where any Machinery is used, or shall be kept or allowed to remain on any Premises within the inner Walls of any Factory or Mill, for any longer Time than Nine Hours during any One Day, or for any longer Time than the Routine of such Nine Hours in the Case of any Child which has been previously employed for any shorter Time during the same Day in any other Factory or Mill, the Occupier of such Factory or Mill shall, without any Evidence of the Employment of such Child, be liable to the same Penalty and Forfeiture as for employing such Child for such longer Period: Provided nevertheless, that no Place, Yard, or Play-ground open to the public View shall be considered Part of the Premises on which Children shall not be allowed to remain beyond the Hours heretofore stated; and be it further provided, that the Children may be allowed to remain in any School-room attached to such Factory or Mill, or in any other Waiting-room or Part of the Premises where no Machinery is used, and which shall of all Times be open to the Inspection of any Mill Warden or Peace Officer duly appointed under the Provisions of this Act.

XXXV. And be it further enacted, That Notice of any general Order or Regulation applying to more than One Mill or Factory, made by any Inspector, if published for Two successive Weeks in One or more Newspapers published in the Town, Place, or County where any such Mill or Factory is situate, shall in all Cases, at the End of Seven Days after the Second Publication thereof, have the same Effect in attaching a Responsibility upon any Offender against such Order or Regulation as a Notice personally served upon such Offender: Provided nevertheless, that such Notice shall not be to the Exclusion of any other special Notice which any Inspector may deem expedient or proper.

Notice by In-  
spectors.

XXXVI. And be it further enacted, That the Interior Walls, except such Parts as are painted, of every Mill or Factory, or Building where the Process of manufacturing is carried on, shall be limewashed, and the Ceilings of all Rooms which have Rooms or Lofts above them, and all Ceilings which are plastered, shall be whitewashed once every Year, unless Permission to the contrary, in Writing, be granted by any Inspector.

Interior Walls  
of every Mill,  
&c. to be  
limewashed.

XXXVII. And be it further enacted, That a Copy or Copies of such Abstract of this Act, and also such Copy or Copies of any Regulation or Regulations made in pursuance of this Act, as any Inspector shall direct, shall be hung up and affixed to a conspicuous Part or in the several Departments of every Mill or Factory, and such Copy or Copies of such Abstract and of such Rules or Regulations, as hung up and affixed, shall be signed by the Master or Manager or Overseer of such Mill or Factory; and such Copy or Copies shall be returned by such Master, Manager, or Overseer as often as any Inspector may direct.

An Abstract of  
this Act, and  
such Rules and  
Regulations as  
any Inspector  
may direct,  
shall be hung  
upon  
Mills.  
Permission for  
Fugury of  
Certificates.

XXXVIII. And be it further enacted, That if any Person shall give, sign, countersign, endorse, or in any Manner give currency to any false Certificate, knowing the same to be untrue, or if any Person shall forge any Certificate, or shall forge any Signature or Endorsement on any Certificate, or shall knowingly and wilfully give false Testimony upon any Point material to any Certificate of any Inspector or Schoolmaster, such Person shall be deemed guilty of a Misdemeanor, and shall, on Conviction thereof before any Inspector or Justice, be liable to be imprisoned for any Period not exceeding Two Months in the House of Correction in the County, Town, or Place where such Offence was committed.

XXXIX. And be it further enacted, That in case of the Employment of any Child contrary to the Provisions of this Act, or for a longer Time than is therein before limited and allowed, or without a Discharge from the Provisions of this Act touching the Education of Children, or the Certificates of Justices or Magistrates, the Parent or Parents of such Child, or any Person having any Benefit from the Wages of such Child, shall be liable to a Penalty of Twenty Shillings, unless it shall appear to the Satisfaction of the Justice or Inspector that such unlawful Employment has been without the wilful Default of such Parent or Person as benefited as aforesaid.

Parents liable  
to Penalty of  
20s. for the  
Employment  
of Children  
beyond the  
legal Hours,  
&c.

XL. And be it further enacted, That if any Offence shall be committed against this Act, for which the Master of any Factory or Mill is legally responsible, and it shall appear to the Satisfaction of any Justice or Inspector that the same has been committed without the personal Consent, Concurrence, or Knowledge of such Master, by or under the Authority of some Agent or Servant or Workman of such Master, it shall be lawful for such Inspector or Justice in common with such Agent or Servant or Workman before him to proceed for such Offence, and such Agent or Servant or Workman shall be liable to the Penalties and Punishments for such Offence herein provided, and such Inspector or Justice shall correct such Agent or Servant or Workman in Sum of such Master.

Agents and  
Servants of  
Factory Mas-  
ters to be per-  
sonally liable.

XLI. And be it further enacted, That if any Employer of Children in any Factory or Mill shall, by himself or by his Servants or Workmen, offend against any of the Provisions of this Act, or any Order or Regulation of any Inspector made in pursuance hereof, such Offender shall for such Offence (except in the Case of any Offence for which some other Penalty or Punishment is specially provided) forfeit and pay any Sum not exceeding Twenty Pounds, nor less than One Pound, at the Discretion of the Inspector or Justice before whom such Offender shall be convicted: Provided nevertheless, that if it shall appear to such Inspector or Justice that such Offence was not wilful nor grossly negligent, such Inspector or Justice may mitigate such Penalty below the said Sum of One Pound, or discharge the Person charged with such Offence.

Penalties for  
Offences  
against this  
Act.

XLII. And be it further enacted, That if any Person shall knowingly and wilfully obstruct any Inspector in the Execution of any of the Powers entrusted to him by this Act, such Person shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds.

Penalty for  
obstructing  
Inspectors.

XLIII. And be it further enacted, That such Inspector shall have the same Powers, Authority, and Jurisdiction over Constables and Peace Officers, as regards the Execution of the Provisions of this Act, as may by Law be exercised by His Majesty's Justices of the Peace over such Constables and Peace Officers.

Inspectors to  
have same  
Powers over  
Constables or  
Justices.

XLIV. And be it further enacted, That all Proceedings for the Enforcement of any Penalty or Punishment imposed by or under the Authority of this Act may be had before any Inspector or Justice of the Peace acting in or for the Town, Place, County, or Division where the Offence shall be committed; and the Inspector or Justice before whom any Person shall be summarily convicted and adjudged to pay any Sum of Money for any Offence against this Act may adjudge that such Person shall pay the same either immediately or within such Period as the said Inspector or Justice shall think fit; and in case such Sum of Money shall not be paid immediately or at the Time so appointed, the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender, together with the reasonable Charges of such Distress; and for Want of sufficient Distress such Offender shall be imprisoned in the Common Gaol for any Tithred exceeding One Shilling above which his Bail shall not be paid, and shall not exceed Five Pounds.

Proceedings  
under this Act  
may be had be-  
fore any In-  
spector or  
any One Jus-  
tice.

Penalty, or for any Term not exceeding Two Calendar Months in any one Case, the Imprisonment to cease in each of the Cases aforesaid upon Payment of the Sum due.

XXXV. And be it further enacted, That all Complainants for Offences against this Act shall be preferred at or before the Time of the Visit, duly notified, of any Inspector (not after the Commission of such Offence); and written Notice of the Intention to prefer the Complaint for such Offence shall by the Complainant be given within Fourteen Days after the Commission of such Offence to the Party or Parties complained against: Provided always, that no more than One Penalty for a Repetition of the same Offence shall be recoverable, except after the Service of the written Notice as aforesaid.

XXXVI. And be it further enacted, That it shall not be deemed necessary in any Summons or Warrant issued in pursuance of this Act to set forth the Name or other Designation of such and every the Partners in any such Mill or Factory, but that it shall be lawful to insert in such Summons or Warrant the Name of the soleable Occupier or Title of the Firm by which the Occupier or Occupiers employing the Workpeople of every such Mill or Factory are usually designated and known.

XXXVII. And be it further enacted, That the Service of such Summons or Warrant on any Occupier, principal Manager, Conductor, or Agent of any such Mill or Factory shall be good and lawful Service.

XXXVIII. And be it further enacted, That it shall be lawful for the Inspectors or any of them, or for any Justice of the Peace, upon any Complaint, or upon any Investigation under this Act without any Complaint, to administer an Oath to any Witness, and to examine any Witness forthwith to appear and give Evidence before him or them, or at a Time and Place appointed for hearing such Complaint or making such Investigations, or to order such Witness to be brought before him by any Constable or Peace Officer; and if such Witness shall not appear according to such Summons, Proof upon Oath having been given of the due Service of such Summons, or shall resist such Constable or Peace Officer, or shall not submit to be examined as a Witness, it shall be lawful for such Inspectors and Justices by Warrant under their Hand and Seal to commit such Person for such Non-appearance, Resistance, or Non-submission, to the County Prison, or Prison of the Place where such Offence was committed, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months.

XXXIX. Provided nevertheless, and be it enacted, That, except in the Case of Resistance to any Constable or Peace Officer, it shall be lawful for the Inspector or Justice by whom such Person shall have been committed to discharge such Person from Prison, if such Person shall show any Cause to such Inspector or Justice which shall be deemed satisfactory as an Excuse for such Non-appearance, or if such Person shall afterwards submit himself to be examined to the Satisfaction of such Inspector or Justice, and the Order of such Inspector or Justice for such Discharge shall be a sufficient Warrant to any Gaoler or Prison-keeper.

XL. And be it further enacted, That every Conviction under this Act before any Inspector or Justice may be made according to the Form in the Schedule to this Act annexed: which Conviction shall be certified to the next General Quarter Sessions, there to be filed among the Records of the County, Riding, or Division, and shall have the Force of an Act of Record, whether the same shall be by an Inspector or by a Justice of the Peace for such County, Riding, or Division; and no Conviction or other Proceeding of any Inspector or Justice under this Act shall be deemed illegal for any mere Informality.

XLI. And be it further enacted, That if any Person who shall have been sentenced or adjudged to pay any Penalty or Forfeiture under this Act shall neglect or refuse to pay the same, it shall be lawful for the Inspector or Magistrate before whom such Person shall have been convicted to issue his Warrant to distress the Goods and Chattels of such Person; and if no sufficient Distress shall be found, it shall be lawful for the said Inspector or Magistrate, upon such Fact being certified by the Constable having the Execution of such Distress Warrant, to commit such Person to the House of Correction or Common Goal of the Town, County, or Place where such Offence was committed for any Time not exceeding Two Months; and the said Warrant of Distress, Commitment, and Certificate of the Constable may be in the Forms contained in the Schedule to this Act annexed.

XLII. And be it further enacted, That no Appeal against any Conviction under this Act shall be allowed, except in the Case of a Conviction for the Forgery of any Certificates, Vouchers, or other Documents required by this Act, or by any Inspector under the Authority of this Act, neither shall any Conviction, except in the Case herein last excepted, be removable by Certiorari or Bill of Advocation into any Court whatsoever.

XLIII. And be it further enacted, That any Justice or Inspector by whom any Complaint under this Act is determined shall, if he so thinks fit, give to the Complainant or Prosecutor One Half of any Penalty imposed for any Offence against any of the Provisions of this Act, together with all Costs of Prosecution and Conviction, and the Remainder of the Penalty, or the Whole if he shall think fit, shall be applied as such Justice or Inspector may direct for the Benefit of any School wherein Children employed in Mills or Factories are educated in such Township or Place where such Offence shall be committed: Provided always, that only One Penalty shall be recoverable for any One Description of Offence from any One Person for any One Day; and that it shall not be deemed necessary for the Complainant or Prosecutor to name in any Summons the particular Township in which such Offence shall have been committed, but it shall be lawful to set forth in such Summons the Name of the Parish where such Offence may have been committed; provided always, that such Summons shall be issued upon Complaint being made upon Oath.

XLIV. And

**XLIV.** And be it further enacted, That every Inspector shall be and is hereby authorized to order any Constable or Peace Officer to provide for each Inspector a convenient Place for holding any Sitting; and the Expence of providing such Place shall be defrayed in the Manner and Proportion and by the Person or Persons herein appointed for the Payment of any special Remuneration to any Constable or Peace Officer.

Inspector may order Constable to provide a Place for holding Sittings.

**XLV.** And be it further enacted, That every Inspector shall keep full Minutes of all his Visits and Proceedings, and shall report the same to One of His Majesty's Principal Secretaries of State twice in every Year, and oftener if required, and shall also report the State and Condition of the Factories or Mills and of the Children employed therein, and whether such Factories or Mills are or are not conducted according to the Directness of this Act and of the Laws of the Realm: And whereas it is expedient that the Proceedings, Rules, Orders, and Regulations of the several Inspectors appointed under this Act should be as nearly alike as is practicable under all Circumstances, therefore such Inspectors are hereby required, within Three Months next after they shall have commenced the Execution of their several Duties and Powers under this Act, and twice at least in every Year afterwards, to meet and confer together respecting their several Proceedings, Rules, Orders, Regulations, Duties, and Powers under this Act, and at such Meeting to make their Proceedings, Rules, Orders, and Regulations as uniform as is expedient and practicable; and such Inspectors are hereby required to make and keep full Minutes of such Meetings, and to report the same to each Secretary of State when they make the Report herein-before required.

Inspector to make annual Reports.

Proceedings of Inspectors required to be uniform.

**XLVI.** And be it further enacted, and it is hereby declared, That in all Cases in which any Justice or Justice of the Peace are or is required to act or do any thing in any Manner under this Act, or are or is named therein, and whenever the Subject Matter of any One of the Enactments or Provisions of this Act shall arise within that Part of the United Kingdom called Scotland, the Burgh Magistrates shall be held to have and shall have within the Limits of their own Jurisdiction the same Powers, Duties, and Authorities, and which they are hereby required to exercise, as and by this Act conferred upon the said Justice or Justice of the Peace, and are required to be exercised by them.

Burgh Magistrates in Scotland to exercise same Powers as Justices of Peace in England.

**XLVII.** Provided always, and be it enacted, That nothing in this Act contained shall apply to Mechanics, Artizans, or Labourers under the prescribed Ages working only in repairing the Machinery or Engines.

Not to extend to Persons or Engines.

**XLVIII.** And be it further enacted, That from and after the First Day of January One thousand eight hundred and thirty-four the Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Apprentices and other Persons employed in Cotton Mills, and to make further Provisions in that behalf*, shall be repealed, and the same is hereby repealed, except so many Acts or Acts repeated by the same.

1827 c. 27, repealed, except so it repeats any other Act.

**XLIX.** And be it further enacted, That any Words in this Act denoting the Masculine Gender shall be construed to extend to Persons of either Sex, and any Words denoting the Singular Number shall be construed to extend to any Number of Persons or Things, if the Subject Matter or Context shall admit of such an Interpretation, unless such Construction shall be in express Opposition to any other Enactment.

Construction of Terms.

**L.** And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

#### The SCHEDULE to which this Act refers.

##### Form of Conviction.

County of  } **BE** it remembered, That on the  Day of  in the  
*as the Fact may be* } *Year* *A. B.* [describe the Offender] was, upon the Complaint of  
*to wit* } *C. D.*, One of His Majesty's Inspectors of Factories, [executed before  
*or by* } *E. F.*, One of His Majesty's Inspectors of Factories, or Justice of the Peace of and for, *for* [or the Case  
*may be,*] in pursuance of an Act passed in the Fourth Year of the Reign of His Majesty King William  
the Fourth, for [describe the Offence]. Given under my Hand and Seal the Day and Year above mentioned.

##### WARRANT to distress for FORFEITURES.

##### To the Constable, &c.

County of  } **WHEREAS** *A. B.* of  in the said County, in this Day convicted  
*to wit* } before me *C. D.*, One of His Majesty's Inspectors of Factories, [or Justice of  
the Peace in and for the said County,] upon the Oath of a credible Witness, [or upon my own View, as  
the Case may be,] for that he the said *A. B.* hath [have not both the Offence, describing it particularly in the  
Words of the Statute or Statutes, as may or may be,] contrary to the Statute [or Rule, if the Offence is against  
some Rule or Regulation or Order of an Inspector,] in that Case made and provided, by reason whereof  
the said *A. B.* is adjudged to have forfeited the Sum of *£* , to be distributed as herein-after  
mentioned: There are therefore in His Majesty's Name to command you to levy the said Sum of  
*£*  by Distress of the Goods and Chattels of him the said *A. B.*; and if within the Space of  
Four Days next after such Distress by you taken, the said Sum of *£*  together with the  
reasonable Charges of taking and keeping the same, shall not be paid, that then you do sell the said  
Goods and Chattels by public Auction, and out of the Money arising by such Sale, the sum do you  
pay to the said *A. B.* and the residue to the said *C. D.* and the said *C. D.* shall be bound to receive the same.



[According to the Award of the Justice], returning the Overplus, on Demand, to him the said A. B., the reasonable Charges of taking, keeping, and selling the said Distress being first deducted; and if sufficient Distress cannot be found of the Goods and Chattels of the said A. B. whereto to levy the said Sum of £ . . . that then you certify the same to me, together with this Warrant. Given under my Hand and Seal the . . . Day of . . .

C. D.

## Returns of Constable upon Warrant of Distress where no Effects.

I A. B., Constable of . . . in the County of . . . do hereby certify and make Oath, That by virtue of this Warrant I have made diligent Search for the Goods of the within-named . . . , and that I can find no sufficient Goods whereto to levy the same. As witness my Hand the . . . Day of . . .

A. B.

Sworn before me the Day and Year . . .

C. D.

## COMMISSIONERS for WARD of DISTRESS.

County of . . . } To the Constable of . . . in the County of . . . , and to the  
 of . . . } Keeper of the Common Gaol [or House of Correction] at . . . in the said County.

WHEREAS A. B. of . . . in the said County, was, on the . . . Day of . . . committed before me C. D. Esquire, One of His Majesty's Justices of the Peace in and for the said County, [or Inspector of Factories, as the Fact may be,] upon the Oath of a credible Witness, [or upon my own View, as the Case may be] for that he [have not forth the Offence] contrary to the Statute made in the . . . Year of the Reign of His Majesty King William IV. for [according to the Title of the Act, or contrary to a certain Rule or Order or Regulation of His Majesty's Inspectors of Factories,] and the said A. B., by reason thereof, hath been adjudged to forfeit and pay the Sum of £ . . . And whereas on the . . . Day of . . . in the Year aforesaid, I did issue my Warrant to the Constable of . . . to levy the said Sum of . . . by Distress and Sale of the Goods and Chattels of him the said A. B., and to distribute the same as in my said Warrant was mentioned: And whereas it duly appears to me, upon the Oath of the said Constable, that he hath used his best Endeavours to levy the said Sum on the Goods and Chattels of the said A. B., but that no sufficient Distress can be had whereto to levy the same: There are therefore to command you the said Constable of . . . aforesaid to apprehend the said A. B., and him safely to convey to the Common Gaol [or House of Correction] at . . . in the said County, and there deliver him to the Keeper thereof, together with this Precipit; and I do also command you the said Keeper to receive and keep in your Custody the said A. B. for the Space of . . . unless the said Sum shall be sooner paid, pursuant to the said Commission and Warrant; and for so doing this shall be your sufficient Warrant. Given under my Hand and Seal the . . . Day of . . .

C. D.

## C. A. P. CIV.

An Act to render Freehold and Copyhold Estates Assets for the Payment of Simple and Contract Debts. [18th August 1833.]

WHEREAS it is expedient that the Payment of the Debts of all Persons should be secured more effectually than is done by the Laws now in force; he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, when any Person shall die seized or entitled to any Estate or Interest in Lands, Tenements, or Hereditaments, Corporal or Incorporeal, or other Real Estate, whether Freehold, Copyhold, or Copyhold, which he shall not by his last Will have charged with or devised subject to the Payment of his Debts, the same shall be Assets to be administered in Courts of Equity for the Payment of the just Debts of such Persons, as well Debts due on Simple Contract as on Specialty; and that the Heir or Heirs at Law, Customary Heir or Heirs, Devisee or Devisees of such Debtor, shall be liable to all the same Suits in Equity as the Heir of any of the Creditors of such Debtor, whether Creditors by Simple Contract or by Specialty, as the Heir or Heirs at Law, Devisee or Devisees of any Person or Persons who died seized of Freehold Estates was or were before the passing of this Act liable to in respect of such Freehold Estates as the Heir of Creditors by Specialty in which the Heirs were bound: Provided always, that in the Administration of Assets by Courts of Equity under and by virtue of this Act all Creditors by Specialty in which the Heirs are bound shall be paid the full Amount of the Debts due to them before any of the Creditors by Simple Contract or by Specialty in which the Heirs are not bound shall be paid any Part of their Demands.

Freehold and Copyhold Estates in all Cases in the Power for the Payment of Simple Contract or Specialty Debts.

## CAP. CV.

An Act for the Amendment of the Law relating to Dower.

[29th August 1833.]

BE it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Words and Expressions herein after mentioned, which in their ordinary Signification have a more confined or a different Meaning, shall in this Act, except where the Nature of the Provision or the Context of the Act shall exclude such Construction, be interpreted as follows; that is to say, the Word "Land" shall extend to Manors, Advowsons, Messuages, and all other Hereditaments, whether Corporal or Incorporeal (except such as are not liable to Dower), and to any Share thereof; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as One Person or Thing.

II. And be it further enacted, That when a Husband shall die, beneficially entitled to any Land for an Interest which shall not entitle his Widow to Dower out of the same of Law, and such Interest, whether wholly equitable, or partly legal and partly equitable, shall be an Estate of Inheritance in possession, or equal to an Estate of Inheritance in possession (other than an Estate in Feoffment), then his Widow shall be entitled in Equity to Dower out of the same Land.

III. And be it further enacted, That when a Husband shall have been entitled to a Right of Entry or Action in any Land, and his Widow would be entitled to Dower out of the same if he had recovered Possession thereof, she shall be entitled to Dower out of the same although her Husband shall not have recovered Possession thereof; provided that such Dower be used for or obtained within the Period during which such Right of Entry or Action might be enforced.

IV. And be it further enacted, That no Widow shall be entitled to Dower out of any Land which shall have been absolutely disposed of by her Husband in his Lifetime, or by his Will.

V. And be it further enacted, That all partial Estates and Interests, and all Charges created by any Disposition or Will of a Husband, and all Debts, Incumbrances, Contracts, and Engagements to which his Land shall be subject or liable, shall be valid and effectual as against the Right of his Widow to Dower.

VI. And be it further enacted, That a Widow shall not be entitled to Dower out of any Land of her Husband when in the Deed by which such Land was conveyed to him, or by any Deed executed by him, it shall be declared that his Widow shall not be entitled to Dower out of such Land.

VII. And be it further enacted, That a Widow shall not be entitled to Dower out of any Land of which her Husband shall die wholly or partially intestate when by the Will of her Husband, duly executed for the Devise of Freehold Estates, she shall declare his Intention that she shall not be entitled to Dower out of such Land, or out of any of his Land.

VIII. And be it further enacted, That the Right of a Widow to Dower shall be subject to any Conditions, Restrictions, or Directions which shall be declared by the Will of her Husband, duly executed as aforesaid.

IX. And be it further enacted, That where a Husband shall devise any Land out of which his Widow would be entitled to Dower if the same were not so devised, or any Estate or Interest therein, to or for the Benefit of his Widow, such Widow shall not be entitled to Dower out of or in any Land of her said Husband, unless a contrary Intention shall be declared by his Will.

X. And be it further enacted, That no Gift or Bequest made by any Husband to or for the Benefit of his Widow of or out of his Personal Estate, or of or out of any of his Land not liable to Dower, shall defeat or prejudice her Right to Dower, unless a contrary Intention shall be declared by his Will.

XI. Provided always, and be it further enacted, That nothing in this Act contained shall prevent any Court of Equity from enforcing any Covenant or Agreement entered into by or on the Part of any Husband not to bar the Right of his Widow to Dower out of his Lands, or any of them.

XII. And be it further enacted, That nothing in this Act contained shall interfere with any Rule of Equity, or of any Ecclesiastical Court, by which Legacies bequeathed to Widows in Satisfaction of Dower are granted in Priority over other Legacies.

XIII. And be it further enacted, That no Widow shall hereafter be entitled to Dower ad usum et habitum, or Dower ex actione patris.

XIV. And be it further enacted, That this Act shall not extend to the Dower of any Widow who shall have been or shall be married on or before the First Day of January One thousand eight hundred and thirty-four, and shall not give to any Will, Deed, Contract, Engagement, or Charge executed, entered into, or created before the said First Day of January One thousand eight hundred and thirty-four, the Effect of defeating or prejudicing any Right to Dower.

## CAP. CVI.

An Act for the Amendment of the Law of Inheritance.

[29th August 1833.]

BE it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Words and Expressions herein after mentioned, which in their ordinary Signification have a more confined or a different Meaning, shall in this Act, except where the Nature of the Provision or the Context of the Act shall exclude such Construction, be interpreted as follows; that is to say, the Word "Land" shall extend to Manors, Advowsons, Messuages, and all other Hereditaments, whether Corporal or Incorporeal (except such as are not liable to Dower), and to any Share thereof; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as One Person or Thing.

Meaning of the Words in the Act.

"Land."

Widow.

Widow to be entitled to Dower out of any Land.

Widow shall not be entitled to Dower out of any Land.

No Dower out of Estates disposed of by Will or partial Estates, Debts, &amp;c.

Dower may be barred by a Declaration in a Deed.

or by a Declaration in the Husband's Will.

Dower shall be subject to Restrictions.

Devise of Real Estate to the Widow shall bar her Dower.

Bequest of Personal Estate shall not.

Agreement not to bar may be enforced.

Legacies in bar of Dower.

Certain Dowers abolished.

Act not to take effect before the 1st January 1834.

"Land"

"The Person."

"Descent."

"Descendant."

"Person last entitled."

"Assurance."

Number and Gender.

Descent shall always be traced from the Purchaser, but the last Owner shall be considered to be the Purchaser, when the title may be proved by any other means.

Will shall take effect at Descent, and a Limitation to the Heirs shall create an Estate by Purchase.

Where Heirs shall be named by Purchase and a Limitation to the Heirs of their Ancestors.

Brothers, &c. shall trace Descent through their Sisters.

Legal Ancestor shall be his Heir in preference to any Person who claims through him.

The Male Line is to be preferred.

The Mother of issue inherits Male Ancestor to be preferred to the Mother

the Provision or the Content of the Act shall exclude such Construction, be interpreted as follows: (that is to say,) the Word "Land" shall extend to Messuages, Advowsons, Messuages, and all other Hereditaments, whether Corporeal or Incorporeal, and whether Freehold or Copyhold, or of any other Tenure, and whether descendible according to the Common Law, or according to the Custom of Gavelkind or Borough-English, or any other Customs, and to Money to be laid out in the Purchase of Land, and to Chattels and other Personal Property transmissible to Heirs, and also to any Share of the same Hereditaments and Properties or any of them, and to any Estate of Inheritance, or Estate for any Life or Lives, or other Estate transmissible to Heirs, and to any Possibility, Right, or Title of Entry or Action, and any other Interest capable of being inherited, and whether the same Estates, Possibilities, Rights, Titles, and Interests, or any of them, shall be in Possession, Reversion, Remainder, or Contingency; and the Words "the Purchaser" shall mean the Person who last acquired the Land otherwise than by Descent, or than by any Escheat, Partition, or Inclosure, by the Effect of which the Land shall have become Part of or descendible in the same Manner as other Land acquired by Descent; and the Word "Descent" shall mean the Title to inherit Land by reason of Consanguinity, as well where the Heir shall be an Ancestor or collateral Relative, as where he shall be a Child or other Issue; and the Expression "Descendant" of any Ancestor shall extend to all Persons who must trace their Descent through such Ancestor; and the Expression "the Person last entitled to Land" shall extend to the last Person who had a Right thereto, whether he did or did not obtain the Possession or the Receipt of the Rent and Profits thereof; and the Word "Assurance" shall mean any Deed or Instrument (other than a Will) by which any Land shall be conveyed or transferred at Law or in Equity; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

II. And be it further enacted, That in every Case Descent shall be traced from the Purchaser; and to the Intent that the Pedigree may never be carried further back than the Circumstances of the Case and the Nature of the Title shall require, the Person last entitled to the Land shall, for the Purposes of this Act, be considered to have been the Purchaser thereof unless it shall be proved that he inherited the same, in which Case the Person from whom he inherited the same shall be considered to have been the Purchaser unless it shall be proved that he inherited the same; and in like Manner the last Person from whom the Land shall be proved to have been inherited shall in every Case be considered to have been the Purchaser, unless it shall be proved that he inherited the same.

III. And be it further enacted, That when any Land shall have been devised, by any Testator who shall die after the Thirty-first Day of December One thousand eight hundred and thirty-three, to the Heir or to the Person who shall be the Heir of such Testator, such Heir shall be considered to have acquired the Land as a Devisee, and not by Descent; and when any Land shall have been limited, by any Assurance executed after the said Thirty-first Day of December One thousand eight hundred and thirty-three, to the Person or to the Heirs of the Person who shall thereby have conveyed the same Land, such Person shall be considered to have acquired the same as a Purchaser by virtue of such Assurance, and shall not be considered to be entitled thereto as his former Estate or Part thereof.

IV. And be it further enacted, That when any Person shall have acquired any Land by Purchase under a Limitation to the Heirs or to the Heirs of the Body of any of his Ancestors, contained in an Assurance executed after the said Thirty-first Day of December One thousand eight hundred and thirty-three, or under a Limitation to the Heirs or to the Heirs of the Body of any of his Ancestors, or under any Limitation having the same Effect, contained in a Will of any Testator who shall depart this Life after the said Thirty-first Day of December One thousand eight hundred and thirty-three, then and in any of such Cases such Land shall descend, and the Descent thereof shall be traced as if the Ancestor named in such Limitation had been the Purchaser of such Land.

V. And be it further enacted, That no Brother or Sister shall be considered to inherit immediately from his or her Brother or Sister, but every Descent from a Brother or Sister shall be traced through the Person.

VI. And be it further enacted, That every legal Ancestor shall be capable of being Heir to any of his Issue; and in every Case where there shall be no Issue of the Purchaser, his nearest legal Ancestor shall be his Heir in preference to any Person who would have been entitled to inherit, either by tracing his Descent through such legal Ancestor, or in consequence of there being no Descendant of such legal Ancestor, so that the Father shall be preferred to a Brother or Sister, and a more remote legal Ancestor to any of his Issue, other than a nearer legal Ancestor or his Issue.

VII. And be it further enacted and declared, That none of the Maternal Ancestors of the Person from whom the Descent is to be traced, nor any of their Descendants, shall be capable of inheriting until all his Paternal Ancestors and their Descendants shall have failed; and also that no Female Paternal Ancestor of such Person, nor any of her Descendants, shall be capable of inheriting until all his Male Paternal Ancestors and their Descendants shall have failed, and that no Female Maternal Ancestor of such Person, nor any of her Descendants, shall be capable of inheriting until all his Male Maternal Ancestors and their Descendants shall have failed.

VIII. And be it further enacted and declared, That where there shall be a Failure of Male Paternal Ancestors of the Person from whom the Descent is to be traced, and their Descendants, the Mother of his name nearest Male Paternal Ancestor, or her Descendants, shall be the Heir or Heirs of such Person, in preference to the Mother of a less remote Male Paternal Ancestor, or her Descendants, and where

there shall be a Failure of Male Maternal Ancestors of such Person, and their Descendants, the Mother of his more remote Male Maternal Ancestor, and her Descendants, shall be the Heir or Heiress of such Person, in preference to the Mother of a less remote Male Maternal Ancestor, and her Descendants.

of the less re-  
mote Male  
Ancestors.

X. And be it further enacted, That any Person related to the Person from whom the Descent is to be traced by the Half Blood shall be capable of being his Heir; and the Place in which any such Relation by the Half Blood shall stand in the Order of Inheritance, so as to be entitled to inherit, shall be next after any Relation in the same Degree of the Whole Blood, and his Issue, where the common Ancestor shall be a Male, and next after the common Ancestor where such common Ancestor shall be a Female, so that the Brother of the Half Blood on the Part of the Father shall inherit next after the Sisters of the Whole Blood on the Part of the Father and their Issue, and the Brother of the Half Blood on the Part of the Mother shall inherit next after the Mother.

Half Blood

XI. And be it further enacted, That when the Person from whom the Descent of any Land is to be traced shall have had any Relation who, having been attained, shall have died before such Descent shall have taken place, then such Attainder shall not prevent any Person from inheriting such Land who would have been capable of inheriting the same, by tracing his Descent through such Relation, if he had not been attained, unless such Land shall have escheated in consequence of such Attainder before the First Day of January One thousand eight hundred and thirty-four.

After the  
Death of a  
Person at-  
tained, his  
Descendants  
may inherit.

XII. And be it further enacted, That this Act shall not extend to any Descent which shall take place on the Death of any Person who shall die before the said First Day of January One thousand eight hundred and thirty-four.

Act not to ex-  
tend to any  
Descent before  
January 1834.

XIII. And be it further enacted, That where any Assurance executed before the said First Day of January One thousand eight hundred and thirty-four, or the Will of any Person who shall die before the same First Day of January One thousand eight hundred and thirty-four, shall contain any Limitation or Gift to the Heir or Heirs of any Person, under which the Person or Persons answering the Description of Heir shall be entitled to an Estate by Purchase, then the Person or Persons who would have answered such Description of Heir if this Act had not been made shall success entitled by virtue of such Limitation or Gift, whether the Person named as Ancestor shall or shall not be living on or after the said First Day of January One thousand eight hundred and thirty-four.

Limitations  
made before  
Jan. 1834, to  
Heirs of a Per-  
son then living,  
shall take effect  
as if the Act  
had not been  
made.

## LOCAL AND PERSONAL ACTS,

DECLARED PUBLICK,

AND TO BE JUDICIALLY NOTICED.

**N. B.**—*The Continuance of each of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

- (a) For 31 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.  
 (4) For 31 Years, &c. from the passing of the Act.

*The following are all PUBLIC ACTS; to each of which is annexed a Clause in the Form following:*

- “ And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.”

## Cap. i.

An Act for raising Money to pay Compensation for Damages sustained within the Hundred of *Bromsea* in the County of *Nottingham* during the late Riots and Tumults therein. [20th March 1833.]  
 [Powers of 9 G. 4. c. 40. extended to this Act, § 6.]

## Cap. ii.

An Act for repealing an Act passed in the Fourth Year of the Reign of His Majesty King George the Third for the better Relief and Employment of the Poor in the Hundred of *Bosmore* and *Clyden* in the County of *Suffolk*, and for granting more effectual Powers instead thereof. [20th March 1833.]  
 [4 G. 3. c. 37. repealed, § 1.]

## Cap. iii.

An Act for lighting with Gas the Borough of *Coventry* and the Township of *Earlston* within the Parish of *Astley* in the County of *Gloucester*. [20th March 1833.]

## Cap. iv.

An Act to enable the *Cheltenham Railway Company* to make certain additional Branch Railways; and to amend and enlarge the Powers of the several Acts for making and maintaining the said Railway. [20th March 1833.]  
 [Powers of 9 G. 4. c. 361. 10 G. 4. c. 676. and 2 W. 4. c. xxv. (except as altered) extended to this Act, § 1.]

## Cap. v.

An Act for more effectually repairing and improving several Roads in the Counties of *Cornwall* and *Devon*, leading to the Borough of *Salisbury* in the County of *Cornwall*, and for making a new Branch and Deviations of Roads to communicate therewith. (B) [20th March 1833.]  
 [4 G. 6. c. vi. repealed, § 1. Tolls not to be laid out in repairing Streets, § 14. No more Money to be laid out on the Branch Road than is collected thereon, § 16. Tolls to be paid but once a Day at some Gate, except for Horses, &c. drawing a fresh Carriage, &c. § 18, 19. Two full Tolls only to be taken on one Day upon the whole Line, § 20. Wheels of the Breadth of 4½ Inches and under 9 Inches, and not bearing Five Parts in Six of their Breadth on a level Surface, to be charged with Toll, or having Wheels of less Breadth than 4½ Inches, § 24. Toll to be paid for Horses, &c. passing 100 Yards, though after passing through a Gate, § 25. Among the Rights of the Admiralty, § 22; and of the Ordnance, § 23; and of the Duchy of Cornwall, § 26.]

## Cap. vi.

An Act for repairing the Road from *Randy Gate* in the Parish of *Donaghadee*, through *Monaghanhampton*, to *Cherry Brook* in the Parish of *Dartmore* in the County of *Down*. (A) [20th March 1833.]  
 [12 G. 3. c. 93. 31 G. 3. c. 117. and 33 G. 3. c. 111. repealed, § 1. No Toll to be paid for repairing one on some Day, § 3. Tolls to be paid but Three Times a Day at some Gate, § 16. Toll to be paid at One Gate only for passing and remaining once on some Day through all the Gates between *Randy Gate* (Printed image digitized by the University of Southampton Library Digitisation Unit)

and *Martinschampstead* and between *Martinschampstead* and *Cherry Brook* in the *Parish of Barmouth*, § 11. *No Money to be expended in repairing Streets*, § 12.]

## Cap. vii.

An Act for repairing the Road from *Darby Moor* in the County of *Derby* to *Ellistown* in the County of *Stafford*, and from thence to the Turnpike Road between *Leek* in the same County and *Ashburton* in the County of *Derby*. (a) [25th March 1833.]

[24 G. 3. c. 31. 31 G. 3. c. 133. and 32 G. 3. c. 122. vi. repealed, § 1. Toll to be paid but once a Day at some Gate, § 8.; and Two full Tolls only to be paid on the whole Line at some Gate, § 9. No Money to be expended in repairing Streets of *Ellistown*, § 14.]

## Cap. viii.

An Act for repairing and maintaining the Road from the *Grave Post* near *Sadden Bridge* in the Parish of *Radcliffe to Bury*, and a Branch therefrom, all in the County Palatine of *Leicester*. (a) [25th March 1833.]

[27 G. 3. c. 145. and 32 G. 3. c. 1. repealed, § 1. One full Toll only to be paid for passing through all the Gates at some Gate, § 10. Money not to be expended in repair of Streets, &c. in *Bury*, § 17.]

## Cap. ix.

An Act for repairing the Roads from near *Moss Bridge* near *York*, to *New Malton*, and from thence to *Scarborough*, and from *Spittle House* to *Scarborough*, all in the County of *York*. (a) [25th March 1833.]

[30 G. 3. c. xxviii. and 1 G. 4. c. xxiii. repealed, § 1. *Lease, Clerk, &c.* for *Mosses* exempted from Toll, § 9. No Toll to be paid on repairing through some Gate at some Gate, § 11. Five full Tolls only to be taken for passing and repairing at some Gate through all the Gates on the Road from the City Boundary Stone to *Scarborough*, and from thence to *Spittle House*, and Two full Tolls only between *York* and *New Malton* and between *New Malton* and *Scarborough*, and One full Toll only between *Scarborough* and *Spittle House*, § 14. No Money to be applied in repairing Streets of *New Malton*, § 15. Money not to be laid out as Roads where no Tolls are taken, § 19.]

## Cap. x.

An Act for more effectually repairing and improving the Roads from *Spurton* to *Helmingham* and to *Debenham*, and from *Helmingham* to *Olney Bottom*, in the County of *Essex*. (a) [25th March 1833.]

[32 G. 3. c. xxiii. repealed, § 1. Toll to be paid but once a Day at some Gate, § 7. One Toll only to be taken at some Gate for passing through all the Gates from the Parish of *Waterfield* towards *Helmingham*, and One Toll and a Half only upon the Road leading from the Parish of *Hembit* to *Whiston* on *Thurston* towards *Debenham*, and Two full Tolls only upon the whole Line, § 8. No more Money to be expended in repair of Branch Roads than is collected thereon, § 15.]

## Cap. xi.

An Act for more effectually repairing the Roads from *Scull Wood* to the Turnpike Road leading from *Timberley to Stone*, and from *Cheltenham* to *Scotchborough*, and from *Witchcomb* to the said Turnpike Road from *Timberley to Stone*; and also for making a new Branch from the said Road in *Witchcomb* to the Turnpike Road leading from *Cheltenham* to *London* at *Ascombe* in the Parish of *Dunstable*, in the County of *Gloucester*. (a) [25th March 1833.]

[32 G. 3. c. 146. and 34 G. 3. c. xviii. repealed, § 1. Double Tolls to be taken for Timber, Iron, Bricks, Sand, &c. in the Winter Months, § 5. Tolls to be paid but once a Day at some Gate, § 10. Waggon, &c. to pay again on passing a Third Time and a Fifth Time, and for every alternate Time of passing afterwards, § 14. *Messues* not exempted from Toll, unless the Wheels of the Waggon, &c. pass Six Inches upon a flat Surface, § 19. Penalty of £4. for creating or continuing *Bridg Ways, &c.* within 100 Yards of the Roads, § 17. Penalty of £5. for encroaching Three Inches above, or hanging Lines over the Roads, § 18. Three full Tolls only to be taken at some Gate on the whole Line, § 19. No more Money to be expended in repairing Branch Roads than is collected thereon, § 20.]

## Cap. xii.

An Act for more effectually repairing and improving the Roads from *Wendover* to the End of *Oak Lane*, and from the River *Colne* for Half a Mile towards *Bowlingfield*, in the County of *Bucks*. (a) [25th March 1833.]

[32 G. 3. c. xxx. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 8. Two full Tolls only to be taken at some Gate at all the Gates on the Roads, § 9. No more Money to be applied in the Repair of the Half Mile of Road near the River *Colne* than is collected thereon, and no Part of such Money to be expended in repairing the Road from *Wendover* to the End of *Oak Lane*, § 10. No Toll to be expended in repairing Streets, or Tolls to be collected in Towns, § 20.]

## Cap. xiii.

An Act for repairing and improving the Road from *Roxbury* to *Colworth Bridge*, and from thence into the *Torpine Road* leading from *Walsfield* to *Downwater*, and other Roads connected therewith, all in the West Riding of the County of *York*. (a)

[29th March 1833.]

[1 G. 4. c. xliii. repealed, § 1. *Horses, &c.* to pass *Three Times* for each *full Toll*, § 9. *Two full Tolls* only to be taken for passing and repassing over on some Day through all the Gates along the whole Line of Road, § 10. No more Money to be expended in repairing Branch Roads than is collected thereon, § 15. No Money to be expended in repairing Streets, &c., § 16.]

## Cap. xiv.

An Act for making, repairing, and improving certain Roads leading to and from *Helton* in the County of *Corwall*. (a)

[25th March 1833.]

[1 G. 4. c. lxxxiii. repealed, except as to Contracts made under it, § 1. One full Toll only to be taken for passing or repassing on some Day through all the Gates between *Helton* and *Falmouth* and *Helton* and *Truro*, and between *Helton* and Two hundred Feet to Westward of *Morvician River* and *Bridge*, § 3. Payment of Toll between *Falmouth* and *Perreys* to clear the Gates between those Places only, § 10. Persons having paid Toll between *Falmouth* and *Perreys* may pass through the Gates between *Helton* and *Perreys* and *Helton* and *Truro* on paying the Difference, § 11. No more Money to be expended in repairing Branch Roads than is collected thereon, § 12. No Money to be laid out in repairing Streets, § 16.]

## Cap. xv.

An Act for more effectually repairing the Road from the *City of Norwich* to the *Windmill* in the Town of *Watton* in the County of *Norfolk*, and for making a new Branch of Road to communicate therewith. (b)

[25th March 1833.]

[10 G. 3. c. 77. 30 G. 3. c. 104. 32 G. 3. c. 32. and 2 W. 4. c. xxv. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 15. Two full Tolls only to be taken on some Day for passing or repassing upon the whole Line of Road, § 18. Tolls to be taken for Trucks, &c. drawn by Dogs, § 16. Tolls to be paid for Steam Carriages, § 19.]

## Cap. xvi.

An Act for repairing the Road from *Walden's Manufactory* to *Stratford-upon-Avon* in the County of *Warwick*. (a)

[25th March 1833.]

[10 G. 3. c. 94. 31 G. 3. c. 98. and 32 G. 3. c. 16. repealed, § 1. One full Toll only to be taken on some Day for passing or repassing through all the Gates upon the Road, § 8. Tolls to be paid but once a Day at some Gate, § 9. When Toll has been paid for empty Carriages, no Toll payable on return of such Carriages loaded, § 12.]

## Cap. xvii.

An Act for making and maintaining a Road from *Bishop's Walkden* to join the *Bolton* and *Winchester* Road at or near *Fisher's Pond* in the Parish of *Overbury* in the County of *Southampton*. (b)

[29th March 1833.]

[Tolls to be paid but once a Day at some Gate, § 12. One full Toll only to be paid on some Day for passing on the whole Line of Road, § 13. *Horses* returning drawing different Carriages to be again subject to Toll if passing One Mile on the Road, § 14. *Lime*, *Chalk*, and *Dung* for Manure exempted from Toll, § 17. Persons exercising Rights of Common in *Strad Wood*, *Winterhill Common*, *Harst Common*, and *Caldes Common*, exempted from Toll, § 18.]

## Cap. xviii.

An Act for more effectually repairing and improving the Road from the *End of Arwick Green* near *Manchester* in the County Palatine of *Lancaster* to *Matram* in *Longendale* in the County Palatine of *Chester*. (b)

[24 April 1833.]

[7 § 3 G. 4. c. 15. repealed, § 1. One Half Toll only to be taken at the *Arwick Bar* for *Horses, &c.* for which full Toll shall have been paid on the same Day at the *Gorton* and *Deaton Bars*, or at the *Reskelfe Lane Side Gate*, and vice versa, § 14—17. One full Toll only to be paid for passing and repassing over on some Day, § 13. One Toll only to be taken on the additional Road from *Hyle* to *Matram*, and Three Tolls only on the whole Line, § 22. One full Toll only to be paid on some Day for *Milk*, *Butter, &c.*, or for *Brewers' Draft* or *Grains*, provided that the Cart with the Loading thereof shall be drawn by One Horse only, and not weighing more than 15 Cwt., § 21. Carriages which cannot be weighed to pay double Toll, § 25. No Money to be laid out in repairing Streets, &c., § 30.]

## Cap. xix.

An Act for more effectually making and maintaining a Road from *Thornton* in the County of *Derby* to *Faversham Colliery* within *Derby* in the County of *Chester*, and for making and maintaining several Additions thereto. (b)

[24 April 1833.]

[2 W. 4. c. xvii. repealed, § 1. Tolls to be paid but once for passing and repassing twice on some Day, § 5. Tolls payable again after twice passing and repassing, § 9. Persons carrying *Milk, &c.* to pay Toll but Printed image digitized by the University of Southampton Library Digitisation Unit

over a Day, provided that the Cart shall be drawn by One Horse, &c. only, and not weighing (together with the Loading) more than 12 Cwt. § 12. Carriages which cannot be weighed to pay double Toll, § 14. No more Money to be expended on Branch Roads than is collected thereon, § 15. No Money to be laid out in repairing Streets, &c. § 16.]

## Cap. xx.

An Act for taking down the Parish Church of *Stretton-upon-Dunsmore* in the County of *Warwick* and Diocese of *Lichfield* and *Conover*, and building a new Church in lieu thereof. [20th April 1833.]  
(*Saving the Rights of the Bishop of Lichfield and Conover*, § 15.)

## Cap. xxi.

An Act for the better Sewage, cleaning, and draining of the Town of *Chiltenham* in the County of *Gloucester*. [20th April 1833.]

## Cap. xxii.

An Act for more effectually repairing and improving the Road from *Bulton* to *Kewley* called the *Moose Gate* District of Road, and a Branch thereof from *Steele Clough* to *Pollington*, all in the County of *Leicestershire*. (a) [20th April 1833.]

[1 & 2 G. 4. c. 1333. repealed, § 1. Two full Tolls only to be taken on some Day for passing through all the Gates in the *Moose Gate* District; and Two full Tolls only for passing through all the Gates on the *Steele Clough Branch Road*, § 3. Toll being paid at One Gate, free others within the Distance of One Mile, § 10. Tolls to be paid but once a Day at same Gate, except for Carriages laden with 5 Cwt. § 11. No more Money to be expended in repairing Roads than is collected thereon, § 15.]

## Cap. xxiii.

An Act to rectify a Mistake in an Act of the last Session of Parliament, for more effectually repairing and improving certain Roads leading to and through the Town of *Goodenoe* in the County of *Kent*. [20th April 1833.]

## Cap. xxiv.

An Act for repairing the Road from *Bicester* in the County of *Oxford* to *Aylesbury* in the County of *Buckingham*. (a) [20th April 1833.]

[10 G. 3. c. 72. 21 G. 3. c. 101. and 23 G. 3. c. 2302. repealed, § 1. Three full Tolls only to be taken on some Day for passing and repairing through all the Gates between *Bicester* and *Aylesbury*, § 3. Tolls to be paid but once a Day at same Gate, § 9. Horses, &c. drawing different Waggon, &c. to be again liable to Toll, § 12. No Money to be laid out in repairing Streets, § 13.]

## Cap. xxv.

An Act for more effectually repairing and improving the several Roads comprising the *Fleet*, *Malpaswell*, and *Madge* Districts of Roads in the County of *Fife*, and for making new Divisions and Extensions of Roads to communicate with the said Districts. (b) [20th April 1833.]

[9 G. 3. c. 65. 11 G. 3. c. 63. and 22 G. 3. c. 2303. repealed as to the *Fleet*, *Malpaswell*, and *Madge* Districts, § 1. Tolls to be paid but once a Day at same Gate, § 12. Horses, &c. drawing different Waggon, &c. to be again liable to Toll, § 13. Steam Carriages to pay every Time. Carriages which cannot be weighed to pay additional Toll, § 14. Tolls payable for passing 100 Yards on the Road, though not passing through a Gate previously, § 15. No more Money to be expended on any District than is collected thereon, § 22. Tolls not to be laid out in repairing Streets, § 24. *Saving the Rights of W. J. Broun, Esq.*, § 25.]

## Cap. xxvi.

An Act for the more effectually repairing and maintaining the Turnpike Road from *Post Eves Brook* in the County of *Fife* to *Aberfeldy* in the County of *Perth*, and thence to *Conroy Ferry House* in the County of *Perth*. (c) [20th April 1833.]

[9 G. 3. c. 45. 11 G. 3. c. 63. and 27 G. 3. c. 2304. repealed, § 1. Tolls to be paid but once a Day at same Gate, § 3. Two full Tolls only to be taken on some Day for passing through all the Gates on the Road from *Post Eves Brook* to *Aberfeldy*, and three full Tolls only from *Aberfeldy* to the *Ferry House* at *Conroy*, § 9.]

## Cap. xxvii.

An Act for repairing and maintaining the Roads from *Drestig* in the *Northop* and *Malpaswell* Roads, and from *Afne Wra* to *Mold*, and also a Branch of Road leading from *Northop* to *Mold*, near a Place called *Black Bridge*, and extending over *Malpaswell Bridge*, by *Mold*, to a certain Bridge called *Postonwydd*, in the Counties of *Denbigh* and *Fflew*. (d) [20th April 1833.]

[9 G. 3. c. 45. 20 G. 3. c. 110. and 22 G. 3. c. 1335. repealed, § 1. Tolls to be paid but once a Day at same Gate, § 3. Three full Tolls only to be taken for passing and repairing on some Day through all the Gates upon the *Black*, i. e. one full Toll only between *Denbigh* and the *Northop* and *Malpaswell* Road, one between *Afne Wra* and *Mold*, and one between *Black Bridge* and *Postonwydd*, § 9. No more Money to be expended on Branch Roads than is collected thereon, § 15.]



## Cap. xxviii.

An Act for repairing and maintaining the Roads from the Turnpike Road at *Gulford Green* in the Parish of *Cranbrook* to the Turnpike Road in the Parish of *Southeast*, and from the Village of *Beverley* to the *Bull Inn* at *Rilowater Cross* in the County of *Kent*; [20th April 1833.]

[29 G. 3. c. 43. 29 G. 3. c. 86. and 21 G. 3. c. 12222. repealed, § 1. Double Tolls to be taken between the 1st of October and the 1st of April for Timber, Wood, and Hay Poles, &c. Materials for Roads exempted from Toll between the 1st of April and 1st of November, and during hard Frosts in the Winter Season; no Exemption for Cloth or Linn, § 11. Horses, &c. having passed once to repay Toll free, § 12. Two full Tolls only to be taken on some Day for passing and repassing once from *Gulford Green* to *Southeast*, and one full Toll only between *Gulford Green* and *Beverley*, and between *Beverley* and *Southeast*, and between *Beverley* and *Rilowater Cross*, § 13. Horses, &c. drawing different Carriages, to pay each time of passing, § 14. No more Money to be laid out on Branch Roads than is collected thereon, § 15.]

## Cap. xxix.

An Act to amend Two Acts for more effectually draining and preserving certain Marsh Lands or Low Grounds in the Counties of *Kent* and *Sussex*, draining into the River *Stour* and Channel of *Appledram*. [26th May 1833.]

[Powers of 7 G. 4. c. xviii. and 18 G. 4. c. 22222. extended to this Act, § 1. Saving the Rights of the Crown, § 6.]

## Cap. xxx.

An Act for making the Hamlets of *Newbold* and *Arment* a separate Parish from the Parish of *Tredington* in the County and Diocese of *Worcester*; and for building a Church and providing a Churchyard and Parsonage House at *Newbold*. [6th May 1833.]

## Cap. xxxi.

An Act for better supplying with Water the City and County of the City of *Exeter*, and such Part of the Parish of *Saint David* as is situated in the County of *Devon*. [6th May 1833.]

[Preserving the Rights of the Dean and Chapter of *Exeter* in their Watercourses from *Sidwell*, and of their Manor and Fee of *St. Sidwell*, § 74 and 75. Saving the Rights of the Corporation of *Exeter*, § 79 and 80.]

## Cap. xxxii.

An Act for more effectually supplying with Water the City and County of the City of *Exeter* and Places adjacent thereto. [23rd May 1833.]

[Preserving the Rights of the Dean and Chapter of *Exeter* in their Manor and Fee of *St. Sidwell*, and to their Watercourse, § 123, 126. Preserving the Rights of the Corporation of *Exeter* to the Watercourse supplying the Conduit, § 121.]

## Cap. xxxiii.

An Act to alter and amend an Act of the Fifty-third Year of His late Majesty King *George the Third*, for better assessing and collecting the Poor and other Rates in the Parish of *Saint Giles*, *Camden*, in the County of *Surry*, and regulating the Affairs thereof, and for other Purposes relating thereto. [26th May 1833.]

[Powers of 25 G. 3. c. 2111, except as altered or repealed, extended to this Act, § 1. Saving the Rights of the Trustees of the *Surry* and *Sancti Roads*, § 75.; and of Commissioners of *Stones*, § 77.]

## Cap. xxxiv.

An Act for making a Railway from the *Warrington* and *Newton* Railway at *Werrington* in the County of *Leicester* to *Birmingham* in the County of *Warwick*, to be called the *Grand Junction Railway*. [6th May 1833.]

[Saving the Rights of the *Werrington* and *Newton* Railway Company, § 7.; and of the *Trent and Mersey* Navigation Company, § 19.; and of the Trustees of the *River Weaver*, § 25.; and of the *Edmore* and *Cheshire Canal* Company, § 20.; and of the *Staffordshire and Worcestershire Canal* Company, § 27.; and of the *Weydon* and *Eastington Canal* Navigation, § 45.; and of the *Birmingham Canal* Company, § 42.; and of His Majesty and the Corporation of *Liverpool*, § 218.]

## Cap. xxxv.

An Act for making a Railway from *Whitby* to *Federing* in the North Riding of the County of *York*. [6th May 1833.]

[Saving the Rights of the *Duchy* of *Leicester*, § 174.; and of the Owners of *Whitby Harbour*, § 172.; and of the Trustees of the *Whitby Harbour*, § 175.]

## Cap. xxxvi.

An Act for making a Railway from *London* to *Birmingham*. [26th May 1833.]

[Saving the Rights of the *Birmingham Canal* Company, § 37.; and of Commissioners of *Stones*, § 218.; and of the Corporation of *London*, § 222. Certain Duties, now payable to the Corporation of *London* on Coal, to be paid on all Coals brought by the Railway nearer to *London* than *Cashin* in the Parish of *St. Andrew*, § 220.]

## Cap. xxxvii.

An Act for maintaining and improving several Roads in the County of Cornwall. (d) [8th May 1833.]  
[10 G. 3. c. 55. 31 G. 3. c. 97. and 32 G. 3. c. 21, repeated, § 1. One Half Toll only to be taken for Lanes for Messure between the 1st of March and 30th of September, § 9. One full Toll only to be taken within ten Miles, § 10. Tolls to be paid every third Time of passing, § 11.]

## Cap. xxxviii.

An Act for more effectually repairing the Road from the Twenty Mile Stone on Egham Hill in the County of Surrey to a Place called Dunsington, near the Town of Bagshot in the Parish of Wandsworth in the same County. (a) [8th May 1833.]

[36 G. 3. c. 204, repeated, § 1. Tolls to be paid but once for passing three Times through same Gate on same Day, unless with a different Waggons, &c. or fresh Loading of 240 lbs., and passing three Miles on the Road, § 12.]

## Cap. xxxix.

An Act for more effectually repairing, altering, widening, and otherwise improving the Road from St. Street Gate in the City of Norwich to New Bealston in the County of Norfolk. (b) [8th May 1833.]

[12 G. 3. c. 98. 30 G. 3. c. 97. and 32 G. 3. c. 171, repeated, § 1. Tolls to be paid but once a Day at same Gate, § 7. and Two full Tolls only to be taken on same Day at all the Gates on the Road, § 8. No more Money to be laid out on Branch Road than is collected thereon, § 14. Tolls not to be applied in repairing Streets, § 15.]

## Cap. xl.

An Act for improving certain Roads within the County Palatine of Chester, called The Chester, Neston, and Woodside Ferry Districts of Roads. (a) [8th May 1833.]

[27 G. 3. c. 95. 43 G. 3. c. 201. and 1 G. 4. c. 47, repeated, § 1. Two full Tolls only to be taken for passing and repassing on same Day through all the Gates between Chester and Partridge, and between Partridge and Great Neston, and Woodside Ferry, and Three full Tolls only, or Six half Tolls, from Chester to Woodside Ferry, § 10. Horses, &c. drawing different Carriages, &c. to be again liable to Toll if passing Two Miles on the Road, § 19. Saving the Rights of the Corporation of Liverpool, § 31. and of Sir T. S. M. Sturges, § 32.]

## Cap. xli.

An Act for repairing the Road from Upton in Rutley to Great Kingston and Wellbourne Hoatings in the County of Warwick. (a) [8th May 1833.]

[10 G. 3. c. 68. 30 G. 3. c. 116. and 32 G. 3. c. 181, repeated, § 1. Tolls to be paid but once a Day at same Gate, § 8. Two full Tolls only to be taken for passing and repassing through all the Gates on the whole Lane on same Day, § 9. No Toll to be paid on returns of Carriages that have passed through empty, § 12. No Money to be expended in repairing Streets, § 16.]

## Cap. xlii.

An Act for more effectually repairing the several Roads leading from the Towns of Hertford and Ware and other Places in the County of Hertford. (a) [8th May 1833.]

[11 G. 3. c. 11. 30 G. 3. c. 12. 36 G. 3. c. 26. 12 G. 3. c. 84. 20 G. 3. c. 616. and 33 G. 3. c. xxvii, repeated, § 1. Two full Tolls only to be taken on same Day for passing through all the Gates on the Road, § 7. Tolls to be paid but once a Day at same Gate, § 7. No more Money to be expended in repairing Branch Roads than is collected thereon, § 11. Money not to be laid out on repairing Streets, &c. § 12.]

## Cap. xliii.

An Act for more effectually repairing the Road from Lovers to Brightelmston in the County of Sussex. (d) [8th May 1833.]

[10 G. 3. c. 64. 31 G. 3. c. 115. and 32 G. 3. c. 217, repeated, § 1. Tolls to be paid but once a Day at same Gate for Horses, &c. not drawing, but a fresh Toll to be paid every third Time of passing for Horses, &c. drawing, § 9. Two full Tolls only to be taken on same Day for passing through all the Gates on the Road, § 11. Money not to be expended in repairing Streets, § 16.]

## Cap. xliv.

An Act for more effectually repairing the Roads from Hodges to Beadles Hill and Cuckfield, and from Beadles Hill to Linsteadfield, all in the County of Sussex. (d) [8th May 1833.]

[11 G. 3. c. 28. 30 G. 3. c. 128. and 30 G. 3. c. 217, repeated, § 1. Tolls to be paid but once a Day for passing through all the Gates on the Road, § 9. Three full Tolls only to be taken on same Day for passing and repassing through all the Gates between Hodges and Cuckfield, and One half Toll only on the Branch Road from Beadles Hill Gate to Linsteadfield. Toll not to be taken at more than Two successive Gates so long as there shall be more than Three Gates on the Road, § 10. No more Money to be expended in repairing Branch Roads than is collected thereon, § 15.]

## Cap. xlv.

An Act for repairing and improving several Roads called the *Main Truss Roads*, all in the County of Carmarthen, and making a new Piece of Road to communicate therewith from the Centives of the said County to *King's Moor* in the County of Pembroke. [20<sup>th</sup> May 1833.]

[36 G. 4. c. 1xxvi. and Part of 36 G. 4. c. cvii. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 16. Five full Tolls only to be taken on some Day for passing and repassing through all the Gates between the fourteenth Milestone in the Parish of *Melbury*, through *Llanvorney*, *Llanelli*, *Carmarthen*, and *Salis Courts* to *Llanvorney*, and One full Toll only from *Llanvorney* to *Castell Mill*, when such Road shall be completed, and One full Toll only between *Castell Mill* and *King's Moor*, and One full Toll only on the Branch Road from *Crossington* in the Parish of *Llanvorney* to the River *Dafan*, and One full Toll only from the Royal Oak Gate to *Langrove Park*, § 15. Tolls not to be applied in repairing or repairing Branch Roads unless Tolls are taken thereon, § 10. Money not to be expended in repairing Streets of Carmarthen, § 20.]

## Cap. xlvii.

An Act for making a Railway from *London* to *Greenwich*. [17<sup>th</sup> May 1833.]  
[Saving the Rights of the Commissioners of Sewers for the Limits extending from East Newing to *Barrowbone*, and from the Head of the River *Roanbone* to *Leopard's Wall*, § 180. General Saving, § 186.]

## Cap. xlviii.

An Act for better regulating the Market, and cleansing the Streets, and preventing Nuisances in the Town of *Taunton* in the County of *Somerset*; and for amending Two several Acts of His late Majesty King George the Third relative thereto. [17<sup>th</sup> May 1833.]

[§ 3 of 36 G. 3. c. 44. and 37 G. 3. c. lxxv. in part repealed, § 1.]

## Cap. xlix.

An Act to alter and enlarge the Powers of several Acts passed for the better Relief and Employment of the Poor in the Hundred of *Wigan* in the County of *Suffolk*. [17<sup>th</sup> May 1833.]

[So much of 4 G. 3. c. 91. and 36 G. 3. c. 24. as relates to Number and choosing of rating Guardians repealed, § 1.; and so much as provides that all the Poor shall be kept in the House of Industry repealed, § 17.; and so much of first recited Act as relates to binding out Apprentices repealed, § 21.]

## Cap. l.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Fourth Year of the Reign of His Majesty King George the Third, intitled *An Act for the better Relief and Employment of the Poor in the Hundred of Marford and Loughland in the County of Suffolk*. [17<sup>th</sup> May 1833.]

[Powers of 4 G. 4. c. lxxviii. (except as altered) extended to this Act, § 1.]

## Cap. i.

An Act for building a Bridge over the River *Trent* from *Wadon* upon *Trent* in the County of *Derby* to *Barton* under *Newbold* in the County of *Stafford*. [17<sup>th</sup> May 1833.]

[The King and Royal Family, Soldiers on March or Duty, Ordnance Stores, Carriages (attended by One Person only) belonging to Persons occupying Lands within the Parish of *Wadon* or Township of *Barton* under *Newbold*, conveying *Manure* (except Lime), and *Ploughs*, *Harrows*, &c. belonging to such Persons, and *Hay*, *Stems*, &c. for their own Use, and *Horses* employed in *Harvesting*, or in going to or returning from *Pasture* or *Watering*, or in or from being staid or ferried, exempted from Toll, § 63.]

## Cap. ii.

An Act for paving, cleansing, lighting, watching, and improving the Town and Parishes of *Greenstead* and *Melton* in the County of *Kent*, and for securing and preventing Nuisances and Annoyances therein. [17<sup>th</sup> May 1833.]

[13 G. 2. c. 15. and 36 G. 3. c. lxxviii. in part repealed, § 1. Saving the Rights of the Corporation of *Greenstead*, § 141, 142.]

## Cap. iii.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, for making and maintaining a Railway or Tramroad from *Goffly Gibb Farm* in the Parish of *Llanelli* in the County of *Carmarthen* to *Machynall Fawcett* in the same Parish and County, and for making and maintaining a Wet Dock at the Termination of the said Railway or Tramroad at *Machynall Fawcett* aforesaid. [17<sup>th</sup> May 1833.]

[Saving the Rights of the Mayor of *Kidwelly*, § 85.]

## Cap. iv.

An Act for repairing and maintaining the Road from *Stone Street Hatch* at *Oshley* in the County of *Surrey* to *Worndon* in the County of *Suffolk*. [17<sup>th</sup> May 1833.]

[32 G. 3. c. xxvi. repealed, § 1. No Toll to be paid for passing over through the same Gate on some Day, § 6. Toll to be taken at One Gate only for passing and repassing over on some Day through all the Gates in the Road, &c.]

## Cap. lv.

An Act for more effectually repairing the Road from Trowell in the County of Stafford to Skelton in the County of Chester, and from Great Chelf to Skelton in the said County of Stafford, and for making a new Line and Division of Road to communicate therewith. (a)

[17th May 1833.]

[10 G. 3. c. 95. 20 G. 3. c. 115. and 22 G. 3. c. 1833<sup>rd</sup>. repealed, § 1. *Line for Manure exempted from Toll, § 2. Tolls to be paid but once a Day at some Gate, § 10. Two full Tolls only to be taken on some Day for passing through all the Gates on the First District, § 12. No more Money to be expended on new Line of Road than is collected thereon, § 17.*]

## Cap. lv.

An Act for more effectually repairing the Roads leading from the City of Gloucester towards the City of Hereford, and also towards Newark and Nuneaton in the County of Gloucester, Ledbury in the County of Hereford, and Upton-upon-Severn in the County of Worcester. (a)

[17th May 1833.]

[12 G. 1. c. 5. 20 G. 2. c. 51. 22 G. 2. c. 24. 2 G. 3. c. 20. and 22 G. 3. c. 21. as far as they relate to the Roads intended to be amended, repealed, § 1. Tolls to be paid once only within Two Miles, and not more than Three for passing or re-passing through all the Gates on some Day, § 7. Toll to be paid but once a Day at some Gate, § 8. No more Money to be expended in repairing Branch Roads than is collected thereon, § 12.]

## Cap. lvi.

An Act for more effectually repairing the Road from the North End of the Road, called "The Coal Road," near West Archbold in the County of Durham, to the Elston Road near Elston in the County of Northumberland. (a)

[17th May 1833.]

[22 G. 3. c. 115. and 22 G. 3. c. 21. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 7. Five full Tolls only to be taken on some Day for passing along the whole Line of Road, § 8.]

## Cap. lvii.

An Act to amend an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, for repairing the Roads from Manchester to Selby's Brook, and for making several Roads to communicate therewith; and also for making a certain new Extension or Diversion of the said Roads instead of a certain Extension or Diversion by the said Act authorized to be made. [17th May 1833.]

[Powers of 7 G. 4. c. 24. (except as altered) extended to this Act, § 1. Money not to be laid out in repairing Streets, § 8. Act to be in force during the Continuance of related Act, § 19.]

## Cap. lviii.

An Act for more effectually repairing the several Roads leading from the Borough of Ledbury in the County of Hereford, and the Road from the Parish of Bromborough to the Road from Gloucester to Worcester, and for making several Roads to communicate therewith. (a)

[17th May 1833.]

[22 G. 3. c. 104. and 22 G. 3. c. 132. repealed, § 1. Two full Tolls only to be taken on some Day for passing and re-passing through all the Gates on the Road, § 8. Toll paid at one Gate to free others within Two Miles, § 9. Carriages conveying Manure not to be exempt from Toll unless the Wheels are of the Borough of Six Inches, § 10. Horse Drawing Hays or other Agricultural Produce, for which Toll has been paid, not again liable on re-passing unladen before Twelve o'Clock the succeeding night, § 11. No more Money to be applied in repairing Branch Roads than is collected thereon, § 16. No Money to be laid out in repairing Streets, &c. § 17.]

## Cap. lix.

An Act for more effectually repairing the Road from the Canal Bridge in Hereford in the County of Chester to the Turnpike Road at Boddle's Carr Lane Head in Farnley in the County of Derby, leading to Chapel-in-the-Field in the same County. (a)

[17th May 1833.]

[10 G. 3. c. 98. 20 G. 3. c. 99. and 22 G. 3. c. 219. repealed, § 1. One full Toll only to be taken on some Day for passing through all the Gates on the Road, § 9. Carriages which cannot be weighed to pay double Toll, § 11. Steam Engines not to be created within Thirty Yards of the Road, § 12.]

## Cap. lx.

An Act for more effectually repairing the Road from the Turnpike Road in Baldock in the County of Hereford to the Turnpike Road at or near Bourn Bridge in the County of Cambridge. (a)

[17th May 1833.]

[2 G. 3. c. 86. 11 G. 3. c. 87. and 51 G. 3. c. 133<sup>rd</sup>. as far as they relate to the Road from Baldock to Bourn Bridge, repealed, § 1. Tolls to be paid but once a Day at some Gate, § 2. Three full Tolls only to be taken on some Day for passing through all the Gates on the Road, § 3. Money not to be laid out in repairing Streets, § 14. No Toll to be paid at the Baldock or Bognaton Gate for passing on the Dunstable Road from Bognaton towards Cambridge, or from or beyond Melbourn to Hagenes, if proceeding on further on the Road leading from Baldock to Bourn Bridge, &c. § 15.]

## Cap. lxi.

An Act for repairing and improving the Road between the Towns of *Barr* and *Abergeenny* by *Bread Oak* and *Shopton*, and certain Roads connected therewith, leading to *Gourmour* and other Places, and for making and maintaining certain Branches of Road to communicate therewith, all in the Counties of *Hereford* and *Monmouth*. (c)

[18 G. 3. c. 103. 3 G. 3. c. 134. and 24 G. 3. c. 1611. repealed, § 1. One half Toll only to be taken for *Line* for *Manure*, § 8. Tolls to be paid but once a Day at every Gate, § 10. Three full Tolls only to be taken on *wares* for passing through all the Gates from *Ross* to *Abergeenny*, commencing at *Cross Roads* and terminating at *Cross Ash*, and Four full Tolls only on the Road commencing at *Peatlands* through the *Golden Valley* towards the Town of *Ugby*, and terminating at or near the *Hardwick*, and Two full Tolls only on any other of the Roads, § 11. No more Money to be expended in repairing Branch Roads than is collected thereon, § 15.]

## Cap. lxi.

An Act for improving and enlarging the Market Places within the City of *York*, and rendering the Approaches thereto more commodious, and for regulating and maintaining the several Markets and Fairs held within the same City and the Suburbs thereof; and for amending an Act of His late Majesty, for paving, lighting, watching, and improving the said City; and other Purposes. [10th June 1833.]

[Saving the Rights of the Corporation of *York*, § 40.]

## Cap. lxi.

An Act for granting certain Powers to a Company called "The Imperial Continental Gas Association." [10th June 1833.]

## Cap. lxi.

An Act for the better establishing and securing a Fund for providing Assistance to the Widows and Children of the Members of the Faculty of Procurators of *Glasgow*. [10th June 1833.]

## Cap. lxi.

An Act to enable the *Edinburgh Life Assurance Company* to sue and be sued in the Name of their Manager, Secretary, or a limited Number of their ordinary Directors, to hold Property, and for other Purposes relating thereto. [10th June 1833.]

## Cap. lxi.

An Act to enable The *Economic Life Assurance Society* to sue and be sued in the Name of any one of the Directors or Trustees of the said Society. [10th June 1833.]

## Cap. lxi.

An Act to alter and amend the Powers of several Acts passed relating to the Harbour of *Rye* in the County of *Sussex*, and for granting further Powers for improving and completing the said Harbour and the Navigation thereof. [10th June 1833.]

[Powers of 37 G. 3. c. 150. 41 G. 3. c. 111. and 1 W. 4. c. xxxv. (except as altered) extended to this Act, § 1. Saving the Rights of Commissioners of *Sussex*, § 68. Vessels coming into Harbour under Stress of Weather exempted from Rates and Dues, § 70. Vessels employed by the *British*, *Customs*, *Excise*, or *Ordinance*, *Packet* *Mails*, and all Vessels in His Majesty's Service also exempted from Rates and Dues, § 75. Saving the Rights of the Lord Warden of the Cinque Ports, § 81.; and of the *Trinity House*, § 82.]

## Cap. lxi.

An Act for paving, lighting, watching, cleaning, and otherwise improving the Township or Chapelry of *Birkhead* in the County Palatine of *Chester*, and for regulating the Police thereof, and for establishing a Market within the said Township. [10th June 1833.]

[Saving the Rights of the Justices of *Chester* and Corporation of *Liverpool*, § 207. General Saving, § 208.]

## Cap. lxi.

An Act to enable the Company of Proprietors of the *Leicester and Swannington Railway* to execute additional Works and Branches, and for altering and amending the Powers of the Act relating to the said Railway. [10th June 1833.]

[11 G. 4. c. 1111. to remain in force except as altered, § 1. Saving the Rights of *Thomas Paget, Esq.* in respect of the Loan of £ 200,000, § 26.; and of the *Leicester Navigation Company*, § 31.]

## Cap. lxi.

An Act for enabling the *Stanford and Marston Railway Company* to make a new Branch of Railway to *Stilton-upon-Avon* in the County of *Warwick*. [10th June 1833.]

[Powers of 1 & 2 G. 4. c. 1611. and 6 G. 4. c. 4111. (except as altered) extended to this Act, § 1.]



*One full Toll only for passing Three Times through some Gate on some Day, and a Half Toll only for each Time of passing afterwards, § 12. Money not to be laid out in repairing Streets, § 16. Privilege of Wn. for exercising Three Horses abreast, hanging out Lanes near the Strand, &c. § 18.]*

## Cap. lxxix.

An Act to make and maintain a Turnpike Road from the Gatehead and Northern Turnpike Road at or near to Arundel Port Gate, on the River Derwent, in the Township of Winstone in the Parish of Rpton in the County of Derham, to the Village of Stotley Bridge in the said County of Derham. (4)

[10th June 1833.]

*[Two full Tolls only to be taken on some Day for passing twice through all the Gates on the Road, and again on the third, 5<sup>th</sup> &c. Times, § 12.]*

## Cap. lxxx.

An Act for more effectually repairing the Road from the East End of a Close called Lord's Close, in the Parish of Brougham in the County of Westmorland, by way of Dringham Bridge, into the Town of Pevsley in the County of Cumberland. (4)

[10th June 1833.]

*[22 G. 3. a. xxv. repealed, § 1. Lanes for Measures, and Corn or Grist going to or coming from the Mill, exempted from Toll, § 8. Tolls to be paid but once a Day at some Gate, § 9. No Money to be expended in repairing Streets, § 13.]*

## Cap. lxxxii.

An Act for more effectually repairing the Road from Storrington to Bell's Hut in Wiltshire in the County of Sussex. (2)

[10th June 1833.]

*[22 G. 3. a. xlv. repealed, § 1. Tolls to be paid every third Time of passing, except for Cattle, Cinders, Chalk, Limestone, and Timber, for which Toll is to be paid every Time of passing, § 6. Two full Tolls only to be paid on some Day for passing along the whole Lane, § 9.]*

## Cap. lxxxiii.

An Act for repairing the Road from Oylston to Dolethorpe in the County of Sussex. (2)

[10th June 1833.]

*[22 G. 3. a. xxv. repealed, § 1. No Toll to be paid for repairing carts through some Gate on some Day, § 10. One full Toll and a Half only to be taken on some Day on the whole Lane of Road, § 11.]*

## Cap. lxxxvii.

An Act for repairing, maintaining, and improving the Road from Tadcaster Bridge within the County of the City of York to Hot Moor Lane End. (2)

[10th June 1833.]

*[18 G. 2. c. 16. 11 G. 3. c. 93. 22 G. 3. c. 155. 40 G. 3. a. xxxi. and 54 G. 4. a. cxvii. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 5. And One full Toll only for passing and repositing through all the Gates on the Road, § 10. Street Carriages to pay every Time of passing, § 14. Corn, in going to any Mill within the County to be ground, and returning therefrom, exempted from Toll, § 15. The Earl of Egmont's Toll not to be prejudicial, § 16. Money not to be expended in repairing Streets, § 18.]*

## Cap. lxxxviii.

An Act for more effectually repairing and improving the Road from Roshdale to Akeleyfield in the Parish of Bury, &c. in the County Palatine of Lancaster. (2)

[10th June 1833.]

*[24 G. 3. c. 124. and 25 G. 3. a. cxxxix. repealed, § 1. Two full Tolls only to be taken on some Day for passing and repositing through all the Gates on the Road, § 8.]*

## Cap. lxxxv.

An Act for continuing certain Powers to the Trustees of the New North Road, leading from the South End of Highbury Place, Islington, to Holborn-stairs Wall in the Parish of Saint Leonard Shoreditch, in the County of Middlesex. (2)

[10th June 1833.]

*[22 G. 3. a. cliv. repealed, § 1. Street Carriages to pay at each Time of passing, the same Toll as if drawn by Two Horses, § 26. Tolls to be paid but once a Day at some Gate, § 27. No Toll to be paid for Horses, &c. belonging to the Royal Family, nor for Materials for repairing Roads, nor for Measures or Lanes, or Hops, Straw, or other Agricultural Produce when not bought or going to be sold, nor for Emigrants or Prisoners sent by legal Warrants, nor for Masts, or Soldiers on March or Duty, their Arms or Baggage, Sick, Wounded, or Invalid Officers, or Soldiers, or Ordnance, or Public Stores, or Yessowry, or Fishermen's Creaky, or Infantry, on Duty, nor for Process going to or returning from Fasting of Elections for Parliaments, or the Boroughs of Fishbury and the Tower Hamlets, nor for Horses, &c. only crossing the Road and not passing more than 100 Yards, § 28. Waggons, &c. with Wheels of less Breadth than 4½ Inches to pay One half Toll more; with 4½ Inches and less than 5, One fourth more, § 40. Act to commence in the 1st of September 1833, and to continue in force for 15 Years, unless the Sum of £71,052 10s. subscribed for making the Road shall be sooner repaid to the Proprietors, and then the Tolls and the Powers granted by this Act to cease, § 78.]*

## Cap. lxxxvi.

An Act for repairing the Road from *Aplebury* in the County of *Buckingham* to *Thame* in the County of *Oxford*, and the Roads leading from the Town of *Thame* to *Stallingford*, *Postcomb*, and *Bicester*, in the said County of *Oxford*. (a) [10th June 1833.]

[10 G. 3. c. 58. 23 G. 3. c. 127. and 31 G. 3. c. 136. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 15. Two full Tolls only to be taken on some Day for passing and repairing through all the Gates between *Aplebury* and the Market House in *Thame*, and between the Market House and the Termination of the Road at *Stallingford*; and One full Toll only on the *Thame* and *Postcomb* Branch Road; and Two full Tolls only on the *Thame* and *Bicester* Branch, § 16. Payment of Tolls at certain Gates to exempt Process or Cattle on other Branches of the Road, § 13. Half Toll only to be taken for passing One Cattle at *Brockthampton* and the *Chisnor* side Gate at *Thame*, § 16. Steam Carriages to pay each Time of passing, § 12. Tolls to be laid out only on the Roads from which they arise, § 21. Tolls not to be applied in repairing Streets, § 25. Penalty of £5 for carrying Three Horses abreast, or hanging Litters, &c. within 40 Feet from the Centre of the Road, § 27.]

## Cap. lxxxvii.

An Act for more effectually repairing the Road from *Ragby* Bridge in the County of *Warwick* to the Town of *Headley* in the County of *Leicester*. (a) [10th June 1833.]

[30 G. 3. c. lxxxii. repealed, § 1. Two full Tolls only to be taken on some Day for passing and repairing through all the Gates on the Road, § 7. Horses, &c. drawing different Carriages to pay every Time of passing, § 8. No more Money to be expended in repairing Branch Road than is collected thereon, § 12. Money not to be expended in repairing Streets, § 13.]

## Cap. lxxxviii.

An Act for more effectually repairing the Roads from *Birmingham* and *Chatterfield* in the County of *Derby* to the High Moors in the Parish of *Brampton*, in the said County. (a) [10th June 1833.]

[2 G. 3. c. 23. 23 G. 3. c. 148. and 31 G. 3. c. cxii. repealed, § 1. Two full Tolls only to be taken on some Day on the Roads from *Birmingham* or *Chatterfield* in the High Moors, and One full Toll only between *Delgate* and *Baslow* Turnpike Road and *Key Green* and *Upper Newbold* Hops, or between *Baslow* and *Chatterfield*; Horses, &c. passing more than Four Times to be again liable to Toll, but Two full Tolls only are to be paid on some Day at some Gate, § 7. Steam Carriages to pay every Time of passing and repairing, § 10. No Money to be expended in repairing Streets, § 11.]

## Cap. lxxxix.

An Act for amending an Act of His late Majesty King *George* the Fourth, for more effectually making and repairing certain Roads leading to and from *Salisbury*, and other Roads therein mentioned, in the County of *Wiltshire*; and for making and maintaining a new Road communicating therewith. (a) [10th June 1833.]

[Proviso of 10 G. 4. c. xix. (except as altered) extended to this Act, § 1. No Exemption allowed for Carriages with Two Wheels unless of the Breadth of 4½ Inches, if drawn by not more than Three Horses, &c. or of the Breadth of Six Inches or more, if drawn by more than Three, and totally bearing on a flat surface, and the Nails of the Tires not projecting more than a Quarter of an Inch, § 10.]

## Cap. xc.

An Act to amend so much of Two Acts for repairing the Road leading from *Cheltenham* towards the City of *Gloucester*, and for making a new Branch in communication with the same, as relates to the Priority of certain Mortgages granted on the Tolls thereof. [10th June 1833.]

[So much of 6 G. 4. c. cxviii. and 9 G. 4. c. ix. as respects Priority of Mortgages, repealed, § 1.]

## Cap. xcii.

An Act for repairing the Roads from *Fyfield* in the County of *Berk* to *Saint John's Bridge* in the County of *Gloucester*, and from *Kingston Bagges* to *Newbridge* in the said County of *Berk*. (a)

[10 G. 2. c. 16. 12 G. 2. c. 11. 3 G. 3. c. 28. 31 G. 3. c. 103. and 33 G. 3. c. cccviii. repealed, § 1. Two full Tolls only to be taken on some Day for passing through all the Gates on the Road, § 8. Tolls to be paid but once a Day at some Gate, § 9.]

## Cap. xciii.

An Act for more effectually repairing the Roads leading from *Salisbury* to the Centre of *Christian* *Majford* Bridge, from *Colne* to *Lynham Green*, and from the Dissection Post to *Long Lane Lane*, near *Lynham Marsh* to *Cricklade*, in the County of *Wilt*. (a) [10th June 1833.]

[31 G. 3. c. 101. and 33 G. 3. c. lxxxiii. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 8. Tolls to be payable for Cattle, &c. passing 100 Yards on the Road, § 11.]



## Cap. xcii.

An Act for maintaining the Roads from the Town of Kingston-upon-Hull to the Town of Beverley in the East Riding of the County of York, and from Newland Bridge to the West End of the Town of Gillingham in the same Riding. (a)

[18th June 1833.]

[17 G. 3. c. 25. 4 G. 3. c. 86. 23 G. 3. c. 186. and 22 G. 3. c. xcvi. repealed, § 1. Tolls to be paid for every third Time of passing, § 10. Two full Tolls only to be taken on some Day for passing and repairing once through all the Gates on the Road, § 11. Money not to be laid out in repairing Streets, § 26.]

## Cap. xciii.

An Act for improving the Communication between the Towns of Chapton and Aberghenny in the County of Monmouth. (a)

[18th June 1833.]

[Half Toll to be paid for crossing over Kneay's Bridge, § 6. Stage Carriages to pay the same Toll as if drawn by four Horses and each Time of passing, § 9. Tolls to be paid but once a Day at some Gate, § 12. No more Money to be expended in repairing Branch Roads than is collected thereon, § 15. Tolls to be paid once only within Six Miles on Branch Roads, § 18.]

## Cap. xciv.

An Act to enable the Clarence Railway Company to make an Extension of the Line of their Railway.

[18th June 1833.]

[Powers of 9 G. 4. c. 1th. 10 G. 4. c. cvii. 2 W. 4. c. xxx. and 5 W. 4. c. lv. [except as altered or repealed] extended to this Act, § 1. Saving the Rights of the Tern Navigation Company, § 13. And of the Bishop of Durham and the Town of Stockton, § 14. And the Rights of Mr. Appleby, § 15.]

## Cap. xcvi.

An Act for draining and preserving certain Fen Lands and Low Grounds in the Parish of Wiggleshall Saint Mary Magdalen in the County of Norfolk, and other Purposes.

[18th June 1833.]

[30 G. 3. c. 52. 26 G. 3. c. 3. repealed, § 1. Saving the Rights of the Great Road Commissioners, § 79. General Saving, § 80.]

## Cap. xcvi.

An Act for more effectually repairing and improving the Road from Buxton Moor End to the Turnpike Road leading from Buxton to Ashbourne, and other Roads therein mentioned, in the Counties of Stafford and Derby, and for making several Diversions or new Lines of Road to communicate therewith. (a)

[18th June 1833.]

[10 G. 3. c. 118. 21 G. 3. c. 187. and 22 G. 3. c. lxxviii. repealed, § 1. Two full Tolls only to be taken on some Day for passing and repairing through all the Gates between the Commencement of the Road at Buxton Moor End to the Three Mile Stone to the Road leading from Buxton to Ashbourne, and Two only between Buxton Moor to the Road from Buxton to Ashbourne, and One full Toll only from Worsley to Eaton Mill, § 7. No Toll to be paid for repairing through some Gate on some Day, § 8. Horses drawing different Carriages to pay each Time of passing, § 9. A Toll of 10s. to be paid for Waggon, &c. having the Mark of the Firm projecting more than a Quarter of an Inch, § 14. An Abatement of One third Part of the Tolls to be allowed for Waggon, &c. with cylindrical Wheels of the Breadth of 44 Inches, § 16. No more Money to be expended in repairing Roads than is collected thereon, § 18.]

## Cap. xcvi.

An Act for more effectually repairing the Road from Bury Saint Edmunds to Newmarket in the Counties of Suffolk and Cambridge. (a)

[18th June 1833.]

[10 G. 3. c. 26. 12 G. 3. c. 86. and 22 G. 3. c. xcvi. repealed, § 1. Tolls to be paid but once for passing and repairing through some Gate on some Day, § 5. Two full Tolls only to be taken on some Day for passing through all the Gates on the Road, § 5. No Money to be expended in repairing Streets, nor Tolls to be collected therein, § 15.]

## Cap. xcvi.

An Act for improving the Stretchbury District and the Wellington District of the Welling Street Road in the County of Salop. (a)

[18th June 1833.]

[10 G. 4. c. lxxvi. and 11 G. 4. c. i. repealed, § 1. Two full Tolls only to be taken on some Day for passing and repairing through all the Gates on the Road, § 21. Horses, &c. drawing different Carriages to be again liable to Toll if in repairing they travel Two Miles or more on the Road, § 22. Lane for Measure exempted from Toll between the 26th of April and the 26th of September, § 27. No Money to be laid out in repairing Streets, § 35.]

## Cap. c.

An Act for continuing certain Powers to the Trustees of the Road from Kentish Town to Upper Holloway in the County of Middlesex.

[20th June 1833.]

[21 G. 3. c. cvii. and 22 G. 3. c. cxx. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 24. Horses drawing different Carriages to pay each Time of passing, § 25. Dricks, Pikes, Chaps, Saws, &c. to pay Toll for every Time of passing, § 26. No Toll to be taken for Horses, &c. belonging to the Royal Family

nor for Ships or other Materials for repairing Roads or Bridges, nor for Messure (except Lime), or Hay, Straw, &c. grown on Land in the Occupation of the Owner, and which has not been nor is going to be bought or sold; nor for Fugrants or Prisoners sent by legal Warrants, Mesls, Officers, or Soldiers on March or Duty, their Arms and Baggage, Sub. Wounded, or Disabled Officers or Soldiers, Ordnance or Public Stores, or Volunteer Infantry, Yeomanry, or Volunteer Cavalry or Infantry on Duty; nor for Persons in going to or returning from voting at Elections for the County of Middlesex or the Borough of Mary-le-bone; nor for Heron, &c. which shall only cross the Road, § 25. Waggon, &c. with Wreals of less Breadth than 4½ Inches to pay One Half Tull more, with 2½ Inches and less than Six, or Four more, § 42. Finally on Persons committing Nuisance, 197, 68. Act to conserve on the Second Tuesday after the passing thereof, and as soon as the Sum of £1,374 15s. 6d. subscribed for mending the Road shall be repaid to the Proprietors, the Tolls and the Powers granted by this Act to cease, but if that Sum shall not be paid, then this Act to continue in force for 21 Years, § 66.]

## Cap. ci.

An Act for amending an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for rebuilding, or for improving, regulating, and maintaining, the Town Quay of Government in the County of Kent, and the Landing Place belonging thereto; and for building a Pier or Jetty adjoining thereto.* [28th June 1833.]

[Powers of 9 G. 4. c. 116. (except as altered) extended to this Act, § 1. Officers, Soldiers, and Rollers on Duty, and Ordnance and public Stores, Bags or Parcels of Letters, Officers of Customs, Messrs, or Post Office while on Duty, and private Selling Books, excepted from Toll, § 10—12. Saving the Rights of the Trinity House, § 26 and of the Corporation of London, § 40. and of the Watermen's Company, § 41. and of the Commissioners of Payments, § 42.]

## Cap. cii.

An Act for erecting a Bridge over the River Dungeness in the Town and County of Herefordshire and the Liberties thereof. [28th June 1833.]

[One Half Tull only to be taken on same Day for passing and repassing through all the Gates on the Bridge and Approaches thereto, § 33. No Tull to be taken for Heron, &c. belonging to the Royal Family, nor for Mesls, Soldiers on March or Duty, their Arms and Baggage, Ordnance, or public Stores, or Yeomanry or Volunteer Cavalry in going to or returning from Exercise, nor for Fugrants and Prisoners sent by legal Warrants, § 35.]

## Cap. ciii.

An Act for supplying with Water the Town and County of Herefordshire and the Liberties thereof. [28th June 1833.]

## Cap. civ.

An Act for better supplying with Water the Town and Borough of Lewes, and the Neighbourhood thereof, in the County of Sussex. [28th June 1833.]

[General Saving of Rights, § 100.]

## Cap. cv.

An Act for paving, cleansing, lighting, watching, repairing, and improving a certain Portion of the Parish of Herne in the County of Kent. [28th June 1833.]

## [Cap. cvi.]

An Act to explain and amend an Act passed in the First and Second Year of the Reign of His present Majesty, intitled *An Act to alter and amend an Act passed in the Seventh and Eighth Year of the Reign of His late Majesty, intitled 'An Act for carrying into effect certain Improvements within the City of Edinburgh and adjacent to the same.'* [28th June 1833.]

[7 § 9 G. 4. c. 122. and 1 § 2 W. 4. c. 21. rectified and explained, § 1.]

## Cap. cvii.

An Act for amending several Acts of the Statute, Twenty-sixth, and Fifty-fourth Years of His late Majesty King George the Third, for the better Relief and Employment of the Poor within the Hundred of Forchar in the County of Northb. [28th June 1833.]

[Powers of 16 G. 3. c. 9. 23 G. 3. c. 23. 29 G. 3. c. 3. and 54 G. 3. c. 20. (except as altered) extended to this Act, § 1.]

## Cap. cviii.

An Act for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of Leamsl and the Upper Ward of the County of Leamsl; and also for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of Hamblis and Middle Ward of the said County. [28th June 1833.]

## Cap. cix.

An Act for repairing, ascending, and maintaining the Turnpike Roads in the County of *Wiltshire*, for rendering Turnpike certain Statute Labour and Parish Bonds, and for more effectually collecting and applying the Statute Labour in the said County. [20th June 1833.]

[30 G. 3. c. 75. and 31 G. 3. c. xxvii. in part repealed, § 1. 1 & 2 W. 4. c. 43. (except as altered) extended to this Act, § 2. *One full Toll only to be paid for passing Five Miles on the Road, § 10. No Toll to be taken for Stages or other Carriages for repairing Carriages belonging to Royal Courts within the County, nor for Stages nor bought or hired for Sale, nor for Implements of Husbandry, nor for Work Horses, &c. passing from the Woods or Offices of the Inhabitants of Places within the said County, to Borough Roads or Fields adjoining, nor for Horses, &c. bringing out Grass from such Roads or Fields for the Use of Work Horses or Cattle fed with the Produce of Farms, nor for Vagrants or Criminals under legal Warrants, nor for empty Barrels belonging to Distillers or Brewers residing within the County, (provided that Toll shall have been paid on some Day for passing with full Barrels), nor for Police Officers on Duty, § 20. Act to commence on the passing and to continue in force, as to Turnpike Roads, for Thirty-one Years, and to the End of the third next Session; and as to Bridge Money and Statute Labour, to be perpetual, § 48.]*

## Cap. cx.

An Act for confirming and carrying into effect Agreements between the Bishop of *Worcester* and the Society of Judges and Scribes at Law, for setting in the said Society the Ten People of Scribes and Clergy, Clergy Lads, and between the Parish of *Saint Dunstons in the West* and the said Society; and for other Purposes. [26th July 1833.]

## Cap. cxii.

An Act to alter and amend Three several Acts made in the Seventh and Forty-second Years of the Reign of King George the Third and the Sixth Year of the Reign of His late Majesty King George the Fourth, for draining Lands within the Level of *Arundel* in the County of *Lincoln*, and making certain Parts of the River *Arundel* navigable. [20th July 1833.]

[So much of 5 G. 4. c. clix. as enables certain Tenants for life to charge their Estates, not exceeding 250 per Acre, and as enables Renters and Farmers to charge the Lands belonging to their Advertisers, not exceeding 250 per Acre, repealed, § 1. Powers of T. G. 3. c. 38. 42 G. 3. c. cxvii. and 6 G. 4. c. clix. (except as altered or repealed) extended to this Act, § 10. So much of T. G. 3. c. 98. as exempts *Warrens, &c. from Stamp Duties*, repealed, § 11.]

## Cap. cxiii.

An Act for more effectually repairing several Roads in the Counties of *Carlow*, *Kilkenny*, and *Tipperary*, and also the Road from the Town of *Clewley*, through the County of *Waterford*, to the Cross Roads of *Kesheliffy*, in the said County of *Tipperary*. [8th July 1833.]

[30 G. 3. (L.) 32 G. 3. (L.) 46 G. 3. c. 14. and 36 G. 3. c. clix. repealed, § 1. A Toll of 3d. additional to be taken for Carriages having Advertisers carrying round, § 20. Stone Carriages to pay at each Place of passing, § 20. *One full Toll only to be taken on same Day for passing and repeating through all the Gates between Carlow and Kilkenny, § 45.; and One full Toll only between the City of Kilkenny and the Bounds of the Counties of Kilkenny and Tipperary, § 47.; and One full Toll only between the Bounds of the County of Tipperary and the Town of Clewley, § 48.; and One full Toll only between Clewley and the Bounds of the County of Cork, § 49.; and One full Toll only between the Bridge at or near the House of Industry in Clewley, and the Cross Roads of Kesheliffy, § 50. No Toll to be taken for Horses, &c. belonging to the King and Royal Family, nor for Materials for repairing Roads or Bridges, nor for Hay, Corn in the Stacks, or Potatoes the Produce of Lands lying within the respective Districts aforesaid and not for Sale, nor for Lime or other Manure, nor for Implements of Husbandry, nor for Horses as going to or returning from being shod or shorn, or to or from Work, or Pasture or Watering, unless going more than Two Miles, nor for Horses, &c. crossing the Road only, and not passing 100 Yards thence, nor for Mess, Officers, or Soldiers on March or Duty, their Arms and Baggage, or sick wounded or disabled Officers or Soldiers, Ordnance or other public Stores, nor for Yeomanry or Volunteer Cavalry or Infantry on Duty, nor for Constables, Policemen or Magistrates on Duty, nor for Vagrants or Procuress, and by legal Warrants, nor for Persons going to or returning from voting at Elections for the Counties of Carlow, Kilkenny, Tipperary, and Waterford, § 54.]*

## Cap. cxvii.

An Act for better preserving the Harbour of *Maryport*, and for lighting and otherwise improving the Township of *Maryport* in the County of *Cumberland*. [26th July 1833.]

[30 G. 3. c. 6. 30 G. 2. c. 87. 31 G. 3. c. 93. and 32 G. 3. c. xv. repealed, § 1. Pilot Duties and Fees to be assigned in Trade exempted from Rates, § 21. Fees in the Service of His Majesty, or of the Ordnance, Customs, Excise, or Post Office, also exempted from Rates, § 22. Double Duties to be paid for Foreign Goods, § 23. General Saving, § 101.]

## Cap. cxiv.

An Act for making Two Branch Railways from the *Mossend and Kielderflesh Railway*; and for altering, amending, and enlarging the Powers of an Act of the Fifth Year of His late Majesty for making the said Railway. [26th July 1833.]

[Powers of 5 G. 4. c. xlix. (except as altered) extended to this Act, § 1.]

## Cap. cxv.

An Act to amend an Act passed in the Ninth Year of the Reign of His late Majesty, for regulating and enabling the City of *Dublin Steam Packet Company* to sue and be sued. [26th July 1833.]

[§ G. 4. c. lxxv. repealed, § 1. Act to continue in force for 99 Years, § 62.]

## Cap. cxvi.

An Act for renewing and extending the Terms of the Acts relating to the *Greenock and Brigsfere and Greenock and Killybegs Harbours* in the County of *Argyleshire*. [26th July 1833.]

[Powers of 50 G. 2. c. 57. 52 G. 3. c. 68. 55 G. 3. c. 121. 45 G. 3. c. xxv. 44 G. 3. c. li. 46 G. 3. c. lxxi. 52 G. 3. c. lv. and 1 & 2 W. 4. c. 45. (except as altered) extended to this Act, § 1. The Terms granted by recited Acts, as far as relates to *Ships and Boats* (subject to Alterations, &c. herein contained), is continue in force for 31 Years from the passing of this Act and to the End of the then next Session, § 3.]

## Cap. cxvii.

An Act for dissolving "The *Saint George's Fund Society*," otherwise called "The *Troopers Fund*," in the Royal Regiment of Horse Guards, and for distributing the Fund. [18th August 1833.]

## Cap. cxviii.

An Act for raising a Sum of Money for the Repair of *Blackfriars Bridge*. [14th August 1833.]

[As made of 10 G. 2. c. 86. 7 G. 3. c. 37. 35 G. 3. c. clxxviii. + G. 4. c. 30. 7 G. 4. c. 40. 7 & 8 G. 4. c. xxx. 10 G. 4. c. cxviii. and 11 G. 4. c. lxi. as relate to the Application of the surplus Profits of the *Bridge House Estates*, repealed, § 1. Corporation empowered to apply of 15,000 towards the Expense of repairing the Bridge, § 2. Corporation empowered to raise £50,000 on the Credit of the *Bridge House Estates*, § 4.]

## Cap. cxix.

An Act for the more easy and speedy Recovery of Small Debts within the Township of *Hedge* and other Places therein mentioned, in the County Palatine of *Cheshire*. [14th August 1833.]

[Saving the Rights of existing Courts, § 1a.]

## Cap. cxx.

An Act to rectify a Mistake in an Act of this Session of Parliament, for more effectually repairing the Road from the Canal Bridge in *Horsfield* in the County of *Cheshire* to the Turnpike Road at *Stoddle Chase Lane Head* in *Derby* in the County of *Derby*, leading to *Clapel-in-the-Field* in the same County. [14th August 1833.]

[Powers of 5 & 4 W. 4. c. lxx. (except as altered or repealed) extended to this Act, § 1. Two-foot Tolls only to be taken on some Day for passing through all the Gates on the Road, § 5. Tolls to be paid but once a Day at every Gate, § 6. Act to commence on the passing and continue in force during the Continuance of recited Act, § 8.]

## Cap. cxxi.

An Act to amend the Acts relating to the *Thames Tunnel Company*, and to extend the Powers thereby given for raising Money for the Completion of the said Tunnel. [26th August 1833.]

[Powers of 5 G. 4. c. clvi. and 9 G. 4. c. liii. (except as altered) extended to this Act, § 1.]

## Cap. cxxii.

An Act to appoint Trustees for the Creditors of the City of *Edinburgh*. [26th August 1833.]

[20 G. 3. c. 56. 36 G. 3. c. xiv. & lvi. 39 G. 3. c. xlix. 45 G. 3. c. xxxii. 45 G. 3. c. lxx. 47 G. 3. c. xx. c. li. 53 G. 3. c. xxxiii. 55 G. 3. c. xxv. 5 G. 4. c. 9b. 6 G. 4. c. 105. 7 G. 4. c. cv. and 11 G. 4. & 1 W. 4. c. 51. repealed, § 1. Saving the Rights of His Majesty, the Magistrates of South and North *Leith*, the Commissioners of the Harbour and Docks of *Leith*, the Ministers of *Edinburgh*, the Commissioners of Police of *Leith*, and others, § 35.]

## PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,  
AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B. To each of these Acts is annexed a Clause in the Form following.

" And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom; and that a Copy thereof so printed by any of them shall be admissible as Evidence thereof by all Judges, Justices, and others."

## Cap. 1.

An Act for dividing, allotting, and inclosing Lands in the Tithing of *Hanging Langford* within the Parish of *Stimple Langford* in the County of *Wilt.* [29th March 1833.]  
[Allotments to be made for Watering Places for Cattle, and for Stones, Chalk, Gravel, and Sand Pits, and for laying Masses and Rubbish, § 32.; and to the Lords of the Manor for Right of Soil, § 33. The Tithes belonging to the Manor not to be affected, § 34. Saving the Rights of the Lords of the Manor of *Hanging Langford*, § 61. General Saving, § 62.]

## Cap. 2.

An Act for inclosing Lands in the Township of *Croftwell* in the Parish of *Beckley* in the North Riding of the County of *York.* [29th March 1833.]  
[Allotment to be made to the Lord of the Manor of *Croftwell* for Rights of Soil, § 32. Saving the Lord's Rights in *Croftwell Green*, § 39. General Saving, § 40.]

## Cap. 3.

An Act for enabling the Trustees of the Will of the late *Sir Henry Charles Englefield* Baronet, deceased, to sell the undivided Moiety of the Estate called the *Wickham Pines* Estate in the County of *York*, thereby devised. [29th April 1833.]

## Cap. 4.

An Act for settling and preserving *Sir John Soane's* Museum, Library, and Works of Art, in *Lincoln's Inn Fields* in the County of *Middlesex*, for the Benefit of the Public, and for establishing a sufficient Endowment for the due Maintenance of the same. [20th April 1833.]

## Cap. 5.

An Act for effecting an Exchange between the Master or Keeper and Fellows or Scholars of *Corpus Christi College* in the University of *Cambridge*, and the Master or Keeper, Fellows and Scholars of *Pembroke Hall* in the same University. [10th June 1833.]

## Cap. 6.

An Act for vesting and securing the Lands of *Moorhouse* in the County of *Leicestershire* in General *John Hamilton* of *Duffield*, and the Heirs under a Deed of Estate of the said Estate of *Duffield* in said County, made by *James Houlden* Esquire, of *Houlden*, under the Conditions and Limitations therein contained; and for dissevering, in lieu thereof, certain detached Parts of the said Entailed Estate; and also for vesting other Parts of the said Entailed Estate in a Trustee, to sell the same, and apply the Price thereof, or the Securities to be granted thereon, for Payment of Debts contracted by the said General *John Hamilton* for Money laid out in the Improvement of the said Entailed Estate. [10th June 1833.]

## Cap. 7.

An Act to enable the Reverend *Richard Morris* and *Mary Ann* his Wife, during their joint Lives, and the said *Mary Ann Morris* in case she shall survive the said *Richard Morris*, and after her Decease the Guardians of *Maria Sophia Hagg Spenser*, during her Infancy, to grant Leases of Part of the Estates devised by the Will of *James Hagg* deceased, for the Purpose of building upon and otherwise improving the same. [10th June 1833.]

## Cap. 8.

An Act for vesting the undivided Moiety of certain Estates of the Reverend *Playford Edwards* and *Jerr* his Wife, and their Issue, and of the Devises of *Richard Edwards*, deceased, in Trustee, for Sale, and for laying out the Monies to be produced by such Sale in the Purchase of other Estates, to be received by the University of *Southampton* Library. [20th June 1833.]



## Cap. 18.

An Act for confirming a Partition of Farms and Lands in the County of West, devised by the Will of William Morton, late of Tenfold in the same County, deceased. [18th June 1833.]

## Cap. 19.

An Act for effecting an Exchange of Estates in the County of Lincoln between Elizabeth Fere Widow, and James Fere Esquire, and William Robinson. [18th June 1833.]

## Cap. 20.

An Act for inclosing Lands within the Manor of Little Seafeld in the Parish of Addington in the County of Cambridgeshire. [18th June 1833.]

[*Alloiments to be made for Materials for Roads, and for Watering Places for Cattle, § 22; and to the Lords of the Manor for Right of Soil, and to the Proprietors and Vicer for Tithes, § 26. Four maps, with Consent of Bishop and Patron, show the Alloiment for Twenty-one Years, to commence within Twelve Calendar Months after passing of Act, § 30. Saving of Mineral Rights, § 43. General Saving, § 44.*]

## Cap. 21.

An Act for dissolving the Corporation of The Leeds Oil Gas Light Company, and for vesting the Estate and Effects of the Company in Trustees, to be sold for the Benefit of the Parties interested therein; and for finally settling and adjusting the Company's Concerns. [20th June 1833.]

## Cap. 22.

An Act for enabling Charles Robert Carter Esquire and others to grant Building and Repairing Leases of Lands and Premises in the Parishes of Saint Dunstons Stepbushcroft otherwise Stepney and Saint Matthew Bethnal Green in the County of Middlesex. [20th June 1833.]

## Cap. 23.

An Act to enable the Trustees of the Blue Coat Charity School at Sherburn in the County of Durham to sell and dispose of certain Lands and Hereditaments belonging to the said Charity, and to purchase and acquire other Lands in lieu thereof, and also the Revenue of the Lands held by them for Lives. [20th June 1833.]

## Cap. 24.

An Act for vesting certain Estates of which Ann Thurgood's Spinster was Mortgagee in Fee in the Reverend Robert Clouse Clerk, the Surviving Executor of her Will, subject to the subsisting Equities of Redemption. [20th June 1833.]

## Cap. 25.

An Act for dividing, allotting, and inclosing the Commonable and Waste Lands in the Borough of Leighton in the Manor of Leighton in the County of Gloucestershire. [20th June 1833.]

[*Alloiment to be made to the Lord of the Borough and Manor, § 18; and to the Parson, Almoner, and Burgesses of Leighton, § 23. Saving the Rights of the Duke of Devonport as to Mines, § 25. Saving the Rights of the Lord of the Manor, § 26; and of His Majesty, § 35; and of the Duke of Devonport, § 36. General Saving, § 37.*]

## Cap. 26.

An Act to grant further Power to lease certain Parts of the Devised Estates of the Right Honourable Richard late Viscount Fitzwilliam deceased, situate in the City of Dublin and the Neighbourhood thereof. [5th July 1833.]

## Cap. 27.

An Act for enabling and directing the Trustees acting under the Will of Peter Thelluson Esquire, deceased, to grant certain Leases of the Estates subject to the Trusts of the said Will; and for other Purposes. [14th August 1833.]

## Cap. 28.

An Act to vest Part of the Estates devised by the Will of the Reverend Robert Manners, late of Mansfield Parson in the County of Dorset, Clerk, deceased, in Trustees, for Sale; and for investing the Moneys to arise from such Sale in the Purchase of other Estates, to be settled to the subsisting Uses of the said Will. [14th August 1833.]

## Cap. 29.

An Act to enable the Lord Bishop of Limerick to sell and dispose of Saint George's Chapel in the City of Limerick, and the Land on which the same is built (excepted Part of the Estate of the Earl of Limerick), and to apply the Proceeds of such Sale to the Erection of a new Chapel. [14th August 1833.]

## Cap. 30.

An Act to invest Parts of the Entailed Estate of Langley Park in the County of Devon, belonging to James Cradock Esquire, in Trustees, in Fee Simple, for the Purpose of selling the Lands so vested, and applying the Price thereof, or the Lease to be raised on Securities to be granted thereon and on the said Entailed Estate, towards Satisfaction of Debts affecting or that may be made to affect the Fee of the said Estate. [20th August 1833.]

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THE

# STATUTES at Large, &c.

Anno Regni GULIELMI IV. Britanniarum Regis,  
Quarto.

**A**T the Parliament begun and holden at Westminster, the Twenty-sixth Day of January, Anno Domini 1835, in the Third Year of the Reign of our Sovereign Lord WILLIAM the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith: And from thence continued, by several Proclamations, to the Fourth Day of February 1834; being the Second Session of the Eleventh Parliament of the United Kingdom of Great Britain and Ireland:

C A P. I.

An Act to explain and amend an Act of the last Session of Parliament, for regulating the Labour of Children and young Persons in the Mills and Factories of the United Kingdom.

[20th February 1834.]

**W**HEREAS by an Act passed in the last Session of Parliament, intituled *An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom*, it was enacted among other things that certain Provisions of the said Act should come into operation at the End of Eighteen Months, and certain other Provisions also at the End of Thirty Months, after the passing of the said Act; and it is expedient that the Periods mentioned in the said Provisions respectively should be construed to be Calendar Months, not Lunar Months; he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Periods of Eighteen Months and Thirty Months mentioned in the said Act shall be construed and taken to mean Periods of Eighteen Calendar Months and Thirty Calendar Months respectively.

II. And whereas it is provided by the said Act, that in Mills for the Manufacture of Silk, Children under the Age of Thirteen Years shall be allowed to work Ten Hours in any one Day; and Doubts have arisen whether, according to the true Construction of the said Act, Children in such Mills can be allowed to work Ten Hours every working Day in the Week; he it therefore enacted, That in Mills for the Manufacture of Silk, Children under the Age of Thirteen Years shall be allowed to work Ten Hours every working Day in the Week; and that this Enactment shall be substituted in the Place of the Provision herein-before referred to, and be taken in all respects as Part of the said Act.

III. And be it enacted, That this Act may be amended, altered, or repealed by any Act to be passed during the present Session of Parliament.

C A P. II.

An Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-four.

[20th March 1834.]

These shall be applied, for the Service of the Year 1834, 3,000,000*l.* now in the Exchequer; also any Baza paid into the Exchequer in respect of Exchequer Bills issued for Public Works and Fisheries; also 50,000*l.* to be paid by the East India Company; and any Balance paid in by the Bank of England on or before the 5th of April 1835, pursuant to 35 G. 3. c. 97; provided that if at any Time the Balance shall be reduced to less than 100,000*l.*, then so much of the Money advanced by the Bank as shall be equal to the Sum by which the said Balance shall be less than 100,000*l.* shall be repaid.

C A P. III.

An Act for raising the Sum of Fourteen Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-four.

[20th March 1834.]

s. d. & W. a.  
c. 103

The Word Months in several Acts to be construed as Calendar Months.

In 35th GEN. Children under 13 Years of Age allowed to work 10 Hours every Working Day.

Act may be altered this Session.

## C A P. IV.

## An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.

[28th March 1834.]

[This Act is to be read, except as to Dates, and the Sections here inserted, as 3 § 4 W. 4. c. 6.]

Lord High Admiral, His Majesty's great Commissioners for holding General Courts-martial, &c.

V. And be it enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hand of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of Great Britain and Ireland, in like Manner as has been heretofore used; and for bringing Offenders against the Articles of War to Justice, to erect and constitute Courts-martial, as well within the said United Kingdom and the British Isles as in any of His Majesty's Garrisons or Dominions, or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief at or commanding for the Time being any of His Majesty's Royal Marine Forces, as well within the said United Kingdom as elsewhere beyond the Seas, for commissioning, as well as for authorizing any Officer not below the Degree of a Field Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces under their Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of His Majesty's Dominions beyond the Seas or elsewhere commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act, may be tried and punished for the same in any other Part of His Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Compositions of General Courts-martial.

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (Bermuda, Africa, and New South Wales excepted,) or in the Settlements of the East India Company, or elsewhere, consist of not less than Thirteen Commissioned Officers, and if convened in Bermuda or any of the King's Dominions (excepting Africa and New South Wales) shall have not less than Seven, and in Africa and New South Wales not less than Five Commissioned Officers; and in all Cases where such General Courts-martial as aforesaid shall consist of more or fewer Officers than Thirteen, no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Members present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had, or in any Case whatsoever under the Degree of a Captain.

Marking a Deserter.

XIV. And be it enacted, That every Marine convicted of Desertion by a General, a District, or a Garrison Court-martial, or of Felony in any Court of Criminal Judicature, shall thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, in addition to any other Penalties which such Court may award; and it shall be lawful for any General Court-martial assembled to try the Cases of Desertion, in addition to any other Punishment such Court may award, to direct that the Offender be marked on the Left Side, Two Inches below the Arm-pit, with the Letter D, such Letter not to be less than Half an Inch long, and to be marked on the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Subsequent Execution or Pardon for Desertion.

XV. And be it enacted, That every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Deserter previous or subsequent to that for which he shall be under Trial, as well as every previous Commission for any other Offence, may be given in Evidence as an Aggravation of the Crime for which he shall be under Trial; and in like Manner, in the Case of any Marine tried for any Offence whatever, any previous Commissions may be given in Evidence against him; provided that no such Evidence shall be received in any Case until after the Court shall have found the Prisoner guilty of the Offence for which he shall be so under Trial, and then only for the Purpose of fixing Punishment; and provided that in all Cases previous Notice shall have been given to the Offender of the Intention to produce such Evidence upon his Trial.

Marking Money as Discharge.

XIV. And be it enacted, That every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days marching Money) to enable him to reach his Home, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, shall be entitled to any such Allowance.

Exemption from Toll.

XLIII. And be it enacted, That all Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, but not when passing in any private or hired Vehicle, and all Carriages and Horses when employed in conveying Persons or Baggage under the Provisions of this Act, or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from

or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; provided that nothing herein contained shall except any Boats, Barges, or other Vessels employed in conveying the said Passengers, Horses, Baggage, or Stores along any Canal, from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto; and that when any Officers or Marines on Service shall have Occasion in the Month to pass regular Ferries in Scotland, the Officer commanding shall be at Liberty to pass over with his Marines as Passengers, paying for himself and such Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at Liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

LII. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly deposit, buy, or exchange, or otherwise receive, any Arms, Ammunition, Clothes, Cap, or other Military Furniture or Appointments, from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or induce any Marine, or shall be employed by any Marine, knowing him to be such, to sell any Arms, Ammunition, Clothes, or Military Furniture, or any Provision, Sheets, or other Articles belonging to any Marine or Marine Deserter, which are generally deemed Regimental Necessaries, according to the Custom of the Royal Marine Corps, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall forfeit for every such Offence the Sum of Twenty Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his or her Possession, or has in his or her Premises, any Property of the Description herein-before described, so or with respect to which any such Offences shall have been committed, the Justice may grant a Warrant to search for such Property as in the Case of stolen Goods.

Penalty for passing Military Clothes, &c. from any Marine

## C A P. V.

An Act for continuing to His Majesty until the Fifth Day of July One thousand eight hundred and thirty-five certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-four. [26th March 1834.]

\* Duties on Sugar and Molasses imposed by 1 R. 1. c. 20. continued until 5th July 1835.—§ 1. Powers of recited Act extended to this Act. § 2. Moneys paid into the Exchequer under this Act to be entered separate from other Payments. § 3. The Treasury may direct Exchequer Bills to be made out not exceeding 5,000,000.—§ 4. Powers of 18 G. 3. c. 1. extended to this Act. § 5. Exchequer Bills to bear an Interest not exceeding 4 per Cent per Annum. § 6. Bank of England may advance Moneys on the Credit of this Act, notwithstanding 5 & 6 W. 4. c. 20.—§ 7. Bills to be placed as Cash in the Exchequer. § 8. and to be payable thereout as common with other Moneys. § 9. Exchequer Bills to be charged on the Duties granted by this Act. § 10. Account of Exchequer Bills to be taken. § 11. Moneys due on Exchequer Bills to be paid out of the next Aids. § 12. Surplus Moneys to be carried to Consolidated Fund. § 13. The Treasury to allow the necessary Charges of making forth new Exchequer Bills. § 14. Moneys issued to be replaced out of the first Supplies. § 15. Act may be altered this Session. § 16.

## C A P. VI.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [26th March 1834.]

[Number of Forces, 33,022. This Act is the same, except as to Dates, and the Sections here inserted, as 3 & 4 W. 4. c. 5.]

V. And be it enacted, That His Majesty may from Time to Time grant a Commission, under the Royal Sign Manual, for the holding of General Courts-martial within the United Kingdom of Great Britain and Ireland, in like Manner as has been heretofore used; and that for bringing Officers against the Articles of War to Justice it shall be lawful for His Majesty to erect and constitute Courts-martial within the United Kingdom of Great Britain and Ireland, as well as to grant His Royal Commissions or Warrants to the Chief Governor or Governors of Ireland, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of His Majesty's Forces, as well within the United Kingdom of Great Britain and Ireland, and the British Isles, as in any of His Majesty's Gardens and Domains or elsewhere beyond the Seas, for conveying, as well as for authorizing any Officer under their respective Commands, not below the Degree of a Field Officer, to convene Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under their several Commands, whether the same shall have been committed before or after such Officer shall have taken upon himself such Commission; and any Person subject to this Act, who shall in any of His Majesty's Dominions or elsewhere commit any of the Offences for which he may be liable to be tried by Courts-martial by virtue of this Act, may be tried and punished in

Constitution of Courts-martial

the same in any Part of His Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Power of General Court-martial.

VII. And be it enacted, That a General Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, in any public Prison, or other Place which the Court or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached shall appoint, and may also direct that such Offender shall be kept in solitary Confinement for the Whole or any Part or Portions of such Imprisonment, or of such Imprisonment with hard Labour, or may sentence any Soldier to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, and Neglect of Duty; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pardon on Discharge; and whenever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which His Majesty shall please to direct; and the Court may, in addition to any other Punishment, sentence such Offender to forfeit all Advantage as to Increase of Pay, or as to Pardon on Discharge, which might otherwise have accrued to such Offender; provided that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial it shall be lawful for His Majesty, or, if in the East Indies, for the Officer commanding in chief the Forces at the Presidency to which the Offender shall belong, instead of causing such Sentence to be carried into execution, in order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as shall seem most to His Majesty, or, if in the East Indies, to the Officer commanding as aforesaid; and if any Person transported as a Felon, whether in pursuance of the original Sentence of the Court-martial, or in pursuance of such Order from His Majesty, or from such Officer commanding in the East Indies as aforesaid, shall afterwards return or be freed at large, without Leave from His Majesty or other lawful Authority, within any Part of His Majesty's Dominions Abroad or at Home, other than the Place in which he shall have been transported, before the Expiration of the Term limited by such Sentence or Order, and shall be duly considered thereof, shall suffer Death as a Felon.

Power of District or Garrison Court-martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in Bermuda, the Bahamas, Africa, and New South Wales, where it may consist of not less than Five Commissioned Officers, and may sentence any Soldier to any Imprisonment, with or without hard Labour, in any public Prison or other Place which such Court, or the Officer commanding the Regiment or Corps to which the Offender belongs or is attached, shall appoint, and may also direct that such Offender shall be kept in solitary Confinement for the Whole or any Part or Portions of such Imprisonment, or of such Imprisonment with hard Labour, or may sentence any Soldier to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pardon on Discharge, for disgraceful Conduct,

In wilfully maiming or injuring himself, or any other Soldier, at the Instance of such Soldier, with Intent to render himself or such Soldier unfit for the Service;

In tampering with his Eyes;

In malingering, feigning Disease, absconding himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Care;

In purchasing or selling Government Stores;

In misusing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Men;

In producing false or fraudulent Accounts or Returns;

In embezzling or fraudulently misapplying Public Money entrusted to him;

Or in committing any petty Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military;

Or for any other disgraceful Conduct, being of a cruel, infamous, or unnatural Kind;

And such Offender may be further put under Stoppage, not exceeding Two Thirds of his daily Pay, until the Amount he made good of any Loss or Damage arising out of his Misconduct; and if any Soldier shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pensions, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Allowance in lieu of Beer or Liquor, or of such Proportion thereof, or of such Portion of his additional or regular Pay, for each Period, not exceeding Two Years, as may accord with His Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment, provided that in all the foregoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Garrison, or other Officer in com-

mand of the District, Garrison, Island, or Colony; and the President of every Court-martial, other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial; provided that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

X. And he is enacted, That in Cases of Mutiny and gross Insubordination, or any Offence committed on the Line of March, the Offence may be tried by a Regimental Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court-martial is competent to award; and a Regimental Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, for any Period not exceeding Thirty Days, and to solitary Confinement for any Period not exceeding Twenty Days; and whenever any such Court-martial shall sentence any Soldier to Imprisonment as aforesaid it may (if it shall think fit) direct that he be kept in solitary Confinement for a certain Period or Portions of the Period of such Imprisonment: Provided always, that when such Court shall direct the Imprisonment to be part solitary and part otherwise, the whole Period of such Imprisonment, including the solitary Part thereof, shall not exceed Twenty Days; and a Regimental Court-martial may sentence any Soldier for being drunk when on or for Duty or Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Regimental  
Court-martial.

XI. And he is enacted, That every Soldier who shall be found guilty of Desertion by a General, or District, or Garrison Court-martial, whose such Findings shall be duly approved, or of Folly in any Court of Civil Jurisdiction, shall thereupon forfeit all Advantage as to additional Pay, and Pensions on Discharge, in addition to any Punishment which such Court may award; and it shall be lawful for any Court-martial empowered to try the Crime of Desertion, in addition to any other Punishment, to direct that the Offender be marked on the Left Side, Two Inches below the Armpit, with the Letter (D.), such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gaspowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Marking a  
Deserter.

XII. And he is enacted, That every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Deserter previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be gone in Evidence against him; and in like Manner in the Case of any Soldier tried for any Offence whatsoever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall in any Case be received until after the Prisoner shall have been found guilty of such Offence, and then only for the Purpose of adding Punishment; and provided also, that after he shall so have been found guilty, and before such Evidence shall be received, it shall be proved to the Satisfaction of the Court that he had previously to his Trial received Notice of the Intention to produce such Evidence on the same; and provided further, that the Court shall in no Case award to him any greater or other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall so have been found guilty.

Subsequent Con-  
victions as  
Evidence from  
Punishments for  
Desertion.

XXIV. And he is enacted, That any Recruit who shall desert prior to joining the Regiment for which he has enlisted, shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, be liable to be transferred to any Regiment or Depot nearest to the Place where he shall have been apprehended, or to any other Regiment to which His Majesty may deem it more desirable that he should be transferred: Provided always, that all Cavalry Recruits so committed for Desertion shall be transferred to Cavalry Regiments, and Infantry Recruits to Infantry Regiments; and that such Desertion thus transferred shall not be liable to other Punishment for the Offence, nor to any other Penalty, except the Forfeiture of their personal Bounty, reserving only for them that Part of the Bounty which is applicable to and required for the Provision of Necessaries.

Recruits desert-  
ing liable to be  
transferred to the  
nearest Regi-  
ment or De-  
pot.

XXVIII. And he is enacted, That the Gaoler or Person having the immediate Inspection of any Prison, Gaol, or House of Correction in every Part of His Majesty's Dominions, shall diet and supply every Soldier with Fuel and other Necessaries, according to the Regulations of the Prison to which he shall be committed, and shall receive on account of every Soldier, during the Period of his Imprisonment, Sixpence per Diem, which the Secretary at War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing, signed by any Justice within whose Jurisdiction such Place of Confinement shall be legally situate, together with a Copy of the Order of Commitment, and which Sum of Sixpence per Diem shall be carried to the Credit of the Fund from which the Expence of such Prison or House of Correction is defrayed; and such Gaoler is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter shall have been taken, or some Order from the Office of the Secretary at War, or Chief Governor or Governors of Ireland, which Orders shall be reciprocally valid within Great Britain and Ireland, and continue in force until the Deserter shall be acquitted, or the Detention in either Country and such Gaoler shall be entitled to One Shilling for the sole Custody of the said Deserter while held

Custody and  
Subsistence of  
Deserters.



on the March, and to such Satisfaction for his Maintenance as shall be directed by His Majesty's Regulations.

How and where  
Troops may be  
billeted.

LL. And whereas by Petition of Right, in the Third Year of King Charles the First, it is enacted and declared, that the People of the Land are not by the Laws to be burthened with the joining of Soldiers against their Wives; and by a Clause in an Act of the Parliament of England, made in the Thirty-first Year of the Reign of King Charles the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Threepence, for paying and disbursing the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whomsoever, should thereafter presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billetting whatsoever: And whereas by an Act passed in Ireland in the Sixth Year of the Reign of Queen Anne, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, should, at any Time thereafter, be allowed any Quarters in any Part of Ireland, save only during such Time as he or they should be and remain in some Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of Ireland, by reason of which Emergency the Army should be commanded to march from any Part of Ireland to another: But inasmuch as in this Time, during the Continuance of this Act, there is and may be Occasion for the searching and quartering of Regiments, Troops, and Companies in several Parts of the United Kingdom of Great Britain and Ireland: be it further enacted, That it shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in England and Ireland, and they are hereby required, to billet the Officers and Soldiers in His Majesty's Service, and Persons receiving Pay in His Majesty's Army, and the Horses belonging to His Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bit and Baggage Horses belonging to any of His Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in Ireland not to billet less than Two Men in any One House, except only in case of billeting Cavalry as specially provided); and that they shall be relieved by the Occupiers of such Houses in which they are so allowed to be billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in England with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates hereafter provided: and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billeted in pursuance of this Act, the Men and their Horses shall be billeted in one and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs, when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and as more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Soldiers are billeted, such Justice respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of His Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act, who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men and Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justice to order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Men and Horses, or to be applied in the furnishing the requisite Accommodation; and likewise any Officer or Soldier may be billeted in any Place with another

another Man or Horse billeted in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses as aforesaid accordingly; and it shall be lawful for any Justice, or the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Houses or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Regt. if any, belonging to those Houses; and it shall be lawful to billet Officers and Soldiers in Scotland according to the Provisions of the Laws in force in Scotland at the Time of its Union with England; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of Edinburgh.

LXIII. And be it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom, shall presume to billet any such Officer or Soldier in any House out within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any such Houses, against the Consent of the Occupiers, or shall neglect or refuse to execute such Warrants of the Justices or shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Constable to provide Carriages, Horses, or Vessels shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person, liable by this Act to have any Officer or Soldier quartered upon him, shall refuse to receive and to afford proper Accommodation or Diet in the House of such Person in which he is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Bedding, together with good and sufficient Hay and Straw for each Horse, at the Rate established by any Act in force in that respect; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in kind the Diet and Small Beer to which such Soldier is entitled; such Constable, Victualler, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

Punish upon Civil Subjects offending against the Laws relating to Billets and Carriages.

#### C A P. VII.

An Act to repeal, at the Period within mentioned, so much of an Act passed in the Fifth Year of the Reign of His late Majesty King George the Third, intitled *An Act to alter certain Rates of Postage, and to amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office*, as authorizes the taking of certain Rates of Inland Postage within His Majesty's Dominions in North America. [10th March 1834.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King George the Third, intitled *An Act to alter certain Rates of Postage, and to amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office*, His Majesty's Postmaster General was authorized to take and receive certain Rates of Postage on the said Act specified for the Postage and Conveyance of Letters and Packets within the British Dominions in America: And whereas the said Rates have been collected in the British Colonies and Provinces in North America by His Majesty's Postmaster General or his Deputies, and the Surplus thereof, after Payment of the Charges of Collection and Management, have been remitted to the General Post Office in London, as Part of the General Revenue of the Post Office: And whereas it is expedient that hereafterward the British Colonies and Provinces in His Majesty's Dominions in North America having local and independent Legislatures should be enabled by the Authority of such Legislatures to Levy, for the Inland Postage of Letters and Packets within such Colonies and Provinces, such Rates as to the said Legislatures shall seem meet, and also to make such Regulations for the Management of the Post Office within each respective Province and Colony, as His Majesty's Postmaster General or his Deputies, as to such Legislatures may seem expedient; and that the surplus Revenue arising from the Collection of such Rates should be applied and appropriated for the Use and Benefit of such respective Colonies and Provinces: (With which Provisions provided by the said Act intitled *An Act to alter certain Rates of Postage, and to amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office*), be it enacted with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

5 D 2 c 25.

After His Majesty's Consent shall be signified to Acts of the Parliament

Legislatures of the Provinces of North America, authorizing certain Rates of Postage to be taken therein, the Provisions of the recited Act as to the Collection of Postage within such Provinces shall be repealed.

Appropriation of Inland Rates of Postage in the North American Provinces.

Act may be altered.

Parliament assembled, and by the Authority of the same, That from and after His Majesty's Consent shall in the usual Form be signified by the Governors or Deputy Governors of His Majesty's Colonies or Provinces in North America by Bills or Acts of the Legislatures of such respective Colonies or Provinces, authorizing the demanding and taking within each respective Colony or Province, by His Majesty's Postmaster General or his Deputy or Deputies, the like Rates of Postage as are authorized to be received and taken by the said recited Act of the Fifth Year of the Reign of His late Majesty King George the Third, or such other Rates of Postage as in and by such Bills or Acts respectively may be mentioned and authorized to be received and taken, and for making such Regulations for the Management of the Post Office within such Colonies and Provinces, by His Majesty's Postmaster General or his Deputies, as shall be therein directed, then the said Act passed in the Fifth Year of the Reign of His late Majesty King George the Third, so far as the said Act authorizes the Demanding and Receipt of any Rates for the Inland Carriage and Conveyance of Letters and Packets within such Colonies or Provinces respectively, shall nevertheless be absolutely repealed, and be so longer of any Effect.

II. And be it further enacted, That from and after His Majesty's Consent shall be so signified to such Bills or Acts of Colonial or Provincial Legislatures as herein-before mentioned, all the Revenue which may arise from the Collection of the Rates of Inland Postage within the said respective Colonies or Provinces (after deducting the Expenses of Collection, and of the Establishment and Management of the Post Office within and throughout the said respective Colonies or Provinces under the Direction of His Majesty's Postmaster General or his Deputies,) shall and may, instead of being remitted as heretofore to the General Post Office in London, as Part of the general Revenue of the Post Office, be appropriated, applied, and distributed to and among the said respective Colonies and Provinces in proportion to the gross Amount of the Rates and Duties of Postage which shall be raised, collected, and received within each and every such respective Colony or Province, unless and until the said Colonies or Provinces shall, by Bills or Acts of their respective Legislatures to which His Majesty's Consent shall in the usual Form be signified, unite and agree in directing any other Mode in which such Surplus shall be applied and disposed of.

III. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

#### C A P. VIII.

An Act to amend an Act passed in the last Session, for consolidating and amending the Laws relative to Jurors and Juries in Ireland. [20th March 1834.]

1 R. 4 M. 4. c. 31.

WHEREAS by an Act passed in the last Session of Parliament, intitled *An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland*, it is amongst other Things enacted, that the Justices assembled at every Ouster General or Quarter Sessions of the Peace to be holden in each Division of each County at large, and the Justices for and in each County of a City and County of a Town, in Ireland, shall, at a Sessions to be holden at October in every Year, fix a Place within such Division and within such Counties of Cities and Counties of Towns respectively, and also a Time not less than Two nor more than Three Calendar Months after the First Day of such General or Quarter Sessions, for holding a Special Sessions, for the Purpose of examining the Lists of Jurors in the said Act mentioned, pursuant to the Provisions thereof therein-after contained: And whereas the Periods so prescribed for the holding of such Special Sessions have been found inconvenient, by reason of their approaching so nearly to the End of the current Year as not to leave convenient Time for the making out of the Jurors Book for the next ensuing Year, and it is therefore expedient to alter the same: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Justices assembled at any Ouster General or Quarter Sessions of the Peace to be holden in each Division of each County at large and each County of a City and County of a Town in Ireland shall fix a Place within such Cities and Counties of Towns respectively, and also a Time, not less than One Lunar Month nor more than Six Weeks after the First Day of such Ouster General or Quarter Sessions, for holding a Special Sessions for the Purpose of examining the List of Jurors, as by the said Act directed; and that the several Provisions and Clauses of the said recited Act relating to the Special Sessions thereby directed to be fixed at the October Sessions shall be extended and applied to and be in force with respect to the Special Sessions hereby required to be fixed.

Justices to fix a Place and Time for examining Lists of Jurors.

When Jurors Book is not completed, the Jurors of Jurors assembled in the Town in one before the recited Act to be deemed lawful.

II. And whereas, in consequence of the Difficulty which in certain Instances has been found to exist since the passing of the said recited Act in making up the List of Jurors before the First Day of January in the present Year, the Jurors Book by the said Act prescribed has not been made up in sufficient Time to be delivered to the Sheriff or other proper Officer, so as to be brought into use on the said First Day of January, as it by the said recited Act provided, and Jurors have therefore in those Cases been necessarily returned and impanelled in the Mode usually practiced before the passing of the said recited Act: And whereas it is expedient to prevent any Doubts with respect to the Validity of such Proceedings: Be it therefore declared and enacted, That where, in any County, County of a City, or County of a Town in Ireland, the said Jurors Book shall not have been delivered to the Sheriff or other proper Officer before the said First Day of January in this present Year, the returning and impaneling of Jurors in the ordinary or usual Mode and accustomed before the passing of the said recited Act shall be and be

considered

considered to have been lawful, and that all Returns and Parcels of Jurors in such Cases heretofore made, or hereafter, until the Completion and Delivery of a proper Jurors Book, to be made, have been, are, and shall, and shall be deemed and taken to be and to have been, to all Intents and Purposes, equally good, valid, regular, effectual, and binding in Law as if the said recited Act had not passed.

## C A P. IX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and thirty-five; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attorneys and Solicitors to make and file the same on or before the First Day of Hilary Term One thousand eight hundred and thirty-five; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates. [26th March 1834.]

[This Act is the same, except as to Dates, as 5 & 4 W. 4. c. 7.]

## C A P. X.

An Act for continuing until the First Day of June One thousand eight hundred and thirty-six the several Acts for regulating the Turnpike Roads in Great Britain which will expire with the present or the next Session of Parliament. [26th March 1834.]

WHEREAS it is expedient that the several Acts for making, amending, and repairing the Turnpike Roads in Great Britain, which will expire with the present Session or the next Session of Parliament, should be continued for a limited Term: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Act and Acts of Parliament for making, amending, and repairing any Turnpike Roads in Great Britain, which will expire with the present or the next Session of Parliament, shall be and be deemed to be hereby continued until the First Day of June One thousand eight hundred and thirty-six, or if Parliament shall then be sitting, until the End of the then Session of Parliament.

II. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to an Act passed in the Fifty-second Year of His late Majesty King George the Third, intitled *An Act for widening and improving the Street or Road leading from Tower Hill to the Street called Upper East Smithfield, in the Parish of Saint Botolph without Aldgate in the County of Middlesex*; nor to another Act passed in the Fifty-third Year of His said late Majesty, intitled *An Act for enlarging the Powers of an Act of His present Majesty, for widening and improving Upper East Smithfield in the Parish of Saint Botolph without Aldgate in the County of Middlesex*; nor to another Act passed in the Fifty-sixth Year of the Reign of His said late Majesty, intitled *An Act for altering, amending, and explaining Two Acts of His present Majesty's Reign, for widening and improving the Street leading from Tower Hill to the Street called Upper East Smithfield, in the County of Middlesex*.

Continuation of Acts.

Not to extend to the Acts 28 G. 3. c. 101.

28 G. 3. c. 101.

and 26 G. 3. c. 126.

## C A P. XI.

An Act for continuing to His Majesty until the Fifth Day of July One thousand eight hundred and thirty-five certain Duties on Offices and Pensions, for the Service of the Year One thousand eight hundred and thirty-four; and to appropriate any Sums arising from the Redemption of the Land Tax. [26th March 1834.]

" The Duties charged upon Offices, Pensions, &c. by 25 G. 3. c. 5. continued till 5th July 1835. § 1.  
 " Powers of 6 G. 4. c. 3. for ascertaining and registering the Duties extended to this Act. § 9. No Assessment to be made in respect of the Duties on Pensions, &c. payable out of the Public Revenue, but  
 " such Duties to be charged as heretofore and Monies applicable to the Payment of the Pensions to be paid less by the Amount of such Duties. Provision for Summes payable in part only out of the Public Revenue. § 3. A Register to be kept of all Money paid into the Exchequer for the Duties hereby granted. § 4. Sums paid into Exchequer for Interest on Contracts for Redemption of Land Tax, under 42 G. 3. c. 116. to be hereafter placed in Account of Consolidated Fund. § 5. Act may be altered in this Session. § 6."

## C A P. XII.

An Act to apply a Sum of Seven Millions, out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-four of Southampton Dock [26th March 1834.]

## C A P. XIII.

An Act to repeal so much of an Act of the last Session of Parliament, for the Prevention of Smuggling, as authorizes Magistrates to sentence Persons convicted of certain Offences to serve His Majesty in His Naval Service, and to alter and amend the said Act. [REBID May 1834.]

1834 W. 4. c. 13.

**WHEREAS** an Act was passed in the last Session of Parliament, intitled *An Act for the Prevention of Smuggling*: And whereas it is expedient to repeal so much of the said Act as authorizes and requires Justices of the Peace to order Persons convicted of certain Offences therein mentioned to be carried and conveyed on board any of His Majesty's Ships, in order to serve His Majesty in His Naval Service for the Term of Five Years; and to substitute other Provisions in lieu thereof: And whereas it is also expedient to amend certain other Parts of the said Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said Act as authorizes and requires Justices of the Peace to order Persons convicted of certain Offences therein mentioned to be carried or conveyed on board any of His Majesty's Ships, in order to serve His Majesty in His Naval Service for the Term of Five Years, and so much of the said Act as imposes certain pecuniary Penalties for any of the Offences herein-after next mentioned, shall be and the same is hereby repealed.

Power of ordering certain Offences to be sent into the Naval Service for Five Years, and of imposing certain Penalties, repealed.

Persons found on board Vessels within prohibited Distances, and Laying prohibited Loading.

as ascribed to the Number of Three or more to run, Spirits, Tea, Tobacco, or Silk; or conveying others toasmalls;

an obstructing Officers;

to be sent to House of Correction, or to hard Labour, for not less than Six Months for First Offence, Nine for Second, and Twelve for Third.

Justices of Peace, and Justices and Justices of Correction to commit to some neighbouring House of Correction.

Justices may order Imprisonment with hard Labour in lieu of Penalty.

II. And be it further enacted, That every Person, being a Subject of His Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture under the said or any other Act relating to the Customs for being found or discovered to have been within any of the Distances in the said Act mentioned from the United Kingdom or from the *Joh of Men*, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Vessel or Boat to Forfeiture, or who shall be found or discovered to have been within any such Distances as aforesaid on board any Vessel or Boat from which any Part of the Cargo or Lading of such Vessel or Boat shall have been thrown overboard, or saved or destroyed, to prevent Seizure; and every Person, not being a Subject of His Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture for any of the Causes aforesaid, within One League of the United Kingdom or of the *Joh of Men*; and that all Persons who are ascribed to the Number of Three or more for the Purpose of smuggling, carrying, conveying, or concealing any Spirits or Tobacco, or any Tea or Silk, (such Tea or Silk being of the Value of Twenty Pounds or more,) liable to Forfeiture under any Act relating to the Customs or Excise; and that every Person who shall by any Means procure or hire, or shall depose or authorize any other to procure or hire, any Person or Persons to assemble for the Purpose of being concerned in the loading or unshipping or carrying or conveying any Goods which are prohibited to be imported, or the Duties for which have not been paid or secured; and that every Person who shall obstruct any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and so full Pay, or any Officer or Officers of Customs or Excise, or any Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, in the Execution of his or their Duty, or in the due raising of any Goods liable to Forfeiture by the said Act or any other Act relating to the Customs, or who shall rescue or cruise to be rescued any Goods which have been duly seized, or who shall attempt or endeavour to do so, or shall before or after securing any Seizure store, break, or otherwise destroy any Goods to prevent the Seizure thereof or the recovery the same; shall upon being duly convicted of any of the said Offences before any Two Justices of the Peace, be adjudged by such Justices for the First Offence to be imprisoned in any House of Correction, and there kept to hard Labour, for any Term not less than Six nor greater than Nine Calendar Months; and for the Second Offence, for any Term not less than Nine nor greater than Twelve Calendar Months; and for the Third Offence, or any subsequent Offence, for Twelve Calendar Months.

III. And be it enacted, That where any Person shall have been convicted of any offence against this or any other Act relating to the Customs, for which Offence such Person shall be liable to be committed to hard Labour, and such Conviction shall take place before any Justices of the Peace for any City, Borough, Liberty, Division, Parishes, or Town Corporate not having any House of Correction situate within the same, it shall be lawful for such Justices and they are hereby required, by Warrant under their Hands and Seals, to commit such Offender to any House of Correction near to the Place where such Offender is convicted, there to be kept to hard Labour for such Time as is herein-before provided for a First, Second, and Third Offence respectively; and the Governor or Keeper of such House of Correction is hereby required to receive such Offenders, and to obey the said Warrant in all respects.

IV. And be it further enacted, That where any Person shall have been convicted before any Two Justices of the Peace of any Offence not being one of those herein-before mentioned, and for which any Penalty shall have been inflicted by the said Act or any other Act relating to the Customs, it shall and may be lawful for the said Justices, if they shall think fit, to order and adjudge that such Person shall, in default of paying the said Penalty, be imprisoned for the First of such Offences in any of His Majesty's Goals within their Jurisdiction for a Period of not less than Six or more than Nine Calendar Months, and if such Party shall have been before convicted of any Offence against this or any other Act relating to the Customs, to be imprisoned in any House of Correction, and there kept to hard Labour, for any Term not less than Six or more than Twelve Calendar Months.

V. And be it further enacted, That where any Person shall have been convicted of any Offence against the said Act or any Act relating to the Customs, for which such Person would be liable to be committed to hard Labour, it shall and may be lawful for the Justices before whom such Person is so convicted, provided such Person is a Female, or provided it appears to such Justices that such Person is from Age or Sickness incapable of hard Labour, to order and adjudge that such Person shall, in lieu of being committed to hard Labour, be imprisoned in any of His Majesty's Gaols within their Jurisdiction for the Length of Time to which such Person would have been liable to be kept to hard Labour: Provided always, that in all such Cases the Cause of Mitigation shall be stated in the Warrant of Commitment.

VI. And be it further enacted, That where any Person shall have been convicted before any Two Justices of the Peace of any Offence against this or any other Act relating to the Customs for which such Person is liable to be committed to hard Labour, and it shall, at any Time during such Imprisonment, be made appear to the said or any other Two Justices in the Presence of such Person that such Person had been before convicted of any such Offence, it shall be lawful for such Justices and they are hereby required to commit such Offender to some House of Correction, to be kept to hard Labour, for any Period not less than Nine and not greater than Twelve Calendar Months to the whole than the Date of the first Commitment, and to amend the Warrant of Commitment accordingly.

VII. And be it further enacted, That it shall not be necessary in such amended Warrant of Commitment to state or refer to the former Conviction.

VIII. And whereas by the said Act Power is given to Justices of the Peace to mitigate Fines in certain Cases; be it further enacted, That such Power shall be exercised by such Justices only where the Offender is convicted of a First Offence against the said Act or any other Act relating to the Customs, and not where such Offender is convicted of a Second or other subsequent Offence of that Description.

IX. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, or for the Commissioners of His Majesty's Customs, by any Order made for that Purpose under their Hands, to release from Continuance any Person or Persons committed under this Act, on such Terms and Conditions as to them respectively shall appear to be proper.

X. And be it further enacted, That all Informations before Justices of the Peace for any Offences committed against this Act, and all Convictions for such Offences, and Warrants of Justices of the Peace Returned upon such Convictions, shall be drawn respectively in the Form or to the Effect in the Schedule to this Act annexed.

XI. And whereas His late Majesty King George the Third, by His Royal Proclamation bearing Date the First Day of January One thousand eight hundred and one, was pleased, with the Advice of His Privy Council, to order and appoint what Ensigns or Colours should be borne at Sea by Merchant Ships or Vessels belonging to any of His Majesty's Subjects of the United Kingdom of Great Britain and Ireland, and of the Dominions thereto belonging, thereby charging and commanding all His Majesty's Subjects whatsoever that they should not presume to wear in any of their Ships or Vessels His Majesty's Jack, commonly called the Union Jack, nor any Pendant nor any such Colours as are usually worn by His Majesty's Ships, without particular Warrant for their so doing from His Majesty, or His High Admiral of Great Britain, or the Commissioners for executing the Office of Lord High Admiral, for the Time being; and also commanding His Majesty's Subjects that without such Warrant as aforesaid they should not presume to wear on board their Ships or Vessels any Flags, Jacks, Pendants, or Colours made in imitation of or resembling those of His Majesty, or any Kind of Pendant whatsoever, or any other Ensign than the Ensign described in the Marges of the said Proclamation: And whereas by an Act of the last Session of Parliament, intituled *An Act for the Promotion of Seafaring*, a Penalty of Fifty Pounds is imposed on every Person who shall wear, carry, or bear in or on board any Vessel or Boat whatsoever belonging to any of His Majesty's Subjects, without particular Warrant for that Purpose, His Majesty's Jack, or any Pendant, Ensign, or Colours as therein mentioned: And whereas it is expedient that all Doubts that may have been entertained as to the Law on this Subject should be removed, and that further Provisions should be made for carrying the said Proclamation into effect; be it therefore enacted and declared, That from and after the passing of this Act it shall not be lawful for any of His Majesty's Subjects whomsoever to hoist, carry, or wear in or on board any Ship, Vessel, or Fishing Boat, or any other Vessel or Boat whatever, whether Merchant or otherwise, belonging to any of His Majesty's Subjects, His Majesty's Jack commonly called the Union Jack, or any Pendant or any such Colours as are usually worn by His Majesty's Ships, or any Flag, Jack, Pendant, or Colours whatever made in imitation of or resembling those of His Majesty, or any Kind of Pendant whatsoever, or any Ensign or Colours whatever, other than those prescribed by the said Proclamation; and that if any Person or Persons shall nevertheless presume to hoist, carry, or wear in or on board any Ship or Vessel, Fishing Boat, or other Vessel or Boat whatever, belonging to any of His Majesty's Subjects, whether the same be Merchant or otherwise, His Majesty's Jack commonly called the Union Jack, or any Pendant or Colours such as are commonly worn by His Majesty's Ships, or any Jack, Flag, Pendant, or Colours whatever made in imitation of or resembling those of His Majesty, or any Kind of Pendant whatsoever, without such Warrant as aforesaid, or any other Ensign or Colours than the Ensign or Colours prescribed by the said Proclamation to be worn, then and in every such Case the Master or other Person having Charge of such Ship, Vessel, or Boat, for the Owner or Demurrer thereof shall be liable to answer, and every other Person as aforesaid, shall for every such Offence forfeit and pay a Sum not exceeding Five hundred

Penalty may be made the Sentence of hard Labour for Imprisonment in certain Cases

In case of a previous Conviction, the Justice may extend the Period of Imprisonment.

Amended Warrant.

Limitation of Power to mitigate Fines.

The Treasury or Commissioners of Customs may release Persons committed. State the Form of Informations and Convictions.

Form of His Majesty's Letters to bear in our Vessels the Union Jack or any Pendant or any other Ensign than the Ensign described in the Marges of the said Proclamation: And whereas by an Act of the last Session of Parliament, intituled *An Act for the Promotion of Seafaring*, a Penalty of Fifty Pounds is imposed on every Person who shall wear, carry, or bear in or on board any Vessel or Boat whatsoever belonging to any of His Majesty's Subjects, without particular Warrant for that Purpose, His Majesty's Jack, or any Pendant, Ensign, or Colours as therein mentioned: And whereas it is expedient that all Doubts that may have been entertained as to the Law on this Subject should be removed, and that further Provisions should be made for carrying the said Proclamation into effect; be it therefore enacted and declared, That from and after the passing of this Act it shall not be lawful for any of His Majesty's Subjects whomsoever to hoist, carry, or wear in or on board any Ship, Vessel, or Fishing Boat, or any other Vessel or Boat whatever, whether Merchant or otherwise, belonging to any of His Majesty's Subjects, His Majesty's Jack commonly called the Union Jack, or any Pendant or any such Colours as are usually worn by His Majesty's Ships, or any Flag, Jack, Pendant, or Colours whatever made in imitation of or resembling those of His Majesty, or any Kind of Pendant whatsoever, or any Ensign or Colours whatever, other than those prescribed by the said Proclamation; and that if any Person or Persons shall nevertheless presume to hoist, carry, or wear in or on board any Ship or Vessel, Fishing Boat, or other Vessel or Boat whatever, belonging to any of His Majesty's Subjects, whether the same be Merchant or otherwise, His Majesty's Jack commonly called the Union Jack, or any Pendant or Colours such as are commonly worn by His Majesty's Ships, or any Jack, Flag, Pendant, or Colours whatever made in imitation of or resembling those of His Majesty, or any Kind of Pendant whatsoever, without such Warrant as aforesaid, or any other Ensign or Colours than the Ensign or Colours prescribed by the said Proclamation to be worn, then and in every such Case the Master or other Person having Charge of such Ship, Vessel, or Boat, for the Owner or Demurrer thereof shall be liable to answer, and every other Person as aforesaid, shall for every such Offence forfeit and pay a Sum not exceeding Five hundred

hundred Pounds, to be recovered, with Costs of Suit, either in the High Court of Admiralty of England, or in any Vice Admiralty Court in His Majesty's Colonies, or in any of His Majesty's Courts of King's Bench or Exchequer at Westminster or Dublin, at the Suit of His Majesty's Attorney General, or in the Courts of Sessions or Exchequer in Scotland respectively; and that it shall be lawful for any Officer of His Majesty's Navy or Marines belonging to any of His Majesty's Ships, or any Officer of the Customs or Excise, to enter on board any Ship, Vessel, or Boat so hoisting, wearing, or carrying any Jack, Flag, Ensign, Pennant, or Colours prohibited by the said Proclamation and by this Act to be hoisted, worn, or carried, and to seize and take away the same, and the same shall thereupon become forfeited.

Act may be altered.

XII. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in the present Session of Parliament.

SCHEDULE to which this Act refers.

FORM OF INFORMATION.

|   |   |   |   |
|---|---|---|---|
| County of<br>to wit   | } | Do it remembered, That on the<br>in the Year of our Lord One thousand eight hundred and | Day of  |
| Officer of Customs, gives us<br>of the Peace is and for   | } | and   | Two of His Majesty's<br>Justices of the Peace to be informed, that C. D., |
| so the<br>hundred and   | } | Day of  | in the Year of our Lord One thousand eight<br>hundred and                 |
| [Here state the Offence, or in the Act of Parliament,] contrary to the<br>Form of the Statute in that Case made and provided. |   |   |   |

FORM OF CONVICTION.

|  |   |   |        |
|--|---|---|--------|
| County of<br>to wit  | } | Do it remembered, That on the<br>in the Year of our Lord One thousand eight hundred and | Day of |
| Information was exhibited by A. B., Officer of Customs, before us  | } | and   | as     |
| Two of His Majesty's Justices of the Peace in and for  |   |   |        |
| against C. D., which said Information charged that the said C. D., on the  | } | Day of  | as     |
| in the Year of our Lord One thousand eight hundred and   | } | and   | and    |
| [Here state the Offence, as in<br>the Informations,] contrary to the Form of the Statute; which Offence [" has been duly proved before us<br>the said Justices," or " the Party has confessed himself to be guilty of," or " the Court may be]: We do<br>therefore convict the said C. D. of the said Offence, and do adjudge that the said C. D. [here insert the<br>Adjudication of the Justices.] |   |   |        |

Given under our Hands and Seals the

Day of

FORM OF WARRANT OF CAPTURE.

|   |   |  |     |
|---|---|--|-----|
| County of<br>to wit   | } | To A. B., Officer of Customs, and to E. F., the Gaoler or Keeper of the<br>at<br>in the  |     |
| Whereas C. D. has been duly convicted before us   |   |  |     |
| of His Majesty's Justices of the Peace in and for   |   | and  | Two |
| as in the Informations. And whereas we the said Justices did adjudge that the said C. D. should for his<br>said Offence |   | of having [state the Offence,<br>or in the Informations]. These are therefore to require |     |
| you the said A. B. forthwith to take, carry, and convey the said C. D. to the   |   |  |     |
| in the  |   | and  | at  |
| deliver him into the Custody of the Gaoler or Keeper of the said  |   |  |     |
| And we the said Justices do hereby authorize and require you the said E. F., the Gaoler or Keeper of the<br>said        |   |  |     |
| to receive and take the said C. D. into your Custody, and to [insert the<br>Punishment, according to the Conviction].   |   |  |     |

Given under our Hands and Seals at

the

Day of

C A P. XIV.

An Act to repeal so much of several Acts as authorizes the issuing any Sums of Money out of the Consolidated Fund for the Encouragement of the raising or dressing Hemp or Flax.

[23d May 1834.]

WHEREAS various Sums of Money have been from Time to Time issued under the Provision of several Acts passed in the Tenth, Twenty-first, and Twenty-ninth Years respectively of the Reign of His late Majesty King George the Third, for the Encouragement of raising and dressing Hemp and Flax in the United Kingdom: And whereas by no Act passed in the Twenty-ninth Year of the Reign of His said late Majesty, intitled *An Act for repealing the several Duties of Customs and Excise, and granting other Duties in lieu thereof, and for applying the said Duties, together with the other Duties composing the Public Revenue, for promoting the Importation of certain Goods, Wares, and Merchandises, the Produce or Manufactures of the European Dominions of the French King, into the Kingdom*; and for applying certain unclaimed Moneys remaining on the Exchequer for the Payment of Annuities on Lives to the Satisfaction of the National Debt, it was enacted, that the Sum of Six thousand three hundred and thirty-six Pounds and Fifteen Shillings should at the End of each Year be set apart in the Receipt of His Majesty's Exchequer, out of the Duties of Customs imposed by the said Act, as a Fund for the Encouragement of raising and dressing Hemp and Flax, to be applied to such Uses and Purposes and in such Manner and Manner as was directed and provided by the before-mentioned Act.

Twenty-first, and Twenty-sixth Years respectively: And whereas it is expedient that no further Sum or Sums of Money should be set apart or applied for such Purpose in future: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Act of the Twenty-seventh Year of the Reign of His late Majesty King George the Third as is herein-before recited, and so much of any other Act or Acts as authorize or direct any such Payment to be made, shall be and the same is and are hereby repealed.

Inasmuch as recited Act may also Act as authority Money to be set apart for Enlargement of relief House, &c. repealed.

C A P. XV.

An Act to regulate the Office of the Receipt of His Majesty's Exchequer at Westminster.

[22d May 1834.]

WHEREAS by an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King George the Third, intituled An Act to regulate the Office of His Majesty's Exchequer in England and Ireland respectively, it was declared, that the Offices of Auditor and Teller of His Majesty's Exchequer in England and Ireland respectively, and of Clerks of the Pells in England and Ireland respectively, were Offices with respect to which it was expedient that a more economical Execution of the Duties thereof respectively, after the Termination of the then existing Interests therein, should be adopted; and it was thereby enacted, that from Time to Time thereafter as such respective Offices should become vacant it should be lawful for the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, or the Commissioners of His Majesty's Treasury, for the Time being, and they were thereby required, to regulate the Duties and Establishments of the Offices so becoming vacant, so that the said Business should be performed in Person by such fit and proper Persons in the said Commissioners should deem sufficient and necessary, with such Salaries or Emoluments as should be ordered and appointed by the said Commissioners in that Behalf, the said Commissioners laying before Parliament an Account of the new Establishment of the respective Offices so regulated, and all the Regulations above mentioned, with a Statement of the Number of Officers and Amount of Salaries of each respectively, together with a Statement of the former Establishment of the respective Offices so regulated: And whereas, under the Powers vested in the Commissioners of His Majesty's Treasury by the said Act, the Offices of Auditor of the Exchequer and Clerk of the Pells in Ireland have been abolished, and certain other Arrangements have been made in the Office of Teller of the Exchequer in Ireland and Clerk of the Pells in England: And whereas His Majesty was pleased by His Royal Sign Manual Warrant, bearing Date the Twenty-first Day of June One thousand eight hundred and thirty, to appoint certain Commissioners to inquire into the Charge of managing and collecting the Public Revenue, and into the Manner in which the Public Monies were received into, kept in, and issued from the Receipt of His Majesty's Exchequer, and also by His Royal Sign Manual Warrant, bearing Date the Eighth Day of July One thousand eight hundred and thirty-one, to appoint certain other Commissioners to inquire and examine into the Practice of the Exchequer with respect to the Receipt and Payment of the Public Money, and the Mode of keeping the Accounts thereof: And whereas by a Report of the said last-mentioned Commissioners made thereupon to the Commissioners of the Treasury, bearing Date the Eighth Day of October following, various Arrangements, Alterations, and Improvements in the Constitution of the Court of the Receipt of the Exchequer, and in the Practice and Mode of keeping the Accounts thereof, have been proposed to be adopted: And whereas it is expedient to carry into effect certain of the Regulations proposed in the said Report, and to that end to remodel the Constitution of the Exchequer at Westminster, and to effect the Improvements intended, concerning the existing Interests in the several Offices of the Exchequer which have not as yet been determined: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act, as herein-after mentioned, the several Offices following in the Exchequer at Westminster (that is to say, the Office of Auditor, and of each of the Four Tellers of the Exchequer, and of the Clerk of the Pells, and the several Offices subordinate thereto, be and the same are hereby abolished, and to that end that the several Patents, Warrants, and Authorities under which the same have been and are respectively held shall cease, determine, and become absolutely null and void, and that in lieu of the said several Offices the Constitution and Establishment of the Exchequer shall consist of the following Officers; (that is to say, a Comptroller General to be designated Comptroller General of the Receipt and Issue of His Majesty's Exchequer, with an annual Salary of Two thousand Pounds; an Assistant Comptroller, a Chief Clerk, and such Number of Clerks and Assistants, with such Salaries, as shall be established and regulated from Time to Time by the Commissioners of His Majesty's Treasury.

37 G. 3. c. 34.

Office of Auditor, Teller, Clerk of the Pells, and the Office subordinate thereto, abolished.  
New Establishment.

Appointment of Comptroller

Assistant may act in certain Cases.

II. And be it further enacted, That the Office of the said Comptroller shall be granted by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to certain in Force during good Behaviour, subject, however, to his Removal therefrom by His Majesty, His Heirs and Successors, to the Address of the Two Houses of Parliament; subject also to the Abolition or Regulation of his Office at any future Time by the Authority of Parliament; and that the Duties, Powers, and Authorities by this Act imposed on or vested in the Comptroller shall and may, in the Event of his Absence or Inconvenience, be exercised by such Assistant.



Comptroller in-  
capable of hold-  
ing any other  
Office.

Power of Au-  
ditor or Clerk of  
Pells trans-  
ferred to Com-  
ptroller.

Office to be  
performed in  
Person, &c.

Treasury to  
maintain Forms  
of Books, Ac-  
counts, Warr-  
ants, Inven-  
tories, &c.

Records, &c.  
relating to the  
Exchequer to  
be delivered  
over to the  
Comptroller.

Tellers to pay  
over to the  
Bank of Eng-  
land, &c. in  
their Hands.

All Public  
Monies hereinafter  
payable into the  
Exchequer to

III. Provided always, and so it further enacted, That the said Comptroller shall not be capable of holding his Office at the same Time or together with any other Office to be held during Pleasure under the Crown, or under any Officer appointed by the Crown.

IV. And be it further enacted, That all the Powers and Authorities now vested in the Auditor of the Exchequer or Clerk of the Pells, either by Law or Usage, shall, from and after the Commencement of this Act, be transferred to and vested in the said Comptroller, subject to the Provisions of this Act, except only so far as any of such Powers or Authorities are or shall be by this Act controlled, diminished, or varied.

V. And be it further enacted, That the said Comptroller, Assistant Comptroller, Chief and other Clerks shall execute the Duties of their respective Offices in Person; and that the Office of the Exchequer shall be kept open for Public-Business, and Attendance shall be given thereon by the said Officers and Clerks, throughout the Year, on all such Days and during the usual Hours in which the Office of His Majesty's Treasury has been accustomed to or shall be kept open.

VI. And be it further enacted, That it shall be lawful for the Commissioners of the Treasury for the Time being from Time to Time, by such Orders and Regulations as they shall see necessary for the Safety, Economy, and Advantage of the Public Service, to establish and direct what Books, Accounts, and Vouchers shall be kept and used in the said Office of Exchequer, and the Forms thereof, as well as the Form of all Warrants, Specifications, Instruments, and other Documents which for the better carrying into effect the Purposes of this Act it shall be necessary to make use of in either of the said Offices of the Treasury and Exchequer, or in any other Public Office whatsoever; and likewise in what Manner the Applications made to the Treasury for Credits for the Services of the respective Departments of Expenditure shall be examined, approved, and recorded; and also in what Books and in what Manner the several Instruments required or authorized by this Act shall be entered, recorded, and acted upon; and the Form of Returns to be made by the said Comptroller to the Commissioners of the Treasury, and the Periods for making the same.

VII. And be it further enacted, That on the Eleventh Day of October One thousand eight hundred and thirty-four all Books, Records, Deeds, Papers, Documents, and Vouchers whatsoever relating to the Office of the Exchequer of the Exchequer, and all the Standard Weights and Measures, and Standard Pieces of Gold, Silver, and Copper, and all other Articles of Public Property, (except Monies and Securities for Money, and such Documents as are by this Act directed to be delivered over to the Commissioners of the Treasury,) which shall then be in the Custody, Power, or Control of the Auditor, Tellers or Clerk of the Pells, of the Exchequer at Westminster, or of any of their Officers or Clerks, shall be delivered into the Custody of the said Comptroller, who shall thereupon take charge of the same, and by whom, or whose Assistant, and by the Officers subordinate to him, all such Acts, Matters, and Things relating to the said Standard Weights and Measures, and Standard Pieces of Gold, Silver, and Copper, as have heretofore been or ought to be performed by any of the Officers of His Majesty's Exchequer, shall from thenceforth be performed and executed.

VIII. And be it further enacted, That on the said Eleventh Day of October, and between the Hours of Ten in the Forenoon and Four in the Afternoon, all Monies, whether Out Cash or otherwise, and all Bills, Notes, and Securities for Money, belonging to the Crown, in the Chests or in the Keeping or at the Disposal of the Tellers of His Majesty's Exchequer or of any of the Officers under them, or with which they or any of them shall be charged or chargeable, shall be paid into the Bank of England to the Credit of His Majesty's Exchequer, and that an Account shall be thereupon opened by the Governor and Company of the said Bank, to be called "The Account of His Majesty's Exchequer"; and that each of the said Tellers and other Officers of the Exchequer who shall make any such Payment into the said Bank shall at the same Time deliver a Specification or Statement in Writing in Duplicate, signed by himself with his own Name, distinguishing the Particulars of such Payment and shewing the Total Amount thereof, to the Cashier of the Bank or other Officer to be appointed in that behalf, who shall enter the same in a Book to be kept for that Purpose, and sign a Memorandum thereon of such Entry having been so made, and shall transmit one of such Duplicates to the Comptroller of the Exchequer, and also a certified Copy thereof to the Commissioners of the Treasury; and the other of such Duplicates, vouched and signed by the said Cashier or other Officer as aforesaid, shall be returned by him to the Person making the Payment, who shall deposit the same with the said Comptroller of the Exchequer, by whom an Acquittance shall be made out, signed, and delivered to the Party making the Payment, which shall be to such Party a legal and sufficient Discharge with the Auditors of the Public Accounts and all other Persons whatsoever: Provided always, that the Party making the Payment shall at the same Time transmit to the Comptroller and also to the Commissioners of the Treasury a Statement of the Particulars of such Payments, shewing the Sources from which the Money so paid shall have been derived, and the Services in which the same were applicable; and provided also, that such Monies, whether Out Cash or otherwise, so to be paid over by the said Tellers, shall remain chargeable and appropriated to the Services in which any such Monies are now specifically applicable; and that it shall be lawful for the Commissioners of the Treasury to give Authority to the Comptroller of the Exchequer to apply the same accordingly.

IX. And be it further enacted, That upon and from and after the said Eleventh Day of October all Public Monies which previously to the Commencement of this Act shall have been payable into His Majesty's Exchequer or Westminster shall be paid into the Bank of England to the Credit of the Exchequer; and that the Party paying any such Money, or of whose Article the same shall be

paid, shall in like Manner deliver therewith a Specification or Statement of the Particulars thereof in Writing in Duplicate under his Hand, to be previously countersigned by the Comptroller or his Assistant, to the Cashier or Officer of the Bank receiving the Payment, to be by him entered in manner already provided; and one of the said Duplicates, having been reached and signed by the said Cashier or Officer as aforesaid, shall be returned to the Party making the Payment in order to his thereupon obtaining from the Comptroller an Acquittance in the Manner herein-before directed with respect to Payments made by the Tellers: and at the Close of each Day on which any Payments shall be made into the Bank on account of the Exchequer there shall be transmitted from thence by the Cashier or other Officer of that Establishment the other of the said Duplicate Specifications (with the Entry thereof marked on each) to the said Comptroller, together with a Statement of the Particulars of all Sums paid into the Bank on that Day: and a Copy of such Statement, certified by the Cashier or other proper Officer, shall at the same Time be transmitted from the Bank to the Commissioners of the Treasury.

To paid into the Bank.

X. And be it further enacted, That all Monies paid into the Bank of England on account of the Exchequer shall be treated by the Governor and Company of the said Bank as forming One Fund in three Books; and that all Warrants or Orders to be made by the Comptroller of the Exchequer for Credits to the various Officers to whom Money is to be issued for the Public Service shall be satisfied out of such general Fund: Provided always, that in the Accounts to be kept by the Comptroller of the Exchequer and by the Commissioners of the Treasury, the Receipts, Credits, and Issues shall be placed to the several and respective Accounts to which they shall severally and respectively belong, according to the Injunctions of the Act or Acts under the Authority of which the Monies are received and the Credits and Issues directed; and provided also, that in directing the Transfer of any Credits from the general Account of His Majesty's Exchequer at the Bank of England, all the Provisions of the several Statutes now in force whereby the Appropriation of the Consolidated Fund of Great Britain and Ireland is authorized and directed shall be strictly observed and followed.

Monies paid to the Account of the Exchequer to form One Fund in the Bank Books.

XI. And be it further enacted, That from and after the Commencement of this Act, whenever any Sum or Sums of Money shall have been granted to His Majesty by any Act of Parliament or Vote of the House of Commons for any specified Branch of the Public Service, and Ways and Means shall thence have been granted for satisfying and making good the same, it shall be lawful for His Majesty, by His Royal Order under the Royal Sign Manual, to be countersigned by the Commissioners of the Treasury, to authorize and require the said Comptroller to place at the Bank of England, to the Credit of the Public Accountant in the Crown in the respective Branch of Service, the Amount of the Sum so granted or voted, at such Times and in such Proportions as the said Commissioners shall from Time to Time direct, to be applied by such Officer to such Service; and that such Royal Order shall contain a Reference to the particular Act or Vote of Parliament, and shall, after having been recorded and entered by the Commissioners of the Treasury in their Books, be transmitted to the said Comptroller to be entered an Record, and to remain in his Office, tho' the said Comptroller having first satisfied himself that the said Order has been made in conformity with and has not exceeded the Amount of the Grant of Parliament.

Royal Order for issuing Money to the different Departments of the Public Service.

XII. And be it further enacted, That it shall be lawful for the Commissioners of the Treasury, by Warrant under their Hands, from Time to Time as they shall see expedient and proper, to authorize and require the said Comptroller to transfer from the general Fund of the Exchequer at the Bank to the Credit of the respective Officers whose Duty it shall be to make Payments on account of the several Public Departments such Sums as shall be requisite for carrying on the respective Services; and every such Warrant shall recite the Substance of the Royal Order upon which it is founded, referring to the Act or Vote therein mentioned, and shall specify the Total Amount of the Monies authorized by such Order to be issued, and the Credits (if any) which have previously been issued on account thereof, and of the Balance still remaining to be issued; and upon the Receipt of every such Warrant at the Office of the said Comptroller the same shall be compared with the Royal Order, and with the preceding Warrants (if any) which shall have been made in pursuance thereof, and the said Comptroller, being satisfied himself that such Warrant has been made in conformity with and has not exceeded in Amount the Royal Order, shall from Time to Time, (in pursuance of Directions to that Effect from the Commissioners of the Treasury,) by a Warrant under his Hand, authorize the Governor and Company of the Bank of England to grant Credits on account of the Sum or Sums therein mentioned to the Person or Persons therein described, which Warrant shall be forwarded to the said Governor and Company, who, on the Receipt thereof, shall grant the Credit thereby required.

Treasury Warrant.

Exchequer Warrants.

XIII. And be it further enacted, That in all Cases of Grants by Parliament, charged on the Consolidated Fund of the United Kingdom, or upon any Public Monies specially appropriated by any Act or Acts of Parliament to or for any particular Objects or Services, and in all Cases where by any Act or Acts or any other lawful Authority the Auditor of the Exchequer is now required to make and pass Debentures for the Payment of any such Charge or Charges, it shall be lawful for the said Commissioners of the Treasury and they are hereby required, by Warrant under their Hands, without any such Royal Order as aforesaid, from Time to Time to authorize and require the said Comptroller to accredit the several Persons whose Duty it may be to pay such Charges with the Sums requisite for that Purpose; and every such warrant required, Warrant shall recite the Substance of the Act or Acts of Parliament by which such Sums shall be charged on the said Fund or on such other Public Monies so specially appropriated;

Warrants for the Issue of Monies charged on the Consolidated Fund, for any Sums to be made without Royal Order.

appropriated; and the said Comptroller, on the Receipt of the said Warrant, having first satisfied himself that the Payments therein directed are duly authorized by Law, shall from Time to Time, in pursuance of Directions to that Effect from the Commissioners of the Treasury, by Warrant in Writing authorize and direct the Governor and Company of the Bank of England to grant Credits on account of the Sum or Sums mentioned in the Treasury Warrant to the Officer or Person whose Duty it shall be to make the Payment; and the said Governor and Company, on the Receipt of such Warrant of the Comptroller, shall grant the Credit thereby directed.

XIV. Provided always, and be it further enacted, That in Cases in which any Credit shall be granted to any Person by the said Governor and Company, in pursuance of this Act, no Sum of Money shall be transferred from the Account of His Majesty's Exchequer until the same shall be actually paid by the Bank to or on account of the Person to whom such Credit shall be granted: Provided always, that nothing in this Act contained shall be construed to alter or affect the Regulations now in force by virtue of any Act or Acts relating to the Payment of the Dividends on account of the Public Debt.

XV. And whereas it is expedient to provide for the Payment of Salaries, Allowances, and other Charges hitherto payable in Detail at the Exchequer; be it therefore further enacted, That from and after the Commencement of this Act all Salaries, Allowances, Incidents, and other Charges now payable in Detail at the Exchequer under the Authority of Parliament, or under Royal Sign Manual, or under the Authority of the Commissioners of the Treasury duly sanctioned by Law to order such Payments, shall be paid by a Paymaster or Officer to be for that Purpose appointed by the Commissioners of the Treasury, such such Number of Clerks and Assistants as the said Commissioners shall deem requisite for carrying so and fully executing the several Duties connected with or incident to such Payments, which Duties shall be performed by the said Paymaster and his Assistants under such Regulations as the said Commissioners shall from Time to Time establish, and that so soon as such Appointment shall have taken place all Papers and Documents relating to such Payments and Duties which shall appear to the Commissioners of the Treasury to be necessary for the proper Discharge of the Duties of the said Paymaster, and which shall then be in the Custody or Power of any of the Officers of the Exchequer, shall be by them delivered over to and remain in the Custody of the said Commissioners of the Treasury.

XVI. And be it further enacted, That the several Books to be kept in the Office of the Comptroller General of the Exchequer and in the Office of the Paymaster to be appointed under the Authority of this Act shall be deemed Books of Record, and shall be received as such, in all Courts of Law and Equity and elsewhere, in Evidence of the Entries therein respectively contained, and of the Debts thereby respectively charged against the several and respective Accountants to the Crown.

XVII. And be it further enacted, That the said Paymaster's Accounts shall be kept at the Bank of England, and be deemed for all Purposes a Public Account.

XVIII. And be it further enacted, That the Commissioners of the Treasury shall, previously to the Period fixed for the Commencement of this Act, send from Time to Time afterwards as they may think proper, Warrants to the Bank of England and to the Comptroller of the Exchequer a List of the several Public Officers or Individuals who are required to keep Public Accounts at the Bank of England; and that upon the Death, Resignation, or Removal of any such Public Officers or Individuals, the Balance of their Credits on the Exchequer Funds, and also the Balance of Cash on their Public Accounts, in the Books of the Bank, shall, upon the Appointment of their Successors, unless otherwise provided for by Law, vest in and be transferred to the Account of such Successors, and shall not in the Case of the Death of any such individual constitute Assets of the Deceased, or be in any Manner subject to the Control of his Personal Representatives.

XIX. And be it further enacted, That in all Payments to be made and Accounts to be kept under this Act the fractional Parts of One Penny shall be excluded therefrom.

XX. And be it further enacted, That the Governor and Company of the Bank of England shall and they are hereby required to transmit from Day to Day to the said Comptroller an Account of the several Payments actually made by them in the course of the preceding Day on account of the Credits granted by him; and the said Governor and Company shall likewise weekly transmit to the Commissioners of the Treasury a Statement specifying the Sums of Money paid within the preceding Week to the Debtors or Orders of the several Public Accountants to whom Credits shall have been granted by the said Governor and Company in pursuance of the Warrants of the said Comptroller, distinguishing the Payments on each Account, and also a Statement of the Balance of Money remaining in the Bank at the Close of each such Week on account of the Exchequer; all which several Statements shall be authenticated by the Signature of One of the Cashiers or other Officer of the Bank to be appointed for that Purpose.

XXI. And be it further enacted, That no Bill of Exchange drawn on any Public Officer or Department for the Public Service, and accepted payable at the Bank of England, nor any Cheque, Draft, or Order for the Payment of Money drawn by any Person or Accountant authorized to draw for the Public Service, shall from and after the Commencement of this Act be payable at the Bank of England at any Time after Three of the Clock in any Day.

XXII. And whereas, by reason of the Alterations by this Act directed to be made in the Practice and Practice of His Majesty's Exchequer with respect to the Receipt and Issue of the Public Money, it will be necessary that new Regulations should be prescribed for the Government of the several Receivers General and other Collectors of the Revenue in their Transactions with the Bank of England; be it therefore enacted, That it shall be lawful for the Commissioners of the Treasury from Time to Time to establish such new Regulations respecting the said several and respective

Credits are to be accompanied by actual Transfers.

Treasury to appoint Officers for paying Salaries, &c.

Books of Comptroller and Paymaster to be deemed of Record.

Paymaster's Accounts.

Treasury to transmit to Bank a List of Public Officers required to keep Accounts there.

On Death of any Public Officer, his Successors to vest in his Successors.

Fractional Parts of 2d.

Bank to transmit Successors of Government Payments.

Bills of Exchange, &c. not to be payable at the Bank after Three of Clock.

Treasury may establish Rules for keeping Accounts of Public Money.



feined, or altered, any such Warrant, Order for Payment, or other Document whatsoever, with Intent to defraud His Majesty, the Governor and Company of the Bank of England, or any other Person or Persons, any Person so offending shall be deemed guilty of Felony, and shall upon Conviction be transported beyond the Seas for the Term of his natural Life.

Compensation to Teller and to the Clerk of the Peils.

XXXI. And whereas it is just and reasonable that full Compensation should be made to the several Officers of the Exchequer at Westminster who now hold their Offices for Life or during good Behaviour; he it therefore enacted, That there shall be paid to Henry Earl Beaulieu and to Spencer Perceval Esquire, Two of the present Tellers of the Exchequer at Westminster, respectively, during their respective Lives, by quarterly Payments, the Amount of the annual Salaries to which they are at present respectively entitled by virtue of their respective Offices; and that there shall be paid to the Right Honourable Henry Ellis, the present Clerk of the Peils of the Exchequer at Westminster, the Tenure of whose Office is during good Behaviour, the annual Sum of One thousand and four hundred Pounds, being the Amount of his present Salary, by quarterly Payments: Provided always, that a proportionate Part of such several Sums shall be paid to the Executors or Administrators of the several and respective Parties in the event of the Death of any of them during the course of any Quarter.

Compensation to Marquis Camden.

XXXII. And whereas the Most Noble John Jeffries Marquis Camden, one of the present Tellers of the Exchequer, hath in pursuance of a Proposition made by him, and in consideration of the Sum of £ of the Treasury, paid in aid of the Public Revenue towards the Expence of the State the Surplus of the Fees, Perquisites and Emoluments of his Office, after deducting thereout the necessary Charges and Expences of the Establishment thereof, reserving to himself only the annual Salary of a Teller authorized by an Act passed in the Twenty-third Year of the Reign of His late Majesty King George the Third, for establishing certain Regulations in the Receipt of His Majesty's Exchequer; which Contribution has to the present Time amounted to the Sum of Two hundred and forty-four thousand five hundred and seven Pounds Ten Shillings and Eleven-pence: And whereas, in consideration of the said Contribution so made to the Public Revenue, and of the voluntary Surrender of the Profits and Emoluments accruing to him by Law in right of his Office, it is just and proper that the full Rights and Improvements of the said Marquis Camden should not be impaired or altered by any thing in this Act contained; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Commissioners of His Majesty's Treasury to direct the Payment to the said Marquis Camden, out of the Consolidated Fund, of such Annuity or Sum of Money quarterly and every Quarter as shall be equal to the Amount of the Fees on the several quarterly Issues made from the Exchequer for the Public Service, or which, prior to the passing of this Act, such Fees would have attached and become payable to the said Marquis Camden.

To what may great Compensation to the other Officers.

XXXIII. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury to grant to the several other Persons in the several Offices of the present Establishment of the Exchequer such annual Allowances by way of Compensation for the Surrender of their respective Offices, as to the said Commissioners shall seem just.

An Officer who shall be employed in the Establishment.

XXXIV. Provided always, That no such Compensation shall be paid to the present Clerk of the Peils or to any Person holding an Office in the present Establishment of His Majesty's Exchequer, save and except the Two present Tellers of the Exchequer, who shall be appointed to an Office of equal or greater Emolument under the Crown; and that such Compensation shall be reduced if any such Officer, save and except as aforesaid, shall be appointed to an Office of smaller Emolument than that of the Office he previously held, so as that the Salary or Emolument attached to the Office to which he shall be so appointed, together with the Compensation granted to him, shall not exceed the Salary of the Office previously held by him.

Compensation, Salary, &c. changed in the Consolidated Fund.

XXXV. And be it further enacted, That the Compensation hereby granted or authorized to be granted, and those which are or present charged on the Fee Fund of the Exchequer, amounting to the annual Sum of Eight thousand three hundred and twenty-three Pounds, and the Salary and Allowance to the said Comptroller, shall be charged on the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and that it shall be lawful for the Commissioners of the Treasury from Time to Time, by their Warrant for that Purpose, to direct the requisite Sums of Money to be credited by the said Comptroller to the Paymaster or other Officer to be appointed for Payment of such Commissions and Salary.

Treasury hereby given to the Treasury may be executed by any Three Commissioners.

XXXVI. And be it further enacted, That all Powers given to or vested in the Commissioners of the Treasury by this Act may be executed by any Three of such Commissioners for the Time being; and that all Executions, Matters, and Things herein contained relating to Public Money shall extend and be construed to extend to all Bills, Drafts, and Notes or Securities for Money received to the Use of the Public.

Books, Powers of Attorney, &c. not to be affected.

XXXVII. And be it further enacted, That nothing in this Act contained or authorized to be done shall extend to destroy or affect the Validity of any Deeds, Powers of Attorney, or other Instruments which at the Commencement of this Act shall be in force with respect to any Moneys theretofore receivable at the Exchequer under the Authority of the same, but that all such Deeds, Powers of Attorney, and other Instruments shall continue of like Validity with respect to any such Payments to be thereafter made by the Paymaster to be appointed under the Authority of this Act.

Commencement of Act, Passed in the 4th & 5th of King George the Fourth.

XXXVIII. And be it further enacted, That this Act shall commence and take effect on and from the Eleventh Day of October One thousand eight hundred and thirty-four; and that from and after the Commencement thereof no Act of the English and Scotch Parliaments of the Reign of King George the Third, or the

the better Observation of the Course anciently used in the Receipt of the Exchequer; and also an Act passed in the Sixth Year of the Reign of King George the Second, for allowing a Debt which might arise upon an Act made in the Fourth Year of His said Majesty's Reign, as therein recited; and so much of an Act passed in the Twenty-third Year of the Reign of His late Majesty King George the Third, for establishing certain Regulations in the Receipt of His Majesty's Exchequer, as relates to the Use of so indented (except Receipts) to be made out by the Auditor, and as requires the Custody of One of the Keys to the Tallies Chests, the Standard Weights and Measures, and the Standard Pieces of Gold and Silver, to be committed to the Auditor; and so much of an Act of the Thirty-sixth and Fortieth Years of His said Majesty King George the Third, for more effectually charging Public Accountants with the Payment of Interest, and for other Purposes therein mentioned, as requires the Commissioners for auditing the Public Accounts to transmit a certain Account to the Auditor of the Exchequer, and requires the Auditor to transmit to the said Commissioners quarterly Accounts of Moneys paid into the Exchequer; and an Act passed in the Forty-sixth Year of the Reign of His said Majesty King George the Third, to empower the Auditor of the Exchequer to constitute a Trustee for the Execution of the said Office in the Case therein mentioned; and so much of an Act of the First and Second Years of the Reign of His late Majesty King George the Fourth, for altering and abolishing certain Forms of Proceedings in the Exchequer and Audit Office relative to Public Accounts, and for other Purposes therein mentioned, as requires the Transmission of General Imprest Rolls to the Office of His Majesty's Remembrancer, and as relates to Imprest Certificates; and so much of the Provisions of any Act or Acts of Parliament relating to the Office of the Receipt of His Majesty's Exchequer as are altered by this Act; shall be and the same are hereby repealed.

XXXVII. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A P. XVI.

An Act to abolish the Office of Recorder of the Great Roll or Clerk of the Pipe in the Exchequer in Scotland. [22d May 1834.]

WHEREAS by an Act passed the Sixth Year of the Reign of Queen Anne, intitled *An Act for uniting and establishing a Court of Exchequer in the North Part of Great Britain called Scotland*, the Office of Recorder of the Great Roll or Clerk of the Pipe was established in Scotland in like Manner as that and other Offices were then established in the Court of Exchequer in England; And whereas by an Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to provide for the Examination and Audit of the Customs and Excise Revenue in Scotland*, it was provided that the Accounts of Revenue of Excheq in Scotland should be comprahended and audited with the Accounts of the Excise Revenue in England; and further, that the Accounts of the Revenue of Customs in Scotland should be audited in the same Manner as the Accounts of Revenue arising in England are directed by Law to be audited; And whereas by an Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to make the Hereditary Lord Treasurers of the Crown in Scotland being absent under the Management of the Commissioners of the Land Revenues*, the Accounts relating to such Revenues theretofore audited in Scotland are directed to be transferred to the said Commissioners, and audited in the same Manner as the other Revenues under their Management; And whereas by the said Acts a great Part of the Business of the Office of Recorder of the Great Roll or Clerk of the Pipe in Scotland has been transferred, together with the auditing the Accounts, to Officers in England; And whereas John Archibald Murray Esquire, the present Recorder of the Great Roll or Clerk of the Pipe in Scotland, who has a Life Interest therein, has signified his Desire to surrender his Interest in the said Office without Compensation; And whereas it is expedient that the said Office should be abolished, and other Provisions made for the Discharge of the Duties thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of January One thousand eight hundred and thirty-five the Office of Recorder of the Great Roll or Clerk of the Pipe in the Exchequer in Scotland shall cease and determine, together with all Salary, Fees, or other Emoluments theretofore receivable in respect thereof.

II. And be it further enacted, That the Powers and Authorities now vested by Law in the Recorder of the Great Roll or Clerk of the Pipe in Scotland shall, from and after the Fifth Day of January One thousand eight hundred and thirty-five, be transferred and be vested in the Lord Treasurer's Remembrancer of the Exchequer for Scotland for the Time being, who is hereby required, from and upon that Day, to perform all such Duties as are now performed by the Recorder of the Great Roll or Clerk of the Pipe.

III. And be it further enacted, That all Public Accounts, Records, and other Documents now belonging to the Record of the Great Roll shall, on the Sixth Day of January One thousand eight hundred and thirty-five, be delivered over to and placed under the Custody of the Lord Treasurer's Remembrancer in Scotland.

C A P. XVII.

An Act to indemnify Witnesses who may give Evidence before the Lords Spiritual and Temporal on a Bill for preventing Bribery and Corruption and illegal Practices in the Election of Members to serve in Parliament for the Borough of Warwick. [23d May 1834.]

WHEREAS the Commons of Great Britain and Ireland in Parliament assembled have passed a Bill, intituled *An Act for preventing Bribery and Corruption and illegal Practices in the Election of Members to serve in Parliament for the Borough of Warwick*; And whereas it is alleged that gross Bribery and Treating, and other corrupt and unconstitutional Practices, have prevailed previously to, and on, and during the last Election of Members to serve in Parliament for the Borough of Warwick: And whereas it is necessary to examine as Witnesses at the Bar of the Lords Spiritual and Temporal, in respect of such alleged Bribery, Treating, and other corrupt and unconstitutional Practices, several Persons: And whereas the Evidence of such Persons may lead to Disclosures tending to expose them to penal Consequences: And whereas it is expedient to indemnify such Persons as they are herein after indemnified, upon their truly and faithfully making such Disclosures and Discovery as herein after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, for the more effectually prosecuting the said Inquiry, all and every Person and Persons, except the Candidates or a Candidate for the said Borough, at the last Election, and the Petitioners *William Collins* and *William Finch* Junior, and also the Petitioners *George Castell Grooming* and *Henry Robbins*, who may or hath been or may have been implicated or engaged in such alleged Bribery and Treating and other corrupt and unconstitutional Practices at or connected with any Election of Members to serve in Parliament for the said Borough of Warwick, and who shall here be or shall be examined as Witnesses at the Bar of the Lords Spiritual and Temporal, touching such alleged Bribery and Treating and other corrupt and unconstitutional Practices, and who shall upon such Examinations make a true and faithful Discovery and Disclosure to the best of his, her, or their Knowledge, touching all Acts, Matters, and Things to which he, she, or they shall have been or shall be so examined, shall be, and he, she, and they be and are lawfully freed, indemnified, and discharged of, from, and against all penal Actions, Forfeitures, Penalties, Disabilities, and Incapacities, and all criminal Prosecutions, which he, she, or they may have been or may become liable or subject to, or which he, she, or they may have incurred or may incur, at the Suit of His Majesty, His Heirs or Successors, or any other Person or Persons, for or by reason or means of or in relation to any Act, Matter, or Thing done or committed by such Person or Persons in respect of such alleged Bribery and Treating and other corrupt and unconstitutional Practices, respecting or concerning which such Person or Persons shall be so examined as aforesaid, and shall make such true and faithful Discovery and Disclosure as aforesaid.

All Persons except Candidates and Petitioners, who may be examined by the House of Lords respecting any alleged Bribery or Election at Warwick, indemnified from penal Actions for any Discoveries they may make touching such Elections

No Witness indemnified without Evidence from Lord Chancellor that he has given true Evidence.

It Provided always, and be it further enacted, That where any Witness shall have been or shall be examined before the House of Lords, such Witness shall not be indemnified under this Act unless he or she shall receive from the Lord Chancellor or Lord Speaker a Certificate in Writing attesting that such Witness has, upon his or her Examination, made a true and faithful Disclosure touching all Acts and Matters to which he or she has been or shall be so examined.

C A P. XVIII.

An Act to indemnify Witnesses who may give Evidence before the Lords Spiritual and Temporal on a Bill to exclude the Freemen of Liverpool from voting at the Election of Members of Parliament for that Borough. [23d May 1834.]

WHEREAS the Commons of Great Britain and Ireland in Parliament assembled have passed a Bill, intituled *An Act to exclude the Freemen of Liverpool from voting at the Election of Members of Parliament for that Borough*; And whereas it is alleged that gross and atrocious Bribery and Corruption have been proved to have long prevailed amongst the said Freemen at Elections of Members to serve in Parliament: And whereas it is necessary to examine as Witnesses at the Bar of the Lords Spiritual and Temporal, in respect of such alleged Bribery and Corruption, several Persons: And whereas the Evidence of such Persons may lead to Disclosures tending to expose them to penal Consequences: And whereas it is expedient to indemnify such Persons as they are herein after indemnified, upon their truly and faithfully making such Disclosures and Discovery as herein after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, for the more effectually prosecuting the said Inquiry, all and every Person and Persons, not having been Candidates or a Candidate for the said Borough at the last Election, who may or hath been or may have been implicated or engaged in such alleged Bribery and Corruption at or connected with any Election of Members to serve in Parliament for the said Borough of Liverpool, and who shall be examined as Witnesses at the Bar of the Lords Spiritual and Temporal, touching such alleged Bribery and Corruption, and who shall upon such Examinations make a true and faithful Discovery and Disclosure to the best of his, her, or their Knowledge, touching all Acts, Matters, and Things to which he, she, or they shall be so examined, shall be, and he, she, and they be and are lawfully freed, indemnified, and discharged of, from, and against all penal Actions,

All Persons, except Candidates, who may be examined by the House of Lords respecting any alleged Bribery at Liverpool, be

Forfeitures,

Forfeitures, Punishments, Disabilities, and Incapacities, and all criminal Prosecutions which he, she, or they may have been or may become liable or subject to, or which he, she, or they may have incurred or may incur, as the Stat. of His Majesty, His Heirs or Successors, or any other Person or Persons, for or by release or means of or in relation to any Act, Matter, or Thing done or committed by such Person or Persons in respect of such alleged Bribery and Corruption, respecting or concerning which such Person or Persons shall be so examined as aforesaid, and shall make such true and faithful Discovery and Disclosure as aforesaid.

II. Provided always, and be it further enacted, That where any Witness shall be examined before the House of Lords, such Witness shall not be indemnified under this Act unless he or she shall receive from the Lord Chancellor or Lord Speaker a Certificate in Writing stating that such Witness has, upon his or her Examination, made a true and faithful Disclosure touching all Acts and Matters to which he or she has been so examined.

## C A P. XIX.

An Act to repeal certain Duties on Inhabited Dwelling Houses.

[16th June 1834.]

WHEREAS by an Act passed in the Forty-eighth Year of the Reign of King George the Third, intituled *An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain additional Duties to be consolidated therewith; and also for repealing the Stamp Duties on Gene Certificates, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes, certain Duties of One Shilling and Sixpence, Two Shillings and Three pence, and Two Shillings and Ten-pence in the Pound respectively were granted and made payable yearly on all Inhabited Dwelling Houses throughout Great Britain according to the Value thereof as specified in Schedule (B.) to the said Act assented; And whereas by an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act to reduce certain of the Duties on Dwelling Houses, and to repeal other Duties of Assessed Taxes, various reduced Duties were granted and made payable on Inhabited Dwelling Houses, in certain Cases in the said last-mentioned Act specified, in lieu of the Duties so as aforesaid granted and made payable by the said Act of the Forty-eighth Year of King George the Third: And whereas it is expedient to repeal the said Duties on Inhabited Dwelling Houses: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of April One thousand eight hundred and thirty-four the said Duties so as aforesaid granted and made payable on Inhabited Dwelling Houses, and all Compositions in lieu of the said Duties, shall cease and determine, and the same now hereby repealed, so far as relates to any Assessment of the Duties of Assessed Taxes, or of Compositions in lieu thereof, to be made for any Year commencing from or after the said Fifth Day of April One thousand eight hundred and thirty-four.**

II. And be it enacted, That where any Contract or Composition now in Force for any of the Duties of Assessed Taxes hath include the Duty on any Inhabited Dwelling House or Dwelling Houses repealed by this Act, it shall be lawful for the Commissioners acting in the Execution of the several Acts relating to the said Duties, in their respective Districts, and they are hereby authorized and required, to assess the Amount of the Compositions payable under such Contract, and the Assessments and Duplicate relating thereto, for any Year commencing as aforesaid, to be reduced to the Extent of the said Duty hereby repealed out of the additional Duty payable thereon by virtue of such Contract, and such Reduction shall commence and take effect from and after the said Fifth Day of April One thousand eight hundred and thirty-four; and all such Contracts shall be of the same Force and Effect for the Recovery and collecting Payment of the reduced Instalments of Composition, so all Events and Purposes, as if the full Amount of the Instalments compensated for had continued payable on such Contract.

III. And be it enacted, That where under or by virtue of any Act or Acts in force, in order to qualify or enable any Person to vote at the Election of any Commissioner or Commissioners, or as a Qualification for any other Purpose, it is required that such Person shall occupy a Dwelling House assessed to the said Duties on Inhabited Dwelling Houses of a certain Rent or Value, it shall be sufficient to enable any such Person to vote on any such Occasion, and it shall be deemed to be a sufficient Qualification, or for any such Purpose as aforesaid, if such Person shall occupy a Dwelling House which shall be less of the Rent or Value specified or required in or by any such Act or Acts as aforesaid, without reference to any Assessment of the said Duties hereby repealed, provided such Person shall be in other respects duly qualified for any such Purpose as aforesaid; and in case of Dispute such Rent or Value shall be ascertained and determined according to the Rules and Directions contained in the said Schedule (B.) annexed to the said recited Act of the Forty-eighth Year of King George the Third.

## C A P. XX.

An Act to explain and amend an Act passed in the Thirty-third Year of the Reign of His late Majesty King George the Second, to regulate the Conveyance and Sale of Fish at Fife Head.

[16th June 1834.]

WHEREAS by an Act made and passed in the Thirty-third Year of the Reign of His late Majesty King George the Second, intituled *An Act for regulating the Conveyance and Sale of Fish at Fife Head*, passed in the Twenty-third Year of His then present Majesty's Reign, concerning a Free Market for Fish at Westminster,

described these general Actions for any Discrepancy they may make touching such Statutes.

No Witness indemnified without Certificate from Lord Chancellor that he has given true Evidence.

44 G. 3. c. 23.

3 &amp; 4 W. 4. c. 23.

Duties on Inhabited Houses under 4 & 5 W. 4. c. 23. repealed from 26th April 1834.

Commissioners of Assessed Taxes to reduce Compositions which include the above-mentioned Duties; Resolution to take effect from same Date.

Qualifications required by Payment of said Duties to enable such the Qualifier of Houses of the Rent or Value specified in recited Acts.

30 G. 1. c. 12.



Westminster, as respects Fishermen to enter their Fishing Vessels at the Office of the Searcher of the Customs at Gravesend; and to regulate the Sale of Fish at the First Hand in the Fish Markets in London and Westminster; and to prevent Salemen of Fish buying Fish to sell again on their own account; and to allow Trout and Turbot, Bream and Pearl, although under the respective Denominations mentioned in a former Act, to be imported and sold; and to punish Persons who shall take or sell any Spence, Bream, or Fry of Fish, unseasonable Fish, or Fish out of Season, or Smelts under the Size of Five Inches; and for other Purposes; certain Provisions were made for regulating the Sale of Fish at First Hand in the Fish Markets of London and Westminster; and it is by the said Act, amongst other things, enacted, that no live Salmon, Salmon Trout, Turbot, large Fresh Cod, Half Fresh Cod, Haddock, Skate, Fresh Ling, Sole, or Whittings shall at any Time after the Arrival thereof at the Nore, as therein mentioned, be unloaded or delivered out of any Fishing Ship, Sloop, Schoon, or other Fishing Vessel or Vessels, unless by Vessel, into any other Vessel or Boat after her Arrival at the Nore, but into such Vessel or Vessels, Boat or Boats, as shall be employed to carry the Fish directly to the Market at Billingsgate or Westminster; And whereas Doubts have arisen whether the Words of the said Act may not operate to prevent the bringing of Fish to any Market of London or Westminster which was not in existence or use as a Public Market at the Time of the passing of the said Act, although the Object of the Legislature was to secure a Supply of Fresh Fish to the Cities of London and Westminster, and to prevent the forestalling of the same; And whereas it is expedient to remove such Doubts, and to facilitate the Conveyance of Fresh Fish to the legal Markets of the Metropolis: Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That nothing in the said recited Act contained shall extend or be construed to extend to prevent any Person from unloading or discharging from any Fishing Ship, Sloop, Schoon, or other Fishing Vessel or Vessels, any Salmon, Salmon Trout, Turbot, large Fresh Cod, Half Fresh Cod, Haddock, Skate, Fresh Ling, Sole, Whittings, or other Fish which may arrive at the Nore, or from putting the same into any other Vessel or Vessels, Boat or Boats for the Purpose of bringing the same for Sale by First Hand at any Fish Market or Markets legally established within the Cities of London and Westminster; but that every Person shall be at Liberty to unload or discharge such Fish, and to put the same into other Boats for the Purpose aforesaid, without being subject or liable to any Penalty or Punishment for so doing, any thing in the said recited Act, or in any other Act, to the contrary notwithstanding.

Working in red-  
dust and to  
prevent the  
several sorts of  
Fish from  
moulding from  
being dis-  
charged from  
any Fishing  
Vessel for the  
Purpose of  
being sent to  
any legal Mar-  
ket in London  
or Westminster.

## C A P. XXI.

An Act for amending certain Provisions of an Act of the Thirty-sixth of George the Third, for regulating the buying and selling of Hay and Straw. [18th June 1804.]

WHEREAS by an Act passed in the Thirty-sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act to regulate the buying and selling of Hay and Straw, and for repealing so much of Two Acts, made in the Second Year of the Reign of King William and Queen Mary, and in the Thirtieth Year of the Reign of King George the Second, as relate to the buying and selling of Hay and Straw within the Limits therein mentioned, it is amongst other things enacted, that the Markets for Sale of Hay and Straw within the Cities and Limits aforesaid shall end at Three of the Clock in the Afternoon of every Market Day between Lady Day and Michaelmas, and at Two of the Clock in the Afternoon of every Market Day between Michaelmas and Lady Day, and that Notices thereof shall be given by the Clerk or Toll Gatherer, or his Deputy, in the several Markets or Places for the Sale of Hay and Straw within the Cities and Limits aforesaid, by ringing, on the usual Market Days, a large Hand Bell round each respective Market or Place for the Sale of Hay or Straw, One Hour before the Expiration of the Times aforesaid, and again at the Expiration of the Hours aforesaid mentioned, on Pain of forfeiting for every such Offence a Sum of Money not exceeding Ten Shillings nor less than Five Shillings; and every Person who shall sell any Hay or Straw in any Market within the Cities or Limits aforesaid after the Hours aforesaid shall forfeit for every Bundle or Tress of Hay so sold the Sum of Sixpence, and for every Bundle or Tress of Straw so sold the Sum of Three-pence; and it is also by the same Act further enacted, that if any Person having the Care or Direction of any Waggons, Wain, or Cart used for the Purpose of bringing Hay or Straw shall suffer the same to remain in any Market or Place for the Sale of Hay and Straw within the Cities and Limits aforesaid, on the usual Market Days from Lady Day to Michaelmas after Five of the Clock in the Afternoon, and from Michaelmas to Lady Day after Three of the Clock in the Afternoon, in any Year, every Person so offending shall forfeit for every such Waggon, Wain, or Cart so left as aforesaid a Sum of Money not exceeding Twenty Shillings nor less than Five Shillings. And whereas the said recited Provisions were well calculated to prevent Obstructions and Inconveniences to the Public in Markets held for the Sale of Hay and Straw in open or public Streets or thoroughfares, but the same are unnecessary, and may become vexatious and oppressive, in other Markets, and ought therefore to be partially repealed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Provisions of the said Act of the Thirty-sixth Year of the Reign of King George the Third, Chapter Eighty-eight, which are therein aforesaid, shall be and they shall be hereby repealed in the following manner, to wit: That*

Revised Provi-  
sions of  
20 G. 3. c. 48.

Sale of Hay, Straw, and Clover through which there does not exist by Law any public Right of Way for Carts and Carriages; and that upon any Complaint made or Information laid for the Recovery of Penalties upon Breach of any of the said recited Provisions of the said Act it shall be incumbent upon the Party suing for such Penalty to shew by Evidence that there does exist such public Right of Way for Carts and Carriages through the Market in which the Offence shall be charged to have been committed.

repealed as to certain Markets.

## C A P. XXII.

An Act to amend an Act of the Eleventh Year of King George the Second, respecting the Apporportionment of Rents, Annuities, and other periodical Payments. [18th June 1834.]

WHEREAS by an Act passed in the Eleventh Year of the Reign of His Majesty King George the Second, entitled *An Act for the more effectual securing the Payment of Rents, and providing Funds by Tenants*, it was enacted, that where any Tenant for Life should happen to die before or on the Day on which any Rent was reserved or made payable upon any Demise or Lease of any Lands, Tenements, or Hereditaments which determined on the Death of such Tenant for Life, the Executors or Administrators of such Tenant for Life should and might, in an Action on the Case, recover of and from such Undertenant or Undertenant of such Lands, Tenements, or Hereditaments, if such Tenant for Life die on the Day on which the same was made payable, the whole, or if before such Day then a Proportion of such Rent according to the Time such Tenant for Life lived of the last Year or Quarter of a Year or other Time in which the said Rent was growing due as aforesaid, making all just Allowances, or a proportionable Part thereof respectively: And whereas Doubts have been entertained whether the Provisions of the said Act apply to every Case in which the Interests of Tenants determine on the Death of the Person by whom such Interests have been created, and on the Death of any Life or Lives for which such Person was entitled to the Lands demised, although every such Case is within the Michief intended to have been remedied and provided by the said Act; and it is therefore desirable that such Doubts should be removed by a declaratory Law: And whereas, by Law, Rents, Annuities, and other Payments due at fixed or stated Periods are not apportionable (unless express Provision be made for the Purpose), from which it often happens that Persons (and their Representatives) whose Income is wholly or principally derived from these Sources by the Determination thereof before the Period of Payment arrives are deprived of Means to satisfy just Demands, and other Evils arise from such Rents, Annuities, and other Payments not being apportionable, which Evils require Remedy: It is therefore enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Rents reserved and made payable on any Demise or Lease of Lands, Tenements, or Hereditaments which have been and shall be made, and which Leases or Demises determined or shall determine on the Death of the Person making the same (although such Person was not strictly Tenant for Life thereof), or on the Death of the Life or Lives for which such Person was entitled to such Hereditaments, shall, so far as respects the Rents reserved by such Leases, and the Recovery of a Proportion thereof by the Person granting the same, his or her Executors or Administrators (as the Case may be), be considered as within the Provisions of the said recited Act.

II. And be it further enacted, That from and after the passing of this Act all Rents reserved on any Lease by a Tenant for Fee or for any Life Interest, or by any Lease granted under any Power, (and which Leases shall have been granted after the passing of this Act), and all Rents Charge and other Rents, Annuities, Pensions, Dividends, Modies, Compositions, and all other Payments of every Description, in the United Kingdom of Great Britain and Ireland, made payable or coming due at fixed Periods under any Instrument that shall be executed after the passing of this Act, or (being a Will or Testamentary Instrument) that shall come into operation after the passing of this Act, shall be apportioned so and in such Manner that on the Death of any Person interested in any such Rents, Annuities, Pensions, Dividends, Modies, Compositions, or other Payments as aforesaid, or in the Estate, Fund, Office, or Benefice from or in respect of which the same shall be issuing or derived, or in the Determination by any other Means whatsoever of the Interest of any such Person, he or she, and his or her Executors, Administrators, or Assigns, shall be entitled to a Proportion of such Rents, Annuities, Pensions, Dividends, Modies, Compositions, and other Payments according to the Time which shall have elapsed from the Commencement or last Period of Payment thereof respectively (in the Case may be), including the Day of the Death of such Person, or of the Determination of his or her Interest, all just Allowances and Deductions in respect of Charges on such Rents, Annuities, Pensions, Dividends, Modies, Compositions, and other Payments being made; and that every such Person, his or her Executors, Administrators, and Assigns, shall have such and the same Remedy at Law and in Equity for recovering such apportioned Parts of the said Rents, Annuities, Pensions, Dividends, Modies, Compositions, and other Payments, when the entire Portion of a such such apportioned Parts shall form Part shall become due and payable, and not before, as he, she or they would have had for recovering and obtaining such entire Rents, Annuities, Pensions, Dividends, Modies, Compositions, and other Payments if omitted thereto, but so that Persons liable to pay Rents reserved by any Lease or Demise, and the Lands, Tenements, and Hereditaments comprised therein, shall not be assigned to for such apportioned Parts specifically or otherwise, nor the death of any of which the Tenants, their Executors or Administrators

11 G. 2. c. 13

Rents reserved on Leases to be apportioned on the Death of the Person making them although not strictly Tenant for Life, or on the Death of the Tenant for more than one year, to be considered as within the Provisions of recited Act.

All Rents, Annuities, and other Payments coming due at fixed Periods to be apportioned.

subject to all just Deductions. Remedies for obtaining the apportioned Parts.

received and recovered by the Person or Persons who if this Act had not passed would have been entitled to such estate, Reversion, and such Profits shall be recoverable from such Person or Persons by the Parties entitled to the same under this Act in any Action or Suit at Law or in Equity.

III. Provided always, and be it enacted, That the Provisions herein contained shall not apply to any Case in which it shall be expressly stipulated that no Apportionment shall take place, or to annual Sums made payable in Felonies of Assurance of any Description.

### C A P. XXIII.

An Act for the Amendment of the Law relative to the Escheat and Forfeiture of Real and Personal Property holden in Trust. [27th June 1834.]

WHEREAS great Inconvenience has been feared to result to Persons lawfully entitled to Real or Personal Property by the escheating or Forfeiture thereof to His Majesty, to Corporations, to Lords of Manors, and others, in consequence of the Death without Heirs, or the Conviction for Treason or Felony, of a Trustee in whose or in whose Name the same is held: And whereas it is expedient that the same should be remedied: And inasmuch as, in order to avoid Repetition, certain Words are used in this Act as describing Subjects some of which, according to their usual Sense, such Words would not embrace; for the understanding of the Sense attached to them in this Act, be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Provisions of this Act shall extend to and include the several Estates and Persons, Matters and Things herein-after mentioned; (that is to say,) those relating to Land, to any Manor, Messuage, Tenement, Inheritance, or Real Property, whether Freehold, Copyhold, or of any Tenure whatever; those relating to Chattels, to Personal Property of every Description capable of being transferred or disposed of otherwise than in Books kept by any Company or Society, or to any Shares thereof or Interest therein; those relating to Stock, to any Fund, Annuity, or Security transferable in Books kept by any Company or Society established or to be established, or to any Money payable for the Discharge and Redemption thereof, or to any Share or Interest therein; those relating to Dividends, to Interest, or other annual Produce; those relating to a Conveyance, to any Lease and Release, Surrender or other Assurance of Real Property, including all Acts and Deeds necessary for making and perfecting the same; those relating to an Assignment, to any Surrender, Delivery, or other Disposition of the Personal Property, and to all Acts, Deeds, and Things necessary for making and perfecting the same; those relating to a Transfer, to any Payment or other Disposition of Stock; those relating to an Heir, to any Devise or other real Representation by the Common Law, or by Custom, or otherwise; and those relating to an Executor, to any Administrator or other personal Representative; unless there be something in the Subject or Context repugnant to such Construction; and whenever this Act, in describing or referring to any Trustee or other Person, or any Trust, Land, Stock, Conveyance, Assignment, Transfer, Grant, Matter, or Thing, uses the Word importing the Singular Number or the Masculine Gender only, the same shall be understood to include and shall be applied to several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Trusts, Land, Stocks, Conveyances, Assignments, Transfers, Grants, Matters, or Things, respectively as well as one Trust, Land, Stock, Conveyance, Assignment, Transfer, Grant, Matter, or Thing respectively, unless there be something in the Subject or Context repugnant to such Construction.

II. And be it enacted, That where any Person seized of any Land upon any Trust or by way of Mortgage dies without an Heir, it shall be lawful for the Court of Chancery to appoint a Person in conveyance such Land in like Manner as is provided by the Act of the Eleventh Year of King George the Fourth and the First Year of His present Majesty, intituled *An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees, and for enabling Courts of Equity to give effect to their Decrees and Orders in certain Cases, in case such Trustees or Mortgagees had left an Heir, and it was not known who was such Heir*; and such Conveyance shall be as effectual as if there was such Heir.

III. And be it further enacted, That no Land, Chattels, or Stock vested in any Person upon any Trust or by way of Mortgage, or any Profits thereof, shall escheat or be forfeited to His Majesty, His Heirs or Successors, or to any Corporation, Lord of a Manor, or other Person, by reason of the Attainder or Conviction for any Offence of such Trustee or Mortgagee, but shall remain in such Trustee or Mortgagee, or survive to his Co-Trustee, or devolve or vest in his Representative, as if no such Attainder or Conviction had taken place.

IV. And be it enacted, That the several Provisions of this Act shall extend to every Case of a Trustee having some beneficial Estate or Interest in the same Subject, or some Duty as Trustee to perform, and also to every Case of a Trust arising or resulting by Implication of Law or by Construction of Equity.

V. Provided always, and be it enacted, That nothing contained in this Act shall prevent the Escheat or Forfeiture of any Land, Chattels, or Stock vested in any such Trustee or Mortgagee, so far as relates to any beneficial Interest therein of any such Trustee or Mortgagee, but such Land, Chattels, or Stock, so far as relates to any such beneficial Interest, shall be recoverable in the same Manner as if this Act had not passed.

Act not to apply to certain Cases.

Description of Estates and Matters included in the Provisions of this Act, and Construction of Express word.

If Trustee or Mortgagee of any Land dies without an Heir, Court of Chancery may appoint a Person to convey.

Lands, &c. vested in any Trustee shall not be escheated by reason of the Attainder of such Trustee.

To whom and to what Cases this Act shall extend.

This Act not to prevent the Escheat of any beneficial Interest.

VI. And whereas it is expedient to relieve Persons beneficially entitled to Real or Personal Property which has already exchequed or become forfeited to His Majesty, in Corporations, to Lords of Manors, or others, by any of the Means aforesaid; be it therefore enacted, That in all Cases where before the passing of this Act any Person possessed of or entitled to any Land, Chattels, or Stock, or any Right to or Interest in any Land, Chattels, or Stock, as a Trustee thereof, either in whole or in part, or jointly with some other Trustee or Trustees, shall have died without an Heir, or shall have been convicted of any Offence whereby the said Land, Chattels, or Stock, or any of them, have exchequed or been forfeited, or have become subject to any Escheat or Forfeiture, then and in every or any such Case the said Land, Chattels, or Stock, or the Right therein or Interest therein which hath exchequed or been forfeited, or become subject to Escheat or Forfeiture by reason thereof, shall be subject to the Order, Control, and Disposition of the Court of Chancery, for the Use of the Party beneficially interested therein in such Manner, and subject in all respects to such Rights and Incidents, and to such Orders and Regulations of the said Court, under the Provisions of the said Act of the Eleventh Year of King George the Fourth and of the First Year of His present Majesty as if such Person so died without an Heir, or so convicted, as aforesaid, were out of the Jurisdiction of or not amenable to the Process of the said Court, without having been so convicted: Provided always, that nothing in this Clause contained shall extend to any Land, Chattels, or Stock now vested in any Person by virtue of any Grant thereof made subsequently to the Time when such Escheat or Forfeiture first occurred, or to any Land, Chattels, or Stock which more than Twenty Years prior to the passing of this Act shall have been actually vested in Possession or reduced into Possession by the Party entitled thereto by virtue of any such Escheat or Forfeiture.

Where any Person possessing Lands, &c. as a Trustee shall have died without an Heir, or have been convicted, before the passing of this Act, the Lands, &c. shall become subject to the Control of the Court of Chancery.

Provis.

#### C A P. XXIV.

An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Commissions, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service. [23th July 1834.]

WHEREAS by an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King George the Third, to enable His Majesty to recompense the Services of Persons holding or who have held certain high and eminent Civil Offices, His Majesty is empowered to grant Pensions, as therein provided, to Persons who shall have served His Majesty, His Heirs or Successors, in the Offices therein mentioned: And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, for amending the said recited Act, it is enacted, that the several said Offices therein particularly described shall be deemed to be comprised in the several Classes of Offices in the said recited Act respectively specified: And whereas it is expedient that the Amount of the Pensions by the said Two Acts authorized to be granted should as to future Pensions be reduced, and the Conditions under which the same shall be granted be altered and regulated: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Pension to be granted to any Person in respect of his having served in any One or more of the Offices of First Lord of the Treasury, or of One of His Majesty's Principal Secretaries of State, or Chancellor of the Exchequer, or First Lord of the Admiralty, or President of the Board of Commissioners for the Affairs of India, or President of the Committee of Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations, shall exceed the Sum of Two thousand Pounds per Annum; nor shall any such Pension be granted to any Person unless he shall have held One or more of the said Offices for a Period of not less than Two Years in the whole, either uninterruptedly or at different Times; nor shall any more or greater Number than Four such Pensions hereafter to be granted be existing or in force at the same Time.

17 G. 3. c. 23.

3 G. 4. c. 20.

Persons to the First Lord of the Treasury, Secretaries of State, Chancellor of the Exchequer, First Lord of the Admiralty, President of the India Board, President of the Board of Trade; Chief Secretary of Ireland, Secretary at War;

II. And be it further enacted, That from and after the passing of this Act no Pension to be granted to any Person in respect of his having served in either or both of the Offices of Chief Secretary for Ireland or Secretary at War shall exceed the Sum of One thousand five hundred Pounds per Annum, nor shall any such Pension be granted to any Person unless he shall have held One or both of the said Offices for a Period of not less than Five Years in the whole, either uninterruptedly or at different Times; nor shall any more or greater Number than Two such last-mentioned Pensions be existing or in force at the same Time.

III. And be it further enacted, That from and after the passing of this Act no Pension to be granted to any Person in respect of his having served in any One or more of the Offices of One of the Joint Secretaries of the Treasury, or First Secretary of the Admiralty, or Vice President of the Committee of Commissioners appointed for the Consideration of Matters relating to Trade and Foreign Plantations, shall exceed the Sum of Twelve hundred Pounds per Annum; nor shall any such Pension be granted to any Person unless he shall have held One or more of the said Offices for a Period of not less than Five Years in the whole, either uninterruptedly or at different Times; nor shall any more or greater Number than Four such last-mentioned Pensions be existing or in force at the same Time.

Joint Secretaries of the Treasury, First Secretary of Admiralty, Vice President of Board of Trade;

IV. And be it further enacted, That from and after the passing of this Act the Pensions, not exceeding One thousand Pounds, authorized by the said recited Act to be granted to any Person in respect of his having served in any One or more of the Offices of One of the Under Secretaries of State, or Clerk of the Ordnance, or Second Secretary of the Admiralty, or One of the Secretaries of the Board of Commissioners for the Affairs of India, shall not be granted to any such Person unless he shall have held

Under Secretaries of State, Clerk of the Ordnance, Second Secretary of Admir.

only, Secretary of India Board.

Regulations as to Pensions of Servants.

One or more of the said Officers for a Period of not less than Ten Years in the whole, either uninterruptedly or at different Times; nor shall any more or greater Number than Six such last-mentioned Pensions be existing or in force at the same Time.

V. Provided always, and be it enacted, That in case it shall happen that any Person shall have served His Majesty, His Heirs or Successors, in more than One Class of Offices (herein-before specified), in respect whereof any Pension less than Two thousand Pounds may be granted, it shall be lawful to grant, under the Regulations aforesaid, to such Person any Pension awarded to the highest Class of Office in which such Person may have been employed, wherever the whole Period of the Service of such Person in the several Offices in which he shall have been employed shall amount to Ten Years, although the Period of the Service of such Person in such highest Class shall not have exceeded to the Period of Five Years; provided always, that such Person shall have served in such highest Class for the Period of not less than three Years; and in Cases in which the Service of any such Person in any Class of those Offices shall not be sufficient to entitle him to the Pension of that Class, it shall be lawful to grant him a Pension not exceeding One thousand Pounds, provided the Period of his aggregate Services in that and any inferior Class or Classes or Departments of the Public Service shall amount to Ten Years: Provided also, that there shall not be more than the aforesaid Number of Pensions to that Amount existing at the same Time.

Declaration to be made by Persons obtaining Pensions.

VI. And whereas the Principle of the Regulations for granting Allowances of this Nature is and ought to be founded on a Consideration, not only of the Services performed by the Individual in the said State, but of the Inequality of his private Fortune to maintain his Station in Life; he is therefore enacted, That from and after the passing of this Act, whenever any Person shall seek to obtain any One of the Pensions before mentioned, his Application for that Purpose shall be made in Writing to the Commissioners of His Majesty's Treasury, to which he shall subscribe his Name, and which shall contain, not only a Statement of the Services performed by him, and the Grounds on which such Pension is claimed, but a specific Declaration that the Amount of his Income from other Sources is so limited as to bring him within the intent and Meaning of this Act and the Principle herein above declared, and without such Declaration no Pension as herein-before provided or authorized shall be granted.

Regulations with respect to Pensions considered as repealed Acts in apply to Pensions under this Act.

VII. Provided always, and be it further enacted, That the several Regulations with respect to the granting of any of the before-mentioned Pensions, and to the Receipt thereof by the Persons to whom such Grants may be made, which are contained in the said recited Act of the Fifty-seventh Year of King George the Third and the Sixth Year of King George the Fourth, shall continue in full Force and Effect, and be applicable to Pensions to be granted under the Authority of this Act, except so far as any such Regulations are altered or repealed by the Enactments contained in this Act.

Repeal of 50 G. 3. c. 117.

VIII. And be it further enacted, That from and after the passing of this Act an Act made in the Fifteenth Year of the Reign of His late Majesty King George the Third, to direct that Accounts of Increase and Diminution of Public Salaries, Pensions, and Allowances shall be annually laid before Parliament, and to regulate and control the granting and Payment of such Salaries, Pensions, and Allowances; and Two several Acts passed in the Fifty-first Year of the Reign of His said late Majesty and in the Third Year of His late Majesty King George the Fourth, severally to amend the said Act of the Fifteenth Year of the Reign of King George the Third; and also an Act passed in the Fifth Year of the Reign of His said late Majesty King George the Fourth, to amend the said Act of the Third Year of His said late Majesty's Reign; and also of an Act passed in the Sixth Year of the Reign of His said late Majesty, to regulate the Payment of Salaries and Allowances to British Consuls, so respects the Allowance to be made to such Consuls in the Nature of Superannuation or Reward for meritorious Public Services, shall be and be the more ere hereby repealed, except so far as relates to any Matter or Thing already done under the said Acts or either of them.

Superannuation Allowance to Persons who obtained the Service before 26 Aug. 1830.

IX. And be it further enacted, That from and after the passing of this Act the Superannuation Allowance to be granted to such Officers and Clerks who shall have entered the Public Service prior to the Fifth Day of August One thousand eight hundred and twenty-nine (except only as herein-after authorized) shall not exceed the following Proportions with reference to the Amount of their Salaries and the Periods of their Services respectively; (to-wit:)

To an Officer, Clerk, or Person who shall have served Ten Years and upwards, and under Fifteen Years, any annual Allowance not exceeding in Amount Four Twelfths of the annual Salary and Emoluments of his Office:

For Fifteen Years and upwards, and under Twenty Years, not exceeding Five Twelfths of such Salary and Emoluments:

For Twenty Years and upwards, and under Twenty-five Years, not exceeding Six Twelfths of such Salary and Emoluments:

For Twenty-five Years and upwards, and under Thirty Years, not exceeding Seven Twelfths of such Salary and Emoluments:

For Thirty Years and upwards, and under Thirty-five Years, not exceeding Eight Twelfths of such Salary and Emoluments:

For Thirty-five Years and upwards, and under Forty Years, not exceeding Nine Twelfths of such Salary and Emoluments:

For Forty Years and upwards, and under Forty-five Years, not exceeding Ten Twelfths of such Salary and Emoluments.

For Forty-five Years and upwards, and under Fifty Years, not exceeding Eleven Twelfths of such Salary and Emoluments:

And for Fifty Years or upwards, any annual Allowance not exceeding the net Amount of the Salary and Emoluments of his Office.

X. And be it further enacted, That from and after the passing of this Act it shall not be lawful to grant to any Officer or Clerk who shall have entered the Public Service subsequent to the Fourth Day of August One thousand eight hundred and twenty-nine, except as herein-after authorized, any Superannuation or Allowance exceeding the following Proportions, with reference to the Amount of these Salaries and the Periods of their Services respectively: (viz.)

To an Officer, Clerk, or Person who shall have served Ten Years and upwards, and under Seventeen Years, any annual Allowance not exceeding in Amount Three Twelfths of the Salary and Emoluments of his Office:

For Sixteen Years Service and upwards, and under Twenty-four Years, not exceeding Four Twelfths of such Salary and Emoluments:

For Twenty-four Years Service and upwards, and under Thirty-one Years, not exceeding Five Twelfths of such Salary and Emoluments:

For Thirty-one Years and upwards, and under Thirty-eight Years, not exceeding Six Twelfths of such Salary and Emoluments:

For Thirty-eight Years and upwards, and under Forty-five Years, not exceeding Seven Twelfths of such Salary and Emoluments:

And for Forty-five Years and upwards, not exceeding Eight Twelfths of such Salary and Emoluments:

And in no Case, except as herein-after is especially provided, shall any Superannuation or Allowance exceeding Two Thirds of the Salary and Emoluments of any such Officer, Clerk, or Person, be granted.

XI. And be it further enacted, That from and after the passing of this Act it shall not be lawful to grant any Superannuation Allowance to any Officer or Clerk who shall be under Sixty-five Years of Age, unless upon Certificates from the Heads of the Department to which such Officer or Clerk, shall belong, and from Two Medical Practitioners, that he is incapable, from Infirmary of Mind or Body, to discharge the Duties of his Situation, or unless he shall have discharged those Duties with Diligence and Fidelity, to the Satisfaction of the Head Officer or Officers of his Department, which shall be certified by any Two of such Head Officers if there shall be more than One, or by such Head Officer if there shall be but One; and in case the Person claiming such Superannuation Allowance shall himself be the Head Officer, or one of the Head Officers, then such Superannuation Allowance shall not be granted unless he shall have discharged the Duties of his Situation with Diligence and Fidelity, to the Satisfaction of the Commissioners of the Admiralty, if such Head Officer shall hold any Office or Situation under the Control of that Department, and in all other Cases to the Satisfaction of the Commissioners of the Treasury; and the said Commissioners of the Admiralty and Treasury respectively shall express such Satisfaction in their Minutes recommending or authorizing the Grant of any such Superannuation Allowance.

XII. Provided always, and be it further enacted, That the Superannuation Allowance to be granted to any Officer or Person after the passing of this Act shall not be computed upon the Amount of the Salary enjoyed by him at the Time of his Departure, unless he shall have been in the Receipt of the same, or in the Class from which he retires, for a Period of at least Three Years immediately before the granting of such Superannuation Allowance; and in case he shall not have enjoyed his then existing Salary, or have been in such Class for that Period, such Superannuation Allowance shall be calculated upon the average Amount of Salary received by such Person for Three Years next preceding the Commencement of such Allowance.

XIII. And be it further enacted, That all Commissions and Allowances granted, or hereafter under this Act to be granted, as Penions or Superannuations, shall be paid to the Persons entitled to receive the same without any Abatement or Deduction in respect of any Taxes or Duties whatsoever at present existing.

XIV. And be it further enacted, That the Superannuation Allowances authorized by this Act shall extend to all such Civil Offices and Departments as are set forth and enumerated in the Schedule to this Act, with such Exceptions as are specified in the said Schedule. Provided always, that it shall be lawful for the Commissioners of His Majesty's Treasury, by any Order or Warrant under the Hands of any Three or more of them, to add to the List of Offices and Departments enumerated in the said Schedule any other Offices or Departments which now exist or may hereafter be created or established, and to place the same, and the Officers and Persons employed therein, under the Provisions of this Act; in every such Order or Warrant the Reasons for adding any such Office or Department shall be stated, and a Copy of every such Order or Warrant shall be laid before Parliament within One Month after the making thereof, if Parliament shall be then sitting, and if not, then within One Month after the then next sitting of Parliament; and all the Provisions of this Act, and all the Powers, Authorities, Regulations, Restrictions, and Clauses therein contained, shall in every such Case apply and be put in force with respect to every Office or Department which shall be so added as aforesaid as fully and effectually, to all Intents and Purposes, as if they had been originally enacted and contained in the said Schedule.

Superannuation Allowance to Persons who shall have entered the Service subsequent to the 4th Aug. 1829.

Conditions on which Allowances are to be granted as to Age and Infirmary.

Superannuation not to be granted on advanced Amount of Salary received for less than Three Years.

Superannuation to be clear of Deductions as a matter of Taxes.

Act to extend to Offices enumerated in the Schedule; and where may be added by the Treasury.

Such Allowance not to extend to Officers residing in the Colonies, or to Officers in the Militia, or to Officers in the Courts of Justice, &c.

Compensation to Military and Naval Officers for Civil Services not to exceed Two Thirds of Salary except in special Cases.

Allowance may be made in special Cases, such Cases to be laid before Parliament.

My Compensation to be charged upon the Profits of the Department, and not upon the Treasury.

All who have retired on the Abolition or Reduction of Office shall take what shall be offered upon the Office.

My Superannuation Allowance to be enjoyed with Salary for the Office.

Not to extend to Half Pay, &c.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to or authorize the adding to such List any Offices held under Military or Naval Commissions, attaining the Holders of the same to Half Pay, or any Military or Naval Allowance in lieu of or in addition to Half Pay, allowed under the Regulation of His Majesty in Council to any Persons for Services on His Majesty's Army, Navy, or Ordnance, or any Offices in any of His Majesty's Courts at Westminster or Dublin, or any other His Majesty's Courts of Justice elsewhere, or the Comptroller of His Majesty's Exchequer, or any Offices in relation to which the granting of any Allowance for past Services has been specially regulated by any Act, or any Offices held as Secretaries, or executed principally by Deputy.

XV. And be it further enacted, That the Compensation hereafter to be made or Superannuation Allowance to be granted in respect of Civil Services to any Person entitled to Half Pay in the Army, Ordnance, Navy, or Marines (who shall have been appointed to the Civil Service subsequently to the Fourth Day of August One thousand eight hundred and twenty-two) shall in any Case, except as in this Act is specially provided, exceed in the whole (comprising his Half Pay in such Compensation or Allowance) the Amount of Two Thirds of the Salary and Emoluments of the Office relinquished by him: Provided always, that nothing in this Act contained shall extend or be construed to extend to entitle any Superintendent of a Dock Yard or other Establishment in the Civil Department of the Navy, who shall have held any Civil Appointment prior to the Fifth Day of August One thousand eight hundred and twenty-two, to any Superannuation Allowance under this Act beyond the Amount stipulated by the Terms on which he shall have accepted the Office of Superintendent, or the Amount established by any Order of His Majesty in Council concerning Superintendants.

XVI. Provided always, and be it further enacted, That in any Case in which it shall appear to the Commissioners of His Majesty's Treasury that any special Circumstances afford to any Officer or Clerk in the several Offices or Departments mentioned in the Schedule to this Act, or in the Addition authorized to be made thereto, who is not within the Exceptions therein contained, a just Claim to an Amount of Superannuation Allowance not authorized by this Act, or exceeding the Amount therein specified with reference to the Length of his Service, it shall be lawful for the Commissioners of His Majesty's Treasury to grant, or give Authority for granting, any special Superannuation which such Officer or Clerk shall appear to them to deserve; but in every such Case the Grounds on which such special Superannuation shall be granted or authorized shall be stated in the Grant thereof, or in the Authority for granting the same, and also entered in the Minutes of the Treasury, and shall likewise be laid before Parliament within One Month after the Fifth Day of January in each Year, if Parliament be sitting during that Period, or if not, then within One Month after the ensuing Meeting of Parliament.

XVII. And be it further enacted, That no Compensation for any Office abolished, nor any special Allowance or Remuneration for good Services to any Person holding or having held any Civil Office in any Public Department, shall be charged upon the Incidents or any other Fund of any such Department; and that no such Compensation, nor any Allowance or Compensation in the Nature of Superannuation or retired Allowance or Reward to any such Person in respect of his having held any Public Office or Employment, or having been engaged in any Public Service, shall be granted, allowed, or paid, other than under the Authority of an Order of His Majesty in Council, or by the Commissioners of His Majesty's Treasury, or any Three or more of them.

XIX. And be it further enacted and provided, That every Person to whom any Compensation or Allowance, in consequence of the Abolition or Reduction of Office, shall hereafter be granted shall at all Times, when called upon, be liable to fill, in any Part of His Majesty's Dominions in which he shall have already served, any Public Office or Situation under the Crown for which his previous Public Services may render him eligible; and that if he shall decline, when called upon so to do, to take upon himself such Office or Situation, and execute the Duties thereof satisfactorily, being in a competent State of Health, he shall forfeit his Right to any Compensation or Allowance which may have been granted to him in respect of any former Service.

XX. Provided always, and be it further enacted, That in case any Person enjoying any Superannuation Allowance, in consequence of retiring from Office on account of Age, Infirmary, or any other Cause, or enjoying any Compensation for past Services upon the Abolition or Reduction of Office, shall be appointed to fill any Office in any Public Department, every such Allowance or Compensation shall cease to be paid for any Period subsequent to such Appointment, if the annual Amount of the Profits of the Office to which he shall be appointed shall be equal to those of the Office formerly held by him, and in case they shall not be equal to those of his former Office, then so much of such Superannuation Allowance or Compensation shall be paid to him then and there as shall be equal to that of his former Office.

XXI. Provided always, and be it further enacted, That nothing herein contained with respect to Compensation, Superannuation, or Allowance for Civil Services, shall extend or be construed to extend to any Military or Naval Half Pay, or Allowance in lieu of Half Pay, or to any Military or Naval Allowance or Pensions granted or to be granted, under the Regulations of any Order of His Majesty in Council, in any of the respective Departments of the Commissioners of the Admiralty, the Secretary at War, and the Master General of the Ordnance, except as hereinafter is provided with respect to the same.

XXII. And be it further enacted, That between the First Day of February and the Twenty-fifth Day of March in every Year, or if Parliament shall not be sitting during any Part of that Period, then within Twenty Days after the next Meeting of Parliament, there shall be laid before both Houses of Parliament an Account of every Increase and Diminution which shall have taken place within the preceding Year, ending on the Thirty-first Day of December, in the Number of Persons employed in all Public Offices or Departments under the Crown, and in the Salaries, Emoluments, Allowances, and Expences which shall have taken place or been paid, granted, received, or incurred for and in respect of all Officers and Persons belonging to or employed in all such Public Offices or Departments, specifying the Amount and Nature thereof, and distinguishing every Increase and Diminution in the Amount of all Allowances or Compenations granted as Retired Allowances or Superannuations to any Person having held any Office, Place, or Employment in any such Public Office or Department, and also the Time and Length of Service of every such Person, and the Amount of the Salary and Emoluments received by such Person immediately preceding his Superannuation or Retirement, and the Nature of his Services, and the Grounds upon which such Increase or Diminution in the Establishment of every such Public Office or Department, or of any such Salary, Emolument, Allowance, Compensation, or Superannuation, shall have been granted or made; and also specifying the Name of every Person receiving such Allowance or Compensation who may have died in the Course of the Year, together with the Amount of the annual Allowance payable to such Person.

XXIII. Provided always, and be it further enacted, That Accounts of all Compenations for Offices abolished, and of all Allowances in the Nature of Superannuation or Retired Allowances to all other Persons in respect of their having held any Public Office, or Employment under the Crown, shall annually, at the Period lastly provided, be laid before the Commons House of Parliament.

XXIV. And whereas the Scale of Allowances under this Act specifies the highest Rate which a superannuated Officer can receive unless his Case be specially laid before Parliament: And whereas it is expedient that the Lords of His Majesty's Treasury and the Lords of the Admiralty for the Time being respectively should consider the Health, Age, meritorious Conduct, and other Circumstances of each Party applying for a Superannuation Allowance, in order to ascertain their Discretion in fixing the Amount of such Allowance, subject always to the Limitation prescribed by this Act: And whereas it is expedient that Parliament should be made acquainted with the Manner in which such Discretion shall be exercised; be it therefore enacted, That all Orders of His Majesty in Council, and Minutes of the Lords of the Treasury, which shall at any Time be framed or passed laying down any general Rule or Regulation respecting the granting of Superannuation Allowances, shall within One Month of the Date thereof, if Parliament should be then sitting, or if not, then within One Month after the Commencement of the next ensuing Session of Parliament, be laid before the Two Houses of Parliament respectively.

XXV. Provided always, and be it further enacted, That all Half Pay and Allowances in lieu of Half Pay in the several Departments of the Army, Ordnance, Navy, and Marine, and all Military and Naval Allowances or Pensions granted or which shall be granted in any of such Departments under the Authority of any Order in Council, shall be annually laid before the Commons House of Parliament in separate Estimates, at the same Time with the ordinary Estimates of those respective Departments, and shall be kept distinct from all Pensions, Compenations, Superannuation and Retired Allowances in any of the Civil Office of those Departments respectively.

XXVI. And be it further enacted, That the Compenations, Superannuations, and Allowances authorized as well by this as any former Act or Acts shall, when not specially provided for by Parliament, be charged upon and paid and payable by the respective Departments or Offices in which the Persons receiving such Allowances shall have served.

XXVII. And whereas the Commissioners of the Treasury did, by a Minute dated the Fourth Day of August One thousand eight hundred and twenty-one, record their Intention to adopt certain Regulations with a view to reduce prospectively the Charge incurred in providing for Superannuation Allowances, of which Notice was given in the several Public Departments, for the Information of those who should thereafter enter the Public Service; And whereas, in pursuance of the said Minute, and annual Abatement hath been made from the Salaries and Emoluments of the several Persons who have entered the Public Service subsequent to the Date thereof: And whereas it is expedient to continue such Abatement in those Cases, and to extend it to others as hereinafter provided: be it therefore further enacted, That from and after the passing of this Act there shall be an annual Abatement made, in quarterly Proportions, by the proper Officer in each respective Department, from the Salaries and Emoluments of the several Officers and Persons employed in the several Civil Offices and Departments specified in the Schedule to this Act, or to be specified in the Addition authorized to be made therein, and not within the Exceptions thereof, who have since the Date of the said Minute entered or shall hereafter enter the Public Service, in such Manner and under such Directions as shall from Time to Time be given in this respect by the Commissioners of the Treasury or of the Admiralty, as the Case may be; the Amount of which Abatement shall be according to the respective Rates following; (that is to say,)

From Salaries and Emoluments not exceeding the annual Sum of One hundred Pounds, an Abatement of the Rate of Two Pounds Ten Shillings per Centum;

And from Salaries and Emoluments exceeding One hundred Pounds, Five Pounds per Centum; And in the Case of all Persons who serve at present holding Office and entitled to Superannuation Allowances under this Act, who shall have been appointed to their Office subsequently to the Term of

Account of Increase and Diminution of Public Salaries, Pensions, and Allowances to be annually laid before Parliament.

Civil Allowances, &c. to be laid before Parliament.

Orders of His Majesty in Council and Minutes of Treasury making general Rules respecting Superannuation Allowances, to be laid before Parliament.

Half Pay and Military and Naval Pensions to be laid before Parliament in separate Estimates.

Compenations not provided for to be charged on a Part of the Department. Abatement to be made from the Salaries of those who have entered Office since the 4th Aug. 1821.



the Minute of the Lords Commissioners of His Majesty's Treasury, bearing Date the Fourth Day of August One thousand eight hundred and twenty-two, for the future Regulation of the several Civil Departments of the Public Service, and who shall hereafter, upon Promotion, obtain any Increase of Salary or Allowances in respect of their Offices, so annual Allowances, after the like Rates respectively, shall be made from the Amount of such Increase from Time to Time, commencing from the Period where the same shall take place.

XXVIII. And be it further enacted, That it shall be lawful for the Person or Persons at the Head of any Department in which any Fees or other Sources of Profit may form Part of the Emoluments of any Office in such Department, to fix, with the Approbation of the Commissioners of His Majesty's Treasury, or for the Commissioners of the Admiralty, if the Office shall be in that Department, an average Sum upon which the Compensation or Superannuation Allowance shall be granted, as well as the Sum to be annually shared, as herein-before provided, from such Person's Salary in respect of such Emoluments, which Sum so to be fixed shall not exceed the average Amount of such Emoluments for the Three last preceding Years.

XXIX. And be it further enacted, That the Vice Treasurer of Ireland shall at all Times, when required so to do by the Commissioners of His Majesty's Treasury, transmit to the said Commissioners Accounts of the Execution of this Act, and of all Matters and Things relating thereto, in his Execution of the Powers thereof, in such Manner and Form, and containing such Particulars, as he shall in due Detail be from Time to Time directed.

XXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give any Person, an absolute Right to Compensation for past Services, or to any Superannuation or Retiring Allowance under this Act, or to deprive the Commissioners of His Majesty's Treasury, and the Heads or Principal Officers of the respective Departments, of their Power and Authority to dismiss any Person from the Public Service without Compensation.

XXXI. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULE referred to in the foregoing Act.

| OFFICES or DEPARTMENTS  | EXCEPTIONS  |
|---|---|
| Treasury  | Lords of the Treasury and Joint Secretaries.  |
| Office of Vice Treasurer in Ireland.                                |   |
| Office of Privy Council, Great Britain and Ireland.                 | President of the Council.   |
| Office of Committee for Trade                                       | President and Vice President.   |
| Office of Secretaries of State                                      | Secretaries and Under Secretaries.  |
| Office of Secretary for Ireland                                     | Chief Secretary, the Parliamentary Counsel for Irish Affairs.   |
| Alien Office.   |   |
| Consuls General and Consuls restricted from being engaged in Trade. |   |
| State Paper Office.   |   |
| Office of Registrar of Slaves.                                      |   |
| Police Offices in London and Middlesex and Borough of Southwark.    |   |
| Commander of the Forces Office, England and Ireland                 | Commander in Chief and his Secretary, and Officers acting under Military Commissions.   |
| Quartermaster General's Office, ditto                               |   |
| Adjutant General's Office, ditto                                    |   |
| War Office  | Secretary at War.   |
| Army Medical Board.   |   |
| Board of General Officers   | Officeracting under Military Commissions.   |
| Chaplain General's Office   |   |
| Judge Advocate General's Office                                     | Judge Advocate General.   |
| Army Pay Office   | Paymaster General.  |
|   | Master General.   |
|   | Clerk of the Ordnance.  |
|   | Surveyor General.   |
|   | Principal Storekeeper.  |
| Ordnance Office   | Secretary to Master General, and all Persons holding their Situation by Military Commission.  |
|   | Treasurer of the Ordnance.  |
| Cholera and Epidemical Hospitals                                    | Persons who, being Military Officers, may be entitled to an Additional Pay in such Subjects, according to the Provisions of this Act. |
| Regimental Medical Officers by the Army Act                         |   |
| Royal Military Asylum   |   |

Average of Emoluments to be made by Heads of Departments.

Vice Treasurer of Ireland to transmit Accounts of his Execution of the Act.

Act not to give an absolute Right to Allowances or to prevent Dismissal of Persons from the Service. Act may be amended this Session.



marine or being in the Receipt of monthly Pay. Certain Officers who formerly could draw for only Three Months were authorized to draw for their whole Pay.

This is to draw for each Period as shall be fixed by the Admiralty.

Certain Warrant and Petty Officers entitled to Two Months Advance of Pay on the Discharge of a Ship.

Advances may be made in favour of Seamen and other Relations.

Amount of Allowance to be fixed by the Admiralty.

Advances may be stopped when there is any Debt owing to the Admiralty.

Remittance of Wages extended.

Beneficiary's Duty as to Marine due to deceased Persons was amended.

allowed to draw any such Bill as aforesaid for any Period during which any such Allowance shall be in force or in the Course of Payment, or during which he shall be in the Receipt of such monthly Pay.

II. And whereas by the said recited Act certain Officers therein mentioned, who have not Accrued to them, are authorized to draw Bills quarterly for the Balance of their personal Pay, and certain other Officers are thereby authorized to draw Bills only for Three Fourths of their Pay: And whereas it is expedient to extend the Authority to draw for the Whole of their Pay to the several Officers herein-after mentioned; be it therefore further enacted, That from and after the Thirtieth Day of September One thousand eight hundred and thirty-four it shall be lawful for every Captain, Commodore, Lieutenant, or Master commanding a Ship, Surgeon, Purser, and Assistant Surgeon acting as Surgeon, in the several Cases to be approved by the said Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, and under such Regulations, Limitations, and Restrictions as the said Commissioners shall from Time to Time establish, to draw a Bill upon the Accountant General of the Navy periodically for the said personal Pay which shall be then due to any such Officer: Provided always, that all Bills for personal Pay to be drawn under the Authority either of the said recited Act or this Act shall, from and after the Commencement of this Act, be drawn for such Periods of Time and up to such periodical Days in the Year as the said Commissioners for executing the Office of Lord High Admiral aforesaid shall from Time to Time fix and establish for that Purpose.

III. And whereas by the said recited Act an Advance of Two Months Pay is authorized to be made to Volunteer Seamen and Landmen on the first sitting out of the Ship to which they shall be appointed to serve: And whereas it is expedient to extend that Benefit to the several Persons herein-after mentioned; be it further enacted, That from and after the Thirtieth Day of September One thousand eight hundred and thirty-four, Matees, Boatswains, Gunners, Carpenters, Second Masters, and Petty Officers shall be entitled to receive a similar Advance of Two Months personal Sea Pay at such Times, in the same Manner, and under the same Regulations, as Volunteer Seamen and Landmen are allowed to receive the same.

IV. And whereas by the said recited Act the Persons in whose Favour Allowments of Pay are authorized to be made are limited to certain Relations of the Party making the Allowment as therein mentioned, and it is expedient to extend the said Act in this respect; be it therefore further enacted, That from and after the Thirtieth Day of September One thousand eight hundred and thirty-four the Party entitled to make any Allowment of his Pay shall be at Liberty to make the same to or in favour of the following other Relations and Persons; (that is to say,) a Brother, Sister, Grandfather, Grandmother, Nephew-in-Law, and Child or Children of the Age of Eighteen Years or upwards, and to a Trustee or Trustees for the Support of any Child or Children under that Age.

V. And be it further enacted, That in all Cases whatever of Allowment to be made, either under the said recited Act or this Act, it shall be lawful for the said Commissioners for executing the Office of Lord High Admiral aforesaid from Time to Time to establish and fix the Amount of Pay to be allowed, not exceeding in any Case One Month's of the monthly Wages of the Party making the Allowment.

VI. And be it further enacted and declared, That whenever any Person who shall have made an Allowment of his Wages under this or the said recited Act shall be found to be in Debt to the Public on the Ship's Books or otherwise, it shall be lawful for the said Commissioners for executing the Office of Lord High Admiral to cause Payment under such Allowment to be stopped until such Person shall have cleared of the Debt owing by him.

VII. And whereas by the said recited Act Petty Officers, Seamen, and Non-commissioned Officers of Marines and Private Marines, who shall not have made any Allowment of their Pay, are empowered to remit the Whole or any Part of the Pay due to them (except for the last Six Months) to the respective Relations therein mentioned: And whereas it is expedient to extend the said Act in respect to such Remittances; be it therefore further enacted, That from and after the Thirtieth Day of September One thousand eight hundred and thirty-four it shall be lawful for any Petty Officer, Seaman, Non-commissioned Officer of Marines, or Marine, notwithstanding he may have made an Allowment of his Pay, to cause to be paid by Remittance in the Manner thereby provided any further Portion of his Pay which may remain due to him, except for the last Six Months, and that any such Remittance of Wages may be made payable either to any of the Relations mentioned in the said recited Act, or to any Child or Children of the Age of Eighteen Years or upwards of the Party making the Allowment, or if dead, that Age then to a Trustee on the Behalf of such Child or Children; or any such Petty Officer, Seaman, Non-commissioned Officer of Marines, or Marine may, if he shall think fit, authorize any such Part of his Pay to be invested for his Benefit in such Savings Bank and under and subject to such Rules and Regulations as the said Commissioners for executing the Office of Lord High Admiral aforesaid shall from Time to Time fix and establish for that Purpose, consistently with the Safety and Convenience of the Public Service, and the Benefit of the Party desiring the Investment to be made.

VIII. And whereas by the said recited Act, in order to avoid the Expence which the Relatives of deceased Officers, Seamen, and others may otherwise be put to in obtaining Payment of small Sums due to such deceased Persons, Provision is made for the Payment thereof without Probate or Letters of Administration in the several Cases therein mentioned, under a Certificate or Check to be issued by the Inspector of Seamen's Wills, which Officer by an Act passed in the Second Year of the Reign of His present Majesty, for amending the Laws relating to the Civil Departments of the Navy, is also empowered to issue a similar Certificate or Check in other Cases, as therein mentioned; And whereas it is much desired to extend the said Provision to Cases not provided for by either of the said Acts, and

' to consolidate the Law upon this Subject,' he is further enacted, That from and after the Thirtieth Day of September One thousand eight hundred and thirty four, in the Case of the Death of any Commissioned, Warrant, or Petty Officer, Surgeon, Commissioned or Non-commissioned Officer of Royal Marines, or Private Marine, or of any Widow entitled to a Pension on the Establishment of the Navy, or of any Person entitled to an Allowance from the Compassionate Fund, or of any Person having been employed in any of His Majesty's Dock Yards, Naval, Victualling, or Medical Establishments, or in any of the Civil Departments of the Navy, or of any Person entitled to any Prize Money, Bounty, Grant, or other Money in the Nature of Naval Prize, and respectively leaving Assets to be administered which shall not in the whole exceed the Sum of Thirty-two Pounds, it shall be lawful for the Inspector of Seamen's Wills in the Admiralty Office, after having satisfied himself, by due Investigation, of the Right of any Claimant to Probate of the Will of the Deceased shall have left a Will, or, in case of Intestacy, to Letters of Administration, and also on due Proof, to the Satisfaction of the Inspector, that the Assets of the Deceased to be administered do not in the whole exceed the Sum of Thirty-two Pounds, to issue a Certificate to that Effect and in Admission of the Claim, which Certificate shall be in such Form as by the Commissioners for executing the Office of Lord High Admiral aforesaid shall be deemed expedient, and as far as regards any Money payable to the Naval Department, and not exceeding Thirty-two Pounds, shall have the same Force and Effect as a Probate of the Deceased's Will, or a Grant of Administration of the Deceased's Effects, could or might have; and that Payment to be made under the Authority of such Certificate of any Money not exceeding the said Sum of Thirty-two Pounds, due to the Deceased on account of any Naval Pay or Wages, or Pay or Wages of the Ordinary, or any Marine Pay, or of any Half Pay, Pension, or Prize, or Bounty, Grant, or other Money in the Nature of Prize, or of any Allowance from the Compassionate Fund, or Money due on account of the Deceased's Services, or Superannuation Allowances granted on Retirement from any Services in any of His Majesty's Dock Yards, Naval, Victualling, or Medical Establishments, or in any of the Civil Departments of the Navy, or any Department under the Direction of the said Commissioners, shall be valid and conclusive against all Parties so effectually as if the same had been paid under Probate or Letters of Administration, and shall be allowed to the Treasurer of the Navy in his Accounts.

## C A P. XXVI.

An Act to abolish the Practice of hanging the Bodies of Criminals in Chains. [25th July 1834.]

**WHEREAS** by an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for consolidating and amending the Statute in England relating to Offences against the Person*, it is amongst other things enacted, that the Body of every Person convicted of Murder shall after Execution either be dissected or hung in Chains, as to the Court which tried the Offender shall seem meet, and that the Sentence to be pronounced by the Court shall express that the Body of the Offender shall be dissected or hung in Chains, whichever of the Two the Court shall order: And whereas by a certain Act passed in the Tenth Year of the same Reign, intitled *An Act for consolidating and amending the Statute in Ireland relating to Offences against the Person*, a like Provision is made with respect to Persons convicted of Murder in Ireland: And whereas by a certain Act made and passed in the Second and Third Year of the Reign of His present Majesty, intitled *An Act for regulating Schools of Anatomy*, so much of the Provisions of the said recited Act made and passed in the Ninth Year of the Reign of His said late Majesty King George the Fourth as authorized the Court to direct that the Body of a Person convicted of Murder should after Execution be dissected is repealed, and instead thereof it is enacted, that in every Case of Conviction of any Prisoner for Murder the Court before which such Prisoner shall have been tried shall direct such Prisoner either to be hung in Chains or to be buried within the Precincts of the Prison in which such Prisoner shall have been confined after Conviction, as in such Court should seem meet; and that the Sentence to be pronounced by the Court should express that the Body of such Prisoner shall be hung in Chains or buried within the Precincts of the Prison, whichever of the Two the Court should order: And whereas it is expedient to amend the said recited Acts: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act made and passed in the Ninth Year of the Reign of His Majesty King George the Fourth as authorized the Court to direct that the Body of a Person convicted of Murder should after Execution be hung in Chains, and also so much of the said recited Act made and passed in the Tenth Year of the same Reign as authorized the Court to direct that the Body of a Person convicted of Murder should after Execution be dissected or hung in Chains, and also so much of the said recited Act made and passed in the Second and Third Year of the Reign of His present Majesty as provides that in every Case of Conviction of any Prisoner for Murder the Court shall direct such Prisoner to be hung in Chains, shall be and the same is hereby repealed.

II. And to be further enacted, That in every Case of Conviction in Ireland of any Prisoner for Murder the Court before which such Prisoner shall have been tried shall direct such Prisoner to be buried within the Precincts of the Prison within which such Prisoner shall have been confined after Conviction, and the Sentence to be pronounced by the Court shall express that the Body of such Prisoner shall be buried within the Precincts of such Prison.

R. G. 4. c. 20.

10 G. 4. c. 28.

24 S. W. c. 15.

In each of several Acts an authority is given for hanging as Chain certain Criminals after Execution repealed.

In Counties for Murder in Ireland, the Court shall direct the Prisoner to be buried within the Prison.

## C A P. XXVII.

An Act for the better Administration of Justice in certain Boroughs and Franchises.

[24th July 1834.]

WHEREAS the Justices of the Peace acting in and for certain Boroughs and Franchises in that Part of the United Kingdom called England, not being empowered by Charter or otherwise to hear and determine Felonies at the General Sessions of the Peace held in and for such Boroughs and Franchises, or by Law required to send for Trial at the General Assizes for the County wherein such Borough or Franchise may be situate every Person charged with Felony, whereby the Administration of Justice is injuriously delayed, and the Expenses to which the County in such Cases is liable are grievously increased; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Justices of the Peace, and any such Justice acting in and for any Borough or Franchise in that Part of the United Kingdom called England, not being empowered by Charter or otherwise to hear and determine Felonies, shall and may commit every Person charged with any such Felony as the Court of Quarter Sessions may have Jurisdiction to try, to be tried at the General Quarter Sessions of the Peace for the County, Riding, or Division wherein such Borough or Franchise shall be situate, or at any Adjournment thereof; and the Justices of the Peace acting in and for such County, Riding, or Division are hereby empowered to try Persons so committed at the General Quarter Sessions of the Peace held for such County, Riding, or Division, or at any Adjournment thereof.

Justices of the Peace acting for Boroughs may commit Persons for Felonies triable at Sessions.

Justices in Boroughs, &c. having Jurisdiction at certain Places may commit to the Gaol of the County any Person charged with a Felony the Trial of which may legally take place at the Quarter Sessions, but in which the Jurisdiction of the Borough Justice does not extend.

In Manchester a Recorder and a St. Peter, the Magistrates shall commit to such and the Quarter Sessions of each Place shall have Authority to punish Offenders.

II. And whereas the Justices of the Peace acting in and for certain Boroughs and Franchises in that Part of the said United Kingdom called England have Jurisdiction at the General Sessions of the Peace held in and for such Borough or Franchise to hear and determine divers Felonies, and it is expedient that any such Justice or Justices should have Power in certain Cases to commit for Trial, at the General Quarter Sessions of the Peace for the County, Riding, Division, or Shire in which such Borough or Franchise may be situate, any Person charged with Felony which the said Justices are not authorized or empowered to hear and determine at the General Sessions of the Peace held in and for such Borough or Franchise; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to send for a Justice or for Justices of the Peace acting in any of the said last-mentioned Boroughs or Franchises to commit to the Gaol of the County, Riding, Division, or Shire in which such Borough or Franchise may be situate, to be tried at the General Quarter Sessions of the Peace in and for such County, Riding, Division, or Shire, any Person charged with a Felony which the said Court of Quarter Sessions may have Jurisdiction to try, and to the Trial of which the Jurisdiction of the Justice of such Borough or Franchise at the General Sessions of the Peace in and for such Borough or Franchise does not extend; and the Justices of the Peace acting in and for such last-mentioned County, Riding, Division, or Shire are hereby authorized and empowered to try any such Person so committed as has aforesaid at the General Quarter Sessions of the Peace held in and for such County, Riding, Division, or Shire.

III. And be it further enacted, That in all such Towns or Franchises which have a Recorder, and a Prison fit for the Confinement of Prisoners, the Magistrates of such Town or Franchise shall commit to the Prison of such Town all Persons charged with having committed within such Town or Franchise any Felony or Misdemeanor which might if the same had been committed out of such Town or Franchise and within the Body of any County have been tried by the Justices of Quarter Sessions of such County; and the Court of Quarter Sessions of such Town or Franchise shall have the same Authority to inquire of, hear, determine, and punish any Persons charged with such Felonies or Misdemeanors at the Courts of Quarter Sessions of Counties here, which Quarter Sessions the Justices for such Town or Franchise are hereby required to hold.

## C A P. XXVIII.

An Act to amend the Laws relative to Marriages celebrated by Roman Catholic Priests and Ministers not of the Established Church, in Scotland.

[24th July 1834.]

WHEREAS an Act was passed in the Parliament of Scotland in the First Session of the First Parliament of King Charles the Second, intitled *An act against obstinate and unlawful Marriages*; and another Act was passed in the Seventh Session of the said First Parliament of King William, intitled *An Act against Obstinate and irregular Marriages*: And whereas by the said recited Acts, or One or other of them, Roman Catholic Priests, and other Ministers not of the Established Church of Scotland, celebrating Marriages, and Persons married by such Clergyman, in Scotland, are rendered liable to certain Punishments, Fines, and Penalties: And whereas it is expedient that the said Acts should be altered and amended: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Acts as prohibits the Celebrating of Marriages in Scotland by Roman Catholic Priests or other Ministers not belonging to the Established Church of Scotland or imposes any Fine, Pain, or Penalty on Persons so married, or on the Priests or Ministers celebrating such Marriages, excepting such Penalties, shall be taken to be hereby repealed. *Dissolution of Matrimony Act*

1 Parl. Cas. 1. Sess. 1. c. 24. An. 1660.  
1 Parl. Will. Sess. 7. c. 4. An. 1689.

So much of recited Acts as prohibits Marriages by Roman Catholic Priests in Scotland repealed.

II. And be it enacted, That it shall be lawful to all Persons in Scotland, after due Proclamation of Banns there, to be married by Priests or Ministers out of the Established Church, and also for such Priests or Ministers to celebrate Marriages, without being subject to any Penalties, Fines, or Forfeits whatever, any thing in the said recited Acts, or in any other Act or Acts of Parliament, to the contrary notwithstanding.

III. And be it enacted, That the said recited Acts shall, excepting in so far as the same have already been or are hereby repealed or altered, remain in full Force, Authority, and Effect.

IV. And be it further enacted, That this Act may be amended, varied, or repealed by any Act or Acts to be passed in the present Session of Parliament.

Persons in Scotland may be married by Priests out of Established Church.

Repealed Acts to remain in Force.

Act may be altered this Session.

## C A P. XXIX.

An Act for facilitating the Loan of Money upon Landed Securities in Ireland. [25th July 1834.]

WHEREAS in last Wills and other Testamentary Dispositions, and in Marriage and other Settlements of Real and Personal Property, and in other Deeds, Agreements, or Writings, a Direction, Trust, or Power is often given, created, or reserved to lay out or invest Money at Interest on Real Securities in England, Wales, or Great Britain, or to sell and convert into Money Real or Leasehold Estates, or Governments or Parliamentary Securities, or Securities of Foreign States, or other Property, and to lay out or invest the Money arising from such Sale and Conversion on Real Securities; And whereas from the Abundance of Capital in Great Britain the Interest of Money is very much reduced, and the Interest to be procured on Money in Ireland is much higher than the Interest to be procured on Money in Great Britain: And whereas manifest Improvement has taken place in the Condition and Security of Landed Property in Ireland, which it is desirable to encourage and advance: And whereas it would be highly beneficial to both Great Britain and Ireland if the Loan of Money on Landed Securities in Ireland was facilitated: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for any Person or Persons who, under or by virtue of any Direction, Trust, or Power already given, created, or reserved, or hereafter to be given, created, or reserved as aforesaid, is or are or shall be authorized or directed to lend Money at Interest on Real Securities in England, Wales, or Great Britain, to lend the same or any Part thereof at Interest on Real Securities in Ireland in the same Manner as in all respects as if such Investment had been expressly authorized in or by such Direction, Trust, or Power as aforesaid; and such Person or Persons shall not, on account of his or their so lending Money on Real Securities in Ireland, be considered in a Court of Equity guilty of any Breach of Trust, or held accountable further or otherwise than if the Money had been laid out by him or them on Real Securities in England, Wales, or Great Britain.

Power to lend Money on Real Securities in Ireland the same as in England, &c.

II. Provided always, and be it further enacted, That all Loans of Money on Real Securities in Ireland under this Act in which any Minor or unborn Child or Person of unsound Mind is or may be interested shall be made by the Direction and under the Authority of the Court of Chancery or Exchequer in England, such Direction or Authority being obtained in any Cause upon Petition in a summary Way.

Proviso for Loans where Minor, &c. are interested.

III. And be it further enacted, That in all Cases of Trustees or Public Bodies lending Money on Real Securities in Ireland under the Authority of this Act, it shall be lawful for any Court of Equity in England to make all such Orders and Decrees for enforcing Payment of the Principal and Interest thereby secured, or any Part thereof, as if the said Lands and Hereditaments were situate in England or Wales; and it shall be lawful for the Party or Parties obtaining such Order or Decree to cause a Copy of such Order or Decree, under the Seal of the Court by which the same shall have been made, to be exemplified, and certified to the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal of Ireland for the Time being, or to the Barons of His Majesty's Court of Exchequer in Ireland, whereas the said Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the said Great Seal of Ireland, or the said Barons of the said Court of Exchequer in Ireland, shall forthwith cause such Copy of such Order or Decree, when it shall be presented to them, respectively to be exemplified, to be enrolled, either in the Rolls of the Court of Chancery or in the said Court of Exchequer, as the Case may be, and shall cause all such Process to issue against the said Lands and Hereditaments comprised in the said Securities, and the Party or Parties against whom such Orders or Decrees shall be obtained, and his, her, or their Real and Personal Estate, Goods, Chattels, and Effects, in Ireland, in order to enforce Obedience to and Performance of the same, in such Manner and Form, and with such Force and Effect, as if the Cause wherein such Order or Decree shall have been made had been originally cognizable by and instituted in the said Courts of Chancery or Exchequer in Ireland; and it shall be lawful for the said Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal of Ireland, or the said Barons of the said Court of Exchequer in Ireland, to make such Order or Orders in respect of or consequent upon such Process against the Party or Parties, or in respect of the said Lands, or the Real and Personal Estate, Goods, Chattels, or Effects of the said Party or Parties, as he or they shall from Time to Time think fit, or for Payment of all or any of the Monies levied or received by virtue thereof into the Bank of Ireland, with the Privy of the Accountant General of the said Courts of Chancery and Exchequer in Ireland respectively, to the Credit or for the Benefit of the Party or Parties who shall have obtained such Order or Decree, or to the Credit of the Cause in which such Order or Decree shall have been made; and the Governor and Company of the Bank of Ireland be and they be hereby

Loans by Trustees, or Public Bodies.

authorized and required to receive and hold all such Moneys subject to the Orders of the said Court of Chancery in Ireland: Provided always, that no such Moneys shall be charged with or subject to Payment for the Use of the said Court of Chancery in Ireland, or otherwise, where the same shall be paid out by Order of the said last mentioned Court: And provided always, that no Security for Costs shall be required to be given in Ireland by any Party or Parties enforcing in manner aforesaid the Execution of such Orders or Decrees of any Court of Equity in England as herein-before mentioned.

IV. Provided always, and be it enacted, That every such Loan shall be made with the Consent of the Person or Persons, if any, whose Consent may be required as to the Investment of such Money upon Real Securities in England, Wales, or Great Britain, (inserted in the Mortgage required by such Direction, Trust, or Power.

V. Provided also, and be it enacted, That the Provisions of this Act shall not apply to any Case in which such Direction, Trust, or Power as aforesaid doth or shall or may contain any express Restriction against the Investment of such Money as aforesaid on Securities in Ireland.

VI. Provided always, and be it further enacted, That nothing contained in this Act shall relieve or be construed to relieve any Person or Persons interested or claimed with such Direction, Trust, or Power as aforesaid from any Responsibility as to Title, Security, or otherwise, either at Law or in Equity, save that having lent and advanced such Money as aforesaid on Real Securities in Ireland instead of having invested such Money on Real Securities in England, Wales, or Great Britain.

### C A P. XXX.

An Act to facilitate the Exchange of Lands lying in Common Fields. [25th July 1834.]

WHEREAS it is expedient to facilitate the Exchange of Parts of Land lying intermixed and dispersed in Common Fields, Meadows, or Pastures, or other Pieces of Land, either lying thereon, or being Part of the inclosed Lands in the same or any adjoining Parish: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for any Person who shall be seized or possessed of or entitled in possession to any Land in any Common Field, as Tenant in Fee Simple, or in Fee Tail, General or Special, or for Life or Lives, or by the Curtesy of England, or for any other Estate of Freehold, or for Years determinable on any Life or Lives, or for any Term of Years whereof One hundred Years shall be unexpired, and for the Guardian, Trustee, Feoffee for charitable or other Uses, Husband, or Committee of such Person who at the Time of making any Exchange authorized by this Act shall be an Infant, Idiot, Lunatic, or Feme Covert, or under any other Disability, by such Deed and with such Consents as herein-after mentioned to grant and convey such Land or any Part thereof to any other Person in lieu of and in exchange for any other Land, whether lying in the same or any other Common Field, or for any inclosed Land lying within the same or any adjoining Parish, and to accept and take from such other Person any Land in lieu of and in exchange for the Land in such Common Field.

II. And be it further enacted, That it shall be lawful for any Person who shall be seized or possessed of or entitled in possession to any Land which it may be desirable to exchange for the Land in such Common Field, whether such Person shall be Tenant in Fee Simple, or in Fee Tail, General or Special, or for Life or Lives, or by the Curtesy of England, or for any other Estate of Freehold, or for Years determinable on any Life or Lives, or for any Term of Years whereof One hundred Years shall be unexpired, and for the Guardian, Trustee, Feoffee for charitable or other Uses, Husband, or Committee of such Person who shall be an Infant, Idiot, Lunatic, or Feme Covert, or under any other Disability, to consent and agree to such Exchange, and to grant and convey such Land to the Person proposing to make such Exchange in lieu of and in exchange for the Land lying to such Common Field, subject to the Provisions herein-after contained.

III. Provided always, and be it further enacted, That when any such Exchange shall be made by any Person being a less Estate or Interest than in Fee Simple in the Land to be by him granted or conveyed in exchange, or shall be made by any Person under any Disability, the Land to be so taken in exchange shall at the Time of making such Exchange be, or shall by the Payment of a sufficient Sum for Equality of Exchange be made, of equal Value with or not of less Value than the Land to be granted or conveyed in exchange.

IV. And be it further enacted, That whenever any Exchange shall be proposed to be made under the Authority of this Act, and either of the Parties thereto shall have a less Estate or Interest in the Land to be by him granted or conveyed in exchange than a Fee Simple, or shall be under any Disability, such Exchange shall not be completed unless the Person to whom the next immediate vested Estate of Freehold in Remainder or Reversion shall have assented (provided such Person shall be of the full Age of Twenty-one Years, and being a Female shall be unmarried) shall consent thereto, and shall testify such Consent by signing the Draft Deed of Exchange herein-after mentioned, and such Consent shall be sufficient for the Purpose of authorizing such Exchange notwithstanding the Person giving the same may have an Equitable Estate only in the Land intended to be conveyed in exchange, or may have previously disposed of or charged or encumbered his Reversionary Estate therein: Provided always, that if the Person to whom such next immediate vested Estate in Remainder or Reversion may have been devised shall, or she, shall, with such Exchange, between such an Infant or Feme Covert, or an Idiot or Lunatic

Consent of Persons interested to be had.

To what Court An act is referred.

An act to relieve Persons interested with Trust or Power from Responsibility as to Title, &c.

Provision of Lands in Common Fields may exchange the same.

All Persons entitled to give Land in exchange for such Common Field Land.

Land given in exchange by Persons having less Estate is to be of equal Value with Land taken.

If Exchange made by any Person having only a limited Interest, or being under Disability, the Consent of the Person next in Remainder to be obtained. In case the Person next in

Leuatic, then and in such Case it shall be lawful for the Guardian or Husband or Committee of such Infant, Feme Covert, Idiot, or Lunatic (such Guardian, Husband, or Committee not being himself the Person by whom the Exchange is proposed to be made) to consent to such Exchange, and to sign the Draft Deed of Exchange in his or her Stead: Provided further, that whenever the Guardian or Husband or Committee of such Infant, Feme Covert, Idiot, or Lunatic shall himself be the Person by whom such Exchange is proposed to be made, then and in such Case it shall be lawful for the Court of Chancery, upon Petition, to be preferred to the said Court in a summary Way, to appoint a Person to act as Protector to such Infant, Feme Covert, Idiot, or Lunatic for the Purposes of this Act, and, if he shall think fit so to do, to consent to such Exchange, and to sign the Draft Deed of Exchange in the Stead of such Infant, Feme Covert, Idiot, or Lunatic, or of his or her Guardian, Husband, or Committee.

Beneficiary should be an Infant, &c.

V. Provided always, and he is further enacted, That no Exchange shall be made of any Land held in right of any Benefice, without the Consent of the Patron thereof, and of the Archbishop or Bishop to whose ordinary or peculiar Jurisdiction the said Benefice may be subject, such Consent to be signified by the Patron and Archbishop or Bishop respectively signing the Draft Deed of Exchange herein after mentioned; and such Consent, when so given and signified, shall be a sufficient Authority for such Exchange, any Law or Statute to the contrary notwithstanding: Provided always, that if the Patronage of such Benefice shall happen to be in the Crown, and the Benefice shall exceed the yearly Value of Twenty Pounds in the King's Books, it shall be lawful for the Lord High Treasurer or the First Lord Commissioner of the Treasury for the Time being, but if it do not exceed the yearly Value of Twenty Pounds in the King's Books, then for the Lord High Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, to consent to such Exchange and to sign the Draft Deed of Exchange on behalf of the Crown, and if the Patronage of such Benefice shall happen to be in the Crown to consent to such Exchange and to sign the Draft Deed of Exchange on behalf of the Crown; and if the Patronage of such Benefice shall be Part of the Possessions of the Duchy of Cornwall it shall be lawful for the Duke of Cornwall for the Time being, if of full Age, but if not of full Age, or in case such Benefice shall be within the Patronage of the Crown in right of the Duchy of Cornwall, then for the same Person who is heretofore authorized to consent on behalf of the Crown in respect of a Benefice in the Patronage of the Crown to consent to such Exchange and to sign the Draft Deed of Exchange on behalf either of the Duke of Cornwall, or, as the Case may be, on behalf of the Crown in right of the Duchy of Cornwall; and if the Patron of such Benefice shall happen to be a Minor, Idiot, Lunatic, or Feme Covert, it shall and may be lawful for the Guardian, Committee, or Husband of such Patron to consent to such Exchange and to sign the Draft Deed of Exchange in the Stead of such Patron, and on his or her Behalf.

Consent of Patron and Bishop necessary for Exchange of Land held in right of a Church.

VI. Provided always, and he is further enacted, That no Exchange shall be made under the Authority of this Act by any Bishop, Dean, or other Head of a Chapter, Archdeacon, Prebendary, or other Ecclesiastical Corporation Sole, and in the Case of a Bishop, with the Consent of the Archbishop of the Province, to be signified by such Archbishop signing the Draft Deed of Exchange herein after mentioned, or unless, in the Case of a Dean or other Head of a Chapter, with the Consent of the Chapter, to be signified by their affecting their Common Seal to the said Draft Deed of Exchange, or unless, in the Case of an Archdeacon, Prebendary, or other Ecclesiastical Corporation Sole, with the Consent of the Archbishop or Bishop of the Diocese, to be signified by such Archbishop or Bishop signing the said Draft Deed of Exchange.

Draft Deed of Exchange to be signed or sealed by Archbishop, Patron or Corporation according.

VII. And he is further enacted, That every Exchange under the Authority of this Act shall be made according to the Form in the Schedule to this Act annexed, or as near thereto as the Number of Parties and the Circumstances of the Case will admit, and shall, when executed by the respective Parties, be valid and effectual in the Law to all Intents and Purposes, without Livery of Seisin made or taken, or any other Act done, by any Person or Party to perfect or complete the same.

Exchange to be made in the Form given in the Schedule.

VIII. Provided always, and he is further enacted, That whenever any Land held by Copy Court Roll shall be exchanged under the Authority of this Act, the Deed of Exchange, when executed by the respective Parties, shall be produced to the Lord of the Manor of which the Land may be Parcel, or to his Steward, or to the Deputy of such Steward, who shall cause the same to be entered on the Court Rolls of the Manor.

Terms of Copy-holds, the Deed of Exchange to be entered on the Court Rolls.

IX. And he is further enacted, That the Fees and Charges to be demanded by and paid to any Steward of a Manor for entering on the Court Rolls of such Manor any Deed of Exchange or other Instrument required by this Act to be entered thereon shall not exceed the Sum of Sixpence for every Law Folio of Seventy-two Words contained in such Deed or other Instrument.

Fees to Stewards.

X. And he is further enacted, That whenever any Exchange shall be made under the Authority of this Act by any Archbishop, Bishop, Dean or other Head of a Chapter, Dean or other Head of a Chapter and Chapter, Archdeacon, Prebendary, or other Ecclesiastical Corporation, or by the Incumbent of any Benefice, the Deed of Exchange, when executed by the respective Parties, shall, in the Case of the Exchange being made by an Archbishop or Bishop, be entered in his own Registry, and in the Case of the Exchange being made by a Dean or other Head of a Chapter, or by a Dean or other Head of a Chapter and Chapter, be entered in the Registry of such Chapter, and in the Case of the Exchange being made by an Archdeacon, Prebendary, or other Ecclesiastical Corporation, or by the Incumbent of a Benefice, be entered in the Registry of the Bishop of the Diocese.

In case of Church Lands, Deed to be entered in the proper Ecclesiastical Registry.



Office Copies of Instruments deposited by the Registry to be Evidence.

XI. And be it further enacted, That an Office Copy of any Deed of Exchange or other Instrument which under the Provisions of this Act shall be entered on any such Registry as aforesaid (such Office Copy being certified by the Registrar or his Deputy) shall be allowed as Evidence thereof in all Courts and Places, and every Person shall be entitled to require any such Office Copy, and shall also be allowed at all usual and proper Times to search for and inspect any Deed of Exchange or other Instrument which shall be so entered; and the Registrar shall be entitled to charge for the Entry of every such Deed of Exchange or other Instrument after the Rate of Sixpence for every Law Folio of Seventy-two Words contained therein, and the Sum of One Shilling, and so more, for allowing any such Search or Inspection as aforesaid, and after the Rate of Sixpence for every Law Folio of Seventy-two Words in any Office Copy to be made and certified as aforesaid.

Draft of intended Exchange to be deposited with the Clerk of the Peace, and Notice thereof inserted in some Newspaper circulating in the County

XII. And be it further enacted, That before any Exchange shall be made under the Authority of this Act a Draft of the intended Deed of Exchange, containing a correct Description of the several Lands proposed to be exchanged, and signed by the respective Parties, and also by the several Persons whose Consent to such Exchange is herein-before required to be given, and accompanied by an Estimate of the Value as well of the Land proposed to be given as of the Land proposed to be taken in exchange, and whenever the Exchange shall be proposed to be made by or with any Person under Disability, then accompanied also by a Copy of the several Limitations contained in the Deed or Will under which such Person may be entitled, shall be deposited with the Clerk of the Peace of the County in which the greater Part of the Land may be situated; and a Notice of such Draft and Estimate having been so deposited (such Notice containing a Description of the Land intended to be exchanged) shall be published in some Newspaper usually circulated in the County wherein such Land is situated at Three several Times in Three successive Months after such Draft and Estimate shall have been so deposited: Provided always, that whenever a Corporation Aggregate shall be one of the Parties to such proposed Exchange, or the Consent of a Corporation Aggregate shall be necessary thereto, the affixing of the Common Seal of such Corporation to such Draft Deed of Exchange shall be deemed a sufficient Compliance with the Provisions of this Act.

Persons having any Objections to deposit them with the Clerk of the Peace within a certain Time.

XIII. And be it further enacted, That if any Person claiming to have an Interest in the Land proposed to be exchanged shall object to such Exchange, it shall be lawful for him to state such Objections in Writing, and to deposit the same with the Clerk of the Peace at any Time not less than Fourteen Days before the holding of the Assizes at which such proposed Exchange shall be taken into consideration as herein-after mentioned, and such Draft Deed of Exchange, and Estimate, and Copy of Limitations, and the said Statement of Objections, shall be open to the Inspection of any Person.

Fee to be taken by Clerks of the Peace.

XIV. And be it further enacted, That the Justices of the Peace for the several Counties, Ridings, Divisions, Cities, Towns, Liberties, and Precincts within England and Wales, shall in the Manner directed by an Act passed in the Fifty-ninth Year of the Reign of King George the Third, intitled *An Act to enable Justices of the Peace to take the Fees to be taken by the Clerks of the Peace of the respective Counties and other Divisions of England and Wales, ascertain, make, and settle a Table of Fees and Allowances to be taken by the Clerks of the Peace for such Counties, Ridings, Divisions, Cities, Towns, Liberties, and Precincts, for their Trouble in the Execution of the Duties imposed upon them by this Act, and such Fees shall be subject to Alteration and Regulation in the Manner by the said Act directed.*

Person to cause the Draft Deed, &c. to be laid before a Judge of Assize, who shall appoint a Barrister-in-Chief to consider the same.

XV. And be it further enacted, That the Clerk of the Peace shall cause the said Draft Deed of Exchange, Estimate, and Statement of Objections (if any), and all other Papers relating thereto, to be laid before the next Judge of the Peace at the Assizes to be holden next after the Expiration of Three Months from the Time of the Deposit of such Draft Deed of Exchange with the Clerk of the Peace as aforesaid, and such Judge shall appoint a Barrister, of not less than Five Years standing, for taking into consideration the said Draft Deed and Statement, who shall forthwith appoint a Time for that Purpose.

Person may examine Witnesses, &c.

XVI. And be it further enacted, That such Barrister shall be empowered to examine and to compel the Attendance of Witnesses, and to administer an Oath; and that any Person wilfully swearing falsely before such Barrister shall be liable to all the Penalties of wilful Perjury.

Person to examine Witnesses, and to state Objections.

XVII. And be it further enacted, That such Barrister shall satisfy himself by the Production of Deeds, the Examination of Witnesses, or by such other Evidence as he shall think fit to require, of the Value of the Lands proposed to be exchanged, and that the Parties proposing to make such Exchange is not under any Disability, or if he is that the Parties named to have the next immediate vested Estate of Freehold or Reversion or Remainder has such Estate, and that the Notices and the Consents required by this Act have been duly given; and such Barrister shall hear and determine all Objections (if any) which may have been made by any Person claiming to have an Interest in the Land proposed to be exchanged.

After Inquiry the Barrister to certify in the Case may be.

XVIII. And be it further enacted, That after such Inquiry shall have been had before such Barrister he shall grant a Certificate under his Hand, in which he shall state that the Parties proposing to make such Exchange are not under any Disability, or if they are, or either of them is under Disability, that the Persons or Persons having the next immediate vested Estate of Freehold or Reversion or Remainder have concurred thereto, that the Persons whose Consents are required under this Act have concurred to the Exchange, and that the Equality and Fairness of the proposed Exchange have been proved, or otherwise, as the Case may be; and he shall suggest in such Certificate such Alterations as to him may seem expedient for the better protecting the Rights of Parties having an Interest in the Lands proposed to be exchanged.

XIX. And be it further enacted, That in any Case of an Exchange to be made under this Act in which there shall be a Difference of not more than One Fifth in the Value of the Lands proposed to be exchanged, it shall be lawful for the said Barrister to allow or insert a Provision in such Exchange for the Payment in Money of such Difference in Value: Provided always, that no Exchange shall be made under the Authority of this Act in which there shall be a Difference of more than One Fifth Part in the Value of the Lands proposed to be exchanged.

XX. And be it further enacted, That the said Certificate, together with the said Draft Deed of Exchange, and Estimate, and such Statement of Objections, if any, and all other Papers relating thereto, shall be laid before the said Judge of Assize, who shall thereupon make such Order therein, either for confirming the said Exchange, or for annulling the same, or for altering the same, as to him may seem expedient; and the said Draft Deed of Exchange when so confirmed or altered by the said Order shall be immediately signed and executed by the necessary Parties, and shall, when so executed, be binding upon the Owners and Proprietors of the Pieces of Land so exchanged, and all other Parties interested therein: Provided always, that before making such final Order it shall be lawful for such Judge to institute or cause to be instituted such further Inquiry, by the Means aforesaid, into the several Matters relating to any such Agreement, as he may think necessary.

XXI. Provided also, and be it enacted, That such Barrister shall further certify to the said Judge by whom and in what Proportions the Costs and Charges of such Proceedings relative to such Agreement ought to be borne, and thereupon the said Judge shall make such Order for Payment of such Costs and Charges as he may think right: Provided always, that in the Case of any Disagreement respecting the Amount of such Costs, such Costs shall be taxed by the Master or Secretary of the Court of King's Bench.

XXII. And be it further enacted, That every Barrister before whom any Inquiry shall be had under the Authority of this Act shall be entitled to be paid at the Rate of Five Guineas for every Day that he shall be employed in making such Inquiry, over and above his travelling and all other Expenses; and every such Barrister shall after the Termination of such Inquiry transmit a Statement of the Number of Days during which he shall have been so employed, and an Account of the travelling and all other Expenses incurred by him in respect of such Employment, to the Judge by whom he shall have been appointed, or, in case of the Death or Illness or Retirement of such Judge, to any other Judge of the Superior Courts of Record at Westminster, who shall examine and allow the same, or so much or such Parts thereof as he shall see fit, and the same when so allowed shall be paid in the same Manner as the other Costs and Charges incident to such Exchange are herein-before directed to be paid: Provided always, that if more than One Case of Exchange shall be referred to the same Barrister, the Remuneration to such Barrister shall not be cumulative, but shall be considered as fixed for the Day and not for the Case.

XXIII. And be it further enacted, That in case any Money shall be directed to be paid by either Party to the other of them for Equality of Exchange, and the Party to whom such Money shall be directed to be paid shall (in case it shall exceed the Sum of Twenty Pounds) be paid with all convenient Speed into the Bank of England by the Name and with the Privy of the Accountant General of the Court of Chancery, to be placed to his Account there or unto the Person entitled to the Rents and Profits of the Land for or in respect of which such Money shall be payable, in the latest that such Money shall be applied, under the Direction of the Court, to be signalled by an Order made in a summary Way upon a Petition to be preferred by or on behalf of the Person who would have been entitled to the Rents and Profits of the said Land, either in the Purchase or Redemption of the Land Tax, or in discharging any Debt or Incumbrance affecting the said Land, or affecting any other Lands standing settled therewith in the same or the like Use, or in the Purchase of other Lands, which shall be conveyed to the same or the like Use, or such of them as shall be then existing and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in some of the Public Funds, and the Dividends thereof shall from Time to Time be paid to the Person who would have been entitled to the Rents and Profits of the Land as to be purchased and settled; but in case such Money shall not exceed the Sum of Twenty Pounds, then the same shall be paid to the Person entitled to the Rents and Profits of the Land for or in respect of which the same may be payable, or in case of Infancy, Lunacy, Idiocy, or Coverture, to his or her Guardian, Committee, or Husband, as the Case may be.

XXIV. And be it further enacted, That from and immediately after such Deed of Exchange as herein-before is mentioned shall have been duly executed by the necessary Parties, the Land which by such Deed is given in exchange shall be extinguished and discharged from the Uses, Trusts, Powers, Conditions, Limitations, and Restrictions, Charges and Incumbrances then affecting the same, and shall be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations and Restrictions, Charges and Incumbrances as affected the Land taken in exchange at the same Date; and the Land so taken in exchange shall be extinguished and discharged from all Uses, Trusts, Powers, Conditions, Limitations and Restrictions, Charges and Incumbrances then affecting the same, and shall be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations and Restrictions, Charges and Incumbrances as affected the Lands given in exchange at the same Time.

XXV. Any Application made by any Person for the Redemption of any Land which is appropriated or conveyed in exchange according to the Provisions of this Act shall at any Time thereafter be avoided

In case of an Exchange in which there shall be a Difference in Value of not more than One Fifth Certificate, with Draft Deed, &c. to be laid before the Judge, who shall make the Order thereupon.

Judge may institute further Inquiry.

Costs and Charges of Proceedings.

Remuneration to Barrister.

Application of Money paid for Equality of Exchange when Party entitled to same under Banking.

Land given in exchange to be extinguished from the Uses affecting them at the Time, and to become subject to such Uses as affected the Lands taken.

After Exchange Party not to be evicted.

from the peaceable and quiet Possession of such Land by reason or in consequence of any Person claiming Right therein through any Title prior to that of, or through any Defect of Title in, the Person by whom such Land may have been granted or conveyed; but nevertheless it shall be lawful for the Person claiming such Right, and he is hereby authorized and empowered, to sue, exercise, and enjoy all such and the same Powers and Remedies in trying his Right to and in obtaining and recovering Possession of the Land which shall have been granted or conveyed in exchange as the Person so claiming would to ease the Act had not been made have been enabled to sue, exercise, or enjoy in trying the Right to and recovering the Possession of the Land in exchange for which the same shall have been so granted or conveyed under the Authority of this Act.

General Slog.

XXVI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Persons, Bodies Public, Corporate, and Collegiate, his and their Heirs, Successors, Executors, and Administrators, (other than and except the several Owners and Proprietors of the said exchanged Lands, and the several Persons and Parties who shall have consented to such Exchange, and all other Persons claiming under them, or under the same Will or Deed or other Conveyance as the said Owners and Proprietors, any Right, Title, Estate, or Interest to or in the said exchanged Lands,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever as they, every or any of them had before the making and conferring of any such Exchange, or could or might have had or enjoyed in case such Exchange had not been made.

Meaning of Words in the Act.

XXVII. And be it further enacted, That the Words and Expressions herein-after mentioned, which in their ordinary Signification have a more confined or a different Meaning, shall in the Construction of this Act, except where the Nature of the Provision or the Context of the Act shall exclude such Construction, be interpreted as follows: that is to say, the Word "Person" shall extend as well to an Individual as to a Body Politic, Corporate, or Collegiate, and to a Corporation as well Aggregate as Sole, whether such Corporation be Ecclesiastical or Civil, Ecclesiastical or Lay, the Word "Benefice" shall extend to and be taken to comprehend Rectories, Vicarages, Donatives, Perpetual Curacies, Parochial and Consecrated Chapelryes, District Parishes and District Chapelries, and Churches and Chapels having a District assigned therein; the Word "Land" shall extend to every Species of Land, whether Arable, Meadow, or Pasture, and whether Freehold, Copyhold, or Customary, or held by any other Tenure, and as well to one Piece or Parcel as to any Number of Pieces or Parcels of Land; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

To extend to England and Wales.

XXVIII. And be it further enacted, That this Act shall extend only to that Part of the United Kingdom called England and Wales.

Act may be altered or repealed by any Act to be passed at this present Session of Parliament.

XXIX. And be it further enacted, That this Act or any of the Provisions thereof may be altered or repealed by any Act to be passed at this present Session of Parliament.

#### The SCHEDULE to which the foregoing Act refers.

This Indenture, made the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year \_\_\_\_\_ of the said Part, witnesseth, that in pursuance and under the Authority of an Act passed in the \_\_\_\_\_

Year of the Reign of His Majesty King William the Fourth, intituled (*here set forth the Title of this Act*), the said *A. B.* doth grant and convey all the Land comprized in the First Schedule hereunder written, marked with the Letter *A.*, unto the said *C. D.*, in lieu of and in exchange for the Land comprized in the Second Schedule hereunder written, marked with the Letter *B.*, to the End and Intent that the Land comprized in the First Schedule may be held and enjoyed by the said *C. D.* and the Person or Persons who for the Time being shall be entitled thereto, and he and become subject to such and the same Uses, Trains, Powers, Conditions, Limitations, Restrictions, Charges, and Incumbrances as the Land comprized in the Second Schedule now is or may be subject or liable to; And this Indenture further witnesseth, that in pursuance of the said Act the said *C. D.* doth grant and convey all the Land comprized in the Second Schedule hereunder written, marked with the Letter *B.*, unto the said *A. B.*, in lieu of, and in exchange for the Land comprized in the First Schedule hereunder written, marked with the Letter *A.*, to the End and Intent that the Land comprized in the Second Schedule may be held and enjoyed by the said *A. B.* and the Person or Persons who for the Time being shall be entitled thereto, and he and become subject to such and the same Uses, Trains, Powers, Conditions, Limitations, Restrictions, Charges, and Incumbrances as the Land comprized in the First Schedule now is or may be subject or liable to. In witness, &c.

Schedule A. containing the Land conveyed by *A. B.* to *C. D.*

Schedule B. containing the Land conveyed by *C. D.* to *A. B.*

Witness

*E. F.*  
*G. H.*

*A. B.* (L. S.)  
*C. D.* (L. S.)

## C A P. XXXI.

An Act for transferring certain Annuities of Four Pounds per Centum per Annum into Annuities of Three Pounds and Ten Shillings per Centum per Annum, and for providing for paying off the Persons who may dissent to such Transfer.

[23d July 1834.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, having taken into our serious Consideration the present State of the National Debt, and being desirous of lessening the Charge thereof, have resolved, that all and every Person and Persons, Bodies Politic and Corporate, who now is or are or hereafter may be interested in or entitled unto any Part of the National Debt redeemable by Law which now carries an Interest after the Rate of Four Pounds per Centum per Annum, and is usually known by the Name of the "Four per Centum Annuities One thousand eight hundred and twenty-six," created by an Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth, intitled *An Act for paying Eight Millions of Exchange Bills*, and by another Act passed in the Tenth Year of the Reign of His Majesty King George the Fourth, intitled *An Act for funding Three Millions of Exchange Bills*, and which are payable at the Bank of England, and who shall not signify his, her, or their Dissent in the Manner hereinafter mentioned, shall, in lieu of every One hundred Pounds of such Four per Centum Annuities, receive and be entitled to the Sum of One hundred Pounds of Three Pounds and Ten Shillings per Centum Annuities, and to carry Interest after the Rate of Three Pounds and Ten Shillings per Centum per Annum, and so in proportion for any greater or less Amount than One hundred Pounds of such Four per Centum Annuities; and that the Dividends of the said New Three Pounds Ten Shillings per Centum Annuities shall be payable half-yearly at the Bank of England, and that the said New Three Pounds Ten Shillings per Centum Annuities shall not be liable to be paid off until after the Fifth Day of January One thousand eight hundred and forty: We, Your Majesty's most Gracious Commons, do therefore most humbly beseech Your Majesty that it may be enacted: and be so enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons, Bodies Politic or Corporate, who now is or are or hereafter may be interested in or entitled unto any Part of the National Debt redeemable by Law which now carries an Interest after the Rate of Four Pounds per Centum per Annum, and is usually known by the Name of "Four per Centum Annuities One thousand eight hundred and twenty-six," payable at the Bank of England, and who shall not signify his, her, or their Dissent in manner hereinafter mentioned, shall, in lieu of every One hundred Pounds of such Four Pounds per Centum Annuities, respectively receive and be entitled to the Sum of One hundred Pounds in "The New Three Pounds and Ten Shillings per Centum Annuities," and so in proportion for any greater or less Amount than One hundred Pounds of such Four Pounds per Centum Annuities respectively; and that the Dividends thereof shall be payable half-yearly, at the Bank of England, upon the Fifth Day of January and the Fifth Day of July in each and every Year; and the first Dividend, namely, One Quarter of a Year's Dividend, on the said New Three Pounds and Ten Shillings per Centum Annuities, shall be payable at the Bank of England on the Fifth Day of January One thousand eight hundred and thirty-five; and that the said New Three Pounds and Ten Shillings per Centum Annuities shall be subject and liable to Redemption at any Time after the Fifth Day of January One thousand eight hundred and forty, and not before that Period; and that the said New Three Pounds and Ten Shillings per Centum Annuities shall be free from all Taxes, Charges, and Impositions, in the like Manner as the said Four Pounds per Centum Annuities.

II. And be it further enacted, That the Interest and Dividends payable in respect of the said New Three Pounds and Ten Shillings per Centum Annuities shall be charged and chargeable upon, and shall be issued and paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, in the same Manner as the Interest and Dividends of the said Four Pounds per Centum Annuities respectively now stand charged on the said Fund.

III. And be it further enacted, That all and every Person and Persons, Bodies Politic or Corporate, who shall not, as or before the Twenty-eighth Day of May One thousand eight hundred and thirty-four, signify his, her, or their Dissent from accepting and receiving a Share in the said New Three Pounds and Ten Shillings per Centum Annuities, in lieu of his, her, or their respective Shares in the said respective Four Pounds per Centum Annuities, or for any Part of such respective Shares in such last-mentioned Annuities, in the Manner hereinafter directed, shall be deemed and taken to have consented to accept and receive the same: Provided always, that if any Proprietor or Proprietors of the said respective Four Pounds per Centum Annuities shall not have been within the Limits of the United Kingdom at any Time between the Eighth Day of May and the Twenty-eighth Day of May One thousand eight hundred and thirty-four, both Days inclusive, but shall have been in any other Part of Europe, it shall be lawful for such Proprietor or Proprietors to signify such Dissent at any Time before the Sixth Day of July One thousand eight hundred and thirty-four; and if any such Proprietor or Proprietors shall not, at any Time between the Eighth Day of May and the Fifth Day of July One thousand eight hundred and thirty-four, both Days inclusive, have been within any Part of Europe, it shall be lawful for him, her, or their

47 G. 4. c. 31.

30 G. 4. c. 26.

Every Person entitled to 1000 Pounds per Cent. Annuities, and not dissenting, shall receive 1000 New 3<sup>l</sup> 10<sup>s</sup> per Cent. Annuities.

Dividends to be paid half-yearly.

New 3<sup>l</sup> 10<sup>s</sup> per Cent. Annuities to be redeemable after 5th January 1840.

Interest to be charged on Consolidated Fund.

Persons not dissenting from converting from New 3<sup>l</sup> 10<sup>s</sup> per Cent. Annuities shall be deemed accepting. Those entitled to dissenting.

to signify such Dividend at any Time before the First Day of *March* One thousand eight hundred and thirty-five, such Proprietor or Proprietors residing in the Satisfaction of the Governor and Directors of the Bank of England, or any Two or more of them, his, her, or their Absence from the United Kingdom, or out of Europe, in the Case shall happen, and that his, her, or their Share or Shares of such Four Pounds per Centum Annuitie stand in his, her, or their Name or Names respectively, or in the Name or Names of any One or more Trustees or Trustees on his, her, or their Behalf, on the Eighth Day of *May* One thousand eight hundred and thirty-four, in the Books of the Governor and Company of the Bank of England; and provided also, that such Proprietor or Proprietors so absent from the United Kingdom, or out of Europe, shall signify his, her, or their Dividend within Two Days after his, her, or their Return to the United Kingdom.

Persons claiming shall signify the same to the Governor and Company of the Bank of England.

Payable off Dividends.

Dividends by the Accountants of the Court of Chancery and Accountants General of the Court of Exchequer.

IV. And be it further enacted, That all Persons and Bodies Politic or Corporate possessed of any Part of the respective Four Pounds per Centum Annuitie, and who shall desire to signify such Dividend as aforesaid, shall, on or before the Twenty-eighth Day of *May* One thousand eight hundred and thirty-four, by themselves or some Agent or Agents for that Purpose duly authorized, signify such Dividend to the Governor and Company of the Bank of England, in Writing under his, her, or their Hand or Hands, or the Hand or Hands of his, her, or their Agent or Agents authorized as aforesaid, together with the Amount of his, her, or their respective Shares in the said Four Pounds per Centum Annuitie; and which said Dividends shall be entered in a Book or Books to be opened and kept by the Governor and Company of the said Bank for that Purpose, and shall be numbered. In the Order in which such Dividends shall be received by such Governor and Company; and every such disinterested Proprietor or Proprietors, or his, her, or their Assigns, or the Executors or Administrators of such Assigns, under any such Transfer, shall be paid of at such Periods and in such Manner as Parliament may direct.

V. Provided always, and be it enacted, That it shall be lawful for the Accountant General of the Court of Chancery, and also for the Accountant General of His Majesty's Court of Exchequer, in England, at any Time before the Fourth Day of *August* One thousand eight hundred and thirty-four (subject nevertheless to the Provisions herein contained as to Persons out of the United Kingdom so far as the same shall apply to Sutors in the said Courts), to signify to the Governor and Company of the Bank of England, on behalf of any Sutor or others interested in any such Four Pounds per Centum Annuitie standing in the Names of such Accountants General respectively, their Dividend under this Act in respect of any of such Annuitie; and general or special Orders may be made in a summary Way, either upon Application by Motion or Petition of Sutors or Persons interested, or upon Motion by His Majesty's Attorney General, or otherwise, by the said Courts respectively, in respect of any such Annuitie, either as to signifying or not signifying any such Dividend, or as to any other Matter or Thing relating to any such Annuitie or the Dividends thereof, or to any Three Pounds and Ten Shillings per Centum Annuitie which may be created in lieu thereof, or to the Application of any such Three Pounds and Ten Shillings per Centum Annuitie or the Dividends thereof, and on Application, Petition, Affidavit, Order, Report, or other Proceeding, shall be subject or liable to be stayed, or charged or chargeable with any Stamp Duties whatsoever, any thing in any Act or Acts of Parliament to the contrary notwithstanding; and the said Accountants General respectively shall be charged and taken to have consented to accept and receive Shares in the said Three Pounds and Ten Shillings per Centum Annuitie, in lieu of all such Four Pounds per Centum Annuitie standing in their Names respectively, as to which an such Dividend shall have been signified by them respectively as aforesaid; and the said Accountants General of the said Courts of Chancery and Exchequer respectively shall be and are hereby fully indemnified against all Actions, Suits, or Proceedings for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of or under any of the Provisions of this Act, and also for and in respect of their respectively not signifying in any Case such their Dividend as aforesaid; and in case any Action, Suit, or other Proceeding be commenced or instituted against the said Accountants General, or either of them, for or in respect of any such Act, Matter, or Thing, or not signifying any Dividend as aforesaid, it shall and may be lawful for the Court in which such Action, Suit, or Proceeding shall be commenced, or shall be pending, upon summary Application, to stay, and such Court is hereby required to stay, such Action, Suit, or Proceeding, and to make such Order relative to the Costs thereof, as such Court shall think expedient.

Indemnity for Act or Matter therein.

Execution, Interest, &c. may demand.

VI. And be it further enacted, That all Executors, Administrators, Guardians, Trustees, and all Committees of the Estates of Infants and Lunatics, who, in such, shall have the Control over any Shares of the said respective Four Pounds per Centum Annuitie, standing either in their own Names or in the Name or Names of any Trustee or Trustees, or of any Infant or Infants, or Idiot or Lunatic, may, if residing within the United Kingdom, signify such Dividend as aforesaid to the Governor and Company of the Bank of England, on or before the Fourth Day of *June* One thousand eight hundred and

and thirty-four; and if either of any Two or more of any such Executors, Administrators, Guardians, Trustees, or Committees shall reside out of the United Kingdom, the Period within which such Dividend may be signified shall be regulated by the Residence of the most distant of such Executors, Administrators, Guardians, Trustees, or Committees in such Case; and all Executors, Administrators, Guardians, Trustees, and Committees not signifying such Dividend within the Periods specified in this Act, according to such Residence, shall be deemed and taken to have assented to accept and receive a Share in the said New Three Pounds and Ten Shillings per Centum Annuities, and they are hereby severally and respectively indemnified for not signifying such Dividend under this Act.

VII. And be it further enacted, That the said Four Pounds per Centum Annuities, in respect of which Dividend shall have been or shall be signified under the Provisions of this Act, shall be transferable in the Books of the Governor and Company of the Bank of England or Discounted Four per Centum Annuities in whole or in part, without Reference to the Period and Order in which such Dividend shall have been or shall be signified, until the said Discounted Four Pounds per Centum Annuities shall be paid off.

VIII. And be it further enacted, That every Person who shall be entitled to receive the Dividends upon any such Four Pounds per Centum Annuities transferable at the Bank of England shall be paid and receive the Dividend which will become due thereon on the Tenth Day of October One thousand eight hundred and thirty-four; and the said Four Pounds per Centum Annuities respectively shall be paid off or converted into Three Pounds and Ten Shillings per Centum Annuities, as the Case may require, from and after the said Tenth Day of October One thousand eight hundred and thirty-four; and every Transfer of any of the said Annuities at the Rate of Four Pounds per Centum per Annum, which may have taken place to or from the Books of the Governor and Company of the Bank of England from or to the Books of the Governor and Company of the Bank of Ireland, at any Time on and after the Seventh Day of May One thousand eight hundred and thirty-four, shall be and the same is hereby declared to be null and void.

IX. And be it further enacted, That it shall and may be lawful for the Governor and Company of the Bank of England, at any Time after the Tenth Day of October One thousand eight hundred and thirty-four, to open Books for writing up and receiving the Entry into the said New Three Pounds and Ten Shillings per Centum Annuities of any of the Four Pounds per Centum Annuities before described, belonging to any Proprietor or Proprietors who may not have expressed his, her, or their Consent to receive such Three Pounds and Ten Shillings per Centum Annuities, and who may be desirous of converting his, her, or their Four Pounds per Centum Annuities into the said Annuities at the Rate of Three Pounds and Ten Shillings per Centum per Annum; but the Dividend or Dividends of the said Four Pounds per Centum Annuities which would become due on the Tenth Day of October One thousand eight hundred and thirty-four at the Bank of England shall be paid and payable to the Person or Persons in whose Name such Four Pounds per Centum Annuities stand, immediately before they were so converted into Three Pounds and Ten Shillings per Centum Annuities; and the First Dividend of such Three Pounds and Ten Shillings per Centum Annuities, namely, One Quarter of a Year's Dividend, shall become due and be payable on the Fifth Day of January One thousand eight hundred and thirty-five.

X. And for the more easy and sure Payment of the Annuities established by this Act, be it further enacted, That the Governor and Company of the Bank of England, and their Successors, shall from Time to Time employ their Chief or First Cashier or Cashiers and their Accountant General in the Execution of this Act; and the Moneys from Time to Time necessary for the Payment of the said Three Pounds and Ten Shillings per Centum Annuities shall by Order of the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland, or any Three or more of them, or the Lord High Treasurer for the Time being, without any further Warrant, to be used for, had, or obtained in that Behalf, be issued and paid at the Receipt of the Exchequer in England to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of England, and their Successors for the Time being, by way of Imprest, and upon Account for the Payment of the said Annuities; and every such Cashier or Cashiers in whom the said Moneys shall from Time to Time be issued shall from Time to Time, without Delay, apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer in England.

XI. And be it further enacted, That the Accountant General for the Time being of the Bank of England shall from Time to Time inspect and examine all Receipts and Payments of the Cashier or Cashiers of the said Bank, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

XII. And be it further enacted, That the said several Annuities, after the Rate of Three Pounds and Ten Shillings per Centum created by virtue of this Act, shall be added to and consolidated with the Annuity carrying Interest at the Rate of Three Pounds and Ten Shillings per Centum, existing at the Time of the passing of this Act, commonly called the "New Three and a Half per Centum Annuities," and shall be deemed, reported, and taken to be One Capital or Joint Stock; and that all and every Person and Persons, and Bodies Politic and Corporate whatsoever, shall have and be deemed to have a proportional Interest and Share in such Stock, and in the Annuity attending the same respectively at the Rate aforesaid; and that such Capital or Joint Stock, or any Share or Interest therein, and the proportions of the same respectively, shall be the same as in and by the Statute in that behalf made, intituled "An Act direct, and not otherwise; and that there shall constantly be kept in the Office of the Accountant

Indemnity for  
such Execu-  
tors.

Four per Cent.  
Annuities,  
where Dividend  
signified, trans-  
ferable in  
Books as such.

Payments of  
Dividends on  
such Four per  
Centum.  
Time of paying  
them off.  
Transfer of  
them between  
the Books of  
England and  
Ireland after  
the 7th May 1834  
void.  
Books to be  
opened at the  
Bank of Eng-  
land for writing  
up the Entry  
of the New  
3. 5s. per  
Cent. Annui-  
ties.

Bank of Eng-  
land shall em-  
ploy their  
Cashier and  
Accountant  
General.

Accountant  
General shall  
examine Re-  
ceipts and  
Payments.  
The several  
Annuities under  
this Act shall  
be added to the  
existing New  
3½ per Cent.  
Annuities.

General for the Time being of the Bank of England a Book or Books, wherein all Assignments or Transfers of such Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the same, at the Rates aforesaid, shall be respectively entered and registered; which Entries shall be concerned in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or, if any such Party or Parties be absent, by his, her, or their Attorney or Attorneys, thereto lawfully authorized, by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses, and that any Person or Persons to whom such Transfer or Transfers shall be made shall respectively underwrite his, her, or their Assentance thereof; and that no other Method of assigning or transferring any such Stock, and the Annuities standing the same or any Part thereof, or any Interest therein, shall be good and available in Law; and that no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Articles to be  
Personal Estate.

XIII. And be it further enacted, That all Persons and Corporations entitled to any such Annuity or Assignments of Three Pounds and Ten Shillings per Centum created by this Act, and their Administrators, Successors, and Assigns respectively, and all Persons and Corporations lawfully claiming under them, shall have good, sure, absolute, and indefeasible Estates and Interests in the said Annuities, according to the true Intent and Meaning of this Act, and shall be possessed thereof as of a Personal Estate devisable as such, and which shall not be descendible to Heirs, nor liable to any foreign Attachment by the Courts of London or otherwise; any Law, Custom, or Usage to the contrary notwithstanding; but no Payment shall be made, nor any Transfer allowed upon any Devise, until such Devise shall have been duly entered at the Bank of England, as the Case may require.

Terms of  
Attorney for  
Receipt of Di-  
vidends of Four  
per Centum, shall  
remain on those  
for Receipt of  
New 3<sup>o</sup> per  
Centum.

XIV. And be it further enacted, That all Powers of Attorney which shall be in force at the Time of passing this Act, and which would have remained in force if this Act had not passed, for the Receipt of Dividends, or for Sale or Transfer of any Four Pounds per Centum Annuities, which shall under or by virtue of this Act be converted into the said New Three Pounds and Ten Shillings per Centum Annuities, shall continue and remain in full Force and Effect for receiving the Dividends which shall become due on the Three Pounds and Ten Shillings per Centum Annuities created by this Act in lieu thereof, or for selling or transferring any such Three Pounds and Ten Shillings per Centum Annuities, and also for receiving Dividends on any further Sum of such Three Pounds and Ten Shillings per Centum Annuities which the Parties by whom such Letters of Attorney were given may hereafter purchase or acquire, until such Powers are revoked or otherwise determined.

Certificates of  
Amount of  
Stock ex-  
changed or paid  
off, shall be  
sent to Com-  
missioners for  
Reduction of  
the National  
Debt.

XV. And be it further enacted, That so soon after the Expiration of the respective Periods allowed by this Act, for signifying any Demand under this Act, as the same can be done, Certificates shall be sent from Time to Time made out and transmitted to the Commissioners for the Reduction of the National Debt, by the proper Officer or Officers of the Bank of England, of the Amount of Four Pounds per Centum Annuities which shall have been exchanged into such New Three Pounds and Ten Shillings Annuities or paid off under the Provisions of this Act, and of the annual Interest which shall have ceased thereby, and also of the capital Amount of such New Three Pounds and Ten Shillings per Centum Annuities created by such Exchange, and of the annual Interest thereon.

Bonds and Con-  
tracts to trans-  
fer 4<sup>o</sup> per  
Centum, to be  
dormant un-  
til by a Trans-  
fer of the New  
3<sup>o</sup> per Centum.

XVI. And be it further enacted, That in every Case in which any Person or Persons shall at the Time of the passing of this Act be or remain bound by the Condition of any Bond or Obligation, or by the Terms of any Instrument in Writing, or by any Agreement or Contract, to transfer any Amount of Capital Stock in the said Four Pounds per Centum Annuities, the Condition of every such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, shall be deemed in Law and Equity to be satisfied by making a Transfer of an equal Amount of Capital Stock in the New Three Pounds Ten Shillings per Centum Annuities; and that where any Party is, by the Condition of any such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, bound or required to pay half-yearly Sums equal to the Dividends on any specified Amount of any such Four Pounds per Centum Annuities respectively, every such Bond, Obligation, Instrument, Agreement, or Contract shall be satisfied by the Payment of half-yearly Sums equal to the Dividends on or upon the same Amount of the said Three Pounds Ten Shillings per Centum Annuities.

Letters of At-  
torney to re-  
ceive 4<sup>o</sup> per  
Centum in re-  
place may de-  
mand 1000 in  
Money for  
every 1000 in  
Debt.

XVII. Provided always, and be it further enacted, That in every Case in which any such Four Pounds per Centum Annuities respectively shall have been transferred in the Way of Loan upon any Condition to any Bond or Instrument, or under or upon any Agreement or Contract for the Repayment of such Loan, by the replacing the Amount of Stock so transferred, it shall be lawful for the Person or Persons who shall have made any such Loan, or their Executors, Administrators, or Assigns, to declare an Option, and give Notice thereof in Writing, and thereby require the Repayment of One hundred Pounds of lawful Money of Great Britain, for every One hundred Pounds Capital Stock of such Four Pounds per Centum Annuities transferable at the Bank of England, so transferred in the Way of Loan as aforesaid, and so in proportion for any greater or less Amount; and every Bond, Obligation, Instrument, Agreement, or Contract given, entered into, or made upon any such Loan or Contract shall be deemed in every such Case, in Law and in Equity, to entitle the Person or Persons, his, her, or their Executors, Administrators, or Assigns, to such Repayment in Money, and to demand and recover the same in any Court in which any Action, Suit, Process, or Proceeding may be brought, instituted, or carried on upon any such Bond, Obligation, Instrument, Agreement, or Contract; any Thing in any such Bond or Obligation, Instrument, Agreement, or Contract, to the contrary notwithstanding.

Transfers to 4<sup>o</sup>  
per Centum, shall  
entail to 3<sup>o</sup>.

XVIII. And be it further enacted, That all Transfers, whether created by Will or otherwise, and which were made either in the whole or in part, and all Directions contained in any Will or Devise, or Testa-

monetary Paper, which remain unexercised at the Time of the passing of this Act, as to any Four Pounds per Centum Annuities which may under this Act be converted into Three Pounds Ten Shillings per Centum Annuities, or as to the Payment or Distribution of any Dividends thereon, or as to the Transfer of any such Annuities, in any Events specified in any such Trusts or Will or Testamentary Paper, shall extend, and be deemed and construed in all Cases and in all Courts of Law and Equity in the United Kingdom or elsewhere in any Dominions or Territories belonging to His Majesty to extend and apply to all such Three Pounds Ten Shillings per Centum Annuities created in lieu of any Four Pounds per Centum Annuities subject to or affected by any such Trusts or Devises or Wills or Testamentary Papers, for all Purposes and in all Cases in which such Trusts or to which any such Directions can be made applicable: Provided always, that in all Cases in which any Proportions or Parts of any such Four Pounds per Centum Annuities are required to be transferred under any such Trusts, or under the Provisions or Directions contained in any Will, Devise, or Testamentary Paper, or any Proportion or Part of any Dividends arising from and out of any such Four Pounds per Centum Annuities, are required to be paid or distributed, the Transfer of a like Amount of Three Pounds Ten Shillings per Centum Annuities, and the Payment and Distribution of the Dividends at the Rate of Three Pounds Ten Shillings per Centum, instead of Four Pounds per Centum, upon the Capital, shall be and be deemed and taken in all Courts and for all Purposes to be a due Execution of such Trusts, or of the Directions contained in any Will or Testamentary Paper, and shall fully discharge the Trustee or Executor or Executors making the same, who are hereby declared to be and are hereby fully indemnified in respect of such Execution of any such Trusts and Executorship as aforesaid.

XIX. And be it further enacted, That in every Case in which any Question may have arisen or may arise upon the Execution of any Trusts, or upon any Distributions which may have been or may be made or may remain to be made, by any Trustee, Executor, or Administrator or of or in relation to or arising out of any such Four Pounds per Centum Annuities, or of any Parts or Proportions of any such Four Pounds per Centum Annuities which may have been vested in any Trustee, or which may have been distributable by any Executor or Administrator, or as to the Application of any Residue thereof, or as to the Distribution or Application of any Three Pounds Ten Shillings per Centum Annuities transferred under the Provisions of this Act in lieu of any Four Pounds per Centum Annuities, whether as to the Powers or Authorities of any such Trustee, Executor, or Administrator, or as to the relative Interests of any Persons entitled under any such Trust, or under Wills, to receive any Annuities charged upon or arising or payable out of the Proceeds of any such Four Pounds per Centum Annuities, and of any Persons interested in any Residue of any such Four Pounds per Centum Annuities, whether under any specific Provisions relating to any such Trusts, or contained in any Wills, or arising out of the Execution of any Wills by any Executors, or the Distribution of any Estates by any Administrators, and in all other Cases whatsoever in which any Question may arise in consequence of the Transfer of any such Four Pounds per Centum Annuities into Three Pounds Ten Shillings per Centum Annuities, it shall be lawful for any such Trustee, Executor, or Administrator, and for Persons entitled to or interested in any such Four Pounds per Centum Annuities, or any Three Pounds Ten Shillings per Centum Annuities created in lieu thereof, or in any Proceeds of any such Annuities, whether in Execution or otherwise, to make Application to the High Courts of Chancery, or to the Courts of Exchequer in England or Ireland respectively, or the Court of Session in Scotland, in a summary Way, either by Motion or Petition; and it shall be lawful for the High Courts of Chancery, or for the Courts of Exchequer in England or Ireland respectively, or for the Court of Session in Scotland, to make general Orders in relation to any such Question or special Orders in a summary Way upon any such Application, or as to any other Matter or Thing relating to any such Annuities, or to any Dividends thereof, or to any Three Pounds Ten Shillings per Centum Annuities which may be created in lieu thereof, or to the Application of any such Three Pounds Ten Shillings per Centum Annuities, or any Dividends thereof; and no Application, Petition, or Affidavit made by or on behalf of any Trustee, Executor, or Administrator, or Trustee, Executor, or Administrator, or other Person or Persons interested in any of such Annuities, or any Dividends thereof respectively, nor any Order or Report made or other Proceeding had in any or either of the said Courts respectively, in consequence of any Question which may arise out of any of the Provisions of this Act in relation to the Four Pounds per Centum Annuities, or any Part or Share or Shares thereof, or in relation to any Three Pounds Ten Shillings per Centum Annuities which may be created under this Act in lieu of the said Four Pounds per Centum Annuities, or the Dividends of such respective Annuities, nor any Copy or Copies of such Application, Petition, Affidavit, Order, Report, or other Proceeding, shall be subject or liable to be moved, or charged or chargeable with any Stamp Duties whatsoever, anything in any Act or Acts of Parliament to the contrary notwithstanding, and all Trustee, Executors, Administrators, and other Persons acting under any Orders made by any or either of such Courts respectively, or whose Acts shall be confirmed by any or either of such Courts respectively, if done before any Application made to any or either of the said Courts respectively, shall be and are hereby fully indemnified against all Actions, Suits, or Proceedings for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of or under any such Order, or which shall be confirmed by any such Order; and in case any Action, Suit, or other Proceeding be commenced or instituted against any such Trustee, Executor, Administrator, or other Person, for or in respect of any such Act, Matter, or Thing, it shall be lawful for the Court in which such Action, Suit, or Proceeding shall be commenced or shall be pending to discharge the Applicant to the said Court from all Costs and Charges in and out of such Action, Suit, or Proceeding, and to make such Order relative to the Costs thereof as such Court shall think expedient.

per Centum, and Dividends as to the Application of it, per Centum shall be carried into effect by the Application of the 2½ per Cent.

Questions as to Trusts in the 4<sup>th</sup> per Centum may be decided by the Courts of Chancery or Exchequer or the Court of Session.





sums in the meantime at the Rate of Five Pounds per Centum per Annum; and lastly, that when all such Sums of Money had been so repaid with Interest, then and from thenceforth the Residue should from Time to Time be laid out or invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Bond Securities, at Interest, in the Name of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the City of London for the Time being, who should from Time to Time lay out or invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so purchased, in their Names, in like Manner, for the Purpose of Accumulation, until the yearly Dividends and Interest of all the said Stocks, Funds, and Securities should be sufficient for the said Costs and Charges of the Mooring Chains, and for the said Salaries and Wages of the Harbour Masters and their Assistants; and when and so soon as such yearly Dividends and Interests should be fully sufficient for the Purposes last mentioned, then and from thenceforth the said Rates and Duties of Tonnage should cease and be no longer payable: And whereas an Act was passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, entitled *An Act for the Sale of the City Canal, and for other Purposes relating thereto*, whereby it was enacted, that the said Rates and Duties of Tonnage should be for ever released, discharged, and exonerated of and from all Interest whatsoever in respect of any Sums advanced out of the Consolidated Fund in pursuance of the said recited Acts: And whereas in pursuance of the said recited Acts the Residue or Overplus of the Monies received and produced from the said Rates and Duties granted or made payable to His Majesty, His Heirs and Successors, by the said recited Acts of the Thirty-ninth and Forty-third Years of the Reign of King George the Third as aforesaid, have been applied from Time to Time towards repaying and replacing to the said Consolidated Fund the said several Sums of Money advanced and paid thereout in pursuance of the said several herein-before recited Acts: And whereas it is enacted that all the said Sums of Money advanced and paid out of the said Consolidated Fund in pursuance of the said recited Acts will, by means of the said Residue and Overplus of the Monies to be received and produced from the said Rates and Duties, be fully repaid and replaced in the Month of July One thousand eight hundred and thirty-four: And whereas it is considered expedient that the Rates and Duties payable in respect of Ships and Vessels to the said Port of London should be reduced to as low an Amount as possible: And whereas for that Purpose it is desirable that as soon as the said Monies advanced and paid out of the said Consolidated Fund as aforesaid shall have been repaid and replaced, the Rates and Duties payable on Ships and Vessels in the said Port shall be reduced to such an Amount as will be sufficient for the Payment of the Costs and Charges of maintaining, repairing, altering, and renewing the said Mooring Chains and laying down others as aforesaid, and the Payment of the Salaries and Wages of the said Harbour Masters and their Assistants; and that so much of the said recited Acts or any of them as directs that a Fund shall be created for repaying the said Costs and Charges, and paying the said Salaries and Wages, should be repealed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said herein-before recited Acts of the Thirty-ninth and Forty-third Years of the Reign of His said Majesty King George the Third, or of the said other recited Acts, as any of them, as aforesaid, requires that when all the Monies advanced and paid out of the said Consolidated Fund shall be fully repaid and replaced as aforesaid, the Residue and Overplus of the Monies to be received and produced from and by the said Rates and Duties shall be laid out or invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Bond Securities, at Interest, for the Purpose of creating a Fund the Dividends and Interest of which should be sufficient for the Payment of the Costs and Charges of maintaining, repairing, altering, and renewing the said Mooring Chains, and laying down others as aforesaid, and the Payment of the Salaries and Wages of the said Harbour Masters and their Assistants, shall be and the same is hereby repealed.

II. And be it further enacted, That from and after the passing of this Act the said several Rates and Duties by the several herein-before in part recited Acts or any of them granted and made payable to His Majesty, His Heirs and Successors, shall cease and be no longer paid or payable.

III. And be it further enacted, That in consideration of the Expenses which will be occasioned by maintaining and renewing the said Mooring Chains, and paying the Salaries and Allowances of the said Harbour Masters and their Assistants, there shall, from and after the passing of this Act, be raised, levied, collected, and paid to His Majesty, His Heirs and Successors, in respect of Ships or Vessels frequenting the Port of London, the several Duties of Tonnage as the same are herein-after set forth; (That is to say.)

**FIRST CLASS.**—For every Ship or other Vessel trading Coastwise between the Port of London and any Port or Place in Great Britain, Ireland, the Orkneys, Shetland, or the Western Islands of Scotland, there shall be paid for every Voyage both in and out of the said Port, One Halfpenny per Ton:

**SECOND CLASS.**—For every Ship or other Vessel entering towards or clearing outwards in the said Port from or to Denmark, Norway, or Lapland (on this Side of the North Cape), or from Heligoland, Rangoon, Bremen, or any other Part of Germany bordering on or near the German Coast, or from or to Holland, or any other of the United Provinces, or Portugal, Antwerp, Flushing, or any other Part of the Netherlands, or from or to France (within United), Germany, Jersey, Albrany, Sicily, or the Isle of Man, there shall be paid for every Voyage both in and out of the said Port, One Halfpenny per Ton:

**THIRD CLASS.**—For every Ship or other Vessel entering towards or clearing outwards in the said Port from or to Lapland (beyond the North Cape), Finland, Russia (without or within the Baltic Sea),

1834. c. 32.

Report of a  
Committee of the  
House of Commons  
on a Petition  
presented to them  
by the  
Merchants of the  
City of London,  
in relation to  
the proposed  
repeal of the  
Act in relation  
to the  
Tonnage of  
Ships and  
Vessels  
frequenting  
the Port of  
London.

Rates granted  
by 22d. c. 32.  
and 49 G. 3.  
c. 121. to meet  
the  
Costs to be  
paid to His  
Majesty for  
Tonnage  
frequenting  
the Port of  
London.

*Lionais, Courland, Poland, Prussia, Sweden, or any other Country or Place within the Baltic Sea, there shall be paid for every Voyage both in and out of the said Port, One Halfpenny per Ton :*

**FOURTH CLASS.**—For every Ship or other Vessel entering inwards or clearing outwards in the said Port from or to France (between *Orléans and Spain*), Portugal, Spain (without the Mediterranean), or any of the *Azores, Madeira, or Canary Islands*, or any of the United States of America, or of the British Colonies or Provinces in North America or Florida, there shall be paid for every Voyage both in and out of the said Port, Three Farthings per Ton :

**FIFTH CLASS.**—For every Ship or other Vessel entering inwards or clearing outwards in the said Port from or to *Greenland, Calcutta, Persia, or Spain (within the Mediterranean)*, or any Country, Island, Port, or Place within or bordering on or near the Mediterranean or Adriatic Sea, or from the West Indies, Louisiana, Mexico, South America, Africa, East India, China, or any other Country, Island, Port, or Place within or bordering on or near the Pacific Ocean, or from any other Country, Island, Port, or Place whatsoever to the Southeastward of Twenty-five Degrees of North Latitude, there shall be paid for every Voyage both in and out of the said Port, Three Farthings per Ton.

IV. And be it further enacted, That the said Duties shall be under the Management of the Commissioners of His Majesty's Customs, and shall be received and recovered in the same Manner as any Duties of Customs on or can be received or recovered.

V. Provided always, and be it further enacted, That this Act shall not extend to charge with any of the said Rates or Duties herein-before granted any of His Majesty's Ships of War, or any Ship or Vessel whatsoever being the Property of His Majesty, His Heirs or Successors, or of any of the Royal Family, nor to charge therewith any Ship or Vessel coming to or going Coastwise from the Port of London or to any Part of Great Britain, unless such Ship or Vessel shall exceed Forty-five Tons Register Tonnage, nor any Vessel bringing Corn Coastwise, the principal Part of whose Cargo shall consist of Corn, nor any Fishing Snacks, Lobster and Oyster Boats, or Vessels for Pearls, nor any Vessel or Vessels or Craft navigating the River Thames above and below London Bridge as in the Government Act, nor any Ship or other Vessel entering the Port of London inwards, or going from the Port of London outwards, when in Ballast.

VI. And be it further enacted, That the Monies which shall from Time to Time be received and produced from and by means of the Rates and Duties granted and made payable to His Majesty, His Heirs and Successors, by this Act, shall be applied and disposed of in manner following; (that is to say,) so much thereof shall be paid into the Chamber of the City of London as shall be sufficient from Time to Time for defraying the Costs, Charges, and Expenses of obtaining and passing this Act, and otherwise relating thereto, and for defraying all the necessary Costs and Charges of maintaining, repairing, altering, and renewing the Mooring Chains now lying and which shall hereafter lie or be in the River Thames, and also for paying the Salaries and Wages of the said Harbour Masters and their Assistants, and such Superannuations and retired Allowances as may be granted to any of the present or future Harbour Masters, or any Officers or other Persons, under or by virtue of the said herein-before in part recited Acts or any of them, and other the necessary Costs and Expenses (if any) of regulating the said Port, and the Ships and Vessels therein, according to the Provisions contained in the said recited Acts or any of them, or in anywise relating thereto; and the Monies so to be paid into the said Chamber for those Purposes shall be applied by the Mayor and Commonalty and Citizens of the City of London, and their Successors, in defraying the same Costs and Charges, and paying the same Salaries, Wages, and retired Allowances and Expenses accordingly; and the Residue or Overplus (if any) of the Monies to be received and produced by or from the said Rates or Duties, upon the Amount of such Residue or Surplus being ascertained, and which the said Mayor, Aldermen, and Commoners of the City of London, in Common Council assembled, are hereby required to do annually, shall be laid out or invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the City of London for the Time being, upon Trust, in the Event of a Deficiency at any future Time or Times in the Amount of the Monies to be received and produced from or by the Rates and Duties hereby granted or made payable, to raise by and out of the Dividends or Interest thereof, or the Sale thereof, or of Part thereof, and pay into the said Chamber of the said City of London, such Sum or Sums of Money as together with the Amount of the Monies received and produced for the Time being from or by the said Rates and Duties hereby granted shall be necessary for Payment of the Costs, Charges, Salaries, Wages, Allowances, and Expenses herein-before mentioned, and subject thereto, to lay out and invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so to be purchased, and of all Accumulations thereof, or of the unapplied Part or Parts thereof respectively, in their Names, or like Names, for the Purpose of Accumulation, until the same Stocks, Funds, and Securities, and Accumulations, or any of them, shall be required to be sold in order to supply any such Deficiency as aforesaid.

VII. Provided always, and be it further enacted, That in case at any Time after the Expiration of Three Years from the passing of this Act it shall appear to the Commissioners of His Majesty's Treasury, that the Monies which shall from Time to Time be received and produced from and by the Rates and Duties granted and made payable to His Majesty, His Heirs and Successors, by this Act, are more than sufficient for defraying the Costs, Charges, Salaries, Allowances, and Expenses herein-before directed to be paid thereon, then and in such Case it shall be lawful for the said Commissioners, and any two or more of them, or any one of them, to cause all or any of the said Rates and Duties hereby granted and made payable to be reduced in Amount to such Extent, and from and after such Time, as they shall think

Duties to be paid in like Manner as the Duties of Customs on Goods to be brought from Abroad.

Application of the Monies to be produced by the Rates and Duties granted by this Act.

Power to the Treasury to reduce the Rates if found, after Three Years, to be more than sufficient.

think proper and expedient, and they shall cause Notice of such Reduction to be given in the London Gazette, stating a List or Title of the reduced Rates or Duties which shall be payable in lieu of all or any of the Rates or Duties hereby granted or made payable, and the Term at which such reduced Rates or Duties shall commence to be payable; and such reduced Rates and Duties shall, then and after the Time to be mentioned in such Notice, be paid and payable in lieu of the Rates and Duties hereby granted and made payable, and in lieu of which they shall be expressed in such Notice to be payable, and shall be ascertained, assessed, paid, collected, levied, recovered, and received in such or the like Manner in all respects as herein-before is mentioned or referred to with respect to the Rates or Duties in lieu of which such reduced Rates or Duties shall be payable.

VIII. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Directions, Fines, Penalties, Forfeitures, Clauses, Matters, and Things whatsoever in the said herein-before in part recited Acts or any of them contained, in relation to the said Rates and Duties thereby granted, or the levying, recovering, collecting, receiving, taking, paying, and accounting for the same, or in relation to any other Act, Matter, or Thing whatsoever, shall, so far as the same or any of them are applicable to the Rates and Duties granted by this Act, or any other of the Purposes thereof, and are in force at the Time of the passing of this Act, and are not hereby repealed, altered, or otherwise provided for or rendered unnecessary, extended and be construed to extend to the Rates and Duties by this Act granted, and to all the other Purposes thereof, and shall operate and be in force in respect to the said Rates and Duties and other Purposes of this Act, according to the true Meaning of this Act, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Provisions, Regulations, Directions, Fines, Penalties, Forfeitures, Clauses, Matters, and Things were repeated and re-enacted in the Body of this Act.

IX. And be it further enacted, That from Time to Time there shall be provided and kept by the Chamberlain of the said City for the Time being One or more Book or Books, in which all the Sums or Sums of Money which shall be received by virtue of this Act shall from Time to Time, as the same shall be paid, be entered and set down, and wherein also all the Moneys to be paid and disbursed out of the Sums or Sums of Money to be received shall from Time to Time be entered and set down; and each Entry shall express the Time when, the Occasion for which, and the Names of the Persons to whom the same respectively shall be paid.

X. And be it further enacted, That the Chamberlain of the said City of London shall yearly lay before each House of Parliament a true Account in Detail of the Receipts and Application of the Sums or Sums of Money which shall be received by virtue of this Act.

XI. And be it further enacted, That the said Mayor, Aldermen, and Commoners of the City of London, in Common Council assembled, shall pay and discharge all the Costs and Charges of obtaining and passing this Act, and otherwise relating thereto, by and out of the Moneys to be paid into the Chamber of the City of London from and out of the Moneys to be produced by the said Rates and Duties granted and made payable to His Majesty, His Heirs and Successors, in pursuance of this Act as aforesaid.

XII. And be it further enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

### C A P. XXXIII.

An Act to repeal so much of several Acts as require Deposits to be made upon Tea sold at the Sales of the East India Company. [20th July 1834.]

WHEREAS by an Act passed in the Eighteenth Year of the Reign of His Majesty King George the Second, intitled *An Act for regulating the general Import Duty of Tea Soldings per Pound* 18 G. 2. c. 25. *Wrought upon all Teas sold as Great Britain, and for granting to His Majesty certain other Import Duties as in and by the said Act more fully appearing, and for better securing the Duty upon Tea and other Duties of Excise, and for punishing Offenders and one Clause into another, recited, amongst other things, that every Person do singly, or in Sums for Tea by the East India Company, bid for and are declared best Bidders for large Quantities of Tea without intending or being able to pay for the same unless such Teas should offer such Bids in Price, by means whereof the Prices of Tea are frequently raised and the raising of Tea encouraged, it is for Remedy thereof enacted, that every Person who shall at any public Sale of Tea made by the said Company be declared to be the best Bidder for any Lot or Lots of Tea shall, within Three Days after being so declared the best Bidder for the same, deposit with the said Company, or such Clerk or Officer as the said Company shall appoint to receive the same, Forty Shillings for every Tub and for every Chest of Tea; and in case any such Person shall refuse or neglect to make such Deposit within the Time before limited he shall forfeit and lose Six Times the Value of such Deposit, to be recovered as therein mentioned, one Moiety of which Forfeiture to go to His Majesty, and the other Moiety to such Person or shall see for the same; and the Sale of all Teas for which such Deposit shall be stipulated to be made as aforesaid is hereby declared to be null and void, and all such Teas are thereby directed to be again put up by the said Company to public Sale within Fourteen Days after the End of the Sale of Teas on which such Teas were sold; and every Buyer who shall have neglected to make such Deposit as thereby rendered incapable from bidding for or buying any Teas, and every Bidder, who shall be declared to be the best Bidder for any Lot or Lots of Tea, shall be liable to be prosecuted for the same as if he had been guilty of a Breach of the*

Powers of the former Acts, in far as they are not repealed or rendered unnecessary, to extend to this Act.

Chamberlain to keep Accounts of Receipts and Disbursements;

and by an Act passed before Parliament yearly. Expenses of the Act.

Public Act.

18 G. 2. c. 25.

18 G. 2. c. 11

• *Deeds of Customs on the Exportation of Tea to any of His Majesty's Colonies or Plantations in America,*  
 • *to increase the Deposit on Bales Tea to be sold at the India Company's Sales, and to empower the Commis-*  
 • *sioners of the Treasury to grant Licences to the Year India Company to export Tea Duty-free, reciting the*  
 • *Enactment herein-before recited, and that it is found expedient and necessary to increase the Deposit*  
 • *to be made by any Bidder of any Lot of Bales Tea at the public Sale of Teas to be made by the*  
 • *said Company, it is enacted, that every Person who shall, after the Tenth Day of May One thousand*  
 • *seven hundred and seventy-three, at any public Sale of Tea to be made by the said Company, be*  
 • *declared to be the best Bidder for any Lot of Bales Tea, shall, within Three Days after being so*  
 • *declared the best Bidder for the same, deposit with the said Company, or such Clerk or Officer as*  
 • *abovesaid, Four Pounds of legal Money for every Tub and for every Chest of Bales Tea, under the*  
 • *same Terms and Conditions, and subject to the same Forfeitures, Penalties, and Regulations, as are*  
 • *mentioned and contained in the said recited Act of the Eighteenth Year of the Reign of His then late*  
 • *Majesty: And whereas by another Act passed in the Thirty-third Year of the Reign of His late*  
 • *Majesty King George the Third, intituled An Act for continuing in the East India Company for a further*  
 • *Term the Possession of the British Territories in India, together with their exclusive Trade under certain*  
 • *Limitations, for establishing further Regulations for the Government of the said Territories, and the better*  
 • *Administration of Justice within the same, for appropriating to certain Uses the Revenues and Profits of*  
 • *the said Company, and for making Provision for the good Order and Government of the Towns of Calcutta,*  
 • *Madras, and Bombay, after referring to the Enactments herein-before recited, and reciting that it is*  
 • *expedient to vary the Time of paying the said Deposits, it is enacted, that after the Commencement*  
 • *of the now reciting Act the Provision made in the said Acts with respect to the Time of paying the*  
 • *said Deposits shall cease, and that in respect of all Teas sold at the said Company's Sales from the*  
 • *Commencement of that Act the said Deposits shall be paid at such Times as are therein mentioned,*  
 • *under the same Terms and Conditions, and subject to the same Regulations, Forfeitures, Penalties,*  
 • *and Disabilities, as are mentioned and contained in the said Act of the Eighteenth Year of the Reign*  
 • *of His said late Majesty King George the Second: And whereas it is expedient that all and singular*  
 • *the Provisions made in and by the said recited Acts with respect to the Payment of Deposits upon*  
 • *Teas sold at the said Company's Sales shall wholly cease: Be it therefore enacted by the King's*  
 • *most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and*  
 • *Commons, in this present Parliament assembled, and by the Authority of the same, That from and after*  
 • *the passing of this Act all and singular the Enactments in the said Three several recited Acts contained,*  
 • *relating Deposits to be made in respect of Teas sold at the said Company's Sales, shall be and the*  
 • *same are hereby repealed; and that all and singular the Regulations, Forfeitures, Penalties, and Disabil-*  
 • *ities mentioned and contained in the said several recited Acts in relation to the Payment or the Non-*  
 • *payment of Deposits in respect of Teas sold at the said Company's Sales shall thereforth utterly cease.*

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#### C A P. XXXIV.

An Act to repeal the Laws relating to the Contribution out of Merchant Seamen's Wages towards  
 the Support of the Royal Naval Hospital at Greenwich, and for supplying other Funds in lieu  
 thereof. [25th July 1834.]

WHEREAS by an Act of the Seventh and Eighth Years of the Reign of King William the Third,  
 for the Increase and Encouragement of Seamen, it was amongst other Things enacted, that  
 every Seaman who should serve His Majesty, His Heirs and Successors, or any other Person in any  
 of His Majesty's Ships, or in any Ship or Vessel belonging to the Subjects of England or any other His  
 Majesty's Dominions, should allow and there should be paid out of the Wages of every such Seaman  
 so grown due Sixpence per Month, for the better Support of the Royal Hospital for Seamen at Green-  
 wich, which Allowance and Allowment were by an Act passed in the Tenth Year of the Reign of Queen  
 Anne extended to the Wages of every Seaman and other Person employed in any Ship or Vessel  
 belonging to the Subjects of Great Britain and Ireland, and the Dominions thereto belonging; and the  
 said Allowance was, by another Act passed in the Second Year of the Reign of King George the  
 Second, further extended to the Wages of Seamen belonging to the Ships and Vessels of the Islands  
 of Grensey, Jersey, Alderney, Sark, and Man, and of His Majesty's Colonies in America: And whereas  
 by an Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, for  
 transferring the Management of Greenwich Out-Pensions and certain Duties to Masters of Prize to the  
 Treasurer of the Navy, it is enacted, that such Allowance out of the Wages of all Seamen serving His  
 Majesty or employed in any of His Majesty's Ships should cease to be payable: And whereas by an  
 Act passed in the Second Year of the Reign of His present Majesty, for amending the Laws relating  
 to the Civil Departments of the Navy, it is declared that the said Allowance shall be abated out of the  
 Wages of every Person serving in any Ship or Vessel (not being in Commission and in the Pay of the  
 Royal Navy) which shall belong to or be employed in the Service of His Majesty in the several  
 Departments of the Public Service: And whereas it is expedient that the Allowance or Contribution  
 of Sixpence per Month out of the Wages of all Seamen whatsoever, as well those employed in the Ships  
 or Vessels in the Service of His Majesty as in the Merchant Shipping of the United Kingdom, and of  
 the Dominions, Islands, and Territories thereto belonging, should no longer be made towards the  
 Support of the said Hospital, and that in lieu thereof other Funds should be provided for that Purpose:

It is therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the

the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty-first Day of December One thousand eight hundred and thirty-four the said recited Act of the Seventh and Eighth Years of the Reign of King William the Third, for the Increase and Encouragement of Seamen; and also so much as remains unrepealed of an Act of the Eighth and Ninth Years of the Reign of King William the Third, made to enforce the said Act for the Increase and Encouragement of Seamen; and also an Act passed in the Tenth Year of the Reign of Queen Anne, for the better collecting and recovering of Duties granted for the Support of the Royal Hospital at Greenwich, and for the further Benefit thereof; and also so much of an Act passed in the Eighth Year of the Reign of His Majesty King George the First, for the more effectual Suppression of Piracy, as relates to the Admission of Merchant Seamen into Greenwich Hospital, and also an Act passed in the Second Year of the Reign of King George the Second, for the more effectual collecting, in Great Britain and Ireland, and other Parts of His Majesty's Dominions, the Duties granted for the Support of the said Royal Hospital; and also so much of an Act passed in the Eighth Year of the Reign of King George the Second, for the Application of the Rents and Profits of the Estates forfeited by the Attendants of James Earl of Devonshire and Charles Redcliffe, as relates to the Admission of Merchant Seamen into the said Hospital; and also an Act passed in the Eighteenth Year of the Reign of King George the Second, for the more effectually recovering and collecting of the Duties granted towards the Support of Greenwich Hospital, and for other Purposes; and also so much of an Act passed in the Second Year of the Reign of King George the Third, for making perpetual an Act for the better Regulation and Government of Seamen in the Merchant Service, and for extending the Provisions thereof to His Majesty's Colonies in America, as relates to the Payment, Recovery, and Application of all Penalties and Forfeitures incurred under an Act passed in the Second Year of the Reign of King George the Second, for the better Regulation and Government of Seamen in the Merchant Service; and also so much of the said Act passed in the Second Year of the Reign of His present Majesty as enacts that the said Act should be made out of the Wages of Persons serving in any Ship or Vessel belonging to or employed in the Service of His Majesty in the several Public Departments, shall be and the same are hereby repealed; save and except as to all Matters and Things required to be done, and all Abatement and Payments to be made, for any Period previous to the First Day of January One thousand eight hundred and thirty-five, in pursuance of any of the said Acts and Parts of Acts hereby repealed; and also save and except as to all Penalties and Forfeitures already incurred or which shall or may be incurred under any of the Provisions of the said Acts.

II. And whereas the Sum available towards the Support of the said Royal Hospital from the Sources provided by the said repealed Acts both upon an Average amounted annually to the Sum of Twenty-two thousand Pounds or thereabouts: And whereas the Revenues of the said Hospital will by such Repeal be so greatly diminished as to render them wholly inadequate to the Maintenance of its Establishment, and it is highly becoming the Honour and Character of the British Nation that those Seamen and Marines who have been or shall hereafter be maimed, wounded, disabled, or worn out in its Service on board any of the Ships of War of His Majesty, or in the Naval Service of the Country, should be supported according to the original Design of the Foundation of the said Hospital, and that they should not be left destitute, and it is consequently necessary that other permanent Funds should be provided for its Maintenance: Be it therefore further enacted, That from and after the Thirty-first Day of December One thousand eight hundred and thirty-four there shall be annually charged upon and payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland the Sum of Twenty thousand Pounds, which Sum shall be paid to the Commissioners of the said Royal Hospital at Greenwich by equal half-yearly Payments on the Fifth Day of January and the Fifth Day of July in each Year, to be by the said Commissioners applied towards the Maintenance of the said Establishment; the first of which half-yearly Payments shall be made on the Fifth Day of July One thousand eight hundred and thirty-five.

III. And by it further enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of the Treasury of the United Kingdom of Great Britain and Ireland for the Time being, or any Three or more of them, and they are hereby required, by Warrant under their Hands, to direct a Debenture to be made forth and passed by the proper Officers at the Receipt of His Majesty's Exchequer, from Time to Time, for paying the said Sum in manner as aforesaid, as the same shall from Time to Time become due and payable, according to the true Intent and Meaning of this Act: which said Warrant and Debenture to be made forth and passed thereon, respectively, shall be sufficient Authority to the several and respective Officers of the Receipt of the Exchequer, now and for the Time being, for the Payment of such Sum at the respective Days to be appointed for such Payments, without any further or other Warrant to be used for, had, or obtained in that Behalf.

## C A P. XXXV.

An Act for the better Regulation of Chimney Sweepers and their Apprentices, and for the safer Construction of Chimneys and Flues. [25th July 1834.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King George the Third, intitled *An Act for the better Regulation of Chimney Sweepers and their Apprentices*, the Provisions thereof have been successively amended by several subsequent Statutes; and under Yokes applied to Chimney Sweepers against various Customs incident to the Practice of cleansing Flues by climbing: Be it therefore enacted by the King's most Excellent Majesty, by and

Recd of  
1834, 3. 5. 31.  
1834 W. 5. 220.

10 Anno, c. 27.

11 G. 1. c. 28. s. 2.

12 G. 2. c. 2.

13 G. 3. c. 25.

s. 10.

14 G. 3. c. 31.

15 G. 3. c. 11.

c. 2.

16 G. 4. c. 40.

s. 27.

except as to  
Matters re-  
quired to be  
done, previous  
to the 1st Jan  
1835, and to  
Penalties re-  
covered.

An annual  
Sum of 20,000*l.*  
to be charged  
on the Consol-  
idated Fund.

The Treasury  
to direct the  
Officers to be  
made out for  
the Payment of  
the said Sum.

18 G. 3. c. 41.

Booked Act  
repealed.

No Child under  
10 Years to be  
apprenticed as a  
Chimney  
Sweepers.

Chimney  
Sweepers taking  
Apprentices to be  
House-  
holders.

Indentures of  
Boys under  
10 Years of  
Age to be void.

Indentures con-  
cerned pursuant  
to the passing  
of this Act to  
remain in force.

Apprentices  
under 10 Years  
of Age to be  
recognised by a  
Brass Plate on a  
Leather Cap.

Penalty on  
Chimney  
Sweepers for  
employing  
Children under  
10 Years of  
Age, not Appren-  
tices.

Requiring any  
Person to  
insert a Plate  
to distinguish  
Fire, or, a  
Milestone.

Binding or  
Assignment of  
Apprentices to  
Chimney  
Sweepers shall  
take place by  
Consent of Two  
Justices, and be  
indorsed on the  
Indenture.

Age of the Ap-  
prentice to be  
inserted in the  
Indenture.

Any Act to be  
repealed by  
this Act to be  
void.

with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Par-  
liament assembled, and by the Authority of the same, That from and after the passing of this Act the  
said Act of the Twenty-eighth Year of the Reign of His said late Majesty shall be and the same is  
heavily repealed.

II. And be it further enacted, That from and after the passing of this Act no Child who shall not  
have attained the Age of Ten Years shall be bound or put Apprentice to any Person using the Trade  
or Business of a Chimney Sweeper.

III. And be it further enacted, That from and after the passing of this Act no Chimney Sweeper or  
other Person who shall act as a Housekeeper in the Parish of other Place in which any such Chimney  
Sweeper or other Person shall reside, and be rated to the Relief of the Poor of such Parish, or assessed  
for Payment of Taxes in such other Place, shall take or be deemed capable of taking an Apprentice  
to learn or to practise the Business of a Chimney Sweeper, or of employing in such Trade any Child  
under the Age of Fourteen Years.

IV. And be it further enacted, That all Indentures, Covenants, Promises, and Bargains heretofore  
to be made or taken of or for the hiring, taking, employing, retaining, or keeping of any Child who shall  
be under the Age of Ten Years, as or in the Nature of an Apprenticeship or Service in the Capacity of a  
Chimney Sweeper, shall be absolutely void in Law to all Intents and Purposes.

V. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or  
be deemed, taken, or construed to extend, to vacate or cancel any Indenture of Apprenticeship that  
shall have been actually in conformity with the said recited Act made and executed previous to the  
passing of this Act for binding any Boy as an Apprentice to any Person using the Trade of a Chimney  
Sweeper, but that such Indentures of Apprenticeship shall in all respects continue and be in as full  
Force and Effect as if this Act had not been passed.

VI. Provided always, and be it enacted, That every Person using the Trade of a Chimney Sweeper  
having or retaining or employing in his Service any Apprentice or Apprentices who shall be under  
Fourteen Years of Age, shall provide for each such Apprentice, so long as he shall remain under the  
Age of Fourteen, a Leather Cap, to be worn by such Apprentice when on upon his Duty, having a  
Brass Plate set or affixed on the Front thereof, with the Name or Names of the Master or Masters  
engaged therein, and also the Name of the Apprentice and the Date of his Indenture of Apprenticeship;  
and every Master or Masters neglecting to provide such such Apprentice in his or her Service,  
being under the Age of Fourteen, with such Leather Cap and Brass Plate as aforesaid and engraved as  
aforesaid, shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Forty  
Shillings.

VII. And be it further enacted, That from and after the passing of this Act no Person in the Trade  
of a Chimney Sweeper shall hire, use, retain, or employ any Child under the Age of Fourteen Years,  
other than an Apprentice bound according to the Provisions of or persons in the passing of this Act,  
and also other than such Boy or Boys to be worn by such Apprentice when on upon his Duty, having a  
Brass Plate set or affixed on the Front thereof, with the Name or Names of the Master or Masters  
engaged therein, or employing any such Child, other than an Apprentice as aforesaid, or Boy as aforesaid, shall  
for every such Offence forfeit any Sum not exceeding Ten Pounds nor less than Forty Shillings.

VIII. And be it further enacted, That any Person or Persons requiring or compelling any Appren-  
tice or Person of any Description to attend a Chimney Flue for the Purpose of extinguishing Fire  
therein shall be held and adjudged to be guilty of a Misdemeanor, and be liable to be proceeded  
against accordingly.

IX. And to the end that the Age and Time of the Continuance of Service of every Apprentice bound  
pursuant to the Provisions of this Act may certainly appear, be it further enacted, That every Binding of  
a Child as an Apprentice to any Person using or carrying on the Trade of a Chimney Sweeper, and  
whether such Binding shall be by a Parish Officer or by the Parent or next Friend of the Child, and  
also every Assignment of such Apprentice, shall take place by and with the Consent of Two of His  
Majesty's Justices of the Peace acting in and for any County, Newcastle, Helling, City, Town, Corporation,  
Borough, Division, or Place within the United Kingdom of Great Britain and Ireland, such Consent and  
Approbation to be signified by such Justices in Writing, under their Hands, indorsed on the Indenture  
of Apprenticeship or any Assignment thereof, such Indenture and Consent respectively to be according  
to the Form prescribed in the Schedule hereunto annexed; and every Indenture or Assignment which  
shall not be in the Form so prescribed, or shall not have such Consent as indorsed thereon and signed  
as aforesaid, shall be absolutely null and void.

X. And be it further enacted, That the Age of every such Child so to be bound Apprentice shall be  
mentioned and inserted in such Indenture, being taken truly from the Copy of the Entry in the Register  
Book wherein the Time of his being baptised or he shall be entered (where the same can or may be  
had), which Copy shall be given and attested by the Minister, Vicar, or Curate of the Parish or Place  
wherein such Child's Baptism shall be registered, without Fee or Reward, and may be written upon  
Paper or Parchment; and where no such Copy of any Entry of such Child being baptised can be had,  
such Justices of the Peace shall as fully as they can inform themselves of his Age, and from such  
Information shall insert the same in the said Indenture; and the Age of such Child so inserted and  
mentioned in the said Indenture (in relation to the Continuance of his Service) shall be taken to be his  
true Age without any further Proof thereon.

XI. And be it further enacted, That no Person exercising the Trade or Business of a Chimney  
Sweeper shall let out to Hire by the Day or otherwise, to any other Person, for the Purpose of  
Chimney

Chimney sweeping, any Child already an Apprentice or that shall hereafter be bound Apprentice under the Direction of this Act.

XII. And whereas it is advisable that before any Boy shall be bound by Indenture to learn the Business of a Chimney Sweeper, a previous Trial of such Business should take place on the Part of the Boy, under proper Regulations; be it therefore further enacted, That before any Boy shall be bound as an Apprentice by Indenture, as herein provided, it shall be lawful for the intended Master of such Boy to have and receive such Boy in such Master's House upon Trial for any Time not exceeding Two Calendar Months from the Commencement of such Trial, and during such Period of Trial to permit and suffer such Boy to ascend Chimneys and to work in all respects as an Apprentice in the said Business of a Chimney Sweeper: Provided always, that before the Commencement of such Trial such Boy, with his Parent, next Friend or Guardian, or Parish Officer, and such intended Master, shall go before any Two Justices of the Peace acting in and for the County, Sessions, Riding, City, Town Corporate, Borough, Division, or Place where such intended Master shall reside, and shall enter and register with the Clerk to the said Justices the Name and Residence of the intended Master, and also the Name, Residence, and Age of such Boy, and the Names and Residences of the Parties accompanying such Boy, and also the intended Period of Trial, which shall be deemed to commence on the Day after such Entry and Register, and shall not exceed the Term of Two Calendar Months from such Day: Provided also, that such Boy shall on the Commencement of such Trial be of the full Age of Ten Years, to be ascertained as herein directed in other Cases.

XIII. And be it further enacted, That the Justices of the Peace before whom any Boy shall be brought for the Purpose of being bound to a Chimney Sweeper, and which Boy shall have been upon Trial with the intended Master or Mistress, shall ascertain from such Boy whether he is willing and desirous to follow the Business of a Chimney Sweeper, and to be bound to such Master or Mistress; and in case such Boy shall be unwilling to be bound, such Justices shall and they are hereby required to refuse to sanction or approve of such Binding.

XIV. And be it further enacted, That no Master or Mistress Chimney Sweeper shall have more than Two Boys as any One Time on Trial, as herein-before provided, nor more than Four Apprentices at one and the same Time.

XV. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Master or Mistress Chimney Sweeper, or for any Journeyman, Servant, or Apprentice of any Chimney Sweeper, or for any Person whatsoever acting as a Chimney Sweeper, to call or hawk the Streets in any City, Town, or Village, or elsewhere, for Employment in his or her Trade as a Chimney Sweeper; and if any Person, Chimney Sweeper, Journeyman, Servant, or Apprentice, shall offend herein, he shall be subject and liable for every such Offence to forfeit and pay a Sum not exceeding Forty Shillings.

XVI. And be it further enacted, That if any such Master or Mistress shall misuse or evil-treat his or her Apprentice, or if the said Apprentice shall have any just Cause to complain of the Forfeiture or Breach of any of the Covenants, Provisions, or Agreements to be expressed and contained in the Indenture, according to the Form in the Schedule hereto annexed, on the Part and Behalf of such Master or Mistress, then and in such Case such Master or Mistress, being convicted thereof, shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds nor less than Forty Shillings.

XVII. And be it further enacted, That it shall and may be lawful for any Two or more Justices of the Peace, and they are hereby authorized and empowered, to inquire into, and examine, hear, and determine, all Complaints of Inland or ill Usage exercised by the several and respective Masters or Mistresses towards their Apprentices, whether such Complaints be preferred by any such Apprentice or Apprentices, or by any other Person, and also all Complaints of Masters or Mistresses against such Apprentice or Apprentices, and to make such Orders therein respectively as any Justice or Justices is or are now entitled by Law to do in other Cases between Masters and Apprentices.

XVIII. And whereas it is expedient that for the better Security from Accidents by Fire or otherwise an improved Construction of Chimneys and Flues should hereafter be adopted; be it therefore further enacted, That all Walls and Partitions between any Chimney or Flue which at any Time after the passing of this Act shall be built or rebuilt shall be of Brick or Stone, and at least equal to Half a Brick in Thickness; and every Breast, Rack, and With or Partings of any Chimney or Flue, hereafter to be built or rebuilt, shall be built of sound Materials, and the Joints of the Work well filled in with good Mortar or Cement, and rendered or matted within; and also that every Chimney or Flue hereafter to be built or rebuilt in any Wall, or of greater Length than Four Feet out of any Wall, not being a circular Chimney or Flue of Twelve Inches in Diameter, shall be in every Section of the same not less than Fourteen Inches by Nine Inches; and no Chimney or Flue shall be constructed with any Angle therein which shall be less obtuse than an Angle of One hundred and twenty Degrees, and every sillent or projecting Angle in any Chimney or Flue shall be rounded off Four Inches at the least; upon pain of Forfeiture, by every Master Builder or other Master Workman who shall make or cause to be made such Chimney or Flue, of the Sum of One hundred Pounds, to be recovered, with full Costs of Suit, by any Person who shall sue for the same in any of His Majesty's Courts of Record as Warranted: Provided nevertheless, and be it enacted, That nothing in the Clause contained shall be construed to prevent Chimneys or Flues being built or rebuilt with other, or better, Materials and more, such Chimneys or Flues having therein proper Doors or Openings not less than Six Inches square.

XIX. And

Boys to have a Trial of the Business previous to being apprenticed

Justices to examine them who have been upon Trial before Binding, and if Boys are unwilling to refuse Masters Licences of Boys on Trial

Persons not to be licensed or called by Chimney Sweepers. Penalty.

Apprentices not to be evil-treated by their Employers.

Penalty.

Complaints preferred by Apprentices or their Employers to be inquired into by Justices.

Materials and Construction of Chimneys and Flues generally directed.

Regulations as to Angles of Flues.

Chimneys of various Construction may be built as a Pen.



Consent to be made before Two Justices.

XIX. And be it further enacted, That all Convictions for Penalties and Forfeitures by this Act imposed for any Offence against the same shall be made by any Two or more Justices of the Peace, either by Confession of the Offender or upon the Oath or Affirmation of One or more credible Witnesses or Witnesses.

Penalty how to be levied and applied.

XX. And be it further enacted, That all Penalties and Forfeitures by this Act imposed for any Offence, Neglect, or Default against the same, and the Costs and Charges attending the Recovery thereof, shall be levied by Distress and Sale of the Goods and Chancels of the Offender or Person liable or ordered to pay the same respectively, by Warrant under the Hand and Seal of Two or more Justices of the Peace acting for the County, Stewartry, Riding, City, Town, Borough, District, or Place where the Offence, Neglect, or Default shall happen, rendering the Omission of such Distress and Sale (if any) to the Party or Parties, after deducting the Charges of making the same, which Warrant such Justices are hereby empowered and required to grant, upon Conviction of the Offender by Confession or upon Oath or Affirmation of One or more credible Witnesses or Witnesses, or upon Order made as aforesaid; and the Penalties, Forfeitures, Costs, and Charges, when so levied, shall be paid, the one Half to the Informer, and the other Half to the Overseer of the Poor of the Parish, Township, or Place where the Master or Mistress of such Apprentice or Servant shall dwell or inhabit, to be by such Overseer applied in aid of the Rate raised for the Relief of the Poor of such Parish, Township, or Place, or, in case there shall be no such Overseer, to His Majesty.

In default of Payment of Penalties, Person convicted to be sent to Prison

XXI. And be it further enacted, That the Justices of the Peace by whom any Person shall be convicted and adjudged to pay any Sum of Money for any Offence against this Act may adjudge that such Person shall pay the same, together with Costs, either immediately or within such Period as the said Justices shall think fit, and that in default of Payment at the Time appointed such Person shall be imprisoned in the Common Goal or House of Correction (with hard Labour), as to the said Justices shall seem meet, for any Time not exceeding Two Calendar Months where the Amount of the Sum forfeited or of the Penalty imposed, together with the Costs, shall not exceed Five Pounds, and for any Term not exceeding Three Calendar Months in any other Case; the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

Information may be given against

XXII. And be it further enacted, That no Inhabitant of any Parish, Township, or Place shall be deemed an incompetent Witness in any Suit, Action, Information, Complaint, Appeal, Prosecution, or Proceeding to be had, made, prosecuted, or carried on under the Authority of this Act for any Offence committed within such Parish or Township or Place, by reason of such Person being rated or assessed to, or liable to be rated or assessed to, or being otherwise interested in, the Rates or Assessments of any such Parish, Township, or Place.

Distress not to be deemed unlawful for Want of Force.

XXIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Transgressors, on account of any Default or Want of Force in any Proceedings relating thereto, nor shall the Party or Parties detaining be deemed a Trespasser or Transgressors of such, on account of any Irregularity which shall be afterwards done by the Party or Parties detaining; but the Person or Persons aggrieved by such Irregularity may recover a full Satisfaction for the special Damage in an Action on the Case, to be brought in some of the Courts in Scotland: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or wrongful Proceeding, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to have been committed any such Irregularity or wrongful Proceedings before such Action or Complaint brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Orders and Judgments shall be had, made, and given in and by such Court as in other Actions where the Defendant or Defendants is or are allowed to pay Money into Court.

Plaintiff not to recover for any Irregularity if Tender of sufficient Amends be made.

Appeal.

XXIV. And be it further enacted, That in all Cases where the Sum adjudged to be paid on any Conviction shall exceed Five Pounds, or the Imprisonment adjudged shall exceed One Calendar Month, any Person who shall think himself or herself aggrieved by any such Conviction may appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of such Conviction for the County, Riding, or Division wherein the Cause of Complaint shall have arisen; Provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and seven clear Days at the least before such Sessions, and shall also either remain in Custody until the Sessions, or enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and upon such Notice being given, and such Recognizance being entered into, the Justice before whom the same shall be entered into shall liberate such Person if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal or the Affirmance of the Conviction shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, take Proceed for satisfying such Judgment.

XXV. And

XXV. And be it further enacted, That no Conviction, or Adjudication made on Appeal thereupon, shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of His Majesty's superior Courts of Record, and no Warrant of Committment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

XXVI. And be it further enacted, That this Act shall be and continue in force until the First Day of January in the Year One thousand eight hundred and forty, and from thence until the End of the then next Session of Parliament.

XXVII. And be it further enacted, That this Act may be altered, amended, or repealed by any Act to be passed in the present Session of Parliament.

No Conviction to be quashed for Want of Form, or removable by Certiorari.  
Term of Act.

Act may be altered this Session.

The SCHEDULE to which this Act refers.

*Form of Indenture.*

This Indenture, made the \_\_\_\_\_ Day of \_\_\_\_\_ in the \_\_\_\_\_ Year of the Reign of our Sovereign Lord \_\_\_\_\_ by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the Year of our Lord \_\_\_\_\_ between A. B. and C. D., Churchwardens and Overseers of the Poor of the Parish of \_\_\_\_\_ in the County of \_\_\_\_\_ [or E. F. the Father or next Friend of the Boy to be placed out, as the Case may be,] of the one Part, and L. M. of \_\_\_\_\_ Street in the Parish of \_\_\_\_\_ in the County of \_\_\_\_\_ Chimney Sweeper, of the other Part, witnesseth, that the said Churchwardens and Overseers of the Poor, [or the said E. F., as the Case may be,] by and with the Consent and Approbation of G. H. and I. K., Two of His Majesty's Justices of the Peace sitting in and for the County, Shire, Riding, City, Town, Borough, Division, or Place, [or the Case may be,] signified as hereunder written, put and bound, and by these Presents \_\_\_\_\_ Year [or the Case may be,] to be Apprentice to the said L. M., he having now \_\_\_\_\_ other Apprentice or Apprentices and no more [as the Case may be,] to learn the Trade or Business of a Chimney Sweeper, and with him [or her] to dwell, remain, and serve from the Day of the Date of these Presents, for and during the Term of \_\_\_\_\_ Years from hence next ensuing fully to be complete and ended, during all which Time he the said N. O. as such Apprentice his said Master [or Mistress] faithfully shall serve and obey, his [or her] Commands keep, and his [or her] lawful Commands every where gladly do and perform; he shall not learn Alehouse or Gaming Houses, nor absent himself from the Service of his said Master [or Mistress] Day or Night without his [or her] Leave, but in all Things as a faithful Apprentice shall behave himself towards his said Master [or Mistress] and all his [or her's] during the said Term: And the said L. M. in consideration of the Good-will which he [or she] hath and hereafter towards the said Apprentice, and of the faithful Service so to be performed by him, doth hereby covenant, promise, and agree with the said Churchwardens and Overseers of the Poor [or the said E. F., as the Case may be,] that he [or she] the said N. O. his [or her] said Apprentice, in the Trade or Business of a Chimney Sweeper, which he [or she] now teach, shall and will teach and instruct, or cause to be taught and instructed, in the best Manner that he [or she] can, and shall and will provide and allow unto the said Apprentice, during all the said Term, competent and sufficient Meat, Drink, Washing, Lodging, Apparel, and all other Things necessary for the said Apprentice; and that the said L. M. Executors, Administrators, or Assigns, shall not nor will assign over this present Indenture, or the Apprentice bound thereby, without the Consent and Approbation in Writing of Two or more such Justices of the Peace, to be signified according to the Form of the Approbation hereunder written: And whereas, from the Nature of the Business or Employment of a Chimney Sweeper, it is necessary for the Boys employed in climbing to have a Dress particularly suited to that Purpose, which Dress is only fit for that Part of the Occupation, the said L. M. doth hereby also covenant, promise, and agree to and with the said Churchwardens and Overseers of the Poor [or the said E. F., as the Case may be,] to find and allow such suitable Dress for the said Apprentice as often as Need or Occasion shall be and require, and provide for and deliver to the said Apprentice once in every Year at least during the Term aforesaid, over and above the said Dress proper for climbing, One whole and complete Suit of Clothing, with variable Lincos, Stockings, Cap or Hat, and Shoes; and further, that the said L. M. shall and will at least once in every Week cause the said Apprentice to be thoroughly washed and cleansed from Soot and Dirt; and shall and will require the said Apprentice to attend the Public Worship of God on the Sabbath Day, and permit and allow him to receive the Benefit of any other religious or useful Instruction; and that the said Apprentice shall not wear his Sweeping Dress on that Day; and that the said L. M. shall not nor will compel or oblige or permit the said Apprentice to call the Sireets; and further, shall not nor will compel or oblige the said Apprentice to exercise his Business between the Hours of Eight at Night and Four o'Clock in the Morning from the First Day of November to the last Day of March inclusive; nor shall the said L. M., or any Person or Persons whomsoever by his [or her] Directions, require or force him the said Apprentice to climb or go up any Chimney which shall be actually on fire, nor make use of any violent or improper Means to force him to climb or go up any Chimney, but shall in all Things treat his [or her] said Apprentice with due and reasonable Kindness.

*Form of Apprehension by Justice.*

W<sup>e</sup>, G. H. and J. K., Two of His Majesty's Justices of the Peace acting in and for the County, Borough, Riding, City, Town, Borough, Division, or Place, [as the Case may be.] having inspected and examined the within-named N. O. [as the Case may be.] and it having been proved to our Satisfaction that he is of the Age of Ten Years and upwards, do hereby consent to and approve of his being bound [or assigned over] as an Apprentice to the within-named E. M. [the Master or Master], according to the Terms and Stipulations expressed in the within-written Indenture.

## C A P. XXXVI.

An Act for establishing a new Court for the Trial of Offences committed in the Metropolis and Parts adjoining. [25th July 1834.]

WHEREAS it is expedient, for the more effective and uniform Administration of Justice in Criminal Cases, that Offences committed in the Metropolis and certain Parts adjoining thereto should be tried by Justices and Judges of Oyer and Terminer and Gaol Delivery in the City of London: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lord Mayor for the Time being of the City of London, the Lord Chancellor or Lord Keeper of the Great Seal, and all the Judges for the Time being of His Majesty's Courts of King's Bench, Common Pleas, and Exchequer, the Chief Justice and the Two other Judges in Bankruptcy, the Judge of the Admiralty, the Dean of the Archbishops, the Aldermen of the City of London, the Recorder, the Common Serjeant, the Judges of the Sheriff's Court of the City of London, for the Time being, and any Person or Persons who hath or shall have been Lord Chancellor, Lord Keeper, or a Judge of any of His Majesty's superior Courts of Westminster, together with such others as His Majesty, His Heirs and Successors, shall from Time to Time name and appoint by any special Commission as herein-after stated, shall be and he is taken to be the Judges of a Court to be called the "Central Criminal Court," to which His Majesty, and His Heirs and Successors, may direct his general Commission as herein-after mentioned; and which Court shall have Jurisdiction to hear, try, and determine all Offences committed or alleged to be committed as herein-after specified.

It shall be further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, from Time to Time to command and cause to be issued Commissions of Oyer and Terminer to inquire of, hear, and determine all Treasons, Murders, Felonies, and Misdemeanors committed within the City of London and County of Middlesex, and those Parts of the Counties of Essex, Kent, and Surrey, within the Parishes of *Barking, East Ham, West Ham, Little Wood, Low Layton, Walkhampton, Winstan, St. Mary, Woodford, and Chigwell*, in the County of Essex; *Chertsey, East, Leamouth, Greensted, Woodrook, Epping, Parnham, St. Nicholas Dagenford, that Part of St. Paul Dagenford* which is within the said County of Kent; the Liberty of *Redbourne*, and the Hamlet of *Mottingham*, in the County of Kent; and the Borough of *Southwark*, the Parishes of *Marston, Brixtonbury, Cumberwell, Chiswick, Clapham, Lambeth, St. Mary Berlington, Ruckwhite, Stroudless, Rowes Palace*, that Part of *St. Paul Dagenford* which is within the said County of Surrey; *Tooting, Grouney, Woodrook, Merton, Moulton, Ken, Moulton, Whitehall, the Ghilt Liberty*, and the District of *Leamth Pater*, in the County of Surrey; and also Commissions of Gaol Delivery to deliver His Majesty's Gaol of *Newgate* of the Prisons therein charged with any of the Offences aforesaid, committed within the Limits aforesaid; and it shall be lawful for the Justices and Judges of the Central Criminal Court aforesaid, or any Two or more of them, to inquire of, hear, determine, and adjudge all such Treasons, Murders, Felonies, and Misdemeanors, and all Treasons, Murders, Felonies, and Misdemeanors which might be required of, heard, and determined under any Commission of Oyer and Terminer for the City of London or County of Middlesex, or Commission of Gaol Delivery to deliver the Gaol of *Newgate*, or which, in case the Parts of the Counties of Essex, Kent, and Surrey respectively comprised within the Limits aforesaid had been Counties of themselves, might have been inquired of, heard, and determined under Commissions of Oyer and Terminer and Gaol Delivery for such Counties, and to deliver the said Gaol of *Newgate* at such Times and Places in the said City or the Suburbs thereof as by the said Commissions shall be appointed, or as the said Justices and Judges by virtue and in pursuance thereof, or any Two or more of them, shall appoint, and to award and issue all Precepts and Process, and use and exercise all Powers and Authorities belonging to Justices of Oyer and Terminer and Gaol Delivery. Provided always, that such Court shall have Power and Jurisdiction to proceed on every such Commission as aforesaid and not under such Commission until a new Commission shall be issued.

It shall be further enacted, That the District aforesaid within the Limits of the Jurisdiction herein-before established shall be deemed and taken to be, in all Cases tried before the said Justices and Judges One County for all Purposes of Venue, local Description, Trial, Judgment, and Execution, not herein specially provided for, and that in all Indictments and Presentments prepared and tried before the said Justices and Judges the Venue laid in the Marges shall be as follows: "Central Criminal Court to wit;" and all Offences which in other Indictments would be laid to have been committed in the County where the Trial is laid, and all material Facts which would be in other Indictments averred to have taken place in the County where the Trial is laid, shall, in Indictments prepared and tried in the said Court, be in the said Marges inserted, and averred, and returned, and signed, and filed, and returned, and the said Court shall have Power to award and execute all Precepts and Process, and use and exercise all Powers and Authorities belonging to Justices of Oyer and Terminer and Gaol Delivery. Provided always, that such Court shall have Power and Jurisdiction to proceed on every such Commission as aforesaid and not under such Commission until a new Commission shall be issued.

The Lord Mayor of London, the Lord Chancellor, the Judges, the Aldermen, Recorder, and Common Serjeant of London, and such others as His Majesty may appoint, to be Judges of a Court to be called the "Central Criminal Court."

His Majesty may cause a Commission of Oyer and Terminer and Gaol Delivery to be issued to the said County of Middlesex, and certain Parts of Essex, Kent, and Surrey.

Note: District to be deemed and taken to be One County, and Venue to be "Central Criminal Court to wit," &c.

IV. And be it further enacted, That the Sheriffs of the City of London, and of the Countees of Middlesex, Essex, Kent, and Surrey, respectively, shall execute and obey all Precepts and Process which the said Justices and Judges shall award, issue, and direct unto them respectively, and shall, whenever required and commanded, warrant and return from the said City of London and County of Middlesex, and from the Parts of the said Countees of Essex, Kent, and Surrey within the Limits of this Act, a competent Number of Persons qualified according to Law to inquire of, present, and try all Offences and other Matters cognizable by the said Justices and Judges; and the Persons so returned, whether taken wholly from the City of London or the said Countees, or taken indiscriminately from the said City and the said Countees, shall have Authority to inquire of, present, hear, try, and determine all such Offences and other Matters, and all Issues and all Matters of Fact arising out of such Trials or relating thereto, notwithstanding that such Persons are not Inhabitants of the City, County, or Place where such Offences or other Matters may be committed or occur, and any Person having served upon any Grand Jury or Petty Jury summoned and returned from the said Countees of Essex, Kent, and Surrey, under the Authority of this Act, shall hereinafter be exempt for and during Twelve Calendar Months next after such Service from serving upon any Jury in any Court (except the Sessions of the Peace) to be holden for the County in which such Jury shall reside.

V. And whereas, for the more convenient Distribution of Prisoners, as well before Trial as after, and also for rendering more effectual the Punishment of Imprisonment, it may be expedient that Prisons should be given in aspart from Time to Time to what Places of Confinement within the Limits of this Act such Prisoners shall be kept in Custody; be it therefore further enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council, from Time to Time to order and direct in what Goal, House of Correction, or other Prison, being within the Limits of this Act, any Person or Persons charged with or convicted of Offences committed or alleged to have been committed within the Limits of this Act shall be imprisoned or kept in Custody; and that when and as often as His Majesty, by and with the Advice of His Privy Council, shall be pleased to give such Orders and Directions, the said Justices and Judges of Oyer and Terminer and Gaol Delivery, and all Justices of the Peace, Coroners, and other Magistrates acting within the Limits of this Act, shall commit all Persons charged or convicted before them to such Goal, House of Correction, or other Prison as in such Orders or Directions shall be expressed and commanded, any Law, Usage, or Custom to the contrary notwithstanding; provided nevertheless, and it is hereby declared, that the City, County, or Place to which the Offence of such Person or Persons was committed or alleged to have been committed shall be held to and charged with the Expence of supporting and maintaining such Prisoner during his Imprisonment in such Goal, House of Correction, or other Prison, at and after such Rate as His Majesty, by and with the Advice of His Privy Council, shall order and direct, and shall be paid by the Treasurer of the said City, County, or Place in which such Offence was committed or alleged to have been committed: Provided nevertheless, that the County of Middlesex and City of Westminster and Liberty of the Tower of London shall not be liable to any Charge for the Support and Maintenance of any Prisoner charged with any Offence in the said County, City, or Liberty, who shall be committed to His Majesty's Goal of Newgate.

VI. And be it further enacted, That the General Penitentiary at Millbank shall be considered one of the Prisons in which His Majesty by virtue of this Act may, with the Advice of His Privy Council, direct any Persons charged or convicted of Offences within the Limits of this Act to be imprisoned and kept in Custody.

VII. And be it further enacted, That it shall be lawful for His Majesty, by an Order in Writing to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that Persons who may be sentenced to Imprisonment by any Court or competent Authority for any Offence committed beyond the Limits of this Act, and who, having been examined by an experienced Surgeon or Apothecary, shall appear to be free from any pueril or infectious Disorder, and fit to be removed, shall be removed to the Penitentiary at Millbank, there to be imprisoned for and during their respective Terms of Imprisonment.

VIII. And be it further enacted, That all Provisions and Regulations expressed and contained in all Acts made for the Government of the General Penitentiary at Millbank, and all Powers given by such Acts for the Confinement, Employment, and Management of Convicts removed thence to penance of such Acts, shall be applicable and made available in respect of all Persons who may be removed or sent to such Penitentiary in pursuance of any Order in Council made by the Authority of this Act, as fully, to all Intents and Purposes, as if the said Regulations, Provisions, and Powers were expressed and given by this Act.

IX. And be it further enacted, That it shall be lawful to and for the said Justices and Judges of Oyer and Terminer and of Gaol Delivery, or any Two or more of them, to commit any Person or Persons who shall be brought before them charged with any Offence cognizable by such Justices and Judges under and by virtue of this Act, or who shall be convicted or attainted before them, to such Goal, House of Correction, or other Prison as may be specified in any Order of Council to be made by virtue of this Act, or if no such Order shall have been made, then to the Common Goal, House of Correction, or other Prison of the City, County, or Place to which such Offender might have been committed if this Act had not passed, or to His Majesty's Goal of Newgate, there to remain until discharged by due Course of Law, or in Execution of his or their respective Judgments; and in case of such Commitment to the said Goal of Newgate, Execution of such Judgments shall and may be had and done upon such Person or Persons by the Sheriffs of the said City of London or the Justices of the Peace of the said County, and

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and  
Surrey.

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and Purports as if the Offence of which such Person or Persons was or were convicted had been committed in the said City of London.

X. And be it further enacted, That until His Majesty shall be pleased, by and with the Advice of His Privy Council, to order and direct in what Gaol, House of Correction, or other Prison Persons charged with or convicted of Offences committed or alleged to have been committed within the Limits of this Act shall be imprisoned or kept in Custody, it shall be lawful for any Justice of the Peace or Coroner acting in and for the said Counties of Essex or Kent, so far as relates to the said several Parishes lying within their respective Counties, to commit any Person or Persons charged with any of the Offences aforesaid cognizable by the said Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act to His Majesty's Gaol of Newgate; and also for any Justice of the Peace or Coroner acting in and for the said County of Surrey, so far as relates to the several Parishes aforesaid mentioned lying within the said County of Surrey, to commit any Person charged with any of the Offences aforesaid cognizable by the Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act to His Majesty's Gaol of Horsemonger Lane in and for the County of Surrey.

XI. And be it further enacted, That every Justice or Coroner acting within the Limits of this Act shall specify in the Commitments that the Person or Persons charged are committed under the Authority of this Act; and such Justice or Coroner shall in all such Cases take the like Examination, Informations, Returns, and Recognisances, and certify the same to the said Justices of Oyer and Terminer and Gaol Delivery, as they are required by an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled, *An Act for improving the Administration of Criminal Justice in England*; and any Justice of the Peace or Coroner, in default of so doing, shall be liable to the same Fines and Penalties to be imposed by the said Justices and Judges of Oyer and Terminer and Gaol Delivery in the same Manner as is mentioned in the said Act; and when any Person or Persons shall be committed to His Majesty's Gaol for the County of Surrey for any Offence cognizable by the said Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act, by a Commitment specifying that such Person or Persons is or are committed under the Authority of this Act, the Sheriff of the said County of Surrey, or the Keeper of the Gaol for the said County, shall, Six Days at least before the Sitting of the next Court of Oyer and Terminer and Gaol Delivery appointed under the Authority of this Act, or at each other Time as the said Justices and Judges of Oyer and Terminer and Gaol Delivery, or any Two or more of them, shall from Time to Time direct, cause such Person or Persons, with their Commitments and Detainers, to be safely removed from the Gaol of the said County of Surrey, without the taking of any Writ of Habeas Corpus, or other Writ, to the said Gaol of Newgate, there to remain until delivered by due Course of Law.

XII. And be it further enacted, That it shall be lawful for any Two of the said Justices and Judges of Oyer and Terminer and of Gaol Delivery to order and direct the Costs and Expenses of Prosecutors and Witnesses, in all Cases where Prosecutors and Witnesses may be by Law entitled thereto, to be paid by the Treasurer of the County in which the Offence of any Person prosecuted would have been tried had he for this Act; and that every such Treasurer or some lawful Agent shall attend the said Justices and Judges of Oyer and Terminer and Gaol Delivery during the Sitting of the Court, to pay off such Orders.

XIII. And be it further enacted, That an Bill of Indictment for any Misdemeanor (other than Perjury or Subornation of Perjury) which can or may be presented to the Grand Jury at any Sessions of the Peace for the said City of Westminster and Borough of Southwark, and Counties of Middlesex, Essex, Kent, and Surrey respectively, in which such Misdemeanor was committed or alleged to have been committed, shall be presented to the Grand Jury to be returned under the Authority of this Act, unless the Prosecutor or other Person presenting such Indictment shall have been bound by Recognisance to prosecute or give Evidence at the Sessions to be held under the Authority of this Act against the Person or Persons accused of such Misdemeanor, or unless such Person or Persons accused shall have been committed to or detained in Custody, or shall be bound by Recognisance to appear at the said Sessions to be held under the Authority of this Act.

XIV. And be it further enacted, That it shall be lawful for the Court of the Lord Mayor and Aldermen of the City of London, having the Government and ordering of the said Gaol of Newgate, to enter into Agreement with the Justices of the Peace for the said Counties of Essex, Kent, and Surrey, for the Support and Maintenance in the said Gaol of Newgate of any Prisoner or Prisoners so committed or removed thereon under the Authority of this Act; and that the Sum to be paid for the Support and Maintenance of such Prisoner or Prisoners in the said Gaol of Newgate, and for their Removal therefrom, shall be after such Rate and in such Manner as shall be settled and agreed by and between a Committee of the said Aldermen to be appointed from Time to Time by the said Court of Aldermen and a Joint or separate Committee of the Magistrates of the said respective Counties of Essex, Kent, and Surrey, to be appointed at the General or Quarter Sessions of the Peace of the said Counties respectively to be holden next after the First Day of January in every Year; and in case the said Committee, or either of them, shall not make such Settlement or Agreement as aforesaid, then the Rate and Manner in which such Support and Maintenance shall be paid shall, on the Application of the said Committee of Aldermen at any Time after the Expiration of One Month from the said respective Sessions, be fixed and determined by each of the said Justices and Judges of Oyer and Terminer and Gaol Delivery, or any Two or more of them, as hath or shall have been Justices of His Majesty's superior

COURT OF WESTMINSTER, and that the Amount of such Support and Maintenance, to be accounted in manner

Justices and Coroners or Persons so committed under this Act, and to certify Examination, &c. as required under 7 G. 4. c. 54.

Justices and Coroners or Persons so committed under this Act, and to certify Examination, &c. as required under 7 G. 4. c. 54.

Persons to receive Prisoners from County Gaol of Surrey to Newgate.

Payment of Expenses to Prosecutors and Witnesses.

No Bill of Indictment to be presented to the Grand Jury unless the Prosecutor has been bound by Recognisance.

Court of the Lord Mayor and Aldermen of London may contract with the Justices of Essex, Kent, and Surrey, for the Support of their Prisoners in Newgate.

If they cannot agree, the Judges to settle the Amount.

manner aforesaid, shall be paid by the Treasurer of the respective Counties of Essex, Kent, and Surrey, in such Manner as the said Justices and Judges shall order and direct.

XV. And be it further enacted, That the said Justices and Judges of Oyer and Terminer and Gaol Delivery to be appointed under the Authority of this Act, or any Two or more of them, shall hold a Session for the said City of London and County of Middlesex, and the Parts of the Counties of Essex, Kent, and Surrey herein-before mentioned, in the said City of London or Suburbs thereof, at least Twelve Times in each and every Year (and oftener if Need be), such Times to be fixed by general Orders of the said Court, which any Eight or more of the said Judges of His Majesty's Courts of Westminster are hereby empowered to make from Time to Time.

XVI. And be it further enacted, That it shall be lawful for His Majesty's Court of King's Bench, or any Judge thereof, or any Commissioner of Oyer and Terminer and Gaol Delivery under this Act, being a Judge of any of the superior Courts at Westminster, or the Chief Justice, or any other Judge of the Court of Bankruptcy, or the Recorder for the said City of London for the Time being, if such Court, Judge, or Recorder shall think proper, to issue any Writ or Writs of Carcerem, or other Process, directed to His Majesty's Justices of the Peace acting as and for the Cities of London and Westminster, the Liberty of the Tower of London, the Borough of Southwark, and the Counties of Middlesex, Essex, Kent, and Surrey, or either of them, commanding the said Justices of the Peace, or any or either of them, to carry and return into the said Court of Oyer and Terminer and Gaol Delivery Indictments or Presentments found or taken before the said Justices of the Peace, or any of them, if any Offences cognizable by virtue of this Act, and the several Recognizances, Examinations, and Depositions relative to such Indictments and Presentments, so that the same Offences may be dealt with, tried, and determined by the said Justices and Judges of Oyer and Terminer and Gaol Delivery; and also for the like Purpose, by Writ or Writs of Habeas corpus, to cause any Person or Persons who may be in the Custody of any Gaol or Prisons charged with any Offences cognizable under this Act to be removed into the Custody of the Keeper of the Gaol of Newgate.

XVII. And be it further enacted, That the Justices of the Peace acting as and for the said Cities of London and Westminster, the Liberty of the Tower of London, the Borough of Southwark, and the Counties of Middlesex, Essex, Kent, and Surrey, shall not, at their respective General or Quarter Sessions of the Peace, or any Adjournment thereof, try any Person or Persons charged with any Capital Offence, or with any of the following Offences committed or alleged to be committed within the Limits of this Act, that is to say, Housebreaking, stealing above the Value of Five Pounds in a Dwelling House, Horse-stealing, Sheep-stealing, Cattle stealing, maliciously wounding Cattle, Highway, Forgery, Perjury, Conspiracy, Assault with Intent to commit any Felony, administering or attempting to administer Poison with Intent to kill or to do some grievous bodily Harm, administering Drugs or other Things or doing any Thing with Intent to cause or procure Abortion, Man-stealing, detaining or damaging Ships or Vessels, the breaking of Shops, Warehouse, Counting-house, and Buildings within the Curtilage of Dwelling Houses, killing Sheep with Intent to steal the Carcases, the uttering of all forged Instruments, and the various Offences enumerated in the Act passed in the First Year of the Reign of His present Majesty, intitled *An Act for reforming the Law and all such Forgeries as shall hereafter be punished with Death*; and for offences touching the Laws relating to Forgery, forging the Assay Marks on Gold or Silver Plate, and all the Offences relating to Coin enumerated in the Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act for consolidating and amending the Laws against Offences relating to the Coin*, the Abduction of Women, Bankrupts not surrendering under their Commissions or concealing their Effects, breaking down Bridges and Banks of Rivers, taking Rewards for helping to stolen Goods, perverting any Oath, Seniors, or other Persons in order to receive any Waiver, Pny, Allowance, or Prize Money due or supposed to be due, or any Oat, Pensioner of Greenwich Hospital in order to receive any Oat Pension Allowance due or supposed to be due, sending threatening Letters and using Threats to extort Money, Larceny on navigable Rivers and Canals, and stealing and destroying Goods in progress of Manufacture, and Larceny after a previous Conviction, Embroiderment, Larceny by Clerks and Servants, and Receipts of stolen Goods, whether such Person or Persons shall be charged as principal Offenders or as Accessaries before or after the Fact.

XVIII. And be it further enacted, That every Recognizance which shall have been or shall be entered into for the Prosecution before His Majesty's Justices of the Peace aforesaid of any Person for any Offence cognizable under this Act, and any Recognizance for the Appearance as well of any Witness to give Evidence upon any Bill of Indictment or Presentment for any such Offence as of any Person to answer our Lord the King for or concerning any such Offence, or to answer generally before such Justice of the Peace, shall, in case any such Writ of Carcerem or Habeas corpus be issued for the Purpose of removing such Indictment or Presentment or such Person or he is in Custody as aforesaid, be obligatory on the Parties bound by such Recognizance to prosecute and appear and give Evidence and do all other Things therein mentioned with reference to the Indictment or Presentment or the Person so removed as aforesaid before the Justices and Judges of Oyer and Terminer and Gaol Delivery acting by virtue of this Act, in like Manner as if such Recognizance had been originally entered into for prosecuting such Offence, appearing, or giving Evidence, or doing such other Things before the said Justices and Judges of Oyer and Terminer and Gaol Delivery; provided that in Cases of Removal from the Jurisdiction of Justices of the Peace for the said Cities of London or Westminster, the Liberty of the Tower of London, the Borough of Southwark, and the Counties of Essex, Kent, and Surrey, Two Days Notice, and in case of Removal from the Jurisdiction of the Justices of the Peace for the

Sessions to be holden in London or the suburbs Twelve Times in each and every Year.

Indictments found at the Sessions of the Peace may be removed before Justices of Oyer and Terminer and Gaol Delivery.

Quarter Sessions continued from or by certain Orders.

1 W. 4 c. 84.

2 W. 4 c. 24.

Recognizances for prosecuting, giving Evidence, &c. before Sessions of Peace to be obligatory on Persons entering into same to prosecute, give Evidence, &c. before Justices of Oyer and Terminer and Gaol Delivery. Notice to be given to Parties entering

1000 Bailments of Cattle of Cows.

County of Essex and Kent One Week's Notice, shall have been given either personally or by leaving the same at the Place of Residence as of which the Parties bound by such Recognizance are therein described, to appear before the Court of Oyer and Terminer and Gaol Delivery instead of the said other Justices: Provided also, that it shall be lawful for the Court, Judge, or Recorder who shall grant such Writ of Certiorari or Habeas corpus, and it is hereby required that such Court, Judge, or Recorder shall cause the Party applying for such Writ or Writs, whether he be the Prosecutor or Party charged with such Offence, to enter into a Recognizance in such Sum, and with or without Sureties, as the Court, Judge, or Recorder may direct, conditioned to give such Notice as aforesaid to the Parties bound by such Recognizance to appear before the said Court of Oyer and Terminer and Gaol Delivery instead of before the said other Justices respectively, and to do such other Things as such Court, Judge, or Recorder shall direct.

Justices of Peace may deliver in Sessons in the Counties of Oyer and Terminer and Gaol Delivery.

XIX. And be it further enacted, That it shall be lawful for the said Justices of the Peace acting in and for the said Cities of London and Westminster, the Liberty of the Tower of London, the Borough of Southwark, and for the said Counties of Middlesex, Essex, Kent, and Surrey, if they shall think fit, to certify, transmit, and deliver to the said Justices and Judges of Oyer and Terminer and Gaol Delivery any Judgment or Presentment found or taken before them at their said respective General or Quarter Sessions of the Peace, or at any Adjournment thereof, for any Offence or Offences cognizable by the said Justices and Judges of Oyer and Terminer and Gaol Delivery by virtue of this Act, in the same Manner to all Intents and Purposes as the said Justices of the Peace might or could do, if the said Court of Oyer and Terminer and Gaol Delivery was holden in the County where such Judgments or Presentments were found or taken.

Justices, &c. in such Offences Forfeiture Salary, and should have the same shall be paid.

XX. And be it further enacted, That it shall be lawful for the said Justices and Judges of Oyer and Terminer and Gaol Delivery, in Sessions assembled, and they are hereby authorized and required, to ascertain, make, and settle a Table of Fees and Allowances to be received and taken by the several Officers of the said Court, and from Time to Time to alter and vary the same as may to them appear just and reasonable, which said Table of Fees and Allowances shall be lying up in the Court of Sessions, and a Copy thereof transmitted to the Clerks of the Peace of the said Counties of Middlesex, Essex, Kent, and Surrey; or it shall be lawful for the said Justices and Judges to ascertain, make, and settle a Salary in lieu of such Fees and Allowances, to be paid to the said Officers or either of them for the Performance of their respective Duties, as to the said Justices and Judges of Oyer and Terminer and Gaol Delivery shall seem reasonable and just, and to order and direct how and in what Manner and by whom such Fees and Allowances or Salary shall be paid, and also to order and direct such Parties as they shall think fit of the Expence of preparing Calendars and Sessions Papers, and of other Expences incident to this Act, to be borne and paid by the Treasurer of each of the said Counties, and such Parties shall be paid by such Treasurer accordingly: Provided nevertheless, that the County of Middlesex shall not be liable to any Portion of the Expence of preparing Calendars or Sessions Papers, or of any other Expences incident to this Act, to which the said County would not have been liable in case this Act had not been passed.

Justices of the Peace not to be affected by the Statute in this Act.

XXI. Provided nevertheless, and be it further enacted, That nothing herein contained shall hinder or prevent, or shall be construed to hinder or prevent, the Justices of the Peace for the said Cities of London and Westminster, the Liberty of the Tower of London, the Borough of Southwark, and the said Counties of Middlesex, Essex, Kent, and Surrey, from holding their respective General or Quarter Sessions of the Peace in their respective Jurisdictions during the Sitting of the said Court of Oyer and Terminer and Gaol Delivery to be held in pursuance of this Act; and that neither this Act, nor the Commissions of Oyer and Terminer and Gaol Delivery from Time to Time to be issued under the Authority of this Act, shall in anywise interfere with, or affect any other Commission or Commissions of Oyer and Terminer as by any Statute issued by His said Majesty, His Heirs and Successors, in the said Counties of Essex, Kent, and Surrey, or the Jurisdiction by virtue thereof, nor hinder or prevent the Justices of Oyer and Terminer to be from Time to Time appointed by any Commission to be issued under the Authority of this Act from holding their respective Sessions at one and the same Time, it being the true Intent and Meaning of this Act that the Justices to be named and appointed as and by any other Commissions of Oyer and Terminer and Gaol Delivery to be hereafter issued in the said Counties of Essex, Kent, and Surrey shall have the like Power and Jurisdiction to inquire of, hear, and determine all Offences by virtue of such Commissions which they would have had if this Act had not been made: Provided nevertheless, that they shall not be required or obliged to inquire of, hear, and determine, or to deliver the respective Gaols or Prisons of the aforesaid last-mentioned Counties of any Persons or Parties whose Offence or Offences is, are, can or may be inquired of, dealt with, tried, and determined under and by virtue of the Commissions of Oyer and Terminer and Gaol Delivery to be from Time to Time issued under the Authority of this Act.

Appointing Courts to try Offences committed in the High Seas.

XXII. And whereas it is expedient that Persons charged with certain Offences committed on the High Seas and other Places within the Jurisdiction of the Admiralty of England should speedily be brought to Trial; be it therefore enacted by and with the Authority aforesaid, That it shall and may be lawful for the Justices and Judges of Oyer and Terminer and Gaol Delivery to be named as and appointed by the Commissions to be issued under the Authority of this Act, or any Two or more of them, to inquire of, hear, and determine any Offence or Offences committed or alleged to have been committed on the High Seas, and other Places within the Jurisdiction of the Admiralty of England, and to deliver the Gaol, &c. of any Person or Persons charged with or detained therein for any Offence

Offences or Offences alleged to have been done and committed upon the High Seas aforesaid within the Jurisdiction of the Admiralty of England; and all Indictments based and Trials and other Proceedings had and taken by and before the said Justices and Judges of Oyer and Terminer and Gaol Delivery shall be void and effectual to all Intents and Purposes whatsoever; and that it shall and may be lawful for any Three of the said Justices and Judges of Oyer and Terminer and Gaol Delivery to order and direct the Payment of the Costs and Expences of such Prosecutions in manner prescribed and directed by the before-recited Act of the Seventh of George the Fourth.

XXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or affect the Rights, Interests, Privileges, Franchises, or Authorities of the Lord Mayor, Aldermen, and Recorder of the City of London, or their Successors, the Sheriffs of the City of London and County of Middlesex, for the Time being, or to prohibit, defraud, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of making this Act the said Lord Mayor, Aldermen, and Recorder, for the Time being, of the said City, did or might lawfully use or exercise; and that, notwithstanding any Practice or Custom of the said City of London to the contrary, it shall be lawful for the Lord Mayor's Court of the City of London as sit on any Day on which any Session of the Peace, Oyer and Terminer and Gaol Delivery shall be held within the said City; and that all Proceedings of the said Lord Mayor's Court that could or might have been had or taken if such Sessions were not held shall and may be had and taken, any Practice, Custom, or Law to the contrary notwithstanding.

XXXIV. And be it further enacted, That this Act shall commence and take effect from and after the Thirty-first Day of October One thousand eight hundred and thirty-four.

XXXV. And be it further enacted, That this Act may be amended or altered by any Act to be passed in this present Session of Parliament.

XXXVI. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judiciously taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

## C A P. XXXVII.

An Act to prohibit any further Lotteries under an Act passed in the First and Second Years of the Reign of His present Majesty, for the Improvement of Glasgow. [23th July 1834.]

WHEREAS an Act passed in the First and Second Years of the Reign of His late Majesty King George the Third, intituled *An Act to amend certain Acts passed in the Reign of His late Majesty King George the Third, for opening a Street from the Cross of Glasgow to Merchant Row: And whereas Lotteries have been drawn, and advertised to be drawn, under colour of the said recited Act, called Glasgow Lotteries: And whereas it is expedient to prohibit the drawing of any further or other Lottery after the Lottery announced and advertised to be drawn as a Third and final Glasgow Lottery in July in this Year: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act any further Addition to the Number of Tickets comprised in the Scheme of the Lottery already announced and advertised as a Lottery to be drawn in July in the present Year, called the Third Glasgow Lottery, and any further Continuance of Lotteries under colour of any Authority in the said recited Act, and any further or other Lottery in addition to the said Third Lottery so announced and advertised as aforesaid, shall be and is hereby prohibited and declared to be illegal; and all Persons in any Manner engaged therein, or who shall sell any additional Ticket or Tickets, or Chance or Chances, or Share or Shares, beyond or in addition to those in the Scheme announced for drawing in July in this Year, or in any such other or further Lottery, or who shall publish any Proposal or Scheme for the Sale of any Ticket or Tickets, Chance or Chances, Share or Shares in any such further or other Lottery, shall be and are hereby declared to be subject to all the Punishments, Penalties, and Forfeitures now in force for the Suppression of illegal Lotteries; any thing in the said recited Act to the contrary notwithstanding.*

II. Provided always, and be it further enacted, That nothing herein contained shall be construed to legalize any Act, Matter, or Thing which has been already done or may hereafter be done under colour of the said recited Act, and which would not have been legal if the Act had not been passed, nor to render illegal any Act, Matter, or Thing which would have been legal if the Act had not been passed, save and except what is herein enacted or declared to be illegal.

## C A P. XXXVIII.

An Act to continue, under certain Modifications, to the First Day of August One thousand eight hundred and thirty-five, an Act of the Third Year of His present Majesty, for the more effectual Suppression of local Disturbances and dangerous Associations in Ireland. [29th July 1834.]

WHEREAS an Act was passed in the Third Year of His present Majesty, intituled *An Act for the more effectual Suppression of local Disturbances and dangerous Associations in Ireland*, which said recited Act was to continue in force until the First Day of August One thousand eight hundred

Saving the Rights and Privileges of London.

Continuance of Act. Act may be altered by Session. Public Act.

1 & 2 W. 4 c. 114.

Any further Addition to the Lottery not permitted by the clause in July in the present Year, or any further Continuance of such Lotteries, declared illegal.

Nothing herein to legalize any Act already done under colour of the recited Act.

2 W. 4 c. 1.



Revised Act further continued, except as repealed by this Act

Certain Clauses in revised Act relating to the Suppression of Meetings and to the holding of Courts Martial repealed.

Publication of Proclamations forming Proclamations in whole or in part.

And thirty-four: And whereas it is expedient that the said revised Act should, under certain Modifications, be further continued for One Year: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said revised Act, except such Parts thereof as are hereby repealed, shall be and the same is hereby further continued and shall be in force and the first Day of August One thousand eight hundred and thirty-five.

II. And whereas the said revised Act contains certain Enactments and Provisions to authorize the Lord Lieutenant or other Chief Governor or Governors of Ireland to prohibit or suppress the meeting of any Association, Assembly, or Body of Persons in Ireland, which he or they shall deem to be dangerous to the Public Peace or Safety, or inconsistent with the due Administration of the Law, and to prohibit any adjourned, resolved, or otherwise continued Meeting of the same, or any Part thereof, and teaching the Suppression and Dispersion of any such Meeting, and the Punishment of Persons present thereat, and certain other Enactments and Provisions to authorize the holding of Courts Martial, and for constituting and appointing such Courts Martial, and for the Trial of certain Persons before such Courts Martial, and for regulating the Proceedings of such Courts Martial, and for carrying into execution the Sentences of such Courts Martial: And whereas it is expedient that all such Enactments and Provisions in the said revised Act should be repealed (to be further enacted, That all such Enactments and Provisions in the said revised Act be and the same are hereby repealed.

III. And be it further enacted, That when any Lord Lieutenant of a County, County of a City, or County of a Town shall receive any Proclamation of the Lord Lieutenant or other Chief Governor or Governors of Ireland revoking any Proclamation issued in pursuance of this Act as to the Whole or any Part of the District thereby proclaimed, such Lord Lieutenant of a County, County of a City, or County of a Town, shall forthwith cause a Copy of such new Proclamation to be affixed as some conspicuous Place within the proclaimed District, and thereupon the original Proclamation mentioned therein shall stand and be revoked so far as the said new Proclamation shall purport to revoke the same.

C A P. XXXIX.

An Act to give Costs in Actions of Quare impedit.

[30th July 1834.]

WHEREAS the Delay and Expence of recovering Admissions, and the Rights of Patronage and Presentation to Ecclesiastical Benefices, by Actions of Quare impedit, are much increased by reason of the Defendants in such Actions not being liable for the Payment of Costs, and the true Parties are thereby frequently deterred from the Prosecution of their just Rights; and it is also expedient to afford further Protection to Incumbents of Admissions from vexatious and unfounded Proceedings to disturb them in the Enjoyment thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Writs and Actions of Quare impedit moved or brought from and after the passing of this Act in England, Wales, or Ireland, where a Verdict shall pass or be given for the Plaintiff or Plaintiffs in any such Writ or Action, the Plaintiff or Plaintiffs in every such Writ or Action, in addition to the Damages to which he or they is or are by Law now entitled, shall also have Judgment to recover his or their full Costs and Charges against the Defendant or Defendants therein, to be assessed, taxed, and levied in such Manner and Form as Courts in personal Actions are now by Law assessed, taxed, and levied; and where in any such Writ or Action the Plaintiff or Plaintiffs therein shall die, or be committed, or a Verdict shall be had against him or them, that then the Defendant or Defendants in every such Writ or Action shall have Judgment to recover his or their full Costs and Charges against the Plaintiff or Plaintiffs therein, to be assessed, taxed, and levied in manner aforesaid: Provided always, that no Judgment for Costs shall be had against any Archbishop, Bishop, or other Ecclesiastical Patron or Incumbent, if the Judge who shall try the Cause, or if there shall be no Trial by a Jury, the Court in which Judgment shall be given, shall certify that such Archbishop, Bishop, or other Ecclesiastical Patron or Incumbent had probable Cause for defending such Action; but in no Case when the Defence to any such Action shall be grounded upon a Presentation or Presentations, Collation or Collations previously made to any Benefice, shall such Presentation or Presentations, Collation or Collations, be deemed or considered probable Cause for defending such Action.

Costs to be recovered in Actions of Quare impedit.

If Plaintiff is committed, the Defendant to have Judgment.

Exception.

C A P. XL.

An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies. [30th July 1834.]

WHEREAS it is expedient to alter and amend an Act made in the Tenth Year of the Reign of His late Majesty King George the Fourth, intitled 'An Act to consolidate and amend the Laws relating to Friendly Societies': Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act as enacts that no Rules shall be allowed unless it shall appear to the Justices to whom the same are presented, that they (the Justices) shall be satisfied that the same are necessary for the benefit to be received

12 G. 4. c. 38.

Repeal of 12 G. 4. c. 38. &c.

received by them, may be adopted with Safety to all Parties concerned; and so much as enacts that the Executors, Administrators, or Assignees of Bankrupts or Insolvables shall pay Money due to Friendly Societies before any other Debts; and so much as enacts that the Funds of any Friendly Society may be subscribed into a Savings Bank; and so much as requires the Returns of the Rate of Sickness and Mortality to be made to the Clerk of the Peace, or as requires Clerks of the Peace to transmit such Returns to the Secretary of State, or as provides that the Friendly Society refusing or neglecting to make such Returns should cease to be entitled to the Privileges of the said recited Act; shall be and the same are hereby repealed.

II. And whereas it is in and by the said recited Act provided that a Society may be established for the mutual Relief and Maintenance of all and every the Members thereof, their Wives or Children, or other Relations, in Sickness, Infancy, advanced Age, Widowedhood, or any other natural State, or Contingency whereof the Occurrence is susceptible of Calculation by way of Average: And whereas it is expedient to extend the Object or Purpose for which a Society may be established under the Provisions of the said recited Act; be it therefore enacted, That it shall and may be lawful for any Number of Persons in Great Britain and Ireland to form themselves into and to establish a Society, under the Provisions of the said recited Act, for the mutual Relief and Maintenance of all and every the Members thereof, their Wives, Children, Relations, or Nonesuch, in Sickness, Infancy, advanced Age, Widowedhood, or any other natural State or Contingency whereof the Occurrence is susceptible of Calculation by way of Average, or for any other Purpose which is not illegal: Provided always, that when the Rules of any Society provide for Relief in any other Case than that of Sickness, Infancy, advanced Age, Widowedhood, or other natural State or Contingency as aforesaid, the Contributions for such other Purpose shall be kept separate and distinct, or the Charges defrayed by extra Subscriptions of the Members at the Time such Contingencies take place.

III. And be it further enacted, That so much of the said recited Act as relates to the Rules of Friendly Societies being transmitted to the Barrister or Advocate, and deposited with the Clerk of the Peace and certified by him, as well as so much as relates to Alterations of Rules being certified by the Clerk of the Peace, and that an Rule or Alteration or Amendment should be binding until confirmed by the Justices, and fixed under the recited Act, shall be and the same are hereby repealed.

IV. And be it further enacted, That Two Transcripts, fairly written in Paper or Parchment, of all Rules made in pursuance of the said recited Act or this Act, signed by Three Members, and countersigned by the Clerk or Secretary, (accompanied, in the Case of an Alteration or Amendment of Rules, with an Affidavit of the Clerk or Secretary or One of the Officers of the said Society that the Provisions of the said recited Act, or of the Act under which the Rules of the Society may have been created, have been duly complied with,) with all conveniend Speed after the same shall be made, altered, or amended, and so from Time to Time after every making, altering, or amending thereof shall be submitted, in England and Wales and Berwick-upon-Tweed, to the Barrister at Law for the Time being appointed to verify the Rules of Saving Banks, and in Scotland to the Lord Advocate or any Deputy appointed by him for that Purpose, and in Ireland to such Barrister as may be appointed by His Majesty's Attorney General in Ireland, for the Purpose of ascertaining whether the said Rules of such Society, or Alteration or Amendment thereof are calculated to carry into effect the Intention of the Parties framing such Rules, Alterations, or Amendments, and are in conformity to Law and to the Provisions of the said recited Act or this Act; and that the said Barrister or Advocate shall advise with the said Clerk or Secretary, if required, and shall give a Certificate on each of the said Transcripts, that the same are in conformity to Law and to the Provisions of the said recited Act and this Act, or point out in what Part or Parts the said Rules are repugnant thereto; and that the Barrister or Advocate, for advising as aforesaid, and perusing the Rules, or Alterations or Amendments of the Rules, of each respective Society, and giving such Certificate as aforesaid, shall demand no further Fee than that specified in the said recited Act; and one of such Transcripts, when certified by the said Barrister or Advocate, shall be returned to the Society, and the other of such Transcripts shall be transmitted by such Barrister or Advocate to the Clerk of the Peace for the County wherein such Society shall be formed, and by him laid before the Justices for such County at the General Quarter Sessions, or Adjournment thereof, held next after the Time when such Transcript shall have been so certified and transmitted to him as aforesaid; and the Justices then and there present are hereby authorized and required, without Motion, to allow and confirm the same; and such Transcript shall be filed by such Clerk of the Peace with the Rolls of the Sessions of the Peace in his County, without Fee or Reward; and that all Rules, Alterations and Amendments thereof, from the Time when the same shall be certified by the said Barrister or Advocate, shall be binding on the several Members and Officers of the said Society, and all other Persons having Interest therein.

V. Provided always, and be it enacted, That the said Barrister shall be entitled to no further Fee for or in respect of any Alteration or Amendment of any Rules upon which One Fee has been already paid to the said Barrister within the Period of Three Years: Provided also, that if any Rules, Alterations or Amendments, are sent to such Barrister or Advocate, accompanied with an Affidavit of being a Copy of any Rules, or Alterations or Amendments of the Rules, of any other Society, which shall have been already certified under the Provisions of the said recited Act or this Act, the said Barrister or Advocate shall certify and return the same as aforesaid, without being entitled to any Fee for such Certificate printed stamp deposited by the University of Southampton Library Digitisation Unit

s. 20.

s. 20.

Part of s. 20.

Part of s. 21

s. 22.

Persons for  
which Societies  
may be formed  
under 10 G. 4.  
s. 22.

Regard of  
10 G. 4. s. 20,  
s. 21, and Part  
of s. 7.

Two Trans-  
criptions of Rules  
to be submitted  
to a Barrister,  
&c. by whom  
they are to be  
certified.

Barrister, &c.  
to certify such  
Transcripts.

Fee payable to  
Barrister.

One Transcript  
to be returned  
to Society, the  
other to be  
sent to Clerk of  
Peace.

Justices to con-  
firm Rules.

Transcript to  
be filed.

Rules, &c. to be  
binding when  
certified.

Barrister not to  
be entitled to  
Fee in respect  
of Alterations  
within a Year,  
see the Certif-  
cate to Rules  
being Copies of  
them already  
certified.

Returns of  
Sickness, &c. to  
be sent to Bar-  
rister.

VI. And be it further enacted, That the Returns of the Rate of Sickness and Mortality according to the Form prescribed in the Schedule appended to the said recited Act shall be transmitted at the Periods therein mentioned to the Barrister or Advocate by whom the Rules of the Society may have been certified, and shall by such Barrister or Advocate be transmitted to the Secretary of State, for the Purposes in the said recited Act provided.

If Rules of  
Society direct  
Reference to  
one of His  
Majesty's  
Justices, and Society  
refuse to grant  
Arbitration, the  
Justice may  
determine the  
Dispute.

VII. And whereas in and by the said recited Act Provision is directed to be made by the Rules of any Society whether Reference of any Matter in dispute shall be made to Justice or to Arbitration: And whereas it is expedient that further Provision should be made in case the Reference is to Arbitrators: be it therefore enacted, That when the Rules of any Society provide for a Reference to Arbitrators of any Matter in dispute, and it shall appear to any Justice of the Peace, on the Complaint on Oath of a Member of any such Society, or of any Person claiming on account of such Member, that Application has been made to such Society, or the Steward or other Officer thereof, for the Purpose of having any Dispute so settled by Arbitration, and that such Application has not within Forty Days been complied with, or that the Arbitrators have neglected or refused to make any Award, it shall and may be lawful for such Justice to summon the Treasur, Treasurer, Steward, or other Officer of the Society, or any One of them against whom the Complaint is made, and for any Two Justices to hear and determine the Matter in dispute, in the same Manner as if the Rules of the said Society had directed that any Matter in dispute as aforesaid should be decided by Justice of the Peace, any thing in the said recited Act contained to the contrary notwithstanding.

Provision in  
case Member  
of Society is  
expelled.

VIII. And be it further enacted, That in case any Member of a Friendly Society established under the said recited Act or this Act shall have been expelled from such Society, and the Arbitrators or Justices, as the Case may be, shall award or order that he or she shall be reinstated, it shall and may be lawful for such Arbitrators or Justices to award or order, in default of such Reinstatement, to the Member so expelled, such a Sum of Money as to such Arbitrators or Justices may seem just and reasonable: which said Sum of Money, if not paid, shall be recoverable from the said Society, or the Treasurer, Treasur, or other Officer, in the same Way as any Money awarded by Arbitrators is recoverable under the said recited Act.

Funds of  
Friendly So-  
cieties may be  
deposited in  
Savings Bank.  
to C. A. 11.

IX. And be it further enacted, That it shall be lawful for any Society established under the Authority of the said recited Act or this Act from Time to Time to subscribe the Whole or any Part of the Funds of such Society into the Funds of any Institution which shall have taken the Benefit of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled the Act to consolidate and amend the Laws relating to Savings Banks, subject to the Provisions in that Act contained relating to Friendly Societies, except so much thereof as restricts the Amount allowed to be invested, which Restriction as to the Amount allowed to be invested by any Friendly Society is hereby repealed: Provided always, that it shall not be necessary for the Trustees of any Savings Bank to enrol on the Statute any Alteration in the Rules of such Institution which may be occasioned by the Provision herein contained.

Members of  
Friendly Socie-  
ties may be  
Witnesses.

X. And be it further enacted, That on the Trial of any Action, Indolment, or other Proceeding respecting the Property of any Society enrolled under the Authority of the said recited Act or this Act, or in any Proceedings before any Justice of the Peace, any Member of such Society shall be a competent Witness, and shall not be objected to on account of any Inconsistency he may have in such Member in the Result of such Action, Indolment, or other Proceeding.

No Fee for  
Oaths before  
Magistrates in  
disputing Cap-  
ment of such  
Soc.

XI. And be it further enacted, That no Fee shall be charged to any Member of any Friendly Society whatever for any Oath or Oaths which he may be legally required to make before a Magistrate or Magistrates in order to obtain the Payment of his Sick Pay or Allowance; any Law, Usage, Rule, or Custom to the contrary notwithstanding.

Executors, &c.  
of Officers of  
Friendly Socie-  
ties to pay  
Money due to  
Society before  
any other Debts.

XII. And be it further enacted, That if any Person already appointed or who may hereafter be appointed to any Office in a Society established under the said recited Act or this Act, and being entrusted with the keeping of the Accounts, or having in his Hands or Possession, by virtue of his said Office or Employment, any Monies or Effects belonging to such Society, or any Debts or Securities relating to the same, shall die, or become a Bankrupt or Insolvent, or have any Execution or Attachment or other Process issued, or Action or Diligence raised, against his Lands, Goods, Chattels, or Effects, or Property or Estate, Heritable or Moveable, or make any Assignment, Disposition, Assignation, or other Conveyance thereof for the Benefit of his Creditors, his Heirs, Executors, Administrators, or Assignees, or other Persons having legal Right, or the Sheriff or other Officer executing such Process, or the Party using such Action or Diligence, shall, within Forty Days after Decease made in Writing by the Order of any such Society or Committee thereof, or the major Part of them assembled at any Meeting thereof, deliver and pay over all Monies and other Things belonging to such Society to such Person as such Society or Committee shall appoint, and shall pay, out of the Estates, Assets, or Effects, Heritable or Moveable, of such Person, all Sums of Money remaining due which such Person received by virtue of his said Office or Employment, before any other of his Debts are paid or satisfied, or before the Money directed to be levied by such Process as aforesaid, or which may be recovered or recoverable under such Diligence, is paid over to the Party using such Process or using such Diligence; and all such Assets, Lands, Goods, Chattels, Property, Estates, and Effects shall be bound to the Payment and Discharge thereof accordingly.

Letters to and  
from Barrister  
and Advocate

XIII. And be it further enacted, That the Barrister and Advocate appointed under the Provisions of this Act shall each deliver a Report in the Ninth Year of the said Majesty King George the Fourth

Fourth shall and may receive and send by the General Post, from and to Places within the United Kingdom, all Letters and Packets relating solely and exclusively to the Execution of the said recited Act or this Act, free from the Duty of Postage, provided that such Letters and Packets as shall be sent to either of the said Barristers or Advocates be directed to the " Barristers, or Advocates, appointed to certify the Rules of Friendly Societies," or his Office in London, Edinburgh, or Dublin, as the Case may be, and that all such Letters and Packets as shall be sent by either of the said Barristers or Advocates shall be in Covers, with the Words " Barrister, or Advocate, appointed to certify Rules of Friendly Societies pursuant to Act of Parliament passed in the Tenth Year of the Reign of His late Majesty King George the Fourth," printed on the same, and be signed on the Outside thereof under such Words with the Name of such Barrister or Advocate in his own Handwriting, (such Name to be from Time to Time transmitted to the Secretaries of the General Post Office in London, Edinburgh, and Dublin,) and under such other Regulations and Restrictions as the Lords Commissioners of the Treasury, or any Three or more of them, shall think proper and direct; and the said Barrister or Advocate is hereby strictly forbidden as to subscribe any Letter or Packet whatever except such as he shall himself have to relate solely and exclusively to the Execution of the said last-mentioned recited Act or this Act; and if such Barrister or Advocate shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Inclosure, other than what shall relate to the Execution of the said last-mentioned recited Act or this Act, the Barrister or Advocate so offending shall forfeit and pay the Sum of One hundred Pounds, and be dismissed from his Office; one Mistry of the said Penalty to the Use of His Majesty, His Heirs and Successors, and the other Mistry to the Use of the Person who shall inform or sue for the same, to be used for and recovered in any of His Majesty's Courts of Record at Westminster for Offences committed in England and in any of His Majesty's Courts of Record in Dublin for Offences committed in Ireland, and before the Sheriff or Steward of the Shire or County where such the Party offending shall reside or the Offence shall be committed for Offences committed in Scotland, and if any Letter, Paper, or Writing, or other Inclosure, shall be sent under Cover to either of the said Barristers or Advocates, the same not relating solely and exclusively to the Execution of the said last-mentioned recited Act or this Act, he is hereby strictly required and enjoined to transmit the same forthwith to the Secretary of the Post Office in London, Edinburgh, or Dublin, as the Case may be, with the Covers under which the same shall be sent, in order that the Contents thereof may be charged with the full Rates of Postage.

XIV. And whereas in and by the said recited Act it was enacted, that provided Societies then already enrolled should not conform to the Provisions of that Act within the Space of Three Years from the passing of such Act the said Societies should then cease to be entitled to the Privileges and Provisions of any or either of certain Acts thereby repealed, but that the Provisions of the said Acts thereby repealed should continue in force as to all Societies established under any or either of them before the passing of the said recited Act for the said Space of Three Years, or until they should so conform to the Provisions of that Act: And whereas by a certain Act made and passed in the Second Year of the Reign of His present Majesty the said Space of Three Years was extended until *Michaelmas Day One thousand eight hundred and thirty-four*: And whereas many Friendly Societies existing and enrolled before the passing of the said recited Act have not yet conformed to the Provisions therein contained, and it is expedient further to extend the Time for Conformance under the recited Act, be it therefore enacted, That the Provisions of the several Acts repealed by the said recited Act shall continue in force as to all Societies established under any or either of them before the passing of the said recited Act until they shall conform to the Provisions of the said recited Act, as aforesaid and enacted by this Act, any thing in the said recited Act, or in the said Act passed in the Second Year of His present Majesty, to the contrary contained in anywise notwithstanding: Provided always, that when a Society already enrolled under any or either of the Acts repealed by the said recited Act shall be desirous of making any Alteration or Amendment of, or Addition to, the Rules thereof, the said Alteration, Amendment, or Addition shall be made in conformity with the said recited Act as amended by this Act, and such Society shall thenceforth be subject to all the Provisions and entitled to all the Benefits and Privileges in the said recited Act and this Act contained.

XV. And be it further enacted, That whenever in the said recited Act or this Act, in describing or referring to any Person, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include and shall be applied to several Persons or Parties as well as one Person or Party, and Females as well as Males, unless there be something in the Subject or Context repugnant to such Construction.

XVI. And be it further enacted, That this Act may be altered, amended, or repealed during the present Session of Parliament.

XVII. And be it further enacted, That this Act shall be deemed a Public Act, and shall extend to Great Britain and Ireland and *His Majesty's Towns*, and be judiciously taken notice of as such by all Judges, Justices, and other Persons whatsoever, without the same being specially shown or pleaded.

to be free of Postage.

Provisions of former Statutes to continue in force as to Societies established or under them until they shall conform to the Provisions of 10 G. 4. c. 34. as hereby amended.

If a Society enrolled under Antiquaries by 10 G. 4. c. 34 be desirous of altering their Rules, they must be done in conformity to this Act.

Construction of Words in the Act.

Act may be amended. Public Act.

## C A P. XLII.

An Act to regulate the Appointment of Ministers to Churches in Scotland erected by voluntary Contribution.

[30th July 1834.]

WHEREAS in many Parishes in Scotland the Means of Public Worship provided by the Established Church of Scotland are inadequate to the Extent of the Population; and it is expedient to encourage the Erection of additional Places of Worship by voluntary Contribution: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Church, Chapel, or other Place of Worship in Scotland, built or acquired and endowed by voluntary Contribution, shall, according to the Provisions of the relating Law, be erected into a Parochial Church, either as an additional Church within a Parish already provided with a Parochial Church, or as the Church of a separate Parish to be erected out of a Part or Parts of any existing Parish or Parishes, whether the same be established and erected merely good spiritsibus by the Authority of the Church Courts of the Established Church of Scotland, or also good spiritalibus by Authority of the Lords of Council and Session, or Commissioners of Trysts, or the King's Majesty, or any private Person, nor any Body Politic or Corporate, having Right to the Patronage of the Parish or Parishes within which such additional Churches shall be established, or out of which such new Parishes shall be erected, shall have any Claim, Right, or Title whatsoever to the Patronage of such newly-established Churches or newly-erected Parishes; but the Appointment of Ministers therein shall be made according to the Manner and subject to the Conditions which shall be or have been prescribed by the said Church Courts, subject always to such Alterations as shall be made by them according to the Laws of the Church from Time to Time: Provided always, that nothing in this Act contained shall extend or be construed to extend to depriving His Majesty, or others, Patrons of Parishes in Scotland, of their Right to present Ministers to the existing Parochial Churches thereof: Provided always, that neither any Part of the Stipends of Ministers appointed for the Service of any such additional Churches to be erected by voluntary Contribution as aforesaid, nor any Charge for the Support or Repairs of any such Church, School House, or other Building appertaining to the same, nor for the Erection or Support or Repairs of any Manse or Building for the Residence of such Ministers, nor for the Provision of any Glebe for any of such Ministers aforesaid, nor for the Support of any Schoolmaster, shall be imposed on or become chargeable on the Trysts or to the Heritors of any Parish or Magistrates of Towns in which any such Church as aforesaid shall be erected or endowed by voluntary Contribution as aforesaid: Provided also, that nothing herein contained shall be construed to limit or affect the Powers of the Commissioners of Trysts exercised under and according to the Provisions of the Act of the Scottish Parliament, Sixth of Queen Anne, C. 8, intitled *An Act concerning the Patronage of Kirk and Pastorage of Trysts*.

II. Provided always, and be it enacted, That in every Church or Chapel which may be erected under the Authority of this Act not less than One Fifth Part of the Stipend therein shall be at least to be paid by the said Church Courts.

III. Provided always, and be it further enacted, That this Act shall not extend to any Church or Chapel built and endowed in any Parish by the Patron thereof, who shall retain every Right to which he would have been legally entitled had this Act never been passed into Law.

IV. And be it enacted, That if in any Parish a Church or Chapel shall be built and endowed at the joint Expence of the Patron thereof and of One or more Heritors therein, and of an other Person, the legal Rights of the Patron shall take full Effect as aforesaid, unless an Objection shall be transmitted in Writing to the Moderator of the Presbytery of the Bounds, and signed by such a Number of the Heritors as shall have contributed One Fourth Part of the whole Sum laid out or to be expended in the said Building and Endowment, in which Case the said Church or Chapel shall fall within the Provisions of this Act.

## C A P. XLIII.

An Act to facilitate the taking of Affidavits and Affirmations in the Court of the Vice-Warden of the Stannaries of Cornwall.

[30th July 1834.]

WHEREAS Statute and others having Business in the Courts of the Stannaries, held by the Vice-Warden of the said Stannaries, can make Affidavits or Affirmations relating thereto before the Vice-Warden only; and it is expedient, and will be for the Benefit of such Statute and others, that other Persons as well as the said Vice-Warden have Authority to take such Affidavits or Affirmations: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Commissioner of any of the Superior Courts of Common Law at Westminster, having by Commission from such Courts or any of them Authority to take Affidavits in Matters relating to such Courts or any of them, may, without Fee or Reward, apply for and have, by Commission from the said Vice-Warden, under the Seal of the Stannaries kept by him, Authority to take Affidavits or Affirmations in all Suits and Matters relating thereto brought into the Court of the said Vice-Warden by way of Appeal from the Courts of the Stewards of the said Stannaries; and that

the Master Extraordinary of the High Court of Chancery may, without Fee or Reward, apply

Ministers in Places of Worship in Scotland built by voluntary Contribution, and erected into Parochial Churches, to be appointed according to the Mode prescribed by the Church Courts.

Being the Rights of Patrons.

Provision for Parishes in which an Churches erected by voluntary Contribution.

An Act to affect Powers of Commissioners of Trysts under 8 Ann. c. 8. (S.)

One Fifth of Stipend to be at least paid by Church Courts.

An Act to extend Churches built in any Parish by the Patron.

Providing for Churches built by Patrons and Heritors only.

Commissioners of Superior Courts of Common Law at Westminster, having Commissions from Vice-Warden of the Stannaries, empowered to take Affidavits in the Court of the Vice-Warden.

apply for and have, by like Commission from the said Vice Warden, Authority to take Affidavits or Affirmations in all other Suits, Petitions, or Matters to be commenced or bring in the Court of the said Vice-Warden; and that all and every Person and Persons wilfully swearing or affirming falsely in any Affidavit to be made before any Person so authorized to take Affidavits or Affirmations as aforesaid shall be deemed guilty of Perjury, and be liable to the Penalties of Perjury, and be therefore prosecuted in any Court of competent Jurisdiction.

II. And be it further enacted, That this Act shall commence and take effect on the First Day of October One thousand eight hundred and thirty-four.

III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Persons swearing falsely before Vice-Warden guilty of Perjury.

Commencement of Act. Public Act.

## C A P. XLIII.

An Act to authorize Persons duly appointed to act as Justices of the Peace in the Islands of *Socotra*, although not qualified according to Law. [13th August 1834.]

**W**HEREAS the Islands of *Socotra* is the County of *Coromandel* are situated at a considerable Distance from the Coast of the said County, and great inconvenience to the Inhabitants of the said Islands, and frequent Delays in the Administration of Justice, arise by reason of there being no Justice or Justices of the Peace resident in the said Islands or any of them, or Persons therein resident possessed of such Qualifications as is required by a certain Act passed in the Fifth Year of the Reign of His Majesty King George the Second, intituled *An Act for the further Qualification of Justices of the Peace*, and by a certain other Act passed in the Eighteenth Year of the Reign of His said late Majesty King George the Second, intituled *An Act to amend and render more effectual an Act passed in the Fifth Year of His present Majesty's Reign*, intituled *An Act for the further Qualification of Justices of the Peace*; And whereas it is expedient that Justices duly appointed to act in and for the County of *Coromandel* should be authorized to act as Justices of the Peace within the said Islands, although such Persons should not be qualified according to the Provisions of the said recited Acts or either of them; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for all Persons who shall after the passing of this Act be duly appointed in such and the same Manner as other Justices of the Peace acting in and for the said County of *Coromandel* are now appointed to act as such Justices of the Peace in and for the said Islands of *Socotra*, and in relation to all Felonies, Misdemeanors, Offences, and Trespases, and all other Matters and Things happening or arising in the said Islands of *Socotra* in which Justices of the Peace have Jurisdiction or Authority as Justices of the Peace, without being qualified in respect of Property, or taking the Oath required as to such Qualifications, and without being subject to any Penalties or Disabilities in the said Acts or either of them specified; any thing in the said Acts or either of them to the contrary notwithstanding.

J. G. S. c. 13.

18 G. 2. c. 20.

Persons duly appointed may act as Justices although not qualified.

II. And be it further enacted, That all Acts, Matters, and Things done by any such Justice acting in and for the said Islands of *Socotra* in relation to any Felony, Misdemeanor, Offence, and Trespases, or other Matters and Things happening or arising within the said Islands of *Socotra* and within the Jurisdiction or Authority of Justices of the Peace, shall be good, valid, and effectual in Law, to all Intents and Purposes, in the said County of *Coromandel*, as if such Justices had been and were duly qualified according to the Provisions of the said recited Acts, and taken the Oath in the said last-recited Act specified, although such Justices shall not be qualified in respect of Property, and shall not have taken the Oath relating thereto; any thing in the said recited Acts or either of them to the contrary notwithstanding.

All Acts done by them to be valid.

## C A P. XLIV.

An Act to regulate the Conveyance of printed Newspapers by Post between the United Kingdom, the British Colonies, and Foreign Parts. [13th August 1838.]

**W**HEREAS by an Act passed in the Fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for preventing Funnels and Stamps in relation to the sending and receiving of Letters and Periodicals free from the Duty of Postage*, reciting that whereas as it had been usual for the Clerks in the Offices of His Majesty's Principal Secretaries of State, and also for certain Officers in the Office of His Majesty's Postmaster General, to frank printed Votes and Proceedings in Parliament, and printed Newspapers to be sent by the Post, it was therefore enacted, that it should and might be lawful for such Clerks and Officers as aforesaid, being thereto interested by His Majesty's Principal Secretaries of State or His Majesty's Postmaster General respectively, to continue to frank such printed Votes and Proceedings in Parliament and printed Newspapers in such Manner as they had theretofore been accustomed to frank the same. And whereas by an Act passed in the Forty-second Year of the Reign of His said late Majesty King George the Third, intituled *An Act to authorize the sending and receiving of Letters and Periodicals, Votes, Proceedings in Parliament, and printed Newspapers by the Post, free from the Duty of Postage by the Members of the Two Houses of Parliament of the United Kingdom, and by certain Public Officers therein named, and for relieving the Postage on such Votes, Proceedings, and Newspapers when sent by any other Person, in the manner therein therein*

J. G. S. c. 20. c. 5.

42 G. 3. c. 20. c. 11.

enacted, that the several Persons who by virtue of any Act or Acts passed in the Parliament of Great Britain or in the Parliament of Ireland, and then in force, were authorized in respect of their Offices to send Votes, Proceedings in Parliament, and printed Newspapers free from the Duty of Postage, should and might send the same within the United Kingdom in such and the like Manner as they had theretofore been accustomed to do; And whereas it is expedient that the Privilege of franking printed Votes and Proceedings in Parliament and printed Newspapers hitherto enjoyed by the Clerks in the Office of His Majesty's Principal Secretaries of State, and certain Officers in the Office of His Majesty's Postmaster General, under or by virtue of the said herein-before in part recited Acts or otherwise, should be repealed and annulled, and that other Regulations should be made for the Conveyance of printed Newspapers by the Post: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of October One thousand eight hundred and thirty-four so much and such Parts of the said in part recited Acts passed in the Fourth and Forty-second Years of the Reign of His late Majesty King George the Third, and of any other Acts so authorizing and empowering any Clerks in the Offices of His Majesty's Principal Secretaries of State, and any Officers in the Office of His Majesty's Postmaster General, to send or receive printed Votes and Proceedings in Parliament and printed Newspapers by the Post, free of the Duty of Postage, shall be and the same is and are hereby repealed; and the said Privilege of franking as heretofore enjoyed by the said Officers and Clerks shall be and the same is hereby wholly annulled.

So much of recited Acts as authorizes Clerks in the Office of the Secretary of State, and Officers in the Post Office, to frank printed Newspapers, &c. repealed.

So much of 6 G. 3. c. 38. as relates to Conveyance of Newspapers by Packet Boats to and from the Colonies repealed.

II. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to regulate the Conveyance of printed Votes and Proceedings in Parliament and printed Newspapers by Packet Boats between Great Britain and Ireland and the British Colonies, and also in the United Kingdom*, printed Newspapers were authorized to be sent by Packet Boats from Great Britain and Ireland to any of His Majesty's Colonies and Possessions beyond the Seas, at a Rate of One Penny Halfpenny each, and Newspapers printed within His Majesty's Colonies and Possessions beyond the Seas were authorized to be sent by Packet Boats to Great Britain and Ireland, at a Rate of Three-pence each: And whereas it is expedient to authorize the Conveyance of printed Newspapers by Packet Boats between the United Kingdom and His Majesty's Colonies free of Postage: be it therefore further enacted, That from and after the First Day of October One thousand eight hundred and thirty-four so much of the said in part recited Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth as relates to the Postage and Conveyance of printed Newspapers by Packet Boats to and from His Majesty's Colonies and Possessions beyond the Seas shall be and the same is hereby repealed.

Newspapers to and from the Colonies.

III. And be it further enacted, That from and after the said First Day of October One thousand eight hundred and thirty-four it shall and may be lawful to and for His Majesty's Postmaster General for the Time being, and his Deputy and Deputies in Great Britain and Ireland, to receive at any General Post Office printed Newspapers liable to the Stamp Duty, and duly stamped for Conveyance by Packet Boats from the United Kingdom to any of His Majesty's Colonies and Possessions beyond the Seas, and to forward and convey the same accordingly free of Postage; and for His Majesty's Postmaster General and his Deputy and Deputies in His Majesty's Colonies and Possessions beyond the Seas to receive Newspapers printed and published within such Colonies or Possessions by Packet Boats from Great Britain or Ireland, and to deliver the same by the General Post within the United Kingdom free of the Duty of Postage.

Newspapers to and from Foreign Parts.

IV. And be it further enacted, That from and after the said First Day of October One thousand eight hundred and thirty-four it shall and may be lawful for His Majesty's Postmaster General for the Time being, and his Deputy and Deputies in Great Britain and Ireland, to receive at any General Post Office printed Newspapers liable to the Stamp Duty, and duly stamped for Conveyance by Packet Boats from Great Britain and Ireland to any Part of the United Kingdom, other than His Majesty's Colonies and Possessions, and to forward the same accordingly free of the Duty of Postage, and that Newspapers printed in any Kingdom or State beyond the Seas, other than His Majesty's Colonies and Possessions, and brought into the United Kingdom by Packet Boats, shall and may (if printed in the Language of the Foreign Kingdom or State from which the same shall be forwarded, but not otherwise), be delivered by the General Post within the United Kingdom free of the Duty of Postage: Provided always, that before any Newspaper to or from any Foreign Part shall be permitted to be conveyed or delivered free of Postage, under the Provisions of this Clause, satisfactory Proof shall have been laid before the Postmaster General for the Time being that printed Newspapers sent from Great Britain or Ireland, addressed to any Person or Place in any Foreign Kingdom or State, are allowed to pass by the Post within any such Foreign Kingdom or State free of Postage, and also that Newspapers addressed to any Person or Place in Great Britain or Ireland from any such Foreign Kingdom or State are allowed to pass by the Post within such Foreign Kingdom or State free of Postage: and it is hereby further declared, that as to every Newspaper put into any General Post Office within Great Britain or Ireland for Conveyance by Packet Boat, addressed to any Person or Place in any Foreign Kingdom or State in which printed Newspapers from Great Britain or Ireland shall not be allowed to pass by the Post free of Postage, it shall be lawful for His Majesty's Postmaster General for the Time being (until such satisfactory Proof shall be laid before him as aforesaid), and his Deputy and Deputies, for the Use of His Majesty, His Heirs and Successors, to demand, to receive, and to take for the Conveyance of every such

each printed Newspaper to any Foreign Post the Sum of Two-pence, to be paid when the same shall be put into the Post Office; and as to every Newspaper addressed to Great Britain or Ireland, and brought into the United Kingdom from any Foreign Kingdom or State in which such printed Newspapers shall not be allowed to pass by the Post free of Passage, it is hereby declared that it shall be lawful for His Majesty's Postmaster General for the Time being (until such satisfactory Proof shall be laid before him as aforesaid), and his Deputy and Deputies, to and for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take for the Conveyance of every such Newspaper by the General Post the Sum of Two-pence on Delivery thereof by such Post to the Person to whom the same shall be addressed, over and above and in addition to any Passage charged thereon by any Foreign Post Office, provided every such Paper be printed and published in the Language of the Kingdom or State from which the same shall be forwarded.

V. And whereas Circumstances may arise which may render it expedient again to impose and demand the said respective Rates of Two-pence by the said lastly herein-before recited Clause granted, after the same shall have ceased to be demanded by reason of such satisfactory Proof having been laid before the Postmaster General for the Time being as aforesaid; now be it further enacted, That it shall be lawful for His Majesty's Postmaster General for the Time being, by and with the Consent of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, or any Time after such satisfactory Proof shall have been laid before His Majesty's Postmaster General for the Time being as aforesaid, again to impose, demand, and receive the said respective Rates of Two-pence for the Conveyance of any such printed Newspaper to any Foreign Post, and on the Delivery of any such printed Newspaper from any Foreign Kingdom or State, whenever it shall be deemed expedient so to do.

VI. And be it further enacted, That no Newspaper shall be sent by the Post under the Provisions of this present Act, unless every such Paper be sent without a Cover, or in a Cover open at the Side, and that there be no Words or Communications printed on such Paper after the same shall have been published, nor any Writing or Marks upon such printed Paper or the Cover thereof, other than the Name and Address of the Person to whom it is sent, and so that there be no Paper or Thing enclosed or concealed in or with such printed Paper or the Cover thereof, nor any printed Words or Communications on the Cover thereof.

VII. And be it further enacted, That every printed Newspaper to be sent out of the United Kingdom under the Provisions of this Act shall in all Cases be put into a Post Office or Receiving Office in Great Britain or Ireland within Seven Days next after the Day on which the same shall be published, the Day of Publication to be ascertained by the Date of such Paper; and in case any such Paper shall be put into any Post Office at any Time after the Expiration of such Seven Days, it shall and may be lawful for His Majesty's Postmaster General or his Deputy or Deputies, at his or their Discretion, either to detain any such Paper or to forward the same by the Post, charged with the full Duty of Letter Passage according to the Rates now established by Law.

VIII. And be it further enacted, That in case any Person to whom any printed Newspaper brought into the United Kingdom under the Provisions of this Act shall be directed shall have removed from or quitted the Place to which such Newspaper shall be addressed prior to the Delivery thereof at such Place, any such Newspaper, on arriving or Delivery at the Place of its Address, shall and may (provided the same shall not have been opened or used, but not otherwise) be re-directed, and forwarded by the Post to such Person at any other Place within the United Kingdom, free of any Charge for such extra Conveyance; but if any such Newspaper shall have been opened or used, the same shall, on re-direction, be charged and chargeable with the Rate of a Single Letter, from the Place at which such Newspaper shall be re-directed or re-posted to the Place at which it shall be ultimately delivered.

IX. And whereas under and by virtue of the said in part recited Acts of the Fourth and Forty-second Years of the Reign of King George the Third, and the Privilege thereby conferred, certain unexpunged Publications have from Time immemorial been sent by the General Post from London to Places within the United Kingdom, at certain small annual Charges, and such Injury and Inconvenience may arise to the Public, by the Repeal of such Privilege in regard to the said Publications; be it therefore enacted, That it shall be lawful for His Majesty's Postmaster General for the Time being, and he is hereby authorized and empowered, with the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time to contract, compound, and agree with the Editor, Proprietor, or Publisher of any such unexpunged Publication in both hitherto been sent by the Post under the Privilege aforesaid, for forwarding the same by the General Post within the United Kingdom, on Payment to His Majesty's Post Office Revenue yearly of such a Sum of Money for each such Publication as may from Time to Time be agreed on, so as every such Publication be sent without a Cover, or in a Cover open at the Side, and there be no Words or Communications printed on any such Publication after the same shall have been published, nor any Writing or Marks upon such Publication or the Cover thereof, other than the Name and Address of the Person to whom it is sent, and so that there be no Paper or Thing enclosed or concealed in or with any such Publication or the Cover thereof, nor any printed Words or Communications on the Cover thereof; and the forwarding of such Publications by the Post shall be subject to all such other Regulations as the Postmaster General may deem expedient.

X. And be it further enacted, That it shall be lawful for His Majesty's Postmaster General, and his Deputy and Deputies, to any of the Officers employed under him or them respectively, to substitute and

Regulation as to Duty on Conveyance of Newspapers to any Foreign Post.

Newspapers to be sent in Covers, open at the Side, &c.

Newspapers to be posted within Seven Days after Publication.

Newspapers addressed to Persons who have removed may be re-directed, and sent to their new address, &c. Charge.

Postmaster General, with Consent of the Treasury, may contract with Editors, &c. of unexpunged Publications for forwarding the same by Post, on Payment of a yearly Sum for each Publication.

Power to substitute and send printed



Papers sent in  
Cover open at  
the Office.

search any printed Paper or Packet which under the Provisions of this present Act shall be sent by the Post without a Cover, or in a Cover open at the Office as aforesaid, in order to discover whether any Words or Communication have or has been printed on such Paper after the same was published, or whether there is any Writing or Mark upon such printed Paper or the Cover thereof other than the Name and Address of the Person to whom it is sent, or whether there is any Paper or Thing enclosed or concealed in or with such printed Paper or the Cover thereof, or whether there are any printed Words or Communication on the Cover thereof, or whether the Papers brought into the United Kingdom from any Foreign Kingdom or State shall be printed and published in the Language of the Kingdom or State from which they shall have been forwarded; and also, in order to discover whether the Newspapers printed and posted in the United Kingdom shall be duly stamped, and in case any Words or Communication shall be found to have been printed on any such Paper after the same was published, or any Writing or Mark shall be found on any such printed Paper or the Cover thereof other than the Name and Address of the Person to whom it is sent, or any other Paper or Thing shall be found to be enclosed or concealed in or with such printed Paper or the Cover thereof as aforesaid, or any printed Words or Communication shall be found upon the Cover thereof, or in case any Newspaper brought into the United Kingdom from any Foreign Kingdom or State shall not be printed and published in the Language of the Kingdom or State from which the same shall have been forwarded, the whole of every such Packet addressed and delivered to any Person within the United Kingdom shall be charged with Treble the Duty of Letter Postage according to the Rates now established by Law; and as to every such Paper or Packet going out of the United Kingdom it shall be lawful for the Postmaster General or his Deputy or Deputies, at his or their Discretion, either to detain any such Paper or Packet or to forward the same by the Post, charged with the Duty of Letter Postage; and in case any Newspaper printed and posted in the United Kingdom and sent by the Post under the Provisions of this Act shall appear not to have been duly stamped, the same shall be stopped and sent to the Commissioners of Stamps either at London or Dublin, as the Case may be.

Delivery of  
Papers to  
Postmaster  
General.

XI. And be it further enacted, That all printed Papers to be conveyed by the Post under the Provisions of this Act shall be delivered to the Postmaster General, or his Deputy or Deputies, at such Hours in the Day and under all such Regulations as the Postmaster General for the Time being shall in his Discretion from Time to Time appoint.

Not to oblige  
Persons to send  
Newspapers  
through the  
Office.

XII. And be it further enacted, That nothing herein contained shall be construed to oblige any Person or Persons to send any printed Newspapers to or from Places beyond the Seas through His Majesty's Post Office, but that it shall and may be lawful for all Persons to send such printed Newspapers to and from Places beyond the Seas in any Manner they may find practicable or convenient.

Postmaster  
General, with  
Consent of the  
Treasury, may de-  
termine any  
Duties or  
Fees to be  
demanded  
for  
Newspapers.

XIII. And be it further enacted, That in all Cases in which any Dispute, Controversy, or Question shall arise whether any printed Paper sent or offered to be sent by the Post, under the Provisions of this Act or any other Act relating or referring to the Post Office, is to be considered and deemed a Newspaper within the intent and Meaning of this Act or any other Act relating or referring to the Post Office, or whether any such printed Paper is entitled to the Exemptions and Privileges of a Newspaper so far as to authorize the Transmission of the same by the Post free of Postage, the Question shall be referred to the Judgment and Determination of the Postmaster General for the Time being, whose Decision, with the Consent of any Three or more of the Lords Commissioners of His Majesty's Treasury, shall be final and conclusive on all Persons whatsoever.

Books to be  
carried to and  
taken Part of  
the Consolida-  
ted Fund.

XIV. And be it further enacted, That the several Rates and Duties heretofore granted shall be paid from Time to Time into the Hands of the Receiver General for the Time being in England and Ireland of the Revenue of the Post Office, who shall pay the same (the necessary Charges for collection, paying, and accounting for the same being first deducted) into the Receipt of His Majesty's Exchequer, on such Days and Times, and in such Manner as the Rates and Duties of Postage by any Act or Acts in force at or immediately before the passing of this Act are directed to be paid, and the said Duties as to be paid into the said Receipt as aforesaid shall be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Actions to be  
commenced  
within Three  
Months after  
Right of Ac-  
tion accrues.

XV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act unless within Three Calendar Months after the Right of Action shall have accrued, and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, and that the same was done in pursuance of and by the Authority of this Act; and if it shall appear as to be done, or the Action or Suit shall be commenced after the Time before limited for bringing the same, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall be acquitted, or discontinuance be, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

An Act may be  
divided into  
Sections.

XVI. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A F. XLV.

An Act to amend an Act of the present Session, for altering and consolidating the Laws for regulating the Pensions and Allowances to Persons in respect of their having held Civil Offices in His Majesty's Service. [13th August 1834.]

WHEREAS by an Act passed in this present Session of Parliament, intituled *An Act for altering and amending and consolidating the Laws for regulating the Pensions, Compensation, and Allowance to be made to Persons in respect of their having held Civil Offices in His Majesty's Service*, reciting that the Commissioners of the Treasury did, by a Minute dated the Fourth Day of August One thousand eight hundred and twenty-nine, record their Intention to adopt certain Regulations, with a view to reduce respectively the Charge incurred in providing Superannuation Allowances, it is enacted that from and after the passing of that Act an annual Abatement after certain Rates therein specified shall be made from the Salaries and Emoluments of the several Officers and Persons employed in the several Civil Offices and Departments therein specified, who have since the Date of the said Minute entered or thereafter shall enter the Public Service; and that in Cases of all Persons whatsoever then holding Office and entitled to Superannuation Allowances under that Act, who shall have been appointed to such Office subsequently to the Issue of the said Treasury Minute, and who shall thereafter, upon Promotion, obtain any Increase of Salary or Allowance in respect of their Offices, an annual Abatement, after the like Rate, shall be made from the Amount of such Increase from Time to Time, commencing from the Period when the same shall take place: And whereas it is expedient that the said Act be altered and amended, so far as the same relate to an Abatement from the Salaries of the Magistrates appointed to the Public Office in *Rose Street* or to the several Police Offices in the Counties of *Midbless and Sherry*; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no such Abatement as is in the said recited Act is directed shall be made from the Salary of any Person appointed before the passing of this Act to execute the Office of a Justice of the Peace at the Public Office in *Rose Street* or at any of the Police Offices in the Counties of *Midbless and Sherry*; any thing in the said recited Act to the contrary thereof in anywise notwithstanding.

4 W. 4. c. 24.

Enacting Magistrates of Police Offices from the Operation of the recited Act.

## C A F. XLVI.

An Act to amend an Act passed in the Fifty-eighth Year of King George the Third, for establishing Fever Hospitals, and to make other Regulations for Relief of the suffering Poor, and for preventing the Increase of Infectious Fevers, in *Ireland*. [13th August 1834.]

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His Majesty King George the Third, intituled *An Act to establish Fever Hospitals, and to make other Regulations for the Relief of the suffering Poor, and for preventing the Increase of infectious Fevers, in Ireland*: And whereas by the said recited Act it is amongst other Things provided, that it shall and may be lawful for every Archbishop and Bishop in *Ireland* to grant any Portion of Ground or Land within any County, City, or Town respectively, not exceeding Four Roods, out of the Estates of their respective Sees, to any Body Politic and Corporate created by virtue of the said recited Act, for such Estates and on such Terms as therein mentioned, for the Sites of Houses to be built for the Reception of the helpless Poor intended to be relieved under the Provisions of the said recited Act: And whereas it has been found that the Quantity of Land or Ground which such Archbishops or Bishops are by the said Act so enabled to grant is insufficient for the Purposes of the said recited Act, and it is expedient that the said recited Act should be amended in that and in other respects: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for every Archbishop and Bishop in *Ireland* and they are respectively authorized and empowered to grant, out of the Estates of their respective Sees, any Portion of Ground or Land not exceeding Six Roods, Plantation Measure, to any Body Politic and Corporate, created under the said recited Act, for the Sites of Houses to be built for the Reception of the helpless Poor intended to be relieved under the Provisions of the said recited Act, for such Estate or Estates, either in Fee, for Lives renewable or not renewable, or for Years, as they shall think fit, at such Rates and Fines as such Archbishop or Bishop shall think fit, or without any Rent or Fine, if such Archbishop or Bishop shall think fit; and all such Grants or Leases shall have the same Validity and Effect as any Grants or Leases which such Archbishops or Bishops are authorized and empowered to make under the Provisions of the said recited Act; and it shall be lawful for any such Body Politic or Corporate to purchase, take, hold, and enjoy any Quantity of Ground or Land within any such County, City, or Town, not exceeding Six Roods, Plantation Measure, for the Purposes aforesaid; the Statute of *Maryanna* or any other Statute or Law to the contrary notwithstanding.

II. And whereas it is expedient that Tenants for particular Estates should be enabled to demise Lands for the Purposes of the said recited Act: be it therefore enacted, That it shall and may be lawful for any Tenant for any such Estate or Estates to demise any such Quantity of Land

24 G. 3. c. 27.

Bishops, &c. may grant Six Roods of Land out of their Fees for Sites of Houses for Reception of Poor.

Tenants of particular Estates may demise Six Roods of Land

For more Particulars see full Law printed yearly Value.

Lands or Tenements within any County, City, or Town in England, and he and they are hereby authorized and empowered, to demise any Portion of such Lands or Tenements, not exceeding Six Hoods, Plantation Measure, to any Body Politic and Corporate, created under the Provisions of the said recited Act, to be held by such Body Politic or Corporate for the Purpose in the said recited Act mentioned, either for Life or Lives or Years, or for Lives renewable or not renewable, as they shall think fit, reserving thereout such yearly Rent as shall be agreed upon by and between such Person or Persons and such Corporation respectively. Provided always, that no Fine shall be taken or paid on the making any such Lease or Demise, and that the Rent reserved on such Lease or Demise shall not be less than the full improved yearly Value of such Lands or Tenements at the Time of making the same; and such and every such Lease or Demise shall be good and valid against all Persons claiming or who may hereafter claim such Lands or Hereditaments in Reversion, Expectancy, or Remainder; any other Law or Usage to the contrary notwithstanding.

Writing by Subscribers to New Hospital.

III. And be it further enacted, That no Person who shall become a Subscriber to any such Hospital at any Time after the passing of this Act shall be permitted to vote at the Election of any Burgess, Physician, Apothecary, or other Officer or Person to be employed or retained in or about such Poor Hospital, unless he or she shall have respectively been a Subscriber to such Hospital for One Year at least before such Election shall take place.

### C A P. XLVII.

An Act for preventing the Interference of the Spring Assizes with the *April Quarter Sessions*.

[12th August 1834.]

1787. c. 20.

WHEREAS by an Act passed in the First Year of the Reign of His present Majesty, intitled *An Act for the more efficient Administration of Justice in England and Wales*, it is directed, that the Justices of the Peace in every County, Riding, or Division for which Quarter Sessions of the Peace ought by Law to be held shall hold their General Quarter Sessions of the Peace (among other Times) in the First Week after the Twenty-eighth Day of December and in the First Week after the Thirty-first Day of March; And whereas in some Counties of England and Wales the Time usually fixed for holding the Spring Assizes interferes with the due holding of the last-mentioned Quarter Sessions; and although the Justices of the Peace have Authority to hold General Sessions of the Peace at other Times of the Year besides those specified in the said recited Act, such Sessions are not Quarter Sessions within the intent of various Acts of Parliament which give Jurisdiction to Justices of the Peace in their Quarter Sessions or in their General Quarter Sessions; and for the Purpose of preventing the Inconvenience arising from such Interference as aforesaid it is expedient to allow to the Justices of the Peace a Discretion as to the Time of holding their General Quarter Sessions, which they are now required to hold in the Week next after the Thirty-first Day of March: Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every County, Riding, or Division for which General Quarter Sessions ought to be held it shall be lawful for the Justices assembled as their General Quarter Sessions in the Week next after the Twenty-eighth Day of December in every Year to name (if they shall see Occasion so to do) Two Justices of the Peace who shall be empowered, as soon as may be after the Time for holding the Spring Assizes shall be appointed, to fix the Day for holding the next General Quarter Sessions of the Peace for such County, Riding, or Division, so as such Time shall not be earlier than the Seventh Day of March nor later than the Twenty-second Day of April, and to give Notice of the Day so fixed by Advertisement in such Newspapers as shall be directed by the Justices so aforesaid; and in every such Case the General Quarter Sessions held on the Day so fixed and notified shall be valid, and it shall not be necessary to hold any Sessions of the Peace for such County, Riding, or Division in the Week next after the Thirty-first Day of March, any thing in the said recited Act to the contrary notwithstanding: Provided always, that in every County, Riding, and Division where on other Day shall be fixed in the Manner herein-before mentioned, the Justices of the Peace shall hold their General Quarter Sessions of the Peace in the Week next after the Thirty-first Day of March, as by the said recited Act they are required.

Justices at Exchanging Sessions may name Two of their Body in the Day following the next General Quarter Sessions.

Provis.

### C A P. XLVIII.

An Act to regulate the Expenditure of County Rates and Funds in aid thereof.

[13th August 1834.]

WHEREAS by divers Statutes now in force the Justices of the Peace in that Part of Great Britain called England, within the respective Limits of their Commissions assembled as their General or Quarter Sessions, or at any Adjournment or Adjournments thereof, are authorized and empowered to make and assess the County Rate, and also to make Orders for the Application or Management of the County Stock or Lands, and of any Fund or Funds used or applied in aid thereof: And whereas Doubts have arisen whether, under the Powers and Directions of the said Statutes, it is requisite that the Business relating to the Assessment, Application, or Management of the said County Stock or Lands, and of the Funds in aid thereof, should be carried on and transacted by the said Justices as assembled

‘ assembled as aforesaid publicly and in open Court at such General or Quarter Sessions, or any Adjournment thereof; and a Practice hath in some Counties prevailed of transacting such Business in private, which hath been found inexpedient: And for the Removal of such Doubts, preventing of such Practice for the future, be it declared and enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That those and other the passing of this Act all Business appertaining to the Assessment, Application, or Management of the County Stock or Rate, or of any Band or Fund used or applied in and thereof or contributory thereto, or to any Matter or Things whereby or in respect whereof the said County Stock or Rate is or may be chargeable by Law, which by any Statute or Statutes now in Force the Justices of the Peace for that Part of Great Britain called England are authorized and directed to do and transact at the General or Quarter Sessions, or at any Adjournment thereof, shall be done and transacted publicly and in open Court at such General or Quarter Sessions, or Adjournment thereof, and not otherwise; and that no Order of such Justices relating to the Matters aforesaid shall be binding or effectual unless the said Order shall have been made and the Business relating thereto shall have been done and transacted publicly and in open Court as aforesaid.

All Business relating to the Assessment and Application of County Rate shall be transacted in open Court.

II. And be it enacted, That public Notice shall be given, in Two Newspapers generally circulating in the County, of the Time of holding the General or Quarter Sessions, or any Adjournment thereof, at least Two Weeks before the Time of holding the same, and also of the Day and Hour at which the Business relating to the Assessment, Application, or Management of the County Stock or Rate will commence at such Sessions.

Notice thereof to be given.

III. And be it enacted, That this Act shall extend and apply only to Justices of the Peace of the several Counties at large in England and Wales, and of the several Counties of Cities and Counties of Towns within the same.

Act to extend to Counties in England and Wales only.

## C A P. XLIX.

An Act to amend and render more effectual Two Acts of the Fifth and Sixth Years of the Reign of His late Majesty King George the Fourth, relating to Weights and Measures.

[13th August 1834.]

‘ WHEREAS an Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for correcting and establishing Uniformity of Weights and Measures*; and whereas another Act passed in the Sixth Year of the Reign of His said late Majesty, intitled *An Act to promote the View of the Commencement of an Act of the last Session of Parliament, for correcting and establishing Uniformity of Weights and Measures; and to amend the said Act: And whereas, notwithstanding the Provisions of the said recited Acts, many Sets of Weights and Measures of old measure and of different Shapes have been made and verified and stamped by the Chamberlains as well as by the Auditor in the Exchequer, as Models of the said new Standards, and have been used as Standard Weights and Measures under the said recited Acts, although different in Shape and Form from the Standards prescribed by the said recited Act of the Fifth Year aforesaid; and it is therefore expedient that such Standard Weights and Measures should be made legal, and that the Auditor or Comptroller General, or some other superintending Officer of the Exchequer, should be empowered to compare and verify, and stamp as so compared and verified, Standards of Length, Weight, or Measure, although not exact Models and Copies in Shape and Form of the respective Standards of Length, Weight, and Measure deposited under the Provisions of the said last-recited Acts in the Office of the said Chamberlains and Auditor: And whereas it is expedient that, after a limited Period the Use of all Weights and Measures, not in conformity with the Weights and Measures established by the said recited Acts, should be prohibited, and that the Use of the Heaped Measure should be abolished: Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Acts as require that all Weights and Measures shall be Models and Copies in Shape or Form of the Standards deposited in the Exchequer, and also so much of the said recited Acts as allow the Use of Weights and Measures not in conformity with the Imperial Standard Weights and Measures established by the said Acts, or allow Goods or Merchandise to be bought or sold by any Weights or Measures established by local Customs or founded on special Agreements, shall be and the same are hereby repealed.*

S. O. 1. c. 15.

S. O. 1. c. 15.

Provisions in recited Acts as to Models and Copies of Standard Weights and Measures repealed.

II. And be it enacted, That all Weights and Measures which have been so verified and stamped at the Exchequer as Copies of the Standard Weights and Measures, corresponding in Weight and Capacity with those established by the said recited Acts, shall be deemed and taken to be legal Weights and Measures, and may be legally used for Comparison as Copies of the Imperial Standard Weights and Measures, although not similar in Shape to those required under the Provisions of the said recited Acts.

Weights and Measures stamped at the Exchequer declared legal.

III. And be it enacted, That the Auditor or Comptroller General, or some other Superintending Officer of the Exchequer at Westminster, may compare and verify, and stamp as so compared and verified, or correct Standard Measures of a Yard, and as correct Standard Weights, and as correct Standard Measures of Capacity, any Weights and Measures which shall correspond in Length, Weight, and Capacity with the Standards of the said Majesty’s Chamberlains and Auditor in the Exchequer, under the said Act of the Fifth Year aforesaid, although such Weights and Measures may not be Models or Copies

Superintending Officer may verify and stamp Weights and Measures of other Forms than those prescribed by 5 G. 4. c. 15.

in Shape or Form of the Standards so deposited as aforesaid; any thing in the said recited Acts to the contrary notwithstanding.

IV. And whereas the Heaped Measure is liable to considerable Variation, and the Use of Weights made of soft Materials affords Facilities to Fraud; be it therefore enacted, That from and after the First Day of January One thousand eight hundred and thirty-five so much of the said recited Acts as relate to the Heaped Measure shall be and are hereby repealed, and that the Use of the Heaped Measure shall be abolished, and that all Bargains, Sales, and Contracts made by the Heaped Measure after the said First Day of January One thousand eight hundred and thirty-five shall be null and void; and thereafter no Weight made of Lead or of Pewter shall be stamped or used.

V. And be it enacted, for carrying more fully into effect the Provisions of the said recited Acts regarding the providing of Copies of the Imperial Standard Weights and Measures, That at the General Quarter Sessions of the Peace next after the passing of this Act the Magistrates of every County or County of a City in England and Wales in Quarter Sessions assembled, and in Scotland the Justices of the Peace as a Meeting to be called for the Purpose by the Sheriff of each County, and the Magistrates of each Royal Burgh, within Three Months after the passing of this Act, shall respectively determine the Number of Copies of the Imperial Standard Weights and Measures which they shall deem requisite for the Comparison of all Weights and Measures in use within their Counties, Counties of Cities, and Burghs respectively, and shall direct that such Copies, verified and stamped at the Exchequer, shall be provided for the Use of the same, and shall be deposited at certain central and convenient Places, to be fixed upon by the said Magistrates so assembled, under the Care of an Inspector or Inspectors of Weights and Measures, to be by the said Magistrates appointed and dismissed as Occasion may require.

VI. And be it enacted, That in Ireland the Grand Jury of every County, County of a City, or County of a Town shall, at the Spring Assizes next ensuing after the passing of this Act, determine the Number of Copies of the Imperial Standard Weights and Measures which they shall deem requisite for the Comparison of all Weights and Measures in use within their Counties, Counties of Cities, or Counties of Towns respectively, and, where Copies shall not have been already provided, shall direct that such Copies, verified and stamped at the Exchequer, shall be procured for the Use of the same, and such Copies shall be deposited at certain central and convenient Places, to be fixed upon by the said Grand Jurors so assembled, under the Care of an Inspector or Inspectors of Weights and Measures, to be by the said Grand Jurors appointed and dismissed as Occasion may require; and the Expenses attending the providing such Copies of the Imperial Standard Weights and Measures, and for affording the necessary Remuneration to the Inspectors, shall be provided for and paid by Presentments to be made by the Grand Jurors in each County, Counties of Cities, and Counties of Towns respectively.

VII. And be it enacted, That in Ireland the assize Judge shall, before the Close of the Spring Assizes aforesaid, inquire whether One complete Set of such Copies of the Imperial Standard Weights and Measures has been provided or ordered in each County, County of a City or Town; and in every Case in which it shall not appear to him that One set at least of such Copies has been provided or ordered, such Judge shall forthwith order the Treasurer of the County, County of a City or Town, to provide One complete Set of such Copies, and every such Order shall have the Effect of a Presentment on the County as large for such Sum as may be necessary to procure a complete Set of such Copies; and such Treasurer shall, within Three Calendar Months next after he shall receive such Order, fully execute the same, or failing so to do shall forfeit the Sum of Fifty Pounds Sterling.

VIII. And be it enacted, That in case the Number of Copies of the Imperial Standard Weights and Measures provided as aforesaid for the Comparison in any County, County of a City, or Royal Burgh, or County of a Town, in the United Kingdom, shall be found insufficient, or that any of these shall have been lost or injured, it shall be lawful in England and Wales and in Scotland for the Magistrates so assembled as aforesaid, between the First and Twenty fifth Day of October in each Year, and in Ireland for the Grand Jurors at the Spring Assizes in each Year, to direct that new or additional Copies shall be provided for the Use of their respective Counties, Counties of Cities, Royal Burghs, and Counties of Towns, and to determine the Places in which such Copies shall be kept, and to appoint an additional Inspector or Inspectors for the Care of such Copies as Occasion may require, and that all Expenses incurred thereby shall be provided for and paid according to the Modes herein-before set forth.

IX. And be it enacted, That the Clerk of the Peace of every County of the United Kingdom shall, on the First Day of March One thousand eight hundred and thirty-six, transmit a Return to the Secretary of State for the Home Department, which Return shall be forthwith laid before Parliament, specifying the Dates and Terms of all Determinations of Magistrates of Counties, or of Counties of Cities, or of Counties of Towns, or of Magistrates of Royal Burghs, as to the Number of Copies of the Imperial Standard Weights and Measures which they shall have deemed requisite for their Counties, Counties of Cities, or Counties of Towns, and Burghs respectively, as also of all such Determinations made by any Grand Jury, or of Orders made by any Judge of Assize, in Ireland, and which Returns shall specify set forth how far such Determinations and Orders have before the Date of such Returns been complied with by the Weights and Measures so ordered having been provided in the several Instances set forth in such Determinations or Orders; and any Clerk of the Peace who shall neglect to make such Return shall be liable to a Penalty of Fifty Pounds.

X. Provided always, and be it enacted, That in all other Cities or Towns, Liberties or Places, possessing corporate or other local Jurisdiction, and which have been or shall be heretofore supplied with Copies of the Imperial Standard Weights and Measures, it shall be lawful for the Magistrates of such

Heaped Measure abolished after 1st Jan. 1835.

Copies of the Imperial standards to be provided, by Order of Magistrates in Quarter Sessions for Counties in England, and by Meetings of Justices in Scotland.

Copies to be provided by Grand Jurors in Ireland.

Judges may order Copies to Counties in Ireland when it has not been done by Grand Jurors.

Power of providing additional Copies when requisite.

Returns to be made by Clerks of the Peace on 1st of March 1836.

Power to Magistrates of Towns, &c. to

Cities, Towns, Liberties, or Places to appoint an Inspector or Inspectors of Weights and Measures within the Limits of their respective Jurisdictions; and that such Inspectors so appointed shall, within such Limits, have the same Powers and discharge the same Duties as the Inspectors of Weights and Measures appointed under this Act by the County Magistrates or Grand Jurors for their respective Counties.

XI. And be it enacted, That in every City or Town not being a County of itself, every Individual or Individuals or Body Corporate in Ireland, exercising the Privilege of appointing a Weighmaster, shall, on or before the First of July One thousand eight hundred and thirty five, or within Three Months after the Set of Copies of the Imperial Standard Weights and Measures for the County in which such Right shall be exercised shall have been provided, supply such Weighmaster with accurate Brass and Scales, and with a Set of accurate Copies in respect of Weight, Capacity, and Length, of the County Set, under a Penalty of Twenty Pounds; and the Accuracy of such Set of Copies shall be certified under the Hand of some Inspector of Weights and Measures; and such Set of Copies shall, for the Purpose of Comparison and Verification, be considered Copies of the Imperial Standard Weights and Measures required by this Act, and shall be used for no other Purpose whatever, under a Penalty of Five Pounds; and once at least in every Five Years, under the like Penalty, the same shall be re-adjusted by some Set of Copies of the Standard Weights and Measures which shall have been verified by the Exchequer Standard, and the Weighmaster shall produce to every Magistrate requiring the same, and to any Person whose Weights or Measures shall have been detained in Comparison with the Copies under the Care of such Weighmaster, the Certificate of the Adjustment or Re-adjustment thereof, under the Hand of the Inspector in Charge of the Set of Copies with which the same shall have been compared and re-adjusted; and such Weighmaster may demand and receive the same Fees as may be demanded by any Inspector under this Act.

XII. And whereas by local Customs in the Marine, Towns, and other Places throughout the United Kingdom, the Denomination of the Stone Weight varies, being in the Country generally deemed to contain Fourteen Pounds Avoirdupois, and in London commonly Eight of such Pounds, or otherwise, as may be; be it therefore enacted, That from and after the First of January One thousand eight hundred and thirty-five the Weight denominated a Stone shall in all Cases consist of Fourteen Standard Pounds Avoirdupois, and that the Weight denominated an Hundred Weight shall consist of Eight such Stones, and that the Weight denominated a Ton shall consist of Twenty such Hundred Weight; and all Contracts made by any other Stone, Hundred Weight, or Ton, from and after the First Day of January One thousand eight hundred and thirty-five, shall be null and void.

XIII. And be it enacted, That from and after the First Day of January One thousand eight hundred and thirty-five all Articles sold by Weight shall be sold by Avoirdupois Weight, excepting Gold, Silver, Platinum, Diamonds, or other precious Stones, and Drugs when sold by Retail; and that such excepted Articles, and none others, may be sold by Troy Weight.

XIV. And whereas the Bushel Measure commonly called or known by the Name of the Winchester Bushel, and also the Liquid Measure commonly called the Scotch Ell, and other customary or local Measures, still continue to be used in divers Places in the United Kingdom, contrary to the Provisions of the said recited Act; be it therefore enacted, That in England and Wales the Magistrates at Quarter Sessions assembled, and in Scotland the Justices of the Peace at a Meeting called by the Sheriff, and in Ireland the Grand Jury of each County and County of a City or Town, shall provide for the Use of the Inspectors good and sufficient Stamps for the stamping or sealing all Weights and Measures used or to be used in such County, which Stamps, so prepared, shall be taken to be the Stamp for such County, and none others shall be considered legal Stamps; and that all Weights and Measures whatsoever used for buying and selling, or for the collecting of any Tolls or Duties, or for the making of any Charges on the Conveyance of any Goods or Merchandize, shall be examined and compared with one of the Copies of the Imperial Standard Weights and Measures provided under the Authority of this Act for the Purpose of Comparison by such Inspectors appointed as aforesaid, who shall stamp, in such Manner as best to prevent Fraud, such Weights and Measures when so examined and compared as aforesaid, if found to correspond with the said Copy, the Fees for which Examination, Comparison, and Stamping shall be according to the Scale contained in the Schedule to this Act annexed; and all Persons who, after the First of January One thousand eight hundred and thirty-five, in England and Wales and in Scotland, or after the First of July One thousand eight hundred and thirty-five in Ireland, shall make any Weights or Measures other than those authorized by this Act, or shall sell, expose to sale, or use any Weights or Measures which have not been so stamped as aforesaid, or which shall be found light or otherwise unjust, shall on Conviction forfeit a Sum not exceeding Five Pounds; and that any Contract, Bargain, or Sale made by any such Weights or Measures shall be wholly null and void, and that all such light or unjust Weights and Measures so used shall be seized, forfeited, and condemned.

XV. And be it enacted, That in Scotland, from and after the First Day of January One thousand eight hundred and thirty-five, the Fair Prices of all Grain in every County shall be struck by the Imperial Quarter, and all other Returns of the Prices of Grain shall be set forth by the same, without any Reference to any other Measure whatsoever; and that any Sheriff, Clerk, Clerk of a Market, or other Person who shall offend against this Provision shall be liable to a Fine not exceeding Five Pounds or less than Twenty Shillings.

provide Copies of the Imperial Standards.

Weighmaster to be bound to be supplied with Brass and Scales and accurate Copies.

The Stone Weight, Standard Weight, and Ton.

All Articles to be sold by Avoirdupois, except as herein stated.

All Weights and Measures to be stamped by Inspectors.

Penalty for making any other Measures or Weights, or using any un-stamped, light, or defective Weights and Measures.

Regulation as to Fair Prices of Commodities in Scotland.



- added, as the Case may be, necessary to an Act passed in the Year of the Reign of  
 - King [or the Case may be]; and I do adjudge that the said *A. B.* hath forfeited for and  
 - Offence the Sum of [Here insert the Penalty]. Given under my Hand and Seal [or our Hands and  
 - Seals] the Day and Year first above written.

XXIII. And he it enacted, That any Person convicted of any Penalty under this Act in England and  
 Wales or in Ireland may appeal to the next General Quarter Sessions of the Peace for the County, or  
 City or Town being a County within itself, against such Conviction, on giving Security in Double the  
 Amount of such Penalty within Forty-eight Hours after the Conviction shall have been made; and the  
 Decision thereupon made shall be final.

Appeal to  
 next General  
 Quarter  
 Sessions of the  
 Peace.

XXIV. And he it enacted, That in Scotland all Penalties incurred under the Provisions of this Act, or  
 of any of the before-quoted Acts, shall be recoverable, with Expenses, either before the Sheriff of  
 the County or the Magistrates of the Burgh or Town Corporate where the same may be incurred or  
 where the Offender may reside, or before Two or more Justices of the Peace of such County, at the  
 Instance either of the Procurator Fiscal of Court, or any Person who may prosecute for the same; and  
 in the former Case the whole Penalty, after deducting all Charges, shall be applied in aid of the  
 Funds herein, under the Provisions of this Act, to the Cost of providing and maintaining Copies of the  
 Imperial Standard Weights and Measures in the Place where such Penalties shall be awarded; and  
 where the Prosecution shall be at the Instance of a private Party, one Half of such Penalties shall go  
 in aid of the aforesaid Funds, and the other Half to the Party who may prosecute for the same; and it  
 is hereby provided, that it shall be competent for the said Courts respectively to proceed in a summary  
 Way, and to grant Warrant for bringing the Parties complained of before them, and upon Proof on Oath  
 by One or more credible Witnesses, or on the Confession of the Offender, or on other legal Evidence,  
 forthwith to give Judgment on such Complaint, without any written Pleadings or Record of Evidence,  
 and to grant Warrant for the Recovery of such Penalties and Expenses (excepted for, falling Paymaster  
 within Fourteen Days after Conviction, or by Imprisonment for a Period, at the Discretion of  
 the Court, not exceeding Sixty Days, it being hereby provided that a Record should be preserved of  
 the Charge and of the Judgment pronounced.

As to Penalties  
 in Scotland.

XXV. And he it enacted, That in Scotland if any Person or Persons shall feel themselves aggrieved  
 by the Sentence of any Sheriff or Magistrates of Burghs or Towns Corporate, or Justices of the Peace,  
 pronounced in any Case arising under this Act, it shall be lawful for such Person or Persons to appeal  
 to the Commissioners of Justiciary at the next Circuit Court, or, where there is no Circuit Court, to the  
 High Court of Justiciary at Edinburgh, in the Manner and under the Rules, Limitations, and Conditions  
 contained in an Act passed in the Twentieth Year of the Reign of His Majesty King George the Second,  
 intitled *An Act for taking away and abolishing Heritable Jurisdiction in Scotland*, with this Variation  
 only, that such Person or Persons so appealing shall, in place of finding Caution in the Terms prescribed  
 by the said Act, be bound to find Caution to pay the Penalty or Penalties and Expenses awarded against  
 him or them by the Sentence or Sentences appealed from, in the event of the Appeal or Appeals being  
 dismissed, together with any additional Expenses which shall be awarded by the Court in dismissing the  
 said Appeal; and it shall not be competent to appeal from or to bring the Judgment of any Sheriff or  
 Justices of the Peace acting under this Act under Review by Advocation, Suspension, or Reduction, or  
 in any other Way other than as herein provided.

Appeal to  
 Scotland in  
 Commission-  
 of Justiciary  
 or Circuit Court.

20 G. 2. c. 45.

XXVI. And he it further enacted, That an Act passed in the Parliament of Ireland in the Fourth  
 Year of Queen Anne, intitled *An Act for regulating Weights used in the Kingdom*, and that *Sole and  
 Seal shall be sold by Weight*, and another Act passed in the Parliament of the United Kingdom of Great  
 Britain and Ireland in the Fifth Year of His late Majesty King George the Fourth, intitled *An Act for  
 the Independence of Magistrates among unburied Weights in Ireland*, shall be and they are hereby repealed,  
 except so far as they relate to the Appointment, Duties, and Remuneration of Weighmasters.

4 Anne (1)  
 and 3 Geo. 4.  
 c. 116, repealed,  
 except so far  
 as relate to  
 Duties, &c., of  
 Weighmasters.

XXVII. Provided always, and he it further enacted, That nothing in this Act contained shall  
 interfere with the Powers of the Ward Bequests to respect to Weights and Measures within the City  
 of London and Liberties thereof and the Borough of Southwark, nor prohibit, defeat, injure, or lessen  
 the Right of the Mayor and Commonalty and Citizens of the City of London, or of the Lord Mayor of  
 the said City for the Time being, with respect to the stamping or sealing Weights and Measures, or  
 concerning the Office of Gauger of Wines, Oils, Honey, and other gaseable Liquors imported and  
 landed within the City of London and Liberties thereof.

Powers of  
 Ward Bequests,  
 &c. not to be  
 interfered with.

XXVIII. Provided always, and he it enacted, That nothing in this Act contained shall extend to  
 prohibit, defeat, injure, or lessen the Rights granted by Charter to the Mayor, Wardens, and  
 Commonalty of the Mystery of Founders of the City of London.

Rights of  
 Founders Com-  
 pany reserved.

XXIX. And he it enacted, That in all Actions brought against any Magistrate for any thing he  
 shall do under this Act it shall be lawful for such Magistrate to plead the General Issue, and to  
 give the special Matter in Evidence; and if a Verdict shall be given for the Defendant therein he shall  
 have Double Costs.

In Actions  
 Magistrates  
 may plead the  
 General Issue.

XXX. And he it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to  
 be passed in this Session of Parliament.

Act may be  
 amended.



## SCHEDULE OF FEES

To be taken by all Inspectors of Weights and Measures (except those appointed for the Cities of London and Westminster, or under the Authority of the Foundry Company), and by all Weighmasters in Ireland.

For examining, comparing, and stamping all Brass Weights, within their respective Jurisdictions :

|                                      | s. | d.   |
|--------------------------------------|----|------|
| For each Half Hundred Weight         | -  | 1 6  |
| For each Quarter of a Hundred Weight | -  | 0 9  |
| For each Stone                       | -  | 0 6  |
| For each Weight under a Stone        | -  | 0 1½ |

For examining, comparing, and stamping all Iron Weights, or Weights of other Descriptions not made of Brass, within their respective Jurisdictions :

|   | s. | d.  |
|---|----|-----|
| Each Half Hundred Weight                      | -  | 0 6 |
| Each Quarter of a Hundred Weight              | -  | 0 5 |
| For each Stone, and all Weights under a Stone | -  | 0 2 |

For examining, comparing, and stamping all Wooden Measures, within their respective Jurisdictions :

|                          | s. | d.  |
|--------------------------|----|-----|
| Each Bushel              | -  | 0 6 |
| Each Half Bushel         | -  | 0 5 |
| Each Peck, and all under | -  | 0 2 |
| Each Yard                | -  | 0 6 |

For examining, comparing, and stamping all Measures of Capacity of Liquids, made of Copper or other Metal, within their respective Jurisdictions :

|                      | s. | d.   |
|----------------------|----|------|
| Each Five Gallon     | -  | 1 8  |
| Each Four Gallon     | -  | 1 4  |
| Each Three Gallon    | -  | 1 0  |
| Each Two Gallon      | -  | 0 8  |
| Each Gallon          | -  | 0 6  |
| Each Half Gallon     | -  | 0 2  |
| Each Quart           | -  | 0 1  |
| Each Pint, and under | -  | 0 0½ |

## C A P. L.

An Act to amend an Act passed in the Forty-ninth Year of the Reign of King George the Third, for amending the Irish Road Act. [13th August 1834.]

WHEREAS by the Laws now in force in Ireland, when any Swine or other Beasts are found wandering upon any public Road, or about the Streets or Passages of any Town, such Swine or Beasts may be seized, impounded, and sold for the Purpose of enforcing Payment of a Penalty : And whereas it may in many Cases be expedient that a Power should exist of inflicting Penalties for such Nuisances, without resorting to a Seizure of the Swine or other Animals causing the same : Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in case any Horse, Ass, Pig, Cow, or other Beast shall be found wandering upon any public Road, or about any Street or Passage of any Town, it shall and may be lawful for any Constable or other Person to prepare the Owner of such Horse, Ass, Pig, Cow, or other Beast to be summoned before a Justice of the Peace of the County within which such Pig, Cow, Beast, or other Animal shall be so found wandering ; and in case that such Constable or other Person as aforesaid should not know the Owner of such Horse, Ass, Pig, Cow, or other Beast, it shall and may be lawful for such Constable or other Person to seize and drive in or them to the Pound nearest to the Place where it or they may be found (treasuring contrary to the Provisions of this Act, there to remain, until the Owner shall appear and demand his or her Property, Notice of which to the Person impounding the Pound-keeper is hereby authorized and required to give ; and such Justice is hereby authorized and required summarily to hear and determine such Complaint, upon the Appearance of the Party summoned, or in his or her Absence if Proof shall be given that such Summons has been personally served upon him or her or left on his or her usual Place of Abode ; and in case of the Proof of such Offence by the Oath of a credible Witness, or the Confession of the Party charged, such Justice is hereby authorized and required to commit such Offender in a Penalty not exceeding One Shilling, without Costs, to be levied by Distress and Sale of the Goods and Chattels of such Owner, or by the Sale of such Horse, Ass, Pig, Cow, or other Beast, such Distress or Sale to be made by Warrant under the Hand and Seal of such Justice, rendering the Overplus, if any, after deducting the said Penalty, and Expenses of such Distress and Sale, to the Crown or to the Poor of the Parish in which the said Offence shall be committed.

repay any Penalty made by any Act or Acts now in force in Ireland for the Prevention of Trespass, or for the Infliction of any Penalty, or the Recovery of any Damages in the Case of Trespass or Persecution or other Disposition of any Animal found trespassing or Damage feasant.

## C A P. LI.

An Act to amend the Laws relating to the Collection and Management of the Revenue of Excise.  
(13th August 1834.)

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, intitled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout Great Britain and Ireland*, which said Act requires to be amended: Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers and Authorities by the said recited Act vested in, and all Orders, Matters, and Things, thereby directed to be given or done by, the Commissioners and Assistant Commissioners of Excise in Scotland and Ireland respectively, are and shall be vested in, given, and done by the Commissioners of Excise appointed or to be appointed under the said recited Act.

II. And be it further enacted, That any Three or more of the Commissioners of Excise shall constitute a Board of Commissioners of Excise, and shall have full Power and Authority to act as a Board of Commissioners, and to order and direct and do and to permit to be done throughout the United Kingdom, or in any Part thereof, all Acts, Matters, and Things relating to the Revenue of Excise, as fully and effectually as if ordered, directed, and done, or permitted to be done, by a Board of Four of the said Commissioners of Excise, as required by the said recited Act.

III. And be it further enacted, That no Commissioner of Excise or Officer of Excise, or Person employed in the Collection or Management of, or recovering or accounting for, composing or auditing the Revenue of Excise, or any Part thereof, shall, during the Time of his acting as such Commissioner or Officer, or being so employed as aforesaid, be compelled to receive any Parish Apprentice, or to take any Child as an Apprentice or Servant, nor be subject to any Penalty for refusing to execute any Indenture for binding to him any Person as an Apprentice or Servant, any Law or Statute to the contrary notwithstanding.

IV. And be it further enacted, That no such of the said recited Act as enacts, "that all and every Person or Persons required to make Entry of any Building, Place, Vessel, or Utensil under this Act, or any other Act or Acts relating to the Revenue of Excise, shall deliver such Entry, with his or their Signature thereto, to the Officer of Excise in whose Survey such Building, Place, Vessel, or Utensil shall be intended to be used; and such Officer shall copy such Entry into the Book kept and known by the Name of the General Entry Book, for the Division or Side in which such Building, Place, Vessel, or Utensil shall be intended to be used; and the Supervisor of the District shall examine and compare the Copy so made in such Book as aforesaid with the original Entry; and such Officer, upon his being removed from such Division or Side, shall deliver over to the Officer succeeding him in such Station such Book and all such original Entries," shall be and the same is hereby repealed.

V. And be it further enacted, That every Person carrying on any Trade or Business under or subject to any Law or Laws of Excise, and required by any Act or Acts relating to the Revenue of Excise, to make Entry at the said Office of Excise, or to give Notice to the Officers of Excise, of any House, Building, Place, Vessel, or Utensil used in carrying on such Trade or Business, shall make such Entry by delivering such use and particular Account as by the Act or Acts relating to such Trade or Business is required to the Officer of Excise in whose Survey such House, Building, Place, Vessel, or Utensil shall be intended to be used; and such Officer, having received such Entry, shall copy the same into the Book kept and known by the Name of the General Entry Book, for the Division or Side in which such House, Building, Room, or Place, Vessel or Utensil, shall be intended to be used; and the Supervisor of the District shall examine and compare the Copy so made in such Book as aforesaid with the original Entry; and such Officer, on his being removed from such Division or Side, shall deliver over to the Officer succeeding him in such Station such Book and all such original Entries.

VI. And be it further enacted, That every Person carrying on any Trade or Business under or subject to any Law or Laws of Excise, who shall make use of any House, Building, or Place, Vessel or Utensil, of which Entry is required to be made or Notice given by any Act or Acts relating to the Revenue of Excise, without having made Entry thereof in answer hereto-before directed, shall for every such unentered House, Building, or Place, Vessel or Utensil, forfeit Two hundred Pounds.

VII. And be it further enacted, That every Person carrying on any Trade or Business under or subject to any Law or Laws of Excise, who having made Entry of any House, Building, or Place, Vessel or Utensil, or other Thing, shall in the carrying on such Trade or Business fraudulently make use of any such House, Building, or Place, Vessel or Utensil, or other Thing, for any other or different Purpose than the particular Use or Purpose for which the same shall have been entered, shall forfeit One hundred Pounds.

VIII. And be it further enacted, That when any Person or Persons shall pay or make Entry of any Building, Room, Place, Vessel, or Utensil for the carrying on any Trade or Business in respect of which

AN Act is required to be done by the Commissioners and Assistant Commissioners in Scotland and Ireland to be done by the General Commissioners.

Three Commissioners to constitute a Board.

Commissioners and Officers of Excise not to be compelled to take Parish Apprentices.

PARLIAM. ACT, 1834, c. 50, 51.

In what Manner Entries of Houses are to be made.

Penalty for taking any Persons or Utensils without having made Entry thereof.

or for any other Purpose than that for which entered.

Not more than One Entry for same Person.

any Entry is by any Act or Acts of Parliament relating to the Revenue of Excise required, it shall not be lawful during the Continuance of such Entry for any other Person or Persons (except Persons becoming Partners in the same Trade or Business in respect of which the Entry shall already have been made) to make Entry of the same Building, Room, or Place, Vessel or Utensil, for the carrying on of any other Trade or Business of the same or any other Description subject to the Survey of Excise; but every such subsequent Entry made whilst such former Entry is in force shall be null and void to all Intents and Purposes.

If Trader quits  
control Possession  
without  
withdrawing  
the Entry, any  
other Person  
may, with Consent,  
make  
Entry thereof.  
7th & 8th s. 12,  
s. 13, repealed.

IX. Provided always, and be it further enacted, That where any Person who shall have made Entry of any Premises for carrying on any Trade or Business subject to the Survey of the Excise shall abscond or shall quit Possession of such Premises, and discontinue the Trade or Business in respect of which such Entry was made, without having withdrawn such Entry, it shall be lawful for any other Person, with the Consent and Approbation of the Commissioners of Excise, to make Entry of the said Premises for carrying on any Trade or Business subject to the Survey of the Excise, and in such Case the former Entry shall be deemed to have been withdrawn, and shall become null and void.

X. And be it further enacted, That so much of the said second Act as enacts "that every Person carrying on any Trade or Business under or subject to any Law or Laws of Excise shall pay and clear off the Duty or Duties in that Behalf imposed by any Act or Acts of Parliament respectively in such Case made and provided, and charged upon or incurred by such Person, at such Time and Place and to such Person respectively as shall for that Purpose be specially directed in any Act or Acts of Parliament relating to such Duties respectively, or as shall be from Time to Time directed by the Commissioners of Excise; and if any such Person shall not pay and clear off such Duty or Duties at such Time and Place and to such Person respectively as aforesaid, or upon Demand made thereof (under Order of the Commissioners of Excise, or of the Commissioner or Commissioners and Assistant Commissioners of Excise in Scotland and Ireland respectively,) by the Collector of Excise in whose Collection such Trade or Business shall be carried on, or by any Officer authorized and directed by such Collector, under such Order as aforesaid, to make such Demand, (whether such Demand be made personally of any Person who shall have incurred such Duty or Duties, or shall be left at the Dwelling House of any such Person, or on the Premises where such Duty or Duties shall have been charged or incurred,) every such Person shall forfeit and lose Double the Value of the Duty or Duties so neglected to be paid and cleared off as aforesaid," shall be and the same is hereby repealed.

Excise Traders  
shall pay their  
Duties at such  
Time and Place  
and to such  
Person as shall  
be appointed, or  
upon Demand  
made by Order  
of the Commis-  
sioners, or upon  
Demand made  
by the Collector  
Double Duty.

XI. And be it further enacted, That every Person carrying on any Trade or Business under or subject to any Law or Laws of Excise shall pay and clear off the Duty or Duties in that Behalf imposed by any Act or Acts of Parliament respectively, and charged upon or incurred by such Person, at such Time and Place and to such Person respectively as shall for that Purpose be specially directed by any Act or Acts of Parliament relating to such Duties, or as shall be from Time to Time directed by the Commissioners of Excise, whether Payment of such Duties shall have been or shall be secured by Bond or otherwise, in pursuance of any Act or Acts of Parliament, or not; and if any such Person shall not pay and clear off such Duty or Duties at such Time and Place and to such Person respectively as aforesaid, or upon Demand made, under Order of the Commissioners of Excise, by any General Surveyor of Excise where the Trade or Business shall be carried on within the Limits of the Chief Office of Excise, or elsewhere by the Collector of Excise in whose Collection such Trade or Business shall be carried on, or the Officer of Excise in charge for the Time being of such Collection, or by any Officer of Excise authorized and directed by such Collector or Officer in charge to make such Demand, whether such Demand shall be made personally of such Person, or shall be left at his Dwelling House, or at the Premises where such Duty or Duties shall have been charged, every such Person shall forfeit and lose Double the Value of the Duty or Duties so neglected to be paid and cleared off as aforesaid.

Goods fraudu-  
lently produced  
to obtain Draw-  
back forfeited,  
with Treble  
Value or Cost.

XII. And be it further enacted, That all Goods which shall be removed or deposited or concealed, or which shall be produced to any Officer of Excise or Customs, with intent fraudulently to obtain any Drawback or Allowance granted by any Act or Acts relating to the Revenue of Excise or Customs, shall, with the Casks, Vessels, Cases, or other Packages containing the same, be forfeited; and every Person who shall remove or deposit or conceal, or shall produce to any Officer of Excise or Customs, any Goods, with intent fraudulently to obtain any Drawback or Allowance granted by any Act relating to the Revenue of Excise or Customs, shall forfeit Treble the Value of such Goods or One hundred Pounds, at the Election of the Commissioners of Excise or Customs, or the Person who shall inform or sue for the same.

Goods con-  
demned for  
being adulterated  
or mixed  
with any  
prohibited  
Ingredients  
to be  
destroyed.

XIII. And be it further enacted, That all Goods and Commodities which shall be seized and condemned for or by reason of the same being adulterated or mixed with any unlawful or prohibited Ingredients shall, after the Condemnation thereof, be burned or otherwise effectually destroyed, and shall not be exposed to sale; and it shall be lawful in every such Case for the Commissioners of Excise, under the Directions of the Lord High Treasurer or Commissioners of the Treasury, to distribute to and amongst the Officers who shall have seized such Goods or Commodities a Sum of Money equal to the Value of the said Goods or Commodities, or such greater or lesser Reward as by the said Lord High Treasurer or Commissioners of the Treasury shall be deemed expedient.

Power to  
seize Officers  
detecting pri-  
vate

XIV. And be it further enacted, That where any Person shall be arrested and detained by any Officer or Officers of Excise for being found in any private or unregistered Place, knowingly selling or in any private house, or in the like situation, of any Goods or Commodities, or for the receipt or the

Duties of Excise are or shall be imposed, and such Person shall be convicted in the Penalty of Thirty Pounds or Sixty Pounds imposed for such Offence, but shall not pay the same, it shall be lawful for the Commissioners of Excise, with the Consent and Approbation of the Commissioners of His Majesty's Treasury, if they shall see fit, to cause a Reward not exceeding a Moiety of the Penalty so imposed to be paid to the Officer or Officers by whom and at whose Instance such Person shall have been arrested and detained and convicted; and in case any Officer or Officers of Excise shall seize any such Goods or Commodities, or any Materials for the Manufacture thereof, in any private or unlicensed Place, but shall not at the same Time arrest or detain any such Person, or if any Person arrested or detained shall not be convicted, it shall be lawful for the said Commissioners of Excise, with the Consent and Approbation aforesaid, if they shall see fit, to cause a Reward not exceeding Five Pounds to be paid to such Officer or Officers.

XV. And be it further enacted, That so much of the said recited Act as enacts, " that if upon Notice given or Request made by any Officer of Excise to any Constable, Headborough, or any other ministerial Officer of the Peace, to go with him as such Officer of Excise, and to be present at the doing or performing of any Act or Thing as which the Presence of a Constable, Headborough, or Officer of the Peace is or shall be required by this Act or any other Act or Acts of Parliament relating to the Revenue of Excise, such Constable, Headborough, or Officer of the Peace shall not go with such Officer of Excise, or shall not be present at the doing or performing of any such Act or Thing, or shall refuse or neglect so to do or to be present as aforesaid, every such Constable, Headborough, or Officer of the Peace so offending shall for every such Offence forfeit and lose the Sum of Twenty Pounds," shall be and the same is hereby repealed.

XVI. And be it further enacted, That if upon Notice given or Request made by any Officer of Excise to any Constable, Headborough, or other ministerial Officer of the Peace, to go with him as such Officer of Excise, and to aid and assist him as such Officer of Excise in the due Execution of any Act or Thing required or enjoined by any Act or Acts relating to the Revenue of Excise or Customs to be done or prevented from being done, or which it shall be lawful for any Officer of Excise to do or to prevent from being done, such Constable, Headborough, or Officer of the Peace shall not go with such Officer of Excise, or shall not aid or assist him as aforesaid to the utmost of his Power, such Constable, Headborough, or other Officer of the Peace so offending shall forfeit Twenty Pounds.

XVII. And be it further enacted, That where any Defendant shall be arrested and imprisoned under any Writ of Attachment issued out of His Majesty's Court of Exchequer at Westminster, Edinburgh, or Dublin, for not entering an Appearance to any Proceedings commenced against him for the Recovery of any Duties of Excise, or of any Penalty incurred under any Act relating to the Revenue of Excise, and such Defendant shall neglect, or refuse to enter or cause to be entered an Appearance on his Behalf by the Time when a Rule to plead might, according to the Course and Practice of the Courts, have been given if such Defendant had caused an Appearance to be entered in proper Time, it shall be lawful for the Solicitor of Excise, on behalf of the Attorney General, to cause a Copy of the Information, and also a Rule to plead, to be served on such Defendant by the same being delivered to the Gaoler, Keeper, or Turnkey of the Prison in which such Defendant shall be confined, together with a Notice setting forth, that unless such Defendant shall appear and plead on or before the Expiration of the Rule to plead, which it shall be lawful for him to do without being required to take a Copy of such Information, Judgment by Default will be entered against him; and in case such Defendant shall neglect to appear and plead at the Expiration of the said Rule it shall be further lawful for the Solicitor of Excise, on behalf of the Attorney General, to cause an Appearance to be entered for such Defendant, and to cause up Judgment against him as for Waste of Time, and disruption to issue Process of Execution and proceed to charge such Defendant in Execution.

XVIII. And be it further enacted, That so much of the said recited Act as enacts, " that every such Information as aforesaid shall be exhibited before the Commissioners of Excise, or Justice or Justices of the Peace respectively, within Four Calendar Months next after the Offence or Offences alleged in such Information shall have been committed, or the Goods, Commodities, or Chattels therein alleged to have been forfeited shall have been seized; and a Notice in Writing of such Information being given or exhibited shall be given to the Person or Persons against whom the same shall have been exhibited for the Penalty or Penalties incurred for such Offence or Offences, or to the Person or Persons who shall claim the Goods, Commodities, or Chattels in such Information alleged to have been forfeited, within One Week next after such Information shall have been exhibited; and the Commissioners of Excise, or Justice or Justices of the Peace, before whom any such Information shall have been exhibited as aforesaid, are hereby respectively authorized and required in manner every Person against whom any Information shall have been exhibited, or who shall claim any Goods, Commodities, or Chattels as aforesaid, to appear and plead in and attend the Hearing of such Information at a Time and Place to be named in such Summons, which Summons shall be served upon every such Person or Persons Fourteen Days at the least before the Time appointed in such Summons. Provided always, that where such Information shall be exhibited as aforesaid for the Recovery of Double the Value of any Duty or Duties neglected to be paid or cleared off as by this Act before directed, it shall be sufficient if such Summons as aforesaid be served within Twenty-four Hours at the least before the Time appointed in such Summons. And provided also, that in no such case it shall be deemed and taken to be sufficient Service of any such Notice or Summons as aforesaid if the same be left at or upon the Place used or occupied by any such Person or Persons respectively for carrying on Trade or Business,

vide Statute-book.

7 & 8 G. 4. c. 25.  
s. 51 repealed.

Constable or Peace Officer not to attend Officer of Excise when required, to forfeit 20

Where a Defendant arrested under an Attachment shall refuse to enter an Appearance, he may, his counsel with a Copy of the Information and a Rule to plead, and in default of appearing and pleading Judgment to be entered up against him

7 & 8 G. 4. c. 25.  
s. 55 repealed.

or at the Building or Place where any such Offence shall have been committed or such Seizure made, or at the Place of Residence, or with the Wife or Child or usual Servant of any such Person or Persons, the same being directed to such Person or Persons by the right or assumed Name or Names of such Person or Persons," shall be and the same is hereby repealed.

XIX. And be it further enacted, That every Information for the Recovery of any Penalty, or for the Condemnation of any Seizure, shall be exhibited before the Commissioners of Excise, or Justice or Justices of the Peace respectively, within Four Calendar Months next after the Offence or Offences alleged in such Information shall have been committed, or the Goods, Commodities, Chattels, or Things therein alleged to have been forfeited shall have been seized; and a Notice in Writing of such Information having been so exhibited shall be given to the Person against whom the same shall have been exhibited within One Week next after the exhibiting of such Information; and the Commissioners of Excise, or Justice or Justices of the Peace, before whom any such Information shall be exhibited, are hereby respectively authorized and required to summon every Person against whom any such Information shall have been exhibited to appear and plead to and to attend the Hearing of such Information at a Time and Place to be named in such Summons, which Summons shall be served upon every such Person or Persons Ten Days at the least before the Time appointed in such Summons, and which Summons may be added to or may include such Notice as aforesaid, or may be separate and apart therefrom, and be served at another and different Time, subsequent to the Delivery of such Notice, at the Option of the Prosecutor: Provided always, that where such Information shall be exhibited for the Recovery of Double the Value of any Duty or Duties neglected to be paid or cleared off, it shall be sufficient if such Summons be served Twelve Hours at the least before the Time appointed in such Summons: And provided also, that in all Cases it shall be deemed and taken to be sufficient Delivery and Service of any such Notice and Summons as aforesaid if a Copy of the same be left at or upon the Place used or occupied by any such Person or Persons respectively for carrying on his or their Trade or Business, or at the Building or Place where any such Offence shall have been committed or such Seizure made, or at the Place of Residence, or with the Wife or Child or Servant of any such Person or Persons, the same being directed to such Person or Persons by the right or assumed Name or Names of such Person or Persons; or where any such Offence shall have been committed or discovered in Transit, or any Seizure made in Transit, and the Place of Business or Residence of the Offender shall be unknown to the Person discovering such Offence or making such Seizure, it shall be sufficient if such Notice and Summons, or a Copy thereof, be affixed at or upon such conspicuous Part of the Office of Excise next to where such Offence shall have been committed or discovered, or Seizure made, directed to such Offender or Offenders by his or their right or assumed Name or Names, if the same shall be known to the Prosecutor, and if not known, without any Name or Names.

XX. And whereas Doubts have been entertained whether, under the Provision of the said recited Act authorizing the Mitigation of Penalties to One Fourth, the Justices of the Peace respectively, before whom any Information may be exhibited for the Recovery of Double the Value of any Duty or Duties of Excise neglected to be paid or cleared off, have any Power to mitigate the Penalty of such Double Value; or for determining of which Doubts be it further enacted, That nothing in the said recited Act, or in any other Act or Acts relating to the Revenue of Excise, shall be construed to authorize or empower any Justice of the Peace, on the hearing and determining of any Information for the Recovery of Double the Value of any Duty or Duties of Excise neglected to be paid or cleared off, to mitigate the said Penalty of the Double Value of such Duties, but the said Justice shall in all Cases convict the Defendant or Defendants in the full Penalty of Double the Value of the Duties which shall be proved to have been neglected to be paid and cleared off, and shall give Judgment accordingly; and no Justice of the Peace before whom any Person having been arrested and detained under any Act or Acts relating to the Revenue of Excise, and liable to the Payment of any Penalty, and in default of the immediate Payment thereof to be committed to Prison for a limited Period, shall have any Power or Authority to mitigate such Penalty, except where a special Power for the Mitigation of such Penalty shall be given; any thing in the said recited Act, or any other Act or Acts relating to the Revenue of Excise, notwithstanding.

XXI. And be it further enacted, That in any Prosecution for Recovery of any Penalty incurred, or for the Condemnation of any Goods or Chattels seized as forfeited, under any Act of Parliament relating to the Revenue of Excise, and carried on before the Commissioners of Excise or any Justice of the Peace, the Commissioners of Excise may order the Expenses of such Prosecution to be paid out of the Revenue of Excise, and a Sum of Money to be paid to the Officers concerned in such Prosecution, or the Persons through whose Information the Offence shall have been discovered or the Seizure made, in the same Manner as they are authorized to do in Prosecutions carried on in the Court of Exchequer.

XXII. And be it further enacted, That where in any Case any Information for the Recovery of any Penalty incurred, or the Condemnation of any Goods, Commodities, Articles, or Things forfeited, under any Law or Laws relating to the Revenue of Excise, shall by Order of the Commissioners of Excise be exhibited before the Commissioners of Excise, or before any Justice or Justices of the Peace, and the Officer of Excise by whom or in whose Name such Information shall be or shall have been exhibited shall die, or be removed or discharged, or at the Time of Hearing may be absent, such Information shall, nevertheless, be deemed to have been exhibited, and the Proceedings on the same shall be continued, and may be proceeded

Information to be exhibited before Commissioners of Excise or Justices of the Peace within Four Months after Offence committed or Seizure made, and Person to be summoned.

Information of Excise and Justice not authorized to mitigate the Penalty of Double Duty for Negligence of Excise Duties.

Expenses of Prosecutions before Commissioners of Excise or Justices of the Peace may be paid out of the Revenue.  
In case of the Death, Removal, or Absence of any Officer of Excise in whose Name any Information may have been exhibited

sworn on by any other Officer of Excise in the Name of the Officer by whom the same shall have been exhibited; and the said Commissioners of Excise and the Justices shall, on the Day named and appointed in the Summons to be issued in that Behalf, proceed to hear and determine the Matter of such Information, and shall examine all such Witnesses as shall be tendered to them for Examination by any Officer of Excise in support of such Information, notwithstanding such Death, Removal, or Discharge, or the Absence of the Officer of Excise by whom or in whose Name such Information shall be or shall have been exhibited; and all the Proceedings on such Information, and all Proceedings for Recovery of any Penalty awarded thereto, or for the Arrest and Imprisonment of any Defendant for Nonpayment of such Penalty, or for Contumacious or any Goods, Commodities, Articles, or Things, shall be good, valid, and effectual.

XXIII. And he is further enacted, That if there shall not be Twenty Days between the Time of any Judgment being given by any Justice of the Peace on any Information exhibited to them and the next General Quarter Sessions of the Peace, and the Party against whom such Judgment shall be given shall appeal against the same, then such Appeal may be to the Quarter Sessions next after the Expiration of Twenty Days from the giving of such Judgment; and any Notice of Appeal shall be given by any Officer of Excise who shall attend and conduct the Proceedings on the Part of the Revenue of Excise, notwithstanding such Officer may not be the Officer named in the Information as informing or exhibiting the same; and it shall be lawful for any Court of Quarter Sessions before whom any Appeal shall be brought to adjourn the Hearing thereof to the next Quarter Sessions, then to hear and finally to determine the same.

XXIV. And whereas by the said recited Act Commissioners of Appeal and Justices at the Quarter Sessions shall not at the Hearing of any Appeal examine any Evidence or Witnesses or Witnesses other than or different from the Evidence and the Witness or Witnesses which and who shall have been before examined before the Commissioners of Excise or Justices of the Peace respectively at the Trial and Hearing of the Information upon which the original Judgment appealed against shall have been given; and great Inconvenience has been experienced by Justices defining an alleged Defect in Informations, and dismissing the same without any Examination of Witnesses, whereby the Readiness of Appeal hath been lost, he is further enacted, That where the Commissioners of Excise or Justices of the Peace respectively before whom any Information shall be exhibited shall dismiss such Information without Examination of Witnesses, or shall refuse to examine any Witness produced on the Hearing of any Information, the several Witnesses refused to be examined shall be tendered to the said Commissioners or Justices respectively for Examination on the Part of the Informer or Defendant, as the Case may be, and the said Commissioners or Justices respectively shall, on ascertaining the Witnesses so tendered for Examination to be present, cause their Names to be taken down in Writing, and shall transmit the same with the Information and Judgment to the Commissioners of Appeal or Quarter Sessions respectively; and the several Witnesses so tendered for Examination, and whose Names shall be so transmitted, shall on the Hearing of the Appeal be examined in the Case, although not examined before the Commissioners or Justices on the original Hearing and Judgment.

XXV. And he is further enacted, That if any Person liable to be arrested and detained under any Act or Acts relating to the Revenue of Excise shall not be detained at the Time when he shall be discovered committing the Offence for which he is so liable, or after Detention shall make his Escape, any Officer of Excise may stop, arrest, and detain such Person at any Time afterwards, and carry him before any Justice or Justices of the Peace, to be dealt with as if detained at the Time of committing the Offence.

XXVI. And he is further enacted, That so much of the said recited Act as enacts, "that it shall be lawful for the Commissioners of Excise, or any Three or more of them, within the Limits of the Chief Office of Excise, and for any Two or more of the Justices of the Peace in any other Part of the United Kingdom within whose Jurisdiction respectively any Person or Persons chargeable with any Duty of Excise shall have been charged therewith, upon Complaint to them respectively made by any such Person or Persons of any Over-charge in that Behalf made by any Officer of Excise, within Twelve Calendar Months next after the making of such Charge, and such Commissioners and Justices are hereby respectively authorized and required to hear, adjudge, and determine such Complaint, and to examine the Witness or Witnesses upon Oath who shall be thereupon produced, as well on the Behalf of the Person or Persons making such Complaint as on the Behalf of His Majesty and of all Parties therein concerned, and shall thereupon, by Warrant under their Hands, discharge or acquit such Person or Persons of so much of such Charge as shall be made out and proved before such Commissioners of Excise or Justices of the Peace respectively to have been over-charged; and if such Person or Persons shall, before such Acquittal, have paid any Money upon or in respect of such Overcharge, it shall be lawful for the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in Scotland and Ireland respectively, and they are hereby respectively required, upon such Acquittal as aforesaid, to repay to such Person or Persons, out of the Public Money in their Hands, or at their Discretion to allow out of the said Duties becoming payable by such Person or Persons, or such Money as shall have been so paid as aforesaid, any thing in the Act or in any other Act or Acts to the contrary thereof as aforesaid notwithstanding: Provided always, that no such Complaint shall be heard before the said Commissioners of Excise unless the same shall be entered upon the Books of the Deputy Clerk in a Book to be kept for that Purpose in the Office of the Collector of Excise, for the summary Jurisdiction at the Chief Office of Excise, naming the Particulars

inhabited, the Proceedings may be carried on by any other Officer.

If there shall not be 20 Days between giving Notice of Appeal and the next Quarter Sessions, the Appeal shall be to the following Sessions.

Witnesses tendered for Examination at the original Hearing before Commissioners of Excise or Justices may be examined on hearing the Appeal.

Persons liable to arrest, not being so arrested at the Time, may be afterwards arrested.

7 & 8 G. 4. c. 25. s. 125. repealed.

titles thereof, and the Name and Place of Residence of every such Complainant; and upon every such Complaint being so entered, a Notice shall be given by the said Commissioners of the Time and Place by them appointed for the Hearing of such Complaint; and if such Complainant shall not appear at the Time and Place appointed for the Hearing of any such Complaint, it shall be lawful for the said Commissioners, or any Three or more of them, to do upon such Complaint upon Proof of Notice of the Time and Place appointed for the Hearing of such Complaint having been given to such Complainant, or left at the Place mentioned in such Complaint Book as aforesaid to be the Place of the Residence of such Complainant; and that no such Complaint shall be heard before any Justice of the Peace unless a Notice in Writing of the Time and Place of hearing thereof (which Notice shall contain and set forth the Ground and Substance of such Complaint) shall be given to the Collector of Excise in whose Collection, or to the Supervisor of Excise in whose District, such Over-charge shall have been made, within Eight Days at the least before the Time appointed for the Hearing of such Complaint; And provided always, that the Payment of any Duty with which any such Complainant as aforesaid shall have been charged, or any Proceedings for the Recovery of such Duty, shall not be delayed or suspended by reason of the making of any such Complaint, or of the same being depending, shall be and the same is hereby repeated.

Complaints of  
Over-charges  
and Over-pay-  
ments.

XXVII. And be it further enacted, That it shall be lawful for the Commissioners of Excise, or any Three or more of them within the Limits of the Chief Office of Excise, and for any Two or more Justices of the Peace in any other Part of the United Kingdom, within whose Jurisdiction respectively any Person chargeable with or liable to the Payment of any Duty of Excise shall have been charged with or paid such Duty, upon Complaint to them respectively made by any Person or Persons of any Over-charge made by any Officer of Excise, or of any Over-payment made by any such Person, within Twelve Calendar Months next after the making of such Over-charge or Over-payment, and also in any Case in which by any Act of Parliament relating to the Revenue of Excise any Person shall be entitled to any Return of any Duty of Excise paid by or on behalf of such Person, upon the like Complaint by such Person within the Time in that behalf respectively limited by Law for exhibiting such Complaint, and such Commissioners and Justices are hereby respectively authorized and required, in every such Case to hear, adjudge, and determine such Complaints, and to examine the Witnesses or Witnesses upon Oath who shall be thereupon produced, as well as on behalf of the Person making Complaint as on behalf of His Majesty and of all Parties therein concerned, and shall thereupon, by Warrant under their Hands, discharge or acquit the Complainant of so much of such Over-charge or Over-payment as shall be made out and proved before such Commissioners of Excise or Justices of the Peace respectively to have been over-charged, or over-paid, or wrongly paid, or shall order such Assents of Duty as the Party shall appear to be entitled to have returned to him to be returned and paid; and if any Person in whose Favour any such Judgment shall be given shall before Acquittal of any Over-charge have paid any Money for or in respect of such Over-charge, and in case of any Over-payment, or Order to return any Duty of Excise, to a Return of which the Party may be entitled, the Commissioners of Excise shall and they are hereby required, upon such Acquittal or Order as aforesaid, to repay to such Person or Persons out of the Public Money in their Hands, or at their Discretion to allow out of the said Duties becoming payable by such Person or Persons, so much Money as shall be specified in such Judgment or Order as over-charged, over-paid, or wrongly paid, or to be returned, any thing in any Act or Acts to the contrary notwithstanding: Provided always, that no such Complaint shall be heard before the said Commissioners of Excise unless the same shall be entered by or on behalf of the Complainant in a Book to be kept for that Purpose in the Office of the Solicitor of Excise, at the Chief Office of Excise, stating the Particulars thereof, and the Name and Place of Residence or Place of Business of such Complainant; and upon every such Complaint being so entered, not less than Six Days Notice shall be given by the Commissioners of Excise of the Time and Place by them appointed for the Hearing of such Complaint; and if such Complainant shall not appear at the Time and Place appointed for the Hearing of any such Complaint, it shall be lawful for the said Commissioners, or any Three or more of them, to do upon such Complaint, upon Proof of such Notice of the Time and Place appointed for the Hearing of such Complaint having been given to such Complainant, or left at the Place mentioned in such Complaint Book as aforesaid at the Place of Residence or Place of Business of such Complainant; and no such Complaint shall be heard before any Justice of the Peace unless a Notice in Writing of the Time and Place of Hearing thereof shall be given to the Collector of Excise in whose Collection or to the Supervisor of Excise in whose District the Subject Matter of Complaint shall have arisen Eight Days at the least before the Time appointed for the Hearing of such Complaint, which Notice shall contain and set forth the exact Sum which is complained of as being an Over-charge, and the Date when the Charge was made on which such Over-charge is said to have arisen, or the exact Sum complained of as being an Over-payment, and the Date when such Over-payment was made, or the exact Amount of Duty closed to be allowed or returned, and on what Account, as the Case may be; and in every Case respectively the Ground of Complaint of such Over-charge or Over-payment, or Claim of Return or Allowance of Duty, shall be set forth in such Complaint: Provided also, that the Payment of any Duty with which any such Complainant as aforesaid shall have been charged, or any Proceedings for the Recovery or Payment of any such Duty, shall not be delayed or suspended by reason of the making of any Complaint of Over-

XXVIII. And be it further enacted, That any Penalty or Forfeiture incurred under any Act or Acts of Parliament relating to the Revenue of Customs may be used for and recovered by Order of the Commissioners of Excise, and in the Name of an Officer of Excise, as well as by Order of the Commissioners of Customs, and in the Name of an Officer of Customs; and where any Election or Option is or shall be given by any such Act or Acts to the Commissioners of Customs, which of Two Penalties shall be used for, such Election or Option may be exercised by the Commissioners of Excise, and may be averred to the Information to have been made by such last-mentioned Commissioners; and such Averment shall be deemed and taken to be sufficient Proof of such Order and of such Election or Option, without any further Evidence thereof.

XXIX. And be it further enacted, That it shall be lawful for the Commissioners of Excise, with the Consent of the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, to contract for and take on Lease, in Trust for His Majesty, His Heirs and Successors, for the Use and Service of the Revenue of Excise, any Messuages, Buildings, Lands, Tenements, or Hereditaments, either for any Term, for Life or Lives, or Years, or any less Interest therein, which they and the said Commissioners of Excise may deem desirable to be contracted for and taken for the Use and Service of the Revenue of Excise; and every Demise of any such Messuages, Buildings, Lands, Tenements, or Hereditaments shall be made to, and all Covenants relating to any such Demise shall be made and entered into and with and by the Secretary of His Majesty's Commissioners of Excise for the Time being, and his Successors to the Office of Secretary.

XXX. And in order to prevent the frequent Use of Terms and Expressions in Acts, and to give Effect to those used, be it further enacted, That whenever in this or any other Act relating to the Revenue of Excise the Word or Words writing, wrong, or wrongen, shall be used, the same shall include printing or printed, or partly written and partly printed; and when the Singular Number or Masculine Gender only shall be used, such Word or Words shall be construed to mean several Persons as well as one, and Females as well as Males, and Bodies Corporate and Politic as well as Individuals, and several Matters and Things as well as one Matter or Thing, unless it be otherwise specially provided for, or there be something in the Subject or Context repugnant to such Construction.

XXXI. And be it further enacted, That this Act shall commence and take effect from and immediately after the passing thereof.

XXXII. And be it further enacted, That this Act or any of the Provisions thereof may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

### C A P. LIJ.

An Act to amend an Act of the Twentieth Year of His Majesty King George the Second, for the Relief and Support of sick, maimed, and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service, and for other Purposes. [19th August 1834.]

WHEREAS by an Act passed in the Twentieth Year of His Majesty King George the Second, entitled *An Act for the Relief and Support of maimed and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service, a Body Corporate and Politic was created by the Name of "The President and Governors for the Relief and Support of sick, maimed, and disabled Seamen, and of the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service,"* and divers Powers and Privileges were thereby granted to the said Corporation, and Regulations made for the Management thereof; and various Provisions were by the said Act made for the Relief and Support of maimed and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned as aforesaid; And whereas another Act was passed in the Thirty-seventh Year of the Reign of His Majesty King George the Third,

intituled *An Act for providing the Discharge of Seamen from British Merchant Ships trading to His Majesty's Colonies and Plantations Abroad:* And whereas it is expedient to repeal some, and to amend and amend and amend in One Act of Parliament others of the Provisions of the said Two recited Acts:

Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty-first Day of December One thousand eight hundred and thirty-four, from which Day (except as herein after is expressly provided) this Act shall commence and take effect, the whole of the said recited Act of the Twentieth Year of the Reign of His said late Majesty King George the Second, except so far as the same relates to the Incorporation and perpetual Succession of the said Body Corporate and Politic, or to the Powers and Authorities thereby vested in the said President and Governors for receiving, possessing, and applying such Sums of Money as should be contributed, levied, or levied to it, and for purchasing and holding Lands and erecting an Hospital, or to the Rules and Method thereby provided for supplying the Places of the President and Assistants or Commissioners and Governors or Members thereof as often as Vacancies shall occur, and making and altering the Bye Laws, Constitutions, and Ordinances of the said Corporation, and so much of the said recited Act of the Thirty-seventh Year of the Reign of His said late Majesty King George the Third as relates to the Payment and Appropriation to and for the Use and Purposes thereof as aforesaid, but the whole of the said recited Act of the Twentieth Year of the Reign of His said late Majesty King George the Second, except so far as the same relates to the Incorporation and perpetual Succession of the said Body Corporate and Politic, or to the Powers and Authorities thereby imposed, so far as the

Officers under the Customs Laws may be used for by Order of Commissioners of Excise, and in the Name of Officers of Excise.

Power to Co. Commissioners of Excise, w. th. Consent of Treasury, to take Lease, &c. upon Lease.

Construction of Terms in Acts of Parliament.

Commencement of Act.

Act may be altered.

20 G. 2. c. 25.

37 G. 3. c. 75.

Repeal of certain Parts of recited Acts.



From an  
Enlargement  
extended  
on  
Provision  
incurred

President and  
Governors  
empowered  
to take  
disabled  
Seamen and  
their Widows  
and Children

Seamen to  
produce  
Evidence of  
their being  
received

Persons signing  
the Certificate  
to make Oath  
of the Truth  
thereof

Certificates to  
be produced  
by Seamen  
disabled by  
Sickness, and  
by Widows  
and Children  
of Seamen.

Disabled Seamen  
not entitled  
to the  
Benefits of this  
Act unless they  
have served

more are payable or receivable on account of any Infraction of the Provisions of the said Act respecting the Payment and Appropriation of such Wages as aforesaid, he and the same are hereby declared to be repealed: Provided always, that all Offences which shall have been committed, and all Penalties and Forfeitures which shall have been incurred, and all Payments and Duties to which any Party shall have become liable, previous to the Commencement of this Act, against the Provisions of the said Acts, shall and may be payable and recoverable under the said Acts as if the same had not been repealed, although such Payments and Duties shall not in consequence of such Liability have become actually receivable by the said President and Governors until after the said Thirty-first Day of December.

II. And be it further enacted, That the said President and Governors and their Successors shall and may and they are hereby authorized and empowered to provide, in such their Hospital as aforesaid, for the Reception of such Seamen as shall be rendered incapable of present or future Service by Sickness, Wounds, or other accidental Misfortunes, and those who shall become decrepit or worn out by Age, or shall provide for such Seamen by allowing them certain Pensions, or otherwise as to the said President and Governors and their Successors shall seem meet and most for the Advantage of the said Charity; and also to relieve the Widows and Children of such Seamen as shall be killed, slain, or drowned, in the said Service; and also to relieve the Widows and Children of such Seamen as shall die after having contributed during a Term of Twenty-one Years to the Funds of this Corporation, provided such Children are not of the Age of Fourteen Years, or if of that Age or upwards, not capable of getting a Livelihood by reason of Lameness, Blindness, or other Infirmitie, and are proper Objects of Charity; and also to relieve the Widows and Children (such Children being proper Objects of Charity as aforesaid) of such Seamen as at the Time of their Death shall have been receiving or have been entitled to receive Pensions, under and by virtue of this Act, from the Fund hereby to be created, as decrepit or worn out Seamen: Provided that no Widow shall be entitled to any Benefit under this Act who shall not have been the Wife of such Seaman or Passenger before he became entitled to Relief under the Provisions of this Act: Provided nevertheless, that no Seaman in the said Service shall be entitled to any of the Provisions or Benefits of this Act, on account of any Hurt or Damage he may have received on board any Ship or Vessel, unless he shall produce or cause to be produced a Certificate to the said President, Assistants, and Committee, of the Hurt or Damage he hath received, from the Master, Mate, Boatwain, and Surgeon, or as many of them as were in the Ship or Vessel to which such Seaman belonged at the Time of his receiving such Hurt or Damage, or of the Master and Two of the Seamen if there be no other Officer, or in case the Master shall die, or be killed or drowned, then of the Person who shall take upon him the Care of the Ship or Vessel, and Two of the Seamen on board the said, under their Hands and Seals, thereby signifying how and in what Manner such Seaman received such Hurt or Damage, whether in fighting, defending, working, loading, or unloading the said Ship or Vessel, where and when he entered, and how long he had served on board the same; and the Parties so signing and sealing such Certificate shall and are hereby required to make Oath of the Truth of the Contents thereof before some One of His Majesty's Justices of the Peace, if given in Great Britain or Ireland, or other His Majesty's Dominions, or the Chief Officer of the Customs of the Port or Place where there is no Justice of the Peace, or before the British Consul or Resident in any Foreign Country where such Certificate is executed (who are hereby respectively authorized and required to administer the same without Fee or Reward); and in case of Sickness, whereby such Seaman shall be rendered incapable of Service, a Certificate signed, sealed, and authenticated in like Manner, signifying that he was healthy when he entered on board such Ship or Vessel, and that such Seaman was contracted on board the same, or on shore to do his Duty in the Service of the Ship, and not otherwise, and expressing the Time and Place he entered on board such Ship or Vessel, and how long he had served thereon; and that no Widow, Child, or Children of any Seaman killed, slain, or drowned in the said Service, shall be relieved or entitled to any Allowance by virtue of this Act unless she or they, or some Person on her or their Behalf, shall produce a Certificate, signed, sealed, and authenticated in like Manner, signifying how and in what Manner such Seaman lost his Life in the Service of the said Ship or Vessel, the Time and Place he entered on board, and how long he had served thereon; and that no Widow, Child, or Children of any Seaman in the said Service shall be entitled to any Relief by virtue of this Act unless she or they shall produce or cause to be produced a Certificate under the Hands and Seals of the Minister and Churchwardens and Overseers of the Poor of the Parish, Township, or Place, or any Two of them, or under the Hands and Seals of the Minister and Overseers of the Poor of the Parish, Township, or Place, or any Two of them, where there are no Churchwardens, or if in Scotland by the Minister and Elders, or if as Inhabited by a Justice of the Peace for the Parish, Township, or Place where such Widow, Child, or Children shall at the Time reside, and if such Widow, Child, or Children are some of the People called Quakers, then by any Two reputable Persons of that Persuasion of the Parish, Township, or Place where such Widow, Child, or Children have a legal Settlement, or de Inhabited and reside, to be attested by Two or more credible Witnesses, that such Widow was the lawful Wife and real Widow, and that such Child or Children was or were the lawful Child or Children of such deceased Seaman as aforesaid, and that such Child or Children is and are under the Age of Fourteen Years, or if of that Age or upwards, not capable of getting a Livelihood by reason of Lameness, Blindness, or other Infirmitie, and is or are proper Objects of Charity; and that no Seaman shall be provided for by a Pension or otherwise, as decrepit or worn out, unless such Seaman shall have served in the Merchant Service for the Space of Five Years, and shall have during that Time contributed and paid his Monthly Duty out of his Wages, in and by the Act of

the Twentieth Year of the Reign of King George the Second herein-before recited, or is and by this Act, required to be heretofore paid and deducted as the Case may happen, for the Use and Purpose in and by this Act provided.

III. Provided always, and be it further enacted, That if any Person shall forge, counterfeit, alter, or alter, or shall procure to be forged, counterfeited, altered, or altered, or shall unlawfully or unlawfully obtain, any Certificate in order to entitle him or her to any of the Pensions, Allowances, or Benefits of this Act, and shall produce or cause such Certificate to be produced for that Purpose, such Certificate shall, upon Discovery thereof, be null and void, and such Person so applying for Relief or Provision shall be for ever incapable of receiving any of the Benefits of this Act, and shall be subject and liable to the like Punishment as an incorrigible Rogue is subject and liable to, and shall be punished accordingly as such.

IV. And be it further enacted, That the said President, with any Five or more of the said Assistants or Commissioners for the Time being, shall make a full Court of Assistants or Commissioners, and shall meet from Time to Time upon Wednesdays weekly in or near the City of London, or in such other Time or Place as they shall think fit to appoint; and such Court shall have Power, when assembled as aforesaid, in the Name of the said Corporation and on their Account, to apply the Monies arising and to be received by virtue of this Act, or otherwise belonging to and vested in the said Corporation, for the Relief and Support of such Seamen, their Widows and Children, as are herein-before described, and in case there shall be any Surplus thereof, or any Sum or Sums of Money shall be contributed and given for the Purpose of this Act by any well-to-do Persons, to lay out the same in Parliamentary Securities, or to dispose of the same in the Purchase of such Lands, Tenements, or Hereditaments as are allowed to be purchased and held by the said Corporation by the said recited Act of the Twentieth Year of the Reign of His said late Majesty George the Second, and with and under their Common Seal to enter into any Covenants or Contracts for the Purpose aforesaid, as they shall think fit for the better promoting and carrying into effect the Provisions of this Act; and to appoint and choose, and in their Pleasure to remove, discharge, and supply, any Officers, Servants, and other Persons and Persons to be employed for the Purpose herein mentioned and intended, or other the Affairs of the said Corporation (other than and except such Officers and Persons as by the said Act of the Twentieth Year of the Reign of His said late Majesty King George the Second are directed to be chosen and appointed at a General Court or Assembly of the said Corporation) and to direct and appoint such Solicitors, Perquisites, and other Rewards for their Labour and Service therein as they shall approve and think proper, and to do, manage, transact, and determine all such Matters and Things as to them or the greater Part of them shall appear necessary and convenient for the effecting and carrying on the Purpose hereby intended.

V. And be it further enacted, for effecting the Ends and Purposes aforesaid, That every Master of any Merchant Ship or Vessel belonging or to belong to any of the Subjects of His Majesty, His Heirs or Successors, and every Owner being a British Subject navigating or working his own Ship or Vessel, whether the said Ship or Vessel shall be employed on the High Sea, or Coasts of Great Britain or Ireland, or in any Port, Bay, or Creek of the same, shall, from and after the Thirty-first Day of December One thousand eight hundred and thirty-four, pay, and there shall be allowed and paid by every such Master or Owner, Two Shillings per Month of lawful Money of Great Britain, and proportionably for a lesser Time, during the Time he or they shall be employed in or navigate or work such Merchant Ship or Vessel, for the Use and Purpose aforesaid. Provided always, that such Masters or Owners of such Ships or Vessels, or their Widows and Children under Fourteen Years of Age, or being Objects of Charity as aforesaid, shall have and be entitled to have a proportionable Increase of the Pension or other Allowance, as is and by this Act is provided, according to the Difference between the Amount of the Monthly Duty hereby required to be paid by other Seamen, Mariners, and Pilots, in case such Master or Owner shall have paid the said Sum of Two Shillings per Month for a Period of Five Years or Sixty Months before any Application to the said President and Governors for Relief under this Act or the Provisions thereof, or any of them; but in case any such Master or Owner shall be killed or drowned, or become decrepit and maimed, or disabled, before he or they shall have paid such increased Rate of Two Shillings per Month for the full Period of Five Years or Sixty Months as aforesaid, then such Master or Owners, or their Widows and Children, shall have and be entitled to have and receive such smaller Pension or Allowance as the said President and Governors, or the Trustees to be appointed as herein-after mentioned, shall think fit.

VI. And be it further enacted, That every Seaman or other Person whatsoever who shall serve or be employed by any Person or Persons whatsoever in any Merchant Ship, or other private Ship or Vessel, belonging or to belong to any of the Subjects of His Majesty, His Heirs or Successors, whether the said Ship or Vessel shall be employed on the High Sea or Coasts of Great Britain or Ireland, or in any Port, Bay, or Creek of the same, and every Pilot employed on board any such Ship or Vessel, shall, from and after the Thirty-first Day of December One thousand eight hundred and thirty-four, pay, and there shall be allowed and paid by every such Seaman, Pilot, or other Person employed or that shall be employed, One Shilling per Month of lawful Money of Great Britain, and proportionably for a lesser Time, during the Time he or they shall be employed in or belong to the said Ship or Vessel, for the Use and Purpose aforesaid. Provided always, that this Act shall not extend, or be construed to extend to any Person or Persons who shall be employed in any Boat upon any of the Coasts of Great Britain or Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark, and Man, in taking Fish, nor to any Person or Persons employed

Five Years, and continued monthly.

Persons being, the Certificate to be provided.

President and Five Assistants to make a Court, who are to meet weekly. The Court may apply the Monies of the Corporation, and appoint the Officers and their Salaries.

Exception:

and do all other Matters and Things necessary.

All Masters and Owners of Merchant Ships or Vessels, do to pay 2s. per Month.

All Seamen or other Persons serving on board such Ships or Vessels, do to pay 1s. per Month.

employed in Boats or Vessels that trade only from Place to Place within any River of Great Britain or Ireland.

Masters of Ships to keep in their Boats in per Month out of Seaman's Pay, and pay over the same to the Receiver of the Duties.

Boatmen to be appointed for the Port of London and the Out-ports, who are to collect and pay over the Duties according to Instructions.

Masters to keep Muster Roll, and deliver Duplicate thereof to the Collector.

Boatmen to transmit Duplicates of Vessels belonging to their Port.

Penalty for Neglect by Masters, &c.

Masters of Vessels to deliver Particulars from Wages of Seamen, and deliver a written Account thereof to Officers of Customs and Government, under Penalty of 20*l*.

VII. And be it further enacted, That the Master, Owner, or Commander of every such Merchant or private Ship or Vessel is hereby empowered and required to deduct and detain out of the Wages, Stowage, or other Profits payable or accruing to such Seaman or other Person employed on board such Ship or Vessel (other than such Persons as are hereby excepted), the said Monthly Duty, and shall pay the same, together with the Amount of the Duty due and owing from himself, to such Officer or Officers as shall on that Behalf be appointed by the said President and Governors, or the Trustees to be appointed at any of the Out-ports in manner herein provided, and their Successors, for the collecting, receiving, and receiving the said Duty of One Shilling per Month, if such Seaman or other Person shall have or be credited to any such Wages, Stowage, or Profits.

VIII. And be it further enacted, That it shall and may be lawful for the said President and Governors, and their Successors, at a full Court of Assistants or Commissioners, to appoint such Person or Persons as they shall think fit to be Receiver or Receivers of the said Duties of Two Shillings and One Shilling per Month at the Port of London, and also deputes and appoint the Collectors or other Officers of the Customs of His Majesty, His Heirs and Successors, in the several Out-ports of Great Britain and Ireland, with the Concurrence of the Commissioners of the said Customs, or such other Persons as they shall think fit, to collect and receive the same (except in such Out-ports and where separate Trustees shall have been appointed by virtue of this Act); which said Receivers, as also the Collectors and Officers of the Customs, are hereby empowered and required to collect, receive, and pay over the said Duties according to such Instructions and Directions as shall be from Time to Time sent to them in Writing by the said President and Governors and their Successors; and for the Care and Parts therein of the said Collectors and other Officers of the Customs to be appointed to collect, receive, and receive the said Duty, it shall and may be lawful for the said President and Governors and their Successors, as such Court of Assistants or Commissioners as aforesaid, to make such Allowance to them out of the said Duties as they shall judge reasonable, so that the same do not exceed the Sum of Five Pounds per Customs at the gross Amount thereof.

IX. And be it further enacted, That every Master, Commander, or Owner of any Merchant Ship or other private Ship or Vessel navigating the Coast, or such other Person as shall have the Care thereof, shall keep a Book by way of Muster Roll or Account of the Ship's Company, signed by himself, in which shall be entered his own Christian and Surname, and the Christian and Surnames of all the Officers, Stowage, and other Persons employed in such Ship or Vessel, and over against each Name the Age, Place of Birth, and Quality of such Seaman or other Person, and the Time and Place when he entered into the Service of such Ship or Vessel; and such Master, Commander, or Owner, or other Person having the Care of such Ship or Vessel shall continue to keep such Book by way of Muster Roll during the whole Course of the Voyage, and shall from Time to Time enter therein when and where any such Master, Officer, Seaman, or other Person shall be discharged from or shall leave or desert such Ship or Vessel, and when and where any other Officers and Men shall be shipped on board, describing them in like Manner as the Persons who first entered on board are directed to be described, and when and where any of them received any Hurt or Damage, or were killed, slain, or drowned, or otherwise happened to die, in case there should be any such, together with a Statement of the Amount of Wages due to them at the Time of Death or Descent, and of what Clothes or other Effects such deceased Men shall have left on board; which said Account shall be in the Form, and shall contain a true and correct Return under their respective Heads of the several Particulars expressed in the Schedule marked (A.) and to this Act inserted; a Duplicate of which Account shall, if required, be signed by the said Master, Commander, or other Person having the Care of the Ship or Vessel as aforesaid, and shall be delivered to the Collectors or Receivers of the said Duties so appointed as aforesaid, at whatever Port in Great Britain or Ireland any such Ship or Vessel shall report or discharge her Cargo; and every such Duplicate for Vessels not belonging to such Port of Discharge shall be forwarded by such Receiver to the said President and Governors, to be by them transmitted to the Trustees of the Port to which the Vessel shall belong; and in case any such Master, Commander, or other Person shall neglect to keep such Muster Roll or Account, or shall neglect or refuse to deliver such Duplicate as aforesaid, and in case such Receiver or Collectors shall neglect or refuse to transmit the Duplicates which shall be delivered to them as aforesaid to the said President and Governors, every such Person so offending shall forfeit and pay for every such Refusal or Omission the Sum of Five Pounds of lawful Money of Great Britain.

X. And be it further enacted, That the Master for the Time being of every Ship coming within the Provisions of this Act shall have Authority to deduct out of the Wages of the Persons thereof the Amount of all Forfeitures to be incurred by any such Seaman, and every such Master is hereby required correctly and truly to enter the same in a Book to be by him kept for that Purpose, which shall be signed by the Master and the Person next to him in the Command of the Ship, both of whom shall therein certify that it contains all the Forfeitures which have been incurred by the Seaman of the Ship during the Voyage, to the Truth whereof the Master shall make Oath when required by the Officer at the said President and Governors in London, or of the Trustees at any of the Out-ports, if any, and if not, to the respective Receivers or Collectors of the said President and Governors at such Out-ports appointed to receive the Money payable in respect of the Wages of Merchant Seamen; which Oath shall likewise be strictly withheld to administer; and the said Book, or a true Copy thereof signed and certified

ded as aforesaid, shall, within One Calendar Month after the Ship's Return from her Voyage, be delivered to the said Officer by the Master, together with Extracts from the Log Book of the Entries therein of the Causes of the several Refusals which are herein-before required to be made; and every Master as aforesaid who shall refuse or neglect to deliver any such Account as hereby required shall forfeit and pay the Sum of Twenty Pounds.

XI. And he is further enacted, That it shall and may be lawful to and for the said Collectors or Receivers, for the better Discovery of what shall be due from the several Persons serving on board or belonging to any Merchant Ship or other private Ship or Vessel aforesaid, by Warrant under his or their Hand or Hands to summon every such Master and Commander, or in his Absence such Owner or Owners of such Ship or Vessel as aforesaid, to be and appear at the Office of the said Collectors or Receivers respectively (so that the Persons so summoned be not obliged to travel above Ten Miles for the making such Appearance), which said Collectors or Receivers are hereby empowered and directed to examine every such Master and Commander or Owner or Owners as to the Truth of the Copy of such Book or Muster Roll, and as to the Number and Terms of Service of all the several Persons belonging to or employed in such Ship or Vessel, who are liable to or chargeable with the said Duty; and if such Masters or Commanders, or in their Absence such Owner or Owners, or any of them, shall refuse or neglect when so summoned to appear before the said respective Persons hereby empowered to examine them as aforesaid, or if they shall appear and obstinately refuse to make a full and true Discovery of the Masters aforesaid, then and in every such Case all and every such Offenders or Offenders for every such Refusal shall forfeit the Sum of Ten Pounds, of lawful Money of Great Britain.

XII. And for the more easy and effectual Collection of the said Duties of and from the Masters, Commanders, and Owners of Merchant Ships or other private Ships or Vessels that are or shall be hired or employed as usually Charter by the several Departments of the Navy, Victualling, Ordnance, Customs, Post Office, or other Public Offices for or in the Service of His Majesty, His Heirs or Successors: he is further enacted, That the Secretaries or Chief Clerks of the aforesaid Offices or Departments respectively shall once in every Year, upon the First Day of January in each Year, or within Twenty Days next following at the farthest, upon Application being made to them by the said President and Governors for that Purpose, give and deliver to the Receiver or Receivers of the said Duties in the Port of London a true and exact List or Account of the Number and Names of all and every the Ships or Vessels that in the Year preceding every such Account shall have been hired or employed by the Commissioners or other Officers of every such Office respectively for or in the Service of His Majesty, His Heirs or Successors, and of all and every the Ships and Vessels which, at the Time of delivering in such Account, remain in the Service of every such Office or Department respectively, and of all such as between every such Account shall be discharged from such Service, and of the Names of the Masters, Commanders, and Owners of all and every such Ships and Vessels respectively, and also of the Numbers of Seamen or other Persons that shall from Time to Time be employed in every such Ship or Vessel; and that no Treasurer, Paymaster, or other Officer of or belonging to any such Public Office or Office shall make out or pay any Bill for the Freight of any Ship or Vessel so hired or employed, or to be hired or employed, for or in the Service of His Majesty, His Heirs and Successors, as aforesaid, or pay any Wages to any Master, Commander, or other Persons employed or that shall be employed in any such Ship or Vessel, until every such Master, Commander, or Owner respectively shall and do produce and show unto such Treasurer, Paymaster, or other Officer respectively an Acquittance or Certificate signed by the said Receiver or Receivers, or his or their Deputy or Deputies for the Time being, whereby it shall appear that such Master, Commander, or Owner hath duly and fully paid and discharged the said Duties payable by virtue of this Act, and that he is not more than Three Months in arrear for the same.

XIII. And he is further enacted, That all and every the Masters, Commanders, and Owners of all Merchant Ships and other private Ships and Vessels whatsoever by this Act made liable to the Payment of the said Duties of Two Shillings per Month and One Shilling per Month, shall pay all such Monies as shall from Time to Time be due from them and every of them respectively for or on account of the said Duties to the Collectors and Receivers appointed in pursuance of this Act or of the said Act of the Twentieth Year of the Reign of His said late Majesty King George the Second, as whatever Part in the said United Kingdom of Great Britain or Ireland any such Ship or Vessel shall report or discharge her Cargo, and before any such Ship or Vessel shall be cleared inwards by the Officers of the Customs of His Majesty, His Heirs or Successors, in any such Port; and that no Customs, Collector, Comptroller, Receiver, Surveyor, Searcher, Waster, or other Officer of the Customs of His Majesty, His Heirs or Successors, shall at any Time hereafter clear towards any Merchant Ship or any private Ship or Vessel whatsoever by this Act made liable to the Payment of the said Duties, or grant any Warrant, or give or grant out any Cocheits, Tonnage, Returns, or Discharges now or for any Ship or Vessel whatsoever, or shall permit or suffer any such Ship or Vessel to go out of any of the Ports before mentioned, until the said Master, Commander, or Owner or Owners of every such Ship or Vessel respectively shall and do produce and show forth unto such Officer or Officers an Acquittance or Certificate, signed by the said Receiver or Receivers, Collector or Collector of the said Duties, whereby it shall appear that such Master, Commander, or Owners have duly and fully paid the said Duties, and are not more than Three Months in arrear for the same, or that there are no such Duties due from the Payment of the said Duties by virtue of the said Act of the Twentieth Year of the Reign of His said late Majesty King George the Second, or that every Master, Commander, or Owner of any such Ship or Vessel who shall refuse or neglect to pay the said Duty or Duties in manner and within

Collectors may examine Masters of Vessels, and examine them upon Oath as to the Truth of the Muster Rolls.

Masters refusing to appear or to answer, or forfeit 10*l*.

Secretaries, &c. of Public Offices, to give a List of Ships employed in their Service.

Treasurer, &c. of such Offices to pay no Wages or Freight to any Master, till he shall produce an Acquittance signed by Receiver of Duties.

Duties to be paid at the Port where any Ship or Vessel shall unload her Cargo.

the Time herein-before limited and appointed for Payment thereof, and also every Customs, Collector, Comptroller, Receiver, Surveyor, Searcher, Writer, and other Officers of the Customs who shall make Default in any of the Provisions enjoined thereon respectively by this Act, or shall in anywise act contrary to the Directions herein-before mentioned, shall for every such Default, Neglect, Breach, or Act, forfeit the Sum of Ten Pounds of lawful Money of Great Britain; and that the Amounts of such Duties as shall be received in pursuance of this Act, so far as the same shall be derived from the Duty imposed upon the Masters, Commanders, or Owners, and Seamen, or in respect of the Wages of the Masters, Commanders, or Owners, and Seamen, in such Ships or Vessels as shall not belong to the particular Port at which such Ships or Vessels shall be reported or discharge their Cargoes, shall be and the same is hereby required to be remitted by the Collectors or Receivers of the said Duty at the Port aforesaid to the Receiver of the Port of London, and that the same shall, when so received by him, be transmitted by him to the Trustees (if any) of the several Ports to which every such Ship or Vessel shall respectively belong: Provided always, that it shall and may be lawful for the Master, Commander, or Owner of any Merchant Ship or private Ship or Vessel which shall belong to any of the Out-ports at which Trustees shall have been appointed for the Purposes hereinafter mentioned under the Provisions of this Act or by virtue of the said Act of His late Majesty King George the Second, to enter into an Agreement in Writing with the Trustees and Receiver or Collector for such Out-port, with the Intent that the whole of the Duties payable under this Act on account of the said Ship or Vessel, and so often as the same shall be employed, may be paid to the said Receiver or Collector of the said Out-ports by half-yearly Payments; that it is to say, within Twenty-one Days after the Thirtieth Day of June and Thirty first Day of December respectively in every Year; and that it shall and may be lawful for the Masters or Owners of any Ship or Vessel employed in the Coasting Trade, or only going from one Port to another in any Part of the Coast of Great Britain or Ireland, to enter into a similar Agreement with the Receiver or Collector and the Trustees of any of the Ports to which such Ship or Vessel may belong; and that every such Master, Commander, or Owner, having entered into any such Agreement as aforesaid on account of any Ship or Vessel, shall not be required to make any Payment on account of the said Duties at any Port at which the said Ship or Vessel shall report or discharge its Cargo other than that to which it belongs, nor shall such Master or Owner be exposed to any of the Penalties, nor the said Ship or Vessel be in any Way delayed or impeded by the said Officers of His Majesty's Customs, or any other Person, on consequence of such Non-payment at any other Port than as aforesaid, provided such Master or Owner produces before the Collector or Receiver for the Port at which such Ship or Vessel shall report or discharge her Cargo a Certificate of the Agreement herein-before mentioned, to be signed by the Collector or Receiver for the Port to which such Ship or Vessel belongs; and such half-yearly Payments of the said Duties shall be enforced in the same Manner and under the same Penalties as are herein-before provided for the general Collection of the Duties to be levied under the Provisions of this Act: Provided always, that a yearly Statement of the Sums so received and distributed at each such Port be made and published in One of the Country or other Newspapers circulating in the District.

XIV. And to prevent unnecessary Delays in clearing Ships and Vessels, be it further enacted, That in case the Master, Commander, or Dealer of any Ship or Vessel liable to the Payment of the Duties aforesaid, shall not produce such Acquittance or Certificate of Payment, or of an Agreement for such half-yearly Payment to be made at the Port to which such Ship or Vessel belongs, as is herein-before mentioned, to the Tide Surveyor when he shall come on board in order to clear such Ship or Vessel, the Tide Waiters on board such Ship or Vessel shall be continued and such Acquittance or Certificate is produced, at the Expence of such Master, Commander, or Owner, and not at the Expence of the Crown.

XV. And be it further enacted, That the Penalties and Forfeitures by this Act provided to be paid by any Master or Owner of any such Merchant Ship or Vessel shall be recoverable before any Magistrate or Justice of the Peace of the Port or Place at which any such Ship or Vessel shall be reported or shall discharge her Cargo as aforesaid; and that Notice of any Application for recovering any such Penalty or Forfeiture before such Magistrate or Justice of the Peace which shall have been served on the Owner, Master, or Commander, Broker or Agent of any such Ship or Vessel, shall be deemed sufficient Notice.

XVI. And whereas the Masters, Commanders, and other Officers and Seamen employed in Ships or Vessels belonging to Persons residing at some of the Out-ports of Great Britain or Ireland may be desirous of having the several Duties of Ten Shillings per Hutton and One Shilling per Hutton to be allowed and paid by them out of their Wages as aforesaid, placed under the Direction and Management of Persons residing in or near to such Out-ports respectively; be it therefore enacted, That from and after the First Day of October One thousand eight hundred and thirty-four, and without being compelled to wait until this Act for the other general Purposes herein mentioned in so consequence and take effect as is aforesaid, it shall and may be lawful to and for the Owners of and the Masters and Commanders employed on board the Ships and Vessels belonging to Persons residing at any of the said Out-ports to assemble and meet at any proper Time and Place within the Limits of the said Out-ports that shall be by any Five or more of them appointed by giving Ten Days previous Notice to be fixed at the Custom House, Wharf Quay, or any other public Place at such respective Out-ports; and that the said Owners, Masters, and Commanders of the said Ships or Vessels, shall be and are hereby authorized and empowered from Time to Time to nominate and appoint, by an Instru-

Master or Owner may enter into Agreement with Trustees and Collectors for half-yearly Payments.

Certificate of such Agreement.

Payment under such Agreement to be enforced.

If Masters fail to produce proper Acquittance, Tide Waiters to be continued on board at their Expence.

Penalty by this Act recoverable before a Magistrate.

Notice of Nature of Application.

Owners and Master of Ship of any of the Out-ports may petition to meet and appoint.

Trustees for the said Out-ports, who are to assemble till 31st December in each Year.

ment in Writing under their Hands and Seals, Fifteen Persons to be Trustees for each Out-port, for receiving, collecting, and applying the said Duties of Two Shillings per Month and One Shilling per Week, to be allowed, collected, and received by virtue of this Act, at each respective Out-port, for Relief and Support of the Seamen employed on board the Ships or Vessels belonging to such Persons respectively, and their Widows and Children, as shall be credited thereto by virtue of this Act; which said Trustees shall continue to act until the Twenty-sixth Day of December One thousand eight hundred and thirty-five, and until new Trustees are nominated, appointed, and confirmed; and that within Ten Days after the Twenty-sixth Day of December in each succeeding Year, the Deputies, Masters, and Commanders at each respective Out-ports shall have Power to meet and choose Fifteen Persons to be Trustees for the Year ensuing, by an Instrument in Writing under the Hands and Seals of the Owners, Masters, and Commanders, or the Majority of them so assembled, having given previous Notice in the manner herein before directed; which said respective Trustees shall continue from Time to Time until new Trustees are nominated, appointed, and confirmed as aforesaid; and the said Instrument shall be sent, free of Expence, to the President and Assistants or Commissioners of the said Corporation, who are hereby authorized and required to confirm the same under the Common Seal of the said Corporation, without Fee or Reward, within Fifteen Days after the Receipt thereof; which said Trustees when they shall be so confirmed as aforesaid (and wherever five shall be a Quorum) shall be vested with and have the same Powers and Authorities as under Bye Laws, and to revoke or alter the same, and to take, receive, and apply any Sum or Sums of Money which shall be contributed, devised, or bequeathed by any well-disposed Persons for the Purpose aforesaid, and to appoint Receivers and other Officers, and to collect, recover, receive, pay, and apply the said Duties of Two Shillings per Month and One Shilling per Month as to be allowed and paid by the Seamen or other Persons serving on board any Ship or Vessel belonging to such Persons respectively at such Out-ports as aforesaid, according to such Rules, Orders, and Regulations as are or shall be established by virtue and in pursuance of this Act, or have been established and continued under the Provisions of the said Act of the Twentieth Year of the Reign of His said Majesty George the Second, so far as the same are not inconsistent with or repugnant or varied by the Provisions of this Act; and the said Receivers and other Officers shall have the same Powers and Authorities as the other Receivers and Officers to be appointed in pursuance of this Act, and shall be subject and liable to the same Penalties and Forfeitures, any thing herein contained to the contrary thereof in anywise notwithstanding; Provided always, that if the said Instrument of Trust in this Act mentioned shall not be sent to the President and Assistants or Commissioners, within Sixty Days after every such Nomination and Appointment of Trustees, when any such shall have taken place, the Trust thereby created shall be considered void, and the Trustees appointed under it as discharged from the said Trust; and that the said President and Governors and their Successors duly appointed shall have Power to appoint a Receiver or Receivers for the Port or Place from which such Instrument of Trust shall not have been sent as aforesaid, for the Purpose of collecting the Duties and Allowances payable under and by virtue of this Act at such Port or Place aforesaid; and that the said President and Governors and their Successors shall have Power to demand and receive from the outgoing Trustee or Trustees of such Port or Place aforesaid an Account in Writing of the former Management of such void Trust, and also to demand the Payment from such Trustee or Trustees of any Balance which may at the Time of such Default be in the Hands of such Trustee or Trustees, who are hereby required to pay and deliver over the same to such Receiver so to be appointed as aforesaid, together with the Books of Account and other Books belonging to such Trustee or Trustees relative to such Trust.

XII. And be it further enacted, That where, on the Default or Neglect aforesaid, any such Receiver or Receivers shall be appointed, such Appointment shall not be revocable within Five Years after the same shall have been so made, except by the said President and Governors as they shall see fit.

XVIII. And whereas Trustees have been nominated and appointed at many of the Out-ports of England for similar Purposes to those hereby provided under and by virtue of the said Act of His Majesty King George the Second; be it further enacted, and it is hereby declared, That all such Trustees are to be deemed within and subject to the Provisions of this Act in the same Manner as if they had been nominated, appointed, and confirmed under and by virtue thereof; and all such Trustees are hereby empowered to continue to act in their respective Trusts until the Twenty-sixth Day of December One thousand eight hundred and thirty-five, or until new Trustees shall have been appointed, nominated, and confirmed by virtue of this Act.

XIX. And whereas by Letters Patent bearing Date the Eighteenth Day of December in the Sixth Year of the Reign of King Edward the Sixth, certain Merchants therein named, and their Successors, residing in the City and Port of Bristol, are incorporated by the Name of "The Master, Wardens, and Commonalty of Merchant Venturers of the City of Bristol," which said Society of Merchants are willing, for the Benefit of the Seamen employed on board Ships and Vessels in the Service of Merchant and other Trades belonging to the said City and Port, to undertake the Collection and Application of the Duties payable under this Act at the said City and Port, and to continue to exercise the Powers and Authorities and to discharge the Trusts vested in them by the said Act of the Twentieth Year of the Reign of King George the Second, except so far as the same are varied or revoked by this Act; be it further enacted, That the Master, Wardens, Assistants, and Treasurer of the said Incorporated Society for the City of Bristol, and their Successors, shall and lawfully may, and they are hereby authorized and empowered, with the like Powers and Authorities for collecting, recovering, receiving, and applying the said Duties of Two Shillings per Month and One Shilling per Month to be allowed, collected, and received by virtue

New Trustees to be chosen yearly, and Instrument of Election to be confirmed by President, &c.

Five Trustees, when a Quorum, shall have Power to make Bye Laws and appoint Officers.

Trustees of Trust to be forwarded to President and Commissioners within Sixty Days after every Fifth December.

Appointments on Default not revocable within 5 Years.

Trustees heretofore appointed on the several Out-ports to be subject to the Provisions of this Act.

The Corporation of the Merchant Venturers of Bristol appointed Trustees for the Duties, &c. to receive them;

of this Act at the said City and Port, and for taking, receiving, and applying any Sum or Sums of Money which shall be contributed, derived, or bequeathed by any well-disposed Persons for the Relief and Support of the Seamen employed in the Ships and Vessels belonging to the Merchants and Traders residing in the said City and Port, and their Widows and Children, as shall be entitled therein by virtue of this Act, and to appoint and constitute Receivers and other Officers for the Purposes aforesaid, as are given by this Act to the said President and Governors, according to such Rules, Orders, and Regulations as are or shall be established by virtue of this Act, or having been established by virtue of the said Act of the Reign of King George the Second, are not inconsistent with or revoked by the Provisions of this Act; and such Receivers and Officers shall have the same Powers and Authorities as the other Receivers and Officers appointed or continued by virtue of this Act, and shall be subject and liable to the same Penalties and Forfeitures; and the said Master, Wardens, Assistants, and Treasurer shall also have Power to take, receive, and hold any Lands, Tenements, and Hereditaments in such Manner and for the like Purposes only as the said President and Governors are by this Act or by the said Act of the Twentieth Year of the Reign of King George the Second empowered to take, receive, and hold Lands, Tenements, and Hereditaments, any thing herein contained to the contrary thereof in anywise notwithstanding.

and empowered to hold Lands for the Purpose of this Act.

The Guild of the Trinity House of Kingston-upon-Hull appointed Trustees for the Duties to be received there.

XX. And whereas the Guild or Brotherhood of Masters and Pilots Seamen of the Trinity House of the Town and Port of Kingston-upon-Hull are willing, for the Benefit of the Seamen employed on board Ships and Vessels in the Service of Merchants and other Traders belonging to the said Town and Port, to undertake the Collection and Application of the said Duties payable under this Act at the said Town and Port, and to continue to exercise the Powers and Authorities and discharge the Trusts vested in them by the said Act of the Twentieth Year of the Reign of King George the Second; be it therefore enacted, That the Guild or Brotherhood of Masters and Pilots Seamen of the Trinity House of the Town and Port of Kingston-upon-Hull for the Time being shall be Trustees, and shall have and be vested with the like Powers and Authorities for collecting, receiving, and applying the said Duties of Two Shillings per Month and One Shilling per Month to be paid at the said Town and Port, and for taking, receiving, and applying Bequests and Donations for the Purposes aforesaid, and for appointing and constituting Receivers and other Officers, as are given and granted by virtue of this Act to the President and Governors aforesaid, according to such Rules, Orders, and Regulations as are or shall be established by virtue of this Act, or being established under and by virtue of the said Act of the Twentieth Year of the Reign of King George the Second, are not inconsistent with or revoked by the Provisions of this Act; and such Receivers and other Officers shall have the same Powers and Authorities as the other Receivers and Officers to be appointed or continued under this Act, and shall be subject to the like Penalties and Forfeitures, any thing herein contained to the contrary thereof notwithstanding.

The Ports of Glasgow, Greenock, and Port Glasgow, &c. as defined in the said Act.

XXI. And whereas it is expedient that the Port of the City of Glasgow, the Port of Greenock, and the Ports of Port Glasgow, Greenock's Dyke, Greenock, and their Dependencies, all situate and being on the River or Firth of Clyde in Scotland, shall be deemed and taken as One united Port for the Purposes of this Act; be it therefore enacted, That the said Port of the City of Glasgow, the Port of Greenock, and the Ports of Port Glasgow, Greenock's Dyke, Greenock, and their Dependencies, all situate and being on the River or Firth of Clyde, shall, for the Purposes of this Act, be held, deemed, and taken as One united Port; and that it shall and may be lawful for the Owners, Masters, and Commandants of Ships and Vessels belonging to Persons residing at any of the said united Ports of Glasgow, Greenock, Port Glasgow, Greenock's Dyke, Greenock, and their Dependencies, to assemble and meet at Glasgow, upon Notice given for that Purpose in the Manner hereinafter directed, and such Owners, Masters, and Commandants, or the greater Part of them, being so assembled, are hereby authorized and empowered three Times to Year to make Bye Laws, and elect and appoint Fitteen Persons to be Trustees for such united Port, of whom One shall be resident at each of the said Ports of Glasgow, Greenock, and Port Glasgow, for the Purposes of this Act; and which said Trustees shall be invested with all the Powers and Authorities that are given and granted by virtue of this Act to the Trustees of any other Out-port, and shall have and be vested with full Power and Authority for recovering, collecting, receiving, and applying all such Rates and Duties as may be deemed adequate for the Relief of the sick, worn-out, and decayed Seamen belonging to the said Ports and their Dependencies, and their Widows and Families, not exceeding in the whole the said Duties of Two Shillings per Month and One Shilling per Month, to be allowed, collected, and received by virtue of this Act at the said united Ports of Glasgow, Greenock, Port Glasgow, Greenock's Dyke, Greenock, and their Dependencies, and for taking, receiving, and applying any Sum or Sums of Money which may have been or shall be contributed by any well-disposed Persons, or which may have been or shall be otherwise collected for the Relief and Support of the Seamen employed in the Ships and Vessels belonging to the Merchants and Traders residing at the said united Ports of Glasgow, Greenock, Port Glasgow, Greenock's Dyke, Greenock, and their Dependencies or either of them, and their Widows and Children, as shall be entitled thereto by virtue of this Act, any thing herein contained to the contrary thereof in anywise notwithstanding.

Treasurer Out-ports to transmit Account of the yearly Receipts and Expenditures President and Governors.

XXII. And be it further enacted, That all and every the Trustees for the several Out-ports who now are or shall be appointed under and by virtue of the Act of the Twentieth Year of the Reign of His said late Majesty King George the Second, or of this Act, shall and they are hereby required to transmit to the President and Governors, a true and correct Account of the Receipts and Expenditure during the Year

of such their several Trusts, conformable to a Form or Plan to be prescribed and forwarded by the said President and Governors, under the Penalty of Twenty Pounds, to be recovered and recoverable before a Magistrate or Justice of the Peace as other Penalties given by this Act; and that such Account of the Receipts and Expenditure of such Trustees, together with an Account of the Receipts and Expenditure of such President and Governors, shall be annually laid before the Honourable the House of Commons.

XXIII. And be it further enacted, That nothing herein contained shall be construed to extend to oblige the Receivers or Collectors of the said Duty appointed by the Trustees of any of the said respective Out-ports to send the Duplicates of the Muster Rolls hereby directed to be delivered to the Receivers and Collectors of the said Duties, in the Manner herein before mentioned, to the said President and Assistants or Commissions, for any Vessels belonging to the Ports where such Payment shall be made, but such Duplicates shall be delivered by such Collectors or Receivers to the said respective Trustees, and to be by them filed and preserved for their Use and Inspection.

XXIV. Provided always, and be it hereby declared, That no Seaman or other Person employed on board any Merchant Ship, Steers Packer, or other private Ship or Vessel shall be entitled to receive any Provision or Benefit by virtue of this Act, at the Port of London or elsewhere, unless he be subject or liable to the said Duty hereby imposed, and shall pay the same when and where the same shall be required of him by virtue of this Act.

XXV. Provided also, and be it hereby declared, That those Seamen who shall have been longest in the said Service, and contributed most towards the said Duties, shall be first provided for in wools out or decrees.

XXVI. And whereas it may happen that Seamen or other Persons employed on board Ships or Vessels may by Accident or landing or unlading the cargo, or otherwise by doing such Duty, on shore or well as on board such Ships or Vessels, receive such Hurt or Damage that it may endanger their Lives to send them to the Port to which the Ships or Vessels respectively belong; be it therefore further enacted, That in case any Seaman or other Person employed on board any Merchant Ship or private Ship or Vessel shall, in doing his Duty on shore, or on board any such Ship or Vessel while in a Port other than that to which the said Ship or Vessel shall belong, break an Arm or Leg, or be otherwise hurt or maimed, so that it is necessary that immediate Care should be taken of him, it shall and may be lawful for the said President and Governors at the Port of London, and the respective Trustees for the Out-ports, as the Case may be, and they are hereby required, to provide proper Relief for every such Seaman or other Person that shall be so hurt or maimed at their respective Ports, until he shall be so well recovered from such Hurt or Damage as to be removed and sent with Safety to the Port to which the Ship or Vessel in which such Seaman was at the Time of the Accident employed shall belong; and the Expence of relieving and maintaining such Seaman until he be so recovered as aforesaid, and also the Expence of removing him, not exceeding Two-pence per Mile, shall be repaid to the said President and Governors at the Port of London, or to the Trustees, if any, for the respective Outport at which the Accident shall have happened, by the Trustees of the Port to which such Ship or Vessel shall belong.

XXVII. And be it further enacted, That in case any Seaman or other Person shall serve Five Years or more on board Merchant or other Ships or Vessels belonging to different Ports, and shall have paid the Monthly Duties for that entire Period, and shall have become decrepit and worn out, and adjudged either by the said President and Assistants or Commissions, or by the Trustees at any of the Out-ports, a proper Object of Relief, such Person shall be provided for and relieved at the Port where he shall have contributed and paid the greatest Part of the said Duties for the last Five Years of his Service, any thing herein contained to the contrary notwithstanding.

XXVIII. And whereas it may happen that Seamen or other Persons employed in the Merchant Service within the Limits of this Act may be shipwrecked, or taken by the Enemies of His Majesty, and on their Return from Shipwreck or Imprisonment may be returning with Passes to the Places of their respective Abodes; be it further enacted, That it shall and may be lawful for the said President and Governors, or the respective Trustees, if they think fit, to relieve any such Seaman or other Person in such Manner as they shall think proper.

XXIX. And whereas there may be some Circumstances wherein some of the respective Certificates herein-before mentioned cannot be obtained; be it therefore enacted, That in all Cases where the same to Relief and Support cannot be obtained, such other Certificates as shall be satisfactory to the said President and Governors or Trustees respectively shall be received and allowed so as to entitle the Party producing the same to the Penalties or other Relief provided by this Act.

XXX. And be it further enacted, That all and every Sum and Sums of Money which shall be due for Wages to any Seaman, Mariner, or other Person hired or engaged on board any British Merchant Ship in any Port or Ports in Great Britain or Ireland, who shall have died on board during the Voyage, shall, within Three Months after the Arrival of such Merchant Ship in any Port or Ports of Great Britain and Ireland, be paid to the Trustees of the said Port to be appropriated in pursuance of this Act, or to the Receiver or Collector or other authorized Agent of the said President and Governors, where there are no such Trustees, as and for the Use of the Executor or Executors, Administrator or Administrators of the Seaman, Mariner, or other Person so dying; and in case no Claim shall be made on the said Trustees by the Executors or Administrators of such Seaman, or account of such Wages, within One Year after

Collectors appointed by the said Trustees are obliged to send Duplicates of Muster Rolls to the President and Assistants.

No Seaman to have the Benefit of this Act unless he pay the Duty.

Those who have served longest to be first provided for.

Maimed Seamen to be provided for at the Port where the Accident happens.

Disabled Seamen having served and paid Five Years to be provided for where they have contributed most.

Seamen who have been shipwrecked, or made Prisoners by the Enemy, may be relieved.

Where regular Certificates cannot be obtained, others may be admitted.

Wages of deceased Seamen to be paid to the Trustees of the Port, or Ships Arrived, in the Use of the Executors, &c.



the same shall have been paid over as aforesaid, that then the said Trustees of the said Port shall remit the same to the Collector or Receiver of the said President and Governors, or other their authorized Agent at the Port of London, in such Manner and at such Times as the said President and Governors shall direct, to and for the Use of the Executor or Executors, Administrator or Administrators of the Seaman, Mariner, or other Person so dying: and in case no Claim shall be made on the said President and Governors by the Executor or Administrators of such deceased Seaman, or account of such Wages, within One Year after the same shall have been first paid over to any Collector, Receiver, or Agent of the said President and Governors, then it shall be lawful for the said President and Governors to direct such Wages to be paid over (but without Interest for the same) to the Widow, or if there be no Widow claiming, then to the lawful issue respectively, or such Persons as by virtue of the Statute of Distribution of Intestates Effects shall be entitled to the same: and if any Master or Commander of any such Merchant Ship shall neglect or refuse to pay over or tender to the said Trustees, or the Receiver or Collector at the Port aforesaid, all and every such Sum and Sums of Money within the Time herein-before limited, he shall forfeit and pay for every such Offence Double the Amount of the Sum or Sums of Money so due to any Seaman, Mariner, or other Person for Wages aforesaid.

XXXI. Provided always, and he it further enacted, That all and every such Sum and Sums of Money as shall not be lawfully demanded of the said Receiver, Collector, or other authorized Agent of the said President and Governors at the Port of London by any legal Representative, or Widow or issue, or other Person hereby authorized, as the Case may be, within the Term of Two Years after the first Payment thereof to any Collector or Agent of the said President and Governors, shall be forfeited, and shall go and be paid to the Use of the said President and Governors, or to the Trustees of the Port, if any, in which such Ship belongs, by such Receiver, Collector, or other authorized Agent of the said President and Governors at the Port of London aforesaid.

XXXII. And whereas by an Act passed in the last Session of this present Parliament, intituled *An Act for incorporating the Members of a Society commonly called The Seaman's Hospital Society, and their Successors, as therein is mentioned and provided, and for the better enabling and empowering them to carry on the charitable and useful Design of the said Society, a certain Society was incorporated by the Name of The Seaman's Hospital Society* And whereas the said Society was instituted for the charitable Relief of sick and distressed Seamen in the Port of London, and for the providing them with Medical and Surgical Aid, Lodging, Support, and Clothing and conveniences: And whereas it is expedient to provide some permanent Funds for enabling the said Society to carry on their said charitable Design: he it therefore enacted, That the said President and Governors, and their Successors, or their Treasurer or other Officer for the Time being on their Behalf, shall and do, from and after this Act shall take effect, from Time to Time pay over to the said Seaman's Hospital Society, or their Treasurer for the Time being, the Amount of Five Pounds in every One hundred Pounds, and in the same Proportion for any greater or less Sum, on the net Amount to be collected and received by the said President and Governors and their Successors, and by their Receiver, Collector, or other authorized Agent at the Port of London for the aforesaid Duties of Two Shillings per *Manum* and One Shilling per *Mensem* hereby made payable, so far as the same shall be derived from the Duty imposed upon Seamen, or in respect of the Wages of Seamen, in such Ships or Vessels as shall belong to the said Port of London, such Payments to be made to the said Seaman's Hospital Society, or their Treasurer for the Time being, every Three Months: (that is to say,) on the Day of \_\_\_\_\_ on the Day of \_\_\_\_\_ in every Year, and the First of such Payments to be made on each of the said Days as shall happen next after this Act shall take effect; all such Payments to be applied by the said Seaman's Hospital Society according to the Directions of the aforesaid Act of the last Session of this present Parliament.

XXXIII. And he it further enacted, That it shall and may be lawful to and for the said Receiver or Collector or other authorized Agent of the said President and Governors at the Port of London aforesaid, and he it hereby authorized, to deduct and receive from the gross Amount of such Sums or Sums of Money as shall be derived from the aforesaid Wages of deceased Seamen, as received by him in respect of such Wages of deceased Seamen as aforesaid, the Sum of Five Pounds per *Centum* as, for, and in satisfaction of all Expenses and Trouble he may be put to in the Receipt, Collection, or Transmission thereof.

XXXIV. And he it further enacted, That all Penalties and Forfeitures given by this Act shall be paid and applied in manner following: (that is to say,) One Third Part thereof to and for the Person or Persons who shall inform and sue for the same, and the other Two Third Parts thereof to the said President and Governors, on account of the Trustees of the Port in which such Ship or Vessel in respect of which the Forfeiture shall arise belongs: and such Penalty or Forfeiture shall be recovered by Bill, Plein, or Information in any of His Majesty's Courts of Record at Westminster, or such of those as do not exceed the Sum of Twenty Pounds, upon Information, on the Oath of One or more Witnesses, before any One or more of His Majesty's Justice or Justices of the Peace in any Part of the Kingdom of Great Britain or Ireland, who shall not reside more than Ten Miles from the Place of Abode of the Person or Persons complained of, which Justice or Justices it and are hereby authorized and required to issue out his or their Warrant or Warrants to bring before him or them every Person charged with any Offence under this Act, and in case he or they shall refuse or neglect to pay such Penalty or Forfeiture, or to appear in answer to the Warrant or Warrants so issued, or to answer to any Process or Sale of the Offender's Goods, and, in case no Distress can be found, to commit the Offender or Offenders

If incorporated as These Years by Representatives, then to the Use of the President and Governors, or the Trustees of the respective Ports.

President and Governors to pay 5 per Cent. out of the Duties collected by them from Seamen in the Port of London to the Seaman's Hospital Society in that Part.

The gross Com. to be deducted from gross Amount in lieu of Expenses, &c.

Application of Penalties.

to the Common Goal of the City, Town, or Place within the Jurisdiction of such respective Justice or Justices, there to remain for the Space of Three Calendar Months, or until he or they shall pay the same.

XXXV. And be it further enacted, That if any Action shall be brought or Suit be commenced against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Premises or any of them, every such Action or Suit shall be laid or brought within Two Calendar Months next after the Grievance complained in the County or Place where the Fact was done, and not elsewhere; and the Defendant or Defendants in such Action may plead the General Issue, and give this Act, and a Tender of Amends before Action brought, or the special Matter, as Evidence at any Trial to be had thereupon, and that the Act or Matter was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall not be brought within the Time before limited, and shall be brought in any other County or Place than as aforesaid, or the Jury shall not consider the aggrieved Party entitled to more than the Amends tendered, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuit or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs in other Cases at Law.

XXXVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHEDULE (A.) to which this Act refers.

A List and Account of the Crew (including the Mavins and Apprentices) of the Ship  
of the Port of \_\_\_\_\_ whereof \_\_\_\_\_ is Master, at the Period of her Departure from  
the Part of \_\_\_\_\_ in the United Kingdom, and on her Return to the Port of \_\_\_\_\_ in the  
United Kingdom, and also of those who have passed the Ship at any Time during the Voyage.

| Ship's<br>Name | Place<br>of<br>Birth. | Place and Time of Entry. |        |       | Place and Time of Discharge<br>or leaving the Ship. |        |       | When<br>and where<br>received<br>Blow or<br>damaged. | When<br>or where<br>killed or<br>drowned,<br>or shot or<br>run down<br>at sea. | When lost<br>in Time of<br>Death. |   |    | What<br>Clothes<br>or other<br>Effects<br>any<br>deceased<br>Man<br>has left. | Amount<br>of<br>Monthly<br>Duty. |
|----------------|-----------------------|--------------------------|--------|-------|---|--------|-------|--|--|-----------------------------------|---|----|---|----------------------------------|
|                |                       | Day.                     | Month. | Year. | Day.  | Month. | Year. |  |  | £                                 | s | d. |   |                                  |
|                |                       |                          |        |       |   |        |       |  |  |                                   |   |    |   |                                  |

C A P. LIII.

An Act to continue for One Year, and from thence to the End of the then next Session of Parliament, several Acts relating to the Importation and keeping of Arms and Gunpowder in Ireland. [13th August 1834.]

WHEREAS an Act was made in the Forty-seventh Year of the Reign of His Majesty King George the Third, intitled *An Act to prevent vagabond Persons from having Arms in Ireland*, to continue in force for a certain Period therein mentioned. And whereas the said Act was by another Act made in the Fifth Year of His said Majesty's Reign continued and amended. And whereas by another Act made in the Fourth Year of the Reign of His late Majesty King George the Fourth the said revised Acts of the Forty-seventh and Fifth Years of the Reign of His Majesty King George the Third were further continued; and the said Acts were by another Act made in the Tenth Year of the Reign of His said late Majesty King George the Fourth amended and further continued for One Year, and until the End of the then next Session of Parliament, when the same expired: And whereas another Act was made in the First and Second Years of His present Majesty, whereby from the passing thereof the said revised Acts were revived and continued for One Year: And whereas by another Act made in the Second and Third Years of the Reign of His present Majesty, the said revised Acts were further continued for One Year, and until the End of the present Session of Parliament, and by a subsequent Act passed by His Majesty King George the Fourth, the same were further continued for One Year, and until the End of the then next Session of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent

Includes of  
Act.

Table A.

47 G. 2. p. 24

Revised Act  
of C. 1, as  
amended by the  
Acts of 30 G. 3,  
and 30 G. 4,  
and revised by  
the Act  
of 1 G. 4,  
further con-  
tinued.  
The Act  
of G. 4, c. 1  
of W. 4, c. 64,  
further con-  
tinued.

of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Forty-seventh Year of the Reign of His Majesty King George the Third, and the said Act as amended by the said recited Act of the Fifteenth Year of the same Reign, and by the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth, and as the said Acts were revised by the said recited Act of the First and Second Years of the Reign of His present Majesty, shall be and the said Acts are hereby continued, and shall be and remain in force for the Term of One Year from the passing of this Act, and thenceforth until the End of the then next Session of Parliament.

II. And whereas an Act was passed in the First Year of the Reign of His present Majesty, intitled 'An Act to regulate for One Year the Department of Arms, Gunpowder, and Ammunition in Ireland, and the making, removing, selling, and keeping of Arms, Gunpowder, and Ammunition in Ireland; and such Act was by the herein recited Act made in the Second and Third Years of the Reign of His present Majesty continued for the Term of One Year, and thenceforth until the End of this present Session of Parliament, and it is expedient that the said Act should be further continued; be it therefore enacted, That the said recited Act of the First Year of the Reign of His present Majesty shall be and the said Act is hereby continued and shall be and remain in force for the Term of One Year from the passing of this Act, and thenceforth until the End of the then next Session of Parliament.

C A P. LIV.

An Act to continue for Five Years, from the Fifth Day of April One thousand eight hundred and thirty-five, and to amend the Acts for authorizing a Composition for Assessed Taxes.

[18th August 1834.]

WHEREAS under and by virtue of several Acts divers Persons have compounded for their Assessed Taxes in Great Britain for a certain Term limited by the said Acts respectively, and their Contracts of Composition have been from Time to Time renewed or continued for a further Term under and by virtue of several other Acts passed for that Purpose; and such Contracts will expire on the Fifth Day of April One thousand eight hundred and thirty-five: And whereas it is expedient to relieve such Persons who have so compounded as aforesaid, as well as others who may be willing to compound under the Provisions of this Act, from an annual Assessment, for a further Term herein limited: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Assessments made or to be made under and by virtue of the Acts in force at and immediately before the passing of this Act, in relation to such of the Duties of Assessed Taxes as may be comprised in any Composition to be entered into under this Act for the Year so end on the Fifth Day of April One thousand eight hundred and thirty-five, shall severally be and remain to the same annual Amount in respect of every Person who shall compound for the annual Payment of the said Assessments under this Act for the Term of Five Years, to be computed from the Fifth Day of April One thousand eight hundred and thirty-five.

II. And be it enacted, That the several Compositions entered into under any former Act or Acts, and now in force, on any of the Duties of Assessed Taxes, may, in respect of such of the said Duties as are herein enumerated, be renewed under this Act for the Term of Five Years, to be computed from the said Fifth Day of April One thousand eight hundred and thirty-five, in the Manner, and subject to the Terms, Conditions, and Exceptions herein prescribed.

III. And be it enacted, That every new Contract of Composition entered into under this Act shall contain in the Body thereof the Number of Servants, Carriages, Horses, and other Articles of the Establishment upon which Composition shall be made as aforesaid, and shall be made according to the Form set forth in the Schedule to this Act, in all respects aforesaid.

IV. Provided always, and be it enacted, That no Composition shall be entered into or renewed under this Act for any Duty, or Duties of Assessed Taxes other than the Duties on the following Articles, forming the Establishment of the Person so compounding, and retained, employed, kept and used for his own Use, and not for or to the Use, Benefit, or Profit of any other Person, or to be lent or let to Hire; viz. the Duties on Servants mentioned in the Schedule of an Act passed in the Forty-eighth Year of the Reign of King George the Third, and in the Schedule of another Act passed in the Fifty-second Year of the Reign of the said King, marked (C.) N° I. and N° II.; on Carriages mentioned in the Schedules of the said Acts respectively marked (D.) N° I. and N° II.; on Horses mentioned in the Schedules of the said Acts respectively marked (E.) N° I. and N° III., and (F.) N° I. whether such Horses are subject to the Duties mentioned in the said Acts, or to any reduced Duty by any subsequent Act or Acts; on Dogs mentioned in the Schedule of the said Acts marked (G.); on Persons in respect of using or wearing Hair Powder, mentioned in the Schedules of the said Act passed in the Forty-eighth Year of the said King, marked (I.); and on Persons in respect of using or wearing Armorial Bearings or Ensigns, mentioned in the Schedule of the said last mentioned Act marked (K.); and every such Composition which shall comprise any other Duty or Duties than the Duties aforesaid shall be void and of no effect in respect of such other Duties, and for which the Party shall be subject to Assessment as if no such Composition had been entered into, according to the Laws in force relating to such Assessment.

Assessments for the Year ending 5th April 1835 to remain to the same amount if compounded for under this Act for the Term of Five Years.

Compositions under former Acts may be renewed.

New Contracts of Composition are to be made.

Renewal of Articles to be compounded for under this Act.

V. And be it enacted, That every Person not having compounded under the said former Acts, who shall be duly assessed for the Year ending on the Fifth Day of April One thousand eight hundred and thirty-five on the Rates and Duties chargeable under the Acts relating to Assessed Taxes, is hereby declared to be competent to compound for his Assessed Taxes herein enumerated for the Term of Five Years, to commence from the said Fifth Day of April One thousand eight hundred and thirty-five, on the same Amounts as usually are shall be assessed on him for the Year ending on the said Fifth Day of April One thousand eight hundred and thirty-five, together with an additional annual Duty of One Shilling for every Twenty Shillings of the respective Amounts so assessed, and so after that Rate for any greater or lesser Sum than Twenty Shillings, so as not to include in the said additional Duty any Fraction of One Penny.

VI. Provided always, and be it enacted, That no Composition shall be entered into or renewed under this Act with any Person in Trade in respect of any Articles kept for the Purpose of Trade; nor shall any Composition be entered into upon any Assessment charged upon Two or more Persons in Partnership; nor shall any Composition under the said recited Acts with Two or more Partners be renewed under this Act; nor upon any Carriages, Horses, or other Articles let or used for Hire.

VII. And be it enacted, That every Person who is or shall be duly assessed to, or who has compounded under the said former Acts for his Dwelling House, Warehouse, Shop, or other Premises, in respect of the Windows or Lights therein, for the Year ending on the Fifth Day of April One thousand eight hundred and thirty-five, shall be entitled to make or open and keep open, free of Duty, any additional Number of Windows or Lights in his Dwelling House, Warehouse, Shop, or other Premises so assessed or compounded for; and that no Person not so assessed or compounded by reason of his Dwelling House, Warehouse, Shop, or other Premises not containing Seven Windows or Lights, shall be brought into Assessment, or made liable to Rates and Duties, in consequence of the opening of any additional Number of Windows or Lights in such Dwelling House, Warehouse, Shop, or other Premises: Provided always, that if any such Person as aforesaid, whether he shall be assessed or hath compounded, or shall be liable to be assessed as aforesaid, or not, shall erect or build any Addition to such his Dwelling House, Warehouse, Shop, or Premises, or make or open any Communication with any other Tenement or Building adjoining or near thereto, then and in any such Case all the Windows and Lights in such Dwelling House, Warehouse, Shop, or Premises, and in such additional or adjoining Tenement or Building, shall be rated and assessed together to the said Duties, in like Manner as the same would before the passing of this Act be liable to be rated and assessed under any Act or Acts in force.

VIII. And be it enacted, That every Person, except as herein-after is excepted, who hath compounded, by any Contract not in force under the said former Acts, for any of the Duties of Assessed Taxes herein enumerated, is hereby declared to be competent to renew his former Composition as to so much and such Part thereof as relates to the Duties on the Articles herein enumerated, on the Amount of Duty charged and now payable on the same Articles respectively, and comprised in the said former Composition, together with the additional Rate or several additional Rates of Duty of Five per Centum also charged therein under the said former Acts in respect of the said Articles, which several Rates shall form the aggregate Amount on which any such Composition may be renewed under this Act: and the following shall be the Terms and Conditions of such Renewal: (that is to say,) where the Person who hath compounded as aforesaid hath not increased his Establishment of Servants, Horses, Carriages, or other Articles upon which such Composition hath been made to such an Extent that the Duties chargeable thereon under an Assessment would exceed by more than One Fourth the total Amount of the Sum now payable on such Contract of Composition, there shall be paid and payable a further additional Duty of One Shilling for every Twenty Shillings of the said aggregate Amount, and so after that Rate for any greater or less Sum than Twenty Shillings, so as not to include any Fraction of One Penny in the said further Duty; and where such Person hath increased such his Establishment beyond the Extent aforesaid, but so that the Duties chargeable thereon under an Assessment would not exceed Double the Sum now payable under such Contract of Composition, there shall be paid and payable the further additional Duty of Two Shillings for every Twenty Shillings of the said aggregate Amount, and so after that Rate for any greater or less Sum than Twenty Shillings, so as not to include any Fraction of One Penny in the said further Duty; and the Duties on Articles not herein enumerated but compounded for as aforesaid shall continue to be assessed as if this Act had not been made.

IX. And be it enacted, That every Person who is hereby declared to be competent to renew his former Composition under this Act, and shall be desirous so to do, shall, on or before the Fifth Day of April One thousand eight hundred and thirty-five in England, and on or before the Term of Whitsunday in the same Year in Scotland, deliver or cause to be delivered to the Commissioners of the Duties in which such Person shall reside, or to the Clerk of such Commissioners, the Contract of his former Composition, or a true Copy or Certificate thereof, under the Hands of any Two of the Commissioners acting for the Division in which such Contract was entered into, according thereto a Notice according to the Form in the Schedule to this Act annexed, declaring his Intention to renew the same, and containing a full, true, and complete Return or List of the greatest Number of Servants, Carriages, Horses, and other Articles of his Establishment chargeable with Duty which shall have been kept and retained or employed by such Person at any Time during the said Contract; to be signed by such Person, and One thousand eight hundred and thirty-four.

Provision made for the Year ending the 5th April 1835 may compound on the Amount assessed in that Year, paying an additional Duty of 5s. per Cent.

Competent to be Terms in respect of Articles kept for the Trade, &c.

Persons who have compounded for the Windows Tax for the Year ending the 5th April 1835, and Persons who are liable to that Tax, may open additional Windows free of Duty.

Persons as to Additions to Houses.

Composers on the other Assessed Taxes may renew the same on the Amount charged thereby, together with a further Duty of 5s. per Cent.

Persons desirous of renewing their former Composition to deliver their Contract or Copy, with Notice, before the 5th April 1835 in England, and before Whitsunday 1835 in Scotland.

Persons having compound-  
ed and reduced their Establish-  
ments may compound de novo  
on the Assessment of 1835,  
or giving Notice to this  
Effect.

These Persons, not entering  
themselves as Masters of Articles  
chargeable.

Persons who, after compound-  
ing, have increased their Establish-  
ments to Double the Amount com-  
pounded for, or who have  
compounded on less than an  
Amount of Duty, may either  
enter into Composition de novo

Persons who have compounded  
all under former Acts, giving  
Notice of Reduction in their  
Establishment, to enter into  
new Compositions.

Persons beginning to keep or  
increase an Establishment in 1834 may  
compound on the Assessment  
of the succeeding Year.

Persons Compound-  
ing not to be assessed as Ar-  
ticles of a different Description  
than authorized by former Com-  
pounds.

Compounders,  
having removed to another Dis-  
trict of Compositions, may  
compound thereon.

X. And be it enacted, That if any Person having compounded under the said former Acts shall have reduced his Establishment since entering into such Composition, whereby such Person may be chargeable with a lesser Amount of Assessed Taxes for the Year commencing from the Fifth Day of April One thousand eight hundred and thirty-five than the Duty compounded for, and shall by reason thereof be desirous of raising the said Compositions, and of entering into a Composition de novo, it shall be lawful for him so to do upon giving Notice in Writing of such his Intention to the Surveyor of the said District acting for the District in which such Person shall reside, within Three Calendar Months after the passing of this Act, annexing to such Notice a full, true, and complete Return or List of the greatest Number of Articles chargeable with Duty kept and retained or employed by such Person after the Fifth Day of April One thousand eight hundred and thirty-four, so that an Assessment may be duly made for the Year to commence from the Fifth Day of April One thousand eight hundred and thirty-five on all the Articles chargeable for that Year; and it shall be lawful for the Commissioners (subject to the Examination to the Master hereinafter provided for Compositions with Persons under this Act who shall not have compounded under the said former Acts) to enter into Composition under the Provisions of this Act with the Person giving the Notice aforesaid, upon the Amount of such Assessment as aforesaid, with the additional Duty granted thereon by this Act, to all Intents as if such Person had not compounded under the said former Acts.

XI. Provided always, and be it enacted, That nothing herein contained shall authorize the Renewal of any Contract of Composition with any Person who hath increased his Establishment of Servants, Carriages, Horses, or other Articles upon which such Composition hath been made, so that the Duties chargeable thereon under an Assessment would amount to more than Double the Sum now payable under such Contract of Composition, nor with any Person who hath compounded on a less Amount of Duty than ought to have been included in such Composition; but nevertheless it shall be lawful for the said respective Commissioners in every such Case as aforesaid, after any such Person shall have made a *bona fide* Return of the greatest Number of Servants, Carriages, Horses, and other Articles of his Establishment, according to the Laws in force relating to the said Taxes, for the Year to commence from the Fifth Day of April One thousand eight hundred and thirty-five, in order to an Assessment thereon for that Year, and who shall be duly assessed for that Year to his Assessed Taxes, to contract and enter into Composition de novo with such Person on the Amount assessed for that Year on him in respect of the Articles herein enumerated, together with the additional Duty of Five per Centum hereby granted on the Amount of other Assessments compounded for under this Act.

XII. Provided also, and be it enacted, That no Person who hath compounded under the said former Acts, and who shall give Notice, in pursuance of the said Acts, of his Intention to discontinue any Part of his increased Establishment of Servants, Carriages, Horses, or other Articles, in the Manner provided by the said Acts, shall be allowed to renew his former Contract of Composition under this Act, nor to enter into any new Contract of Composition under this Act, except upon the Amount of an Assessment made on a *bona fide* Return of the greatest Number of Servants, Carriages, Horses, and other such Articles as aforesaid kept and retained or employed by him in the Year commencing from the Fifth Day of April One thousand eight hundred and thirty-four, together with the additional Duty of Five per Centum on such Amount, in the same Manner as if such Person had not compounded under the said former Acts, the said Notice, or any thing in the said former Acts or this Act, to the contrary thereof notwithstanding.

XIII. And be it enacted, That every Person who shall have begun to keep, use, or employ any Servants, Carriages, Horses, or other Articles before enumerated, or any additional Number thereof, in the Year ending on the said Fifth Day of April One thousand eight hundred and thirty-five, and who shall deliver a Return, as herein-after is required, of the Number of Servants, Carriages, Horses, or other Articles aforesaid, so that an Assessment may be duly made thereon for the Year to commence from the Fifth Day of April One thousand eight hundred and thirty-five, is hereby declared to be competent to compound under this Act on the Amount charged in and by such Assessment to be made for the said Year to commence from the said Fifth Day of April One thousand eight hundred and thirty-five, on the same Terms and Conditions as if such Person had been so assessed for the preceding Year.

XIV. Provided also, and be it enacted, That nothing in this Act contained shall be construed to extend any renewed Composition under the same to any Articles of a different Description than is authorized by the Composition entered into under the said former Acts, which shall have been set up or kept since the making of the said Compositions, but every such Person shall be assessed for the said Articles as if the said former Composition had not been renewed; but nevertheless it shall be lawful for any such Person who shall have been assessed for the said additional Articles for the Year ending the Fifth Day of April One thousand eight hundred and thirty-five, or shall be assessed for the same for the subsequent Year, and who shall renew his former Composition, also to compound for the said additional Articles on the Amount of such Assessment, and the additional Rate granted by this Act, by entering into a separate Contract for the said Articles so assessed.

XV. And be it enacted, That every Person who shall have compounded under the said former Acts for the Articles of his Establishment, and shall have removed from the Division where the former Composition was entered into, and who shall be desirous to renew such Composition under this Act in respect of the same Establishment, shall deliver to the Commissioners of the Division where he shall reside the Contract of his former Composition, or a true Copy or Certificate thereof, under the Hands of the Surveyor (Every of the said Districts) acting for the said District, according to the said Notice, according

to the Form in the Schedule to this Act annexed, declaring his Intention to renew the same; and it shall then be lawful for the said Commissioners to renew the same, according to the Provisions of this Act, in like Manner as if the said former Composition had been entered into by the Commissioners of the Division where the same is intended to be renewed.

XVI. And be it enacted, That every Person entering into or renewing any Composition according to the Provisions of this Act, and paying the Amount of the Same compounded for of the Taxes and in the Proportions and in manner specified in the said former Acts, and this Act, and doing and performing all other Acts, Matters, and Things required by the said Acts, shall be entitled to the like Privileges of setting up, or retaining and keeping, using or employing, after the Fifth Day of April One thousand eight hundred and thirty-five, any additional Article or Articles composing his Establishment, and so for his own Use, but not otherwise, as the Persons compounding under the said former Acts are now entitled to according to the Provisions now in force of the said Acts or any of them, and not otherwise provided by this Act, and shall be exempt from all Assessments on such additional Article or Articles of his Establishment during the Term mentioned in such Composition: Provided always, that no Person who shall compound or renew any Composition under this Act for the Duties on any Dog or Dogs, other than Hounds, shall set up or keep five of Duty any Hound or Hounds, nor shall any Person who shall compound for any less Number of Hounds than Ten set up or keep five of Duty any additional Number of Hounds: Provided also, that the Privileges and Immunities in this Clause mentioned shall not extend to any Article of his Establishment specially excluded by this Act from every Composition to be made or renewed under the same, in which excepted Cases further or increased Charges shall and may be made, and the Fines, Penalties, and Forfeitures incurred under any of the Acts relating to Assessed Taxes shall and may be used for, prosecuted and recovered, according to the Provisions of the said several Acts, so fully and as effectually as if no such Composition had been made or renewed under this Act.

XVII. And be it enacted, That every Person who shall be assessed for any Servants, Carriages, Horses, or other chargeable Articles aforesaid, for the Year ending the Fifth Day of April One thousand eight hundred and thirty-five, in Two or more Places in Great Britain, or who shall be assessed for that Year, or shall have compounded under the said former Acts in a different Place than where he is entitled to compound under this Act, shall deliver, or cause to be delivered, to the Commissioners to whom such Application to compound shall be made a Certificate or Certificates under the Hands of the respective Surveyors of the Districts where he shall be so assessed or have compounded under the said Acts, containing the Particulars of such Assessment or Composition in every such other Division or Place, according to such Forms as shall be devised by the Commissioners of Stamps and Taxes pursuant to this Act; and every Composition entered into or renewed contrary to the Provisions before mentioned shall be void and made of no effect by the Judgment of the Commissioners of Stamps and Taxes, on due Proof before them by the Certificate of any such Assessment for the said Year, or of any Composition, under the said Acts, which respectively shall not have been certified to the Commissioners, Parties to any such Composition, nor comprised therein, unless it shall be proved to their Satisfaction respectively that the same has arisen by Error or Mistake; in which Cases the said Commissioners of Stamps and Taxes respectively may consent that a new Composition shall be entered into, to take effect from the Fifth Day of April One thousand eight hundred and thirty-five.

XVIII. And be it enacted, That every Person compounding as aforesaid, or renewing any Composition under this Act, shall be freed and discharged from any Penalty or Penalties contained in the Acts relating to Assessed Taxes imposed on Persons for Nonperformance of any Matter or Thing required by the said Acts to be done by Persons chargeable to the Duties contained therein, during the Term herein limited, save and except that every such Person who in his Return made under the Acts relating to Assessed Taxes shall conceal any Servants, Carriages, Horses, or other Article herein mentioned, whereby he shall have escaped Assessment for such Servants, Carriages, Horses, or other Article aforesaid, for the Year ending the Fifth Day of April One thousand eight hundred and thirty-five, or who in any Statement, List, or Declaration to be delivered under this Act shall conceal any such Article, so that he shall not have caused the same to be comprised in his Composition under this Act, shall be liable to the like Penalty as if such Person had not compounded, and had continued liable to Assessment under the said Acts relating to Assessed Taxes.

XIX. And be it enacted, That if any Person who shall not compound under this Act shall, after the Fifth Day of April One thousand eight hundred and thirty-five, retain or keep for his own Use any Article chargeable with any Duty under the Acts relating to Assessed Taxes, which hath been compounded for by any other Person, or which hath been set up, retained, used, employed, or kept by such other Person under his Composition, or under colour or pretence thereof, the same Article consisting to belong to the Person so compounding, and which hath not been compounded for by the Person so retaining, using, employing, or keeping the said Article chargeable as aforesaid, and under his Composition, every such Person so retaining, using, employing, or keeping for his own Use any such Article as aforesaid shall be liable to an Assessment in respect of any such Article as aforesaid in like Manner and to the like Amount as if the same Article had belonged to him, and as if no Composition had been made by such other Person; and on due Proof before the Commissioners that the same hath been done with Intent to defraud the Revenue, every such Person shall be assessed in Triple the Amount of Duty payable as aforesaid.

Compositions entered into under the Privileges of increasing Establishments, &c. under former Acts.

Exemption.

As in Persons assessed to Two Places, or who have compounded under former Acts in Places where they are not entitled to compound under this Act.

Compositions not liable to Penalty of Assessed Tax except Penalties for Concealment to evade Assessment of Duty.

Persons retaining Horses or other Articles compounded for by other Persons, or set up by other Persons under colour of the Composition, liable to Duty.

Intent to defraud, Triple the Amount of Duty.

Persons entering a Contract to be entered into in or out of Great Britain to a less Amount than ought to be included, the Contract to be void, and the Offender to forfeit and.

Persons having discontinued their Establishments during their Residence out of Great Britain, shall not be obliged to compound.

In Cases of Sickness, Persons may sign their Contracts in the Presence of the Collector.

Compositions with Persons afterwards entering in Estates, and keeping larger Establishments to consist with Power to compound on the Assessment.

XX. And be it enacted, That if any Person shall by Fraud or Covin cause or procure the Assessment on which any Contract of Composition shall be entered into under this Act to be made on a lesser Amount of Duty than ought to be charged on him, or by any the Ways or Means in this Act mentioned shall cause or procure any Contract of Composition under this Act to be entered into, or any Contract of Composition entered into under the said former Acts or any of them to be renewed under this Act, on a lesser Amount of Duty than ought to be included in the Contract of Composition under this Act, every Contract so entered into or renewed under this Act shall be void and of no effect; and every Person so offending shall forfeit the Sum of Fifty Pounds, to be used for, recovered, and applied as any Penalty contained in the Acts relating to Assessed Taxes may be used for, recovered, and applied.

XXI. And be it enacted, That no Composition for Assessed Taxes shall be entered into or renewed under this Act with any Person who shall have resided out of Great Britain before the passing of this Act for a temporary Purpose only, and who shall have ceased to be assessed to the said Duties, or shall have been assessed to a lesser Amount, during such his Residence out of Great Britain, and who shall be assessed to the said Duties on a lesser Amount than he was assessed before his Departure from Great Britain for the said Year ending the fifth Day of April One thousand eight hundred and thirty-five, nor with any Person who shall be out of Great Britain at the Time of executing this Act.

XXII. And be it enacted, That any Person residing within Great Britain may, in Cases of Sickness or Infirmary, or other reasonable Cause, with the Consent of the said respective Commissioners, execute such Contract in the Presence of the Collectors of Assessed Taxes, or One of them, acting for the Parish or Place where the Person compounding shall reside, any thing in the said former Acts or this Act to the contrary notwithstanding. Provided also, that every such Collector shall testify the Execution of such Contract by signing the same in the Presence of the Party so executing: Provided also, that any Person duly assessed in Great Britain for the Year ending the fifth Day of April One thousand eight hundred and thirty-five, and credited to compound under this Act, but residing in Ireland at the Time of executing the Contract of his or her Composition by the respective Commissioners under this Act, may execute such Contract by his or her lawful Attorney duly constituted, the said Power of Attorney being first delivered to the said respective Commissioners for that Purpose, which Contract so executed shall be of the like Force and Effect as if the Party compounding had personally executed the same.

XXIII. And be it enacted, That every Composition entered into or renewed under this Act in respect of Servants, Carriages, Horses, or other Articles before mentioned, with any Person hereinafter described, shall cease and determine at the respective Times hereinafter mentioned: (That is to say,) if any Person who shall compound or renew any Composition under this Act shall afterwards come into Possession of any Estate, Real or Personal, or become entitled to the Reversion or Profits of any Estate, Real or Personal, upon the Death of any Person, whether by Descent, Gift, or Settlement, or by virtue of or pursuant to any Deed or Legacy, or under the Statute for the Distribution of Estates of Intestates, and shall thereupon retain any Servants, Carriages, Horses, or other Articles aforesaid forming the Establishment of the Person so dying, or shall keep any other Servants, Carriages, Horses, or other Articles aforesaid of the same Description, and chargeable to the like Duties by the said Acts relating to Assessed Taxes, as he and in the place of the like Articles kept by the Person so dying, or any Part thereof, or who at any Time after he shall come into the Possession of or be entitled unto the Reversion or Profits of any such Estate by any the Means aforesaid, and during the Term hereinafter limited for the Continuance of such Compositions as last aforesaid, begin to keep any greater Number of Servants, Carriages, Horses, or other Articles aforesaid than hath been compounded for by him, the Duties on which increased Number, according to the Acts relating to Assessed Taxes, amount unto One Fourth Part of the Amount of Duty so compounded for, then and in every such Case the Compositions entered into under this Act by any such Person hereinafter described shall respectively cease and determine at the End of the Year of Assessment, according to the Acts relating to Assessed Taxes, in which any such Increase of his Establishment shall take place; also if any Person shall intermarry after entering into or renewing any Composition under this Act, and entered into by the Husband and Wife, or either of them, and the Husband shall by such Marriage come into the Possession of or to the Use or Enjoyment of the Reversion or Profits of any Estate, Real or Personal, belonging to his Wife before Marriage, whether upon such Marriage the Husband shall acquire any Interest in Law or Equity in such Estate or not, or whether the said Estate shall remain in or be vested to the sole Use of the Wife or not, in case the Husband shall upon such Marriage retain or keep any Servants, Carriages, Horses, or other Articles herein enumerated, kept by or belonging to his Wife before Marriage, or in case the Wife shall after such Marriage retain her former Establishment, or any Part thereof, or in case the Husband or Wife shall upon such Marriage begin to keep any other Servants, Carriages, Horses, or other Articles herein enumerated, of the same Description and chargeable to the like Duties by the said Acts relating to Assessed Taxes, as he and in the place of the Establishment of the Wife before Marriage or any Part thereof, or so that the separate Establishment of either Husband or Wife, or their joint Establishment, would have been assessable on the Husband if no Composition had been entered into or renewed, to an Amount of Duty exceeding One Fourth Part of such Composition, then and in every such Case the Composition entered into or

renewed under this Act by any such Person, or either of them, as intermarrying and keeping any such Establishment as aforesaid, shall cause and determine at the End of the Year of Assessment in which such increased Establishment shall begin to be kept; but nevertheless it shall be lawful for the respective Commissioners in every such Case, after such Person shall have made a *bona fide* Return of the greatest Number of Servants, Carriages, Horses, and other Articles of his or her Establishment charged with any Duty of Assessed Taxes, according to the Laws in Force relating to the said Taxes, for the Year next after the Determination of such Composition, in order to an Assessment thereon for that Year, and who shall be duly assessed for that Year to his or her Assessed Taxes, to contract and enter into Composition de novo with any such Person for the Remainder of the Term then to come and unexpired on the Amount so assessed on him or her for that Year, together with the additional Duty hereby granted on the Amounts of other Assessments to be compounded for under this Act.

XXIV. And be it enacted, That the several Persons who for the Time being shall be Commissioners for putting in execution the Acts relating to Assessed Taxes shall be Commissioners for putting in execution this Act, and the Powers herein referred to or contained, in all and every the respective Counties, Hundreds, Divisions, Shires, and Sherwalties, Cities, Boroughs, Cinque Ports, Towns, and Places in Great Britain; and the several Assessors, Collectors, Surveyors, Inspectors, and Inspectors General for the Time being, appointed or to be appointed to put into execution the said Acts, shall respectively be Assessors, Collectors, Surveyors, Inspectors, and Inspectors General to put into execution this Act within the Limits of their respective Divisions, Districts, and Places to which they are or shall be appointed; and the respective Commissioners and other Persons authorized by the said former Acts to contract and agree for such Compositions, or to do or perform any other Matter or Thing for carrying the said Acts into execution, shall severally and respectively contract and agree for the Compositions to be entered into or renewed under this Act, and shall do and perform all such other Matters and Things as are required to be done and performed in the Execution of this Act, within the Limits of their respective Jurisdictions; and all the Powers and Authorities given and granted to them by or under the said former Acts or any of them shall and they are hereby declared to be revived and continued, for and during the Term herein limited, in as ample and effectual Manner as if the same Powers and Authorities were expressly re-enacted by this Act, and shall severally be applied, construed, deemed, and taken to belong to this Act, in Part thereof, in like Manner as if the same had been herein respectively given, granted, and applied by this Act; and the said Commissioners and others before mentioned are hereby empowered and required to do and perform all Things necessary for putting this Act in execution in the like and in as full and ample a Manner as they or any of them are or were authorized to put in execution the said former Acts.

XXV. And be it enacted, That all and every the Provisions, Directions, Rules, Regulations, Methods, Classes, Penalties, Matters, and Things contained in any former Act or Acts, and now in force, although expressly applied to the Compositions made or renewed under the said Acts or any of them, shall severally and respectively be construed and deemed to apply to the Compositions to be entered into or renewed under this Act, and (except where other Provisions, Directions, Rules, Regulations, Methods, Classes, Penalties, Matters, and Things are substituted in and by this Act,) shall severally and respectively be used and construed in ascertaining the Amount on which any Composition is to be made, and the additional Rate to be imposed thereon, and so doing and performing all other Matters and Things necessary for carrying this Act into execution, and shall be construed, deemed, and taken to belong to this Act, in Part thereof, and shall respectively be applied and enforced for the rating, levying, paying, and accounting for the Money to arise under this Act and for the Prevention and Punishment of Fraud, Impediment, and Evasion, in like Manner as if the same were severally repeated in and expressly applied to the Provisions of this Act; and where other Provisions, Directions, Rules, Regulations, Methods, Classes, Penalties, Matters, or Things are substituted by this Act in lieu of any Provisions, Directions, Rules, Regulations, Methods, Classes, Penalties, Matters, or Things contained in the said former Acts, the same respectively shall be construed, used, and applied in such Manner and to the like Effect in all respects as if the said former Acts and this Act had been incorporated, and as if this Act had expressly abrogated and made void the several Parts of the said former Acts in so far as they are or were authorized to put in execution the said former Acts.

XXVI. And be it enacted, That where the said former Acts contain any Period or Limitation of Time for the doing or performing of any Act, Matter, or Thing therein required, the Powers and Authorities of the said Acts shall be used and pursued for the doing and performing of the like Acts, Matters, and Things required by this Act, observing therein the Period or Limitation of Time expressed in this Act.

XXVII. And be it enacted, That every Person who is hereby declared to be competent to compound under this Act, and shall be desirous so to do, shall, on or before the Fifth Day of April Next (thousand eight hundred and thirty-five in England, and on or before the Term of Whitsunday in the same Year in Scotland, unless or cause to be delivered, free of Charge, to the Surveyor of the District next for the Parish or Place where such Person shall reside, a Notice in Writing according to the Form in the Schedule to this Act annexed, declaring his Intention to take the Benefit of this Act, which Notice shall be signed, and bear Date on the Day of such Signature, by such Person (or by some authorized Agent on his Behalf, residing in such District, and declaring therein the Place of his Residence,) in the

Commissioners and other Officers acting under the former Compositions Acts to act in like Manner in the Execution of this Act.

Provisions of former Acts to remain in force.

Limitation of Time for executing Powers of former Acts extended in this Act.

Persons intended to give Notice thereof, together with a Statement of the Articles of Composition.



Presence of One or more of the Assessors or Collectors of the said Duties for the same Parish or Place where the Person intending to compound shall reside, or in the Presence of such Surveyor, who respectively shall attest such Insignata by signing the same with his proper Name; and every such Notice shall contain the Number and Description of the Articles on which such Person shall intend to compound, which Notices shall be in the Form in the Schedule to this Act annexed; and all such Notices shall and may be retained in the Hands of the said Surveyors respectively until the Expiration of Two Calendar Months after Delivery thereof; and every such Surveyor shall carefully and diligently inspect and examine every Assessment, and every Contract of Composition entered into under the said former Acts relating to the Person so applying respectively, and also the Notices delivered by such Persons under the said Acts to discontinue any increased Establishment set up under any such Contract, or any Part thereof, and after such Examination thereof every such Surveyor shall from Time to Time, within the said Period of Two Calendar Months, deliver the same to and therewith certify to the respective Commissioners authorized by this Act to contract for such Compositions for the Parishes or Places where such Applications shall have been made, either his Satisfaction with the Notices delivered in such Cases, or his Objections thereto, together with the particular Articles or Articles omitted, and the Amount of Duty on which such Composition ought to be made; and no Composition shall be entered into or renewed in any of the Cases so objected to until a full and complete Return shall be made of every Article chargeable with Duty on which the Composition ought to be made under the Provisions of this Act; and every Composition entered into or renewed contrary to the Provisions of this Act shall be void and of no effect, and the Person entering into or renewing the same shall be liable to Assessment according to the Provisions of the Acts in force relating to Assessed Taxes, as if no Composition had been entered into or renewed, and to the Charge of the respective Surveyors to be made under the Authority and subject to the Provisions of the said last-mentioned Acts.

Errors or Mistakes in Compositions may be amended.

XXVIII. Provided always, and be it enacted, That in every Case where by any Error or Mistake the just Amount of Duty on which the Person compounding ought to compound, or the additional Rate thereon, shall not be duly ascertained or calculated in the Contract of Composition, it shall be lawful for the Commissioners of Stamps and Taxes, by Certificate under the Hands of any Two or more of them directed to the Commissioners of the Division by whom such Composition was made, to cause the same to be amended, or a new Contract made and executed, in such Manner as may seem to them expedient to obviate such Error or Mistake, and conformable to the true Intent and Meaning of this Act; and the said respective Commissioners to whom such Certificate shall be directed shall cause the same to be amended accordingly.

The Money arising by Compositions to be paid into the Consolidated Fund.

XXIX. And be it enacted, That all the Moneys arising by Compositions entered into or renewed under the said former Acts or this Act (the necessary Charges of raising and accounting for the same excepted) shall from Time to Time be paid into the Receipt of His Majesty's Exchequer as Heretofore, to the Account of Assessed Taxes in Great Britain, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Construction of Words.

XXX. And be it enacted, That the Word "Horse" or "Horses," wherever the same occurs in the Act, shall respectively be construed to mean and include any Mare or Gelding or Mares or Geldings, as well as any Hare or Hares; and that wherever in this Act any Word is used importing the Singular Number or Masculine Gender only, yet such Word importing the Singular Number shall be construed to extend and be applied to several Persons or Things as well as to One Person or Thing, and such Word importing the Masculine Gender shall be construed to extend and be applied to Females as well as Males, unless in the several Cases aforesaid, or any of them, it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Constructions.

Schedule annexed to be Assessed Part of Act.

XXXI. And be it enacted, That the Schedule hereto annexed shall be deemed a Part of this Act, as if the same had been inserted herein under a special Enactment. Provided always, that it shall be lawful for the Commissioners of this Act to use the said Form, as well where the Composition shall comprise all the Duties therein mentioned, or a Part or Parts thereof only, striking out all such Part or Parts thereof as may not relate to the Duties not intended to be included therein.

How Form shall be used.

### The SCHEDULE to which this Act refers.

#### No. 1.

*Notice to be used by Persons desirous of compounding for their Assessed Taxes.*

|                       |                                   |                                     |
|-----------------------|-----------------------------------|-------------------------------------|
| To                    | Surveyor acting for the Parish of | in the Division                     |
| of                    | in the County of                  | and to the Commissioners acting for |
| of the said Division. |                                   |                                     |

Take Notice, That I am desirous of compounding for Assessed Taxes under the Powers, Conditions, and Provisions of an Act passed in the Fifth Year of the Reign of King William the Fourth on my Establishment in the said of the Particulars of which are as follows; viz.



## Establishment laid down above the former Composition.

|                      | N <sup>o</sup> used to keep before the 22 April 1834. | Revised and now kept. |
|----------------------|---|-----------------------|
| Servants             | Schedule C. N <sup>o</sup> I.                         |                       |
| Four-wheel Carriages | Schedule D. N <sup>o</sup> I.                         |                       |
| Two-wheel Carriages  | Schedule D. N <sup>o</sup> II.                        |                       |
| Horses for riding    | Schedule E. N <sup>o</sup> I.                         |                       |
| Race Horses          | Schedule E. N <sup>o</sup> III.                       |                       |
| Dogs                 | Schedule G.   |                       |
| Hair Powder          | Schedule I.   |                       |
| Artificial Bearings  | Schedule K.   |                       |

And that I will attend to execute and receive the Contract of my Composition when required by the Commissioners.

Signed the \_\_\_\_\_ Day of \_\_\_\_\_ 183 .  
 Witness  
 Assessor or Collector of the }  
 above-named Parish. }

## Form of revised Contract of Composition for Assessed Towns.

| ESTABLISHMENT.  | Amount of Duties. |   |
|---|-------------------|---|
| N <sup>o</sup> Servants - - - - - Schedule C. N <sup>o</sup> I.           |                   | <p>Know all Men, That we, Two of the Commissioners acting in the Execution of the Acts in relation to Assessed Taxes for the Division of _____ in the County of _____ with A. B. of _____ in the said Division, in pursuance of an Act passed in the Fifth Year of the Reign of King William the Fourth, for the Renewal of the Composition of _____ Assessed Towns, is stated in the Margin herof; namely,</p> <p>Upon Servants, Horses, and other Articles of _____ Establishments, as the Assessor expressed therein, together with the additional Burden granted by the said Act.</p> <p>Which several Amounts are to be paid to the Collectors of the said Parish by Two Installments; viz<sup>t</sup></p> <p>1<sup>st</sup> Installment on or before the Tenth Day of October.</p> <p>2<sup>d</sup> Installment on or before the Fifth Day of April.</p> <p>And so yearly during the Term of Five Years from the Fifth Day of April 1835 mentioned in the said Act.</p> |
| Four-wheel Carriages - - - - - D. N <sup>o</sup> I.                       |                   |   |
| Two-wheel Carriages - - - - - D. N <sup>o</sup> II.                       |                   |   |
| Horses for riding - - - - - E. N <sup>o</sup> I.                          |                   |   |
| Race Horses - - - - - E. N <sup>o</sup> III.                              |                   |   |
| Dogs - - - - - G.   |                   |   |
| Hair Powder - - - - - I.  |                   |   |
| Artificial Bearings - - - - - K.  |                   |   |
| Composition Duty of £2 per Centum, }<br>under Act of 29 Geo. 3. c. 51. }  |                   |   |
| The like, under Act 1 & 2 Geo. 4. c. 113.                                 |                   |   |
| Total Amount of Duties - - - - -  |                   |   |
| Composition Duty of £ _____ per Centum, }<br>by 2 <sup>d</sup> Will. 4. } |                   |   |
| Total Amount of Compositions - - - - -                                    |                   |   |

The Condition of the above Composition is, That the above-named \_\_\_\_\_ shall duly pay or cause to be paid to the Collectors for the said \_\_\_\_\_ or One of them, on or before the Days above mentioned, upon Demand, the yearly Sum of \_\_\_\_\_ by Two Installments, in even Portions, taking their or his Receipts in Writing for the same; otherwise the said Compositions shall be levied of the Goods and Chattels of the said \_\_\_\_\_ or used for and recovered by any of the Ways and Means by which the Mosaic due on Assessments may be used for and recovered.

Witness  
 Clerk. } Commissioners of the within Division.

Witness  
 Clerk. } The Party hereto.

N.B.—With the Consent of the Commissioners the Collector of the Parish may witness the Signature of the Party to the Contract.

*Form of Contract of Composition under the Act of the Fifth William the Fourth.*

| ESTABLISHMENT.                          |                        | Amount of Duties. |
|---|------------------------|-------------------|
| N <sup>o</sup>                          | <i>Schedules</i>       |                   |
| Servants - - -                          | C. N <sup>o</sup> I.   |                   |
| Four-wheel Carriages - - -              | D. N <sup>o</sup> I.   |                   |
| Two-wheel Carriages - - -               | D. N <sup>o</sup> II.  |                   |
| Horses for riding - - -                 | E. N <sup>o</sup> I.   |                   |
| Race Horses - - -                       | E. N <sup>o</sup> III. |                   |
| Dogs - - -                              | G.                     |                   |
| Hair Powder - - -                       | I.                     |                   |
| Armorial Bearings - - -                 | K.                     |                   |
| Total Amount of Duties - - -            |                        |                   |
| Composition Duty of £5 per Centum - - - |                        |                   |
| Total Amount of Composition - - -       |                        |                   |

Know all Men, That we, Two of the Commissioners acting in the Execution of the Acts in relation to Assessed Taxes of the Division of \_\_\_\_\_ in the County of \_\_\_\_\_ have estimated and agreed with \_\_\_\_\_ of \_\_\_\_\_ in the said Division, in pursuance of an Act passed in the Fifth Year of King William the Fourth, for the Composition of \_\_\_\_\_ Assessed Taxes, as stated in the Margin hereto, and additional Rate.

Which several Amounts are to be paid to the Collectors of the said \_\_\_\_\_ by Two Instalments; viz.

1<sup>o</sup> Instalment on or before the Tenth Day of October.

2<sup>o</sup> Instalment on or before the Fifth Day of April.

And so yearly during the Term of Five Years from the Fifth Day of April 1835 mentioned in the said Act.

The Condition of the above Composition is, That the above-named \_\_\_\_\_ shall duly pay or cause to be paid to the Collectors for the said \_\_\_\_\_ or One of them, on or before the Days above mentioned, upon Demand, the yearly Sum of \_\_\_\_\_ by Two Instalments, in even Portions, taking their or his Receipt in Writing for the same; otherwise the said Composition shall be void of the Goods and Chattels of the said \_\_\_\_\_ or used for and recovered by any of the Ways and Means by which the Mosaic Tax on Assessments may be used for and recovered.

Witness \_\_\_\_\_ } Commissioners of the within Division,  
 Clerk. }  
 Witness \_\_\_\_\_ } The Party herein.  
 Clerk. }

*N.B.*—With the Consent of the Commissioners the Collector of the Parish may witness the Signature of the Party to the Contract.

## C A P. LV.

An Act to amend Three Acts, made respectively in the Seventh Year of the Reign of His late Majesty King George the Fourth, and in the First and Second Years and in the Second and Third Years of the Reign of His present Majesty, for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in Ireland; and to provide for the more effectual Levy of Grand Jury Cens. [13th August 1834.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to make Provision for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in Ireland, for the Purpose of the more equably levying of the Rates and Charges upon such Baronies, Parishes, and Divisions respectively*; and the said Act was amended by Two Acts passed respectively in the First and Second Years and in the Second and Third Years of the Reign of His present Majesty: And whereas it is expedient, for the Acceleration of the said Valuation, and for other Purposes, that the said Act should be further amended: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Commissioner of Valuation appointed in or for any County or Counties under the Provisions of the said recited Acts to nominate

1834. c. 54.

Commissioner of Valuation may appoint such Number of Valuers as the Lord

Electment shall fit and determine.

Committee of Appeal may, in several Cases, direct a new Valuation to be made, although an Appeal shall have been lodged in respect thereof.

When the Valuation of any Barony has been made and decided on, a List of the several Parishes and the Divisions of Land within them shall be prepared and published.

During the Period herein specified, the County Cens, &c. shall be taken according to the Provisions therein specified.

but not to affect the relative Proportions here by such Barony.

Respecting or made of revised Act an additional alteration of the Amount of Valuation of any Barony as compared with another Barony.

Committee of Revision may alter the Valuation of any Division

and appoint such Number of Persons to be Valuers for each such County to the Lord Lieutenant or other Chief Governor or Governors of Ireland shall from Time to Time fix and appoint; any thing in the said recited Acts limiting the Number of Persons so to be appointed to the contrary hereof notwithstanding.

II. And be it enacted, That where an Appeal shall have been made to any Committee of Appeal, under the Provisions of the said recited Acts, by or on behalf of any Parish, or the Owners or Occupiers of Land within any Township of any Parish, against the Valuation or any Part of the Valuation of the same, or of any other Parish or Township or Townlands within the same Barony, and it shall appear to such Committee of Appeal that just Cause has been shown to warrant such Committee to direct that a new Valuation shall be made of any such Parish or Parishes, Township or Townlands, in respect of or on behalf whereof such Appeal may have been made, then and in such Case it shall and may be lawful for the said Committee of Appeal, with the Consent of the Commissioner of Valuation for such County, or of his Assessor, to direct that a new Valuation shall in like Manner be made of any other Parish or Parishes, Township or Townlands, within the same Barony, the Valuation whereof shall appear to the said Committee to have been defective or erroneous in the same respects, or to which the same Ground of Appeal may appear justly applicable, although no such Appeal shall have been made in respect of or on behalf of such other Parish or Parishes, Township or Townlands.

III. And be it further enacted, That when and as the Valuation of each or any Barony within each County shall have been made by such Valuers, and transmitted to the Commissioner of Valuation for such County, and decided on by the Committee of Appeal appointed under the Provisions of the said recited Act of the Seventh Year of the Reign of His late Majesty, the said Commissioner of Valuation shall prepare and make out, in the Form of the Schedule to this Act annexed, a List or Table of the several Parishes within such Barony, and of the several Townlands or other Sub-divisionations or Divisions of Land within each such Parish, distinguishing the Number of Acres contained in every such Parish and Township or other Sub-divisionation or Division as aforesaid, and the Value of the Land and Houses in each such Parish or Township, or other Sub-divisionation or Division respectively, according to the Survey and Valuation thereof as decided upon; and each such List or Table shall be signed by the said Commissioner of Valuation and Three Members of the said Committee of Appeal, and shall be transmitted, so signed, to the Office of the Chief Secretary of the said Lord Lieutenant or other Chief Governor or Governors of Ireland; and thereupon it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to direct such List and Valuation, so signed as aforesaid, to be published in the Dublin Gazette; and from and after the End of the Assize next ensuing the Day of such Publication, and until the End of the Assize next ensuing the Day on which the List and Valuation of all the Baronies within the same County, as completed and finally agreed on by the Committee of Revision appointed under the Provisions of the said recited Acts, shall have been published in the said Dublin Gazette in the Manner and Form by the said recited Acts prescribed, but no longer, all Grand Jury Rates, and the usual and accustomed Proportion of all County Cens Charges whatsoever, imposed or to be imposed on such Barony by Proportions of the Grand Jury, or to be raised off such Barony, or any Parish and Division thereof, and all Parish Rates imposed or to be imposed or levied off any Parish or Township or other Sub-divisionation or Division of such Barony, under the Authority of any Law or Statute, shall be assessed and levied off such Barony, and off every Parish, Township, or other Sub-divisionation or Division therein, according to the Proportions specified in such List and Valuation so to be agreed by the Commissioner of Valuation and Three Members of the Committee of Appeal, and published as herein-before directed.

IV. Provided always, and be it enacted, That the Publication of the List and Valuation of any Barony under the Provisions of this Act shall not alter or affect the relative Proportion of County Cens or Charges which by any Laws or Usage may be or have been borne by such Barony as compared with any other Barony or Baronies.

V. And whereas it is enacted by the said recited Act of the Seventh Year of the Reign of His late Majesty, that in case it shall happen that any Committee of Revision shall alter the Amount of the Valuation of any Barony, as compared with another Barony, either by increasing or diminishing such Amount, such Alteration in the Valuation of any Barony shall not affect the proportionate Valuations of the several Parishes or Townlands within such Barony with respect to each other, but that the Valuation of each and every such Parish and Township respectively shall be altered so that such may bear to each the same relative Proportion as was originally fixed, or as was confirmed or allowed by the Committee of Appeal; And whereas it may happen that the Amount of Valuation of a Barony may be altered by the said Committee of Revision on a Parochial or for a Cause applicable to One or more Divisions of such Barony, and not to all Divisions of such Barony; and it is therefore necessary that Power should be given to such Committee to direct the Increase or Diminution of the Valuation of any Sub-divisionation or Division of a Barony as well as of the whole Barony; be it therefore enacted, That the herein-before recited Provisions of the said Act of the Seventh Year of the Reign of His late Majesty shall be and the same is hereby repeated.

VI. And be it enacted, That whenever any such Committee of Revision shall think fit to alter the Amount of the Valuation of any Barony as compared with any other Barony it shall and may be lawful for them to alter the Amount of the Valuation of any Parish or Parishes, Township or Townlands, or other Division of such Barony, and the Proportion originally fixed or confirmed or allowed by the

Committee of Appeal of such Barony between the several Parishes and Townlands of such Barony, in such Manner and to such Extent as the said Committee shall think just with regard to the Reason or Principle on which the gross Amount of the Valuation of such Barony may have been altered by them.

VII. And be it enacted, That all fractional Parts of a Pound Sterling may be rejected from the total Value of any Barony, Parish, Manor, or other Denomination as stated in any List and Valuation prepared under Authority of the said recited Acts or this Act, for the Purpose of computing the Proportions in which the same shall be respectively rated.

VIII. And whereas it is desirable that the said Valuation should be made available to the Purpose of Apportionment, as well as to ascertain the Proportions in which Grand Jury Cess and Parish Rates shall be assessed upon the several Divisions and Subdivisions of each County; be it therefore enacted, That when and as soon as the Valuation of all the Parishes within any Barony shall be completed the Commissioners of Valuation shall make out a Copy of the Field Book of each Parish, and shall make out a Field Map, showing the several Portions of Land which may have been separately valued, and distinguishing and numbering the same as to correspond with the said Field Book; and the said Commissioners shall deliver such Copies of the Field Book and Maps, attested by his Signature, to the Treasurer of the County, who shall keep the same in his Office, there to remain open to public Inspection; and any Owner or Occupier of Land within such Parish shall be at Liberty to make Copies thereof or Extracts therefrom without Fee or Reward.

IX. And be it enacted, That every such Treasurer shall furnish Copies of such Field Books, as and when the Valuation therein contained shall have been confirmed or amended and finally agreed on by the said Committee of Appeal and Revision respectively of such County, in manner by the said recited Acts or by this Act provided, and of such Field Maps, marked and numbered to correspond with such Field Books, to any Person or Persons requiring the same for the Apportionment of Grand Jury Cess; and such Copies shall be prepared under such Regulations as the Grand Jury of such County shall fix and determine, and they shall present, to be raised off the Townland or other Denomination of Land to which such Copies shall relate, the Expense of making the same.

X. Provided always, and be it enacted, That when and as soon as the Valuation of all the Baronies within any County shall have been completed, and that the List of the said several Baronies and the Valuation thereof shall have been confirmed or amended, and finally agreed on by the Committee of Revision of such County, the same shall be signed, sealed with, and published in manner and Form by the said recited Acts prescribed, and nothing in this Act contained shall, save as respects the additional Power which the Committee of Revision may exercise under the Provisions herein-before made, extend to, vary, or affect the Proceedings by the said recited Acts directed in respect of such general Valuations of all the Baronies within any County, and the List thereof, when published in manner by such Acts directed, shall have all such Force and Effect as the same would have had if this Act had not been made.

XI. And be it enacted, That at the Second Session next ensuing the Publication of such List and Valuation of all the Baronies of such County the Grand Jury shall nominate and appoint a Time for the Re-assembly of the Committee of Revision of such County, and the Secretary of the Grand Jury shall give Notice of the Time appointed for such Re-assembly of the Committee of Revision in like Manner as the Clerk of the Peace is by the said recited Act required to give Notice of the First Meeting of such Committee, and as the Time so appointed the Members of such Committee of Revision, together with the Commissioner of Valuation or his Assessor, shall meet in the Court-house of such County, and shall there and then inquire into and determine all such Complaints as shall be made against the said Valuation, or any Part thereof, and it shall be lawful for the said Committee to revise and amend such Valuation as in them may seem just, or to direct a new Valuation when the same shall appear necessary, and to adjourn from Time to Time; and the Valuation, as finally amended, revised, and settled by such Committee, shall be in the Place and Stead of the former Valuation so published in the *Diallel Gaxet*, and of like Force and Effect: Provided always, that Notice in Writing of any Complaint which it is intended to prefer to the said Committee so re-assembled shall be given to the Commissioner of Valuation of such County, or some Member of the said Committee, at least Thirty-one Days before the Time appointed for the re-assembling of such Committee, and that such Notice shall be subscribed by at least Two Persons each paying Grand Jury Cess to the Amount of Forty Shillings, or by at least Two Persons having each a Freehold or Leasehold Estate in Lands or Tenements of the annual Value of Twenty Pounds or upwards, and situate in such County, County of a City, or County of a Town.

XII. And whereas it is expedient, for the more complete Uniformity of the said Valuation, that the same should be carried on under the Control and Direction of a single Commissioner of Valuation, and that the Salary of Five hundred Pounds per Annum authorized by the said recited Act of the Seventh Year of His late Majesty's Reign to be paid to each such Commissioner to an insufficient Reimbursement for a Person appointed to act as such Commissioner in many Counties; be it therefore enacted, That, in addition to the said Salary of Five hundred Pounds per Annum, it shall and may be lawful for the said Lord Lieutenant or other Chief Governor or Governors of Ireland to order and direct such Allowance for travelling and other Expenses, not exceeding One Guinea per Day for every Day during which

the Barony, or well as of the whole.

Provision of a Pound may be rejected, &c.

When Valuation of Barony is completed, Commissioner to make a Copy of Field Book and a Field Map in Office of Secretary of County.

Treasurer to furnish Copies of Field Books to Persons requiring same for Apportionment of Grand Jury Cess.

Not to affect Provisions of recited Acts with respect to Publications of List when Valuation of all the Baronies within any County are completed.

At Second Session next after Publication of such List and Valuation, Grand Jury to fix a Time for Re-assembly of Committee of Revision to finally settle Valuations.

Notice of Complaints intended to be preferred to be given by Two Persons at least 31 Days previously.

Lord Lieutenant may order an Allowance for travelling Expenses to Commissioner of Valuation, in addition to his Salary.

such Commissioner shall be engaged in the Business of such Valuation, as to the said Lord Lieutenant or other Chief Governor or Governors shall seem proper; and such Salary and Allowance shall be advanced out of the Consolidated Fund, and levied and repaid by Grand Jury Presentments on and of the several Counties in which such Commissioner of Valuation shall be employed, in such Proportions as the said Lord Lieutenant or other Chief Governor or Governors shall think fit to direct, with regard to the Period of his Employment in each such County respectively; and all and every the Provisions of the said recited Acts directing and authorizing the Advance of Money for the Purpose thereof, and the Presentment and Levy of such Monies of the several Counties liable thereto, shall apply and extend to direct and authorize the Advance, Presentment, and Levy of the Monies required to defray such Allowances.

XIII. And whereas Doubts have arisen whether the Warrants of the Treasurers of Counties in Ireland issued for the levying of Money presented by Grand Juries at each Assizes remain in force beyond the Second Day of the next succeeding Assizes; for Removal of which Doubts, be it enacted, That every such Warrant of every such Treasurer shall be and remain in full Force and Effect for the Term of Two Years next after the Date thereof, unless the Sums required by such Warrant to be levied shall have been received, or unless the Grand Jury of the County shall have re-presented the same.

XIV. And be it enacted, That wherever the Word "Barony" occurs in this Act the Provision shall extend to a Half Barony.

XV. And whereas it is expedient that the Mode of collecting and levying Grand Jury Cess should be amended, be it therefore enacted, That whenever any Person duly authorized to collect and levy any Money to be raised pursuant to Grand Jury Presentment of any Barony or Half Barony, or County of a City or Town, shall have received the Appointment of such Money, he shall collect and levy the same according to such Appointment, and also any Sum of Money not exceeding Five Shillings, in lieu of any Sum heretofore authorized to be levied by any Act now in force for the Appraiser's Fees, and all such Money may be levied by Distress and Sale of any Goods and Chattels of every Person refusing to pay the Proportion therein appointed for him or her to pay which may be found on the Premises chargeable, rendering to the Owner the Overplus, if any, after deducting the Expenses of distraining, not exceeding Twelve-pence in the Pound on the Sums for which such Distress may have been made; and if no sufficient Distress be found on the Premises chargeable, then and in such Case such Collector shall leave at the Dwelling House of the Party chargeable for or in respect of such Premises, if such Person reside within the same County, County of a City or Town, a Notice bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Sum appointed within Six Days from the Date of such Notice, and expressing that within Six Days the Money demanded may be paid to the Collector at his House or Office; and if such Money be not so paid within such Time, then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace for the same County, County of a City or Town; and such Justice shall summon the Party so complained against to appear before him, and answer the said Complaint, and shall at the Time specified in such Summons cause into the Matter of such Complaint an Oath (which Oath the Justice is lawfully empowered to administer), and shall direct the Payment to such Collector of such Money as he shall find due and payable under such Appointment by the Party complained against, together with a Sum certain as and for such reasonable Costs and Charges as to such Justice shall seem meet, and in default of the Appearance of such Party, or upon his or her Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall and may be lawful for such Justice, or for any Justice of the Peace for such County, County of a City or Town, to issue his Warrant, authorizing and empowering the said Collector to levy the Money thereby ordered to be paid by Distress and Sale of any Goods or Chattels of the Party so complained against which may be found within any Part of such County, County of a City or Town, rendering the Overplus, if any, to him or her, the necessary Charges and Expenses of distraining being therewith first deducted, as directed by such Justice; and if sufficient Distress cannot be found within the same County, County of a City or Town, then, on Oath thereof made before any Justice of the Peace of any other County, County of a City or Town, in which any of the Goods and Chattels of such Party shall be found, (which Oath such Justice shall administer, and certify by indorsing in his Handwriting, his Name on the Warrant granted to make such Distress), the Goods or Chattels of such Party so refusing or neglecting to pay as aforesaid shall be subject and liable to such Distress and Sale in such other County, County of a City or Town, where the same may be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within such first-mentioned County, County of a City or Town.

Treasurer's Warrants to remain in force until Sums required shall be received or re-presented.

The Word "Barony."

How Grand Jury Cess shall be collected.

## SCHEDULE to which this Act refers.

VALUATION of LAMM, or cotons, within the several Parishes and Townlands in the said Barony, made in pursuance of this Act.

|                           | Acres. | Annual Value of Lamm, at cotons. | Total in each Parish. |        |
|---------------------------|--------|----------------------------------|-----------------------|--------|
|                           |        |                                  | Acres.                | Value. |
| Parish of A.:             |        |                                  |                       |        |
| Townland D.               | 250    | £100                             |                       | £      |
| — E.                      | 100    | 100                              |                       |        |
| — F.                      | 50     | 25                               |                       |        |
| Total in the Parish of A. |        |                                  | 400                   | 225    |
| Parish of G.:             |        |                                  |                       |        |
| Townland H.               | 60     | 100                              |                       |        |
| — I.                      | 47     | 37                               |                       |        |
| — K.                      | 150    | 280                              |                       |        |
| Total in the Parish of G. |        |                                  | 257                   | 517    |
| Total in Barony           | -      | -                                | 657                   | 622    |

C. D.

Commissioners of Valuation for the County of C.

E. P. } Members of the Committee  
G. H. } of Appeal for the said  
J. K. } County.

Day of 18

## C A P. LVI.

An Act to continue for One Year, and from thence to the End of the then next Session of Parliament, the Acts for the Relief of Insolvent Debtors in Ireland. [13th August 1834.]

WHEREAS an Act was passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Relief of Insolvent Debtors in Ireland*, to continue in Force for a certain Time therein limited; and the said Act was amended by another Act passed in the Third Year of the same Reign; and both the said Acts were continued by another Act made in the Seventh and Eighth Years of the same Reign: And whereas another Act was made in the Tenth Year of the same Reign, whereby the said recited Acts of the First and Second and Third Years of the same Reign were amended and further continued; and the same, so amended, were by an Act made in the First Year of His present Majesty's Reign further continued; and the same, so amended, were by another Act made in the Second Year of His present Majesty's Reign further continued until the End of this present Session of Parliament: And whereas by an Act made in the First and Second Years of the Reign of His present Majesty, intitled *An Act to repress the Administration of Justice in Ireland*, certain Provisions of the said recited Act of the First and Second Years of the Reign of His late Majesty were repealed, and certain other Provisions were made, and certain Persons declared, as certain Cases therein specified, to be entitled to the Benefit of the Acts for the Relief of Insolvent Debtors in Ireland: And whereas it is expedient that the said Acts for the Relief of Insolvent Debtors should be further continued: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the First and Second Years of the Reign of His late Majesty, as the same is amended by the said recited Acts of the Third and Tenth Years of the same Reign, and save and except as any Provisions thereof may be repealed, or other Provisions substituted therein, by the said recited Act of the First and Second Years of His present Majesty's Reign, shall be continued; and the said recited Acts of the First and Second, Third, and Tenth Years of the Reign of His late Majesty, and such Parts of the said recited Act of the First and Second Year of the Reign of His present Majesty as relates to the Law for the Relief of Insolvent Debtors, shall be and the same are hereby continued accordingly for One Year from the passing of this Act, and until the End of the then next Session of Parliament.

Enacted Acts continued in Force for One Year.



## C A P. LVII.

An Act to repeal the Stamp Duties on Almanacks and Directories, and to give other Relief with relation to the Stamp Duties in Great Britain and Ireland respectively. [18th August 1834.]

WHEREAS it is expedient to repeal the Stamp Duties now payable in Great Britain and Ireland respectively upon Almanacks or Calendars, and also the Stamp Duty now payable in Ireland upon any Dublin Directory: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Stamp Duties now payable in Great Britain and Ireland respectively for or upon any Almanack or Calendar, or any Book or Pamphlet serving the Purpose of an Almanack or Calendar, and also the Stamp Duty now payable in Ireland for or upon any Dublin Directory, shall respectively cease and determine, and be no longer paid or payable, save and except so much and such Part and Parts of the said Duties respectively as have become due or payable, and now remain in arrear or unpaid, all which shall be recoverable by the same Ways and Means, and with such and the same Possibilities, as if this Act had not been made.

Stamp Duties on Almanacks or Calendars, and on Dublin Directories, repealed, except so as is directed.

Stamps intended for Almanacks or Calendars, and rendered useless by the Operation of this Act, to be cancelled, and the Value thereof allowed.

II. And be it enacted, That it shall be lawful for all Persons having in their Possession any Stamps intended for Almanacks or Calendars or Dublin Directories, and which shall be rendered useless or unnecessary by the Operation of this Act, to send the same to the Head Office for Stamps in Westminster, Edinburgh, or Dublin, at any Time within Six Calendar Months next after the passing of this Act: and it shall be lawful for the Commissioners of Stamps and Taxes to cause the said Stamps to be cancelled, and to deliver out other Stamps in lieu thereof, or at their Discretion to refund and repay the Amount or Value of the Stamps so cancelled, out of any Money in the Hands of the Receiver General of Stamp Duties in Great Britain or Ireland respectively, deducting from the said Amount or Value so to be repaid in Money the Discount or Allowance of One Pound Ten Shillings for every One hundred Pounds, and at and after that Rate for any greater or less Sum than One hundred Pounds of the said Amount or Value, but not including any fractional Part of a Penny.

21. IV. 4. c. 56.

Advertisements made on respecting Voters in Ireland exempted from Stamp Duty.

21. IV. 4. c. 57. c. 18.

III. And whereas Persons claiming to be registered as Voters at the Election of Members to serve in Parliament for any County, City, Town, or Borough in Ireland under an Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to amend the Representation of the People of Ireland*, are required to take and subscribe such Oath or Affidavit as in the said Act is mentioned, and it is expedient to exempt the same from Stamp Duty: be it therefore enacted, That no Oath, Affidavit, or Affirmation made, subscribed, or taken, or hereafter to be made, subscribed, or taken, by any Person or Persons for the Purpose of registering himself or themselves as a Voter or Voters under or in pursuance of the said recited Act, shall be charged or chargeable with any Stamp Duty, any thing in any Act or Acts to the contrary in anywise notwithstanding.

IV. And whereas by an Act passed in the last Session of Parliament, intitled *An Act to prevent the selling and stirring of forged Stamps, and to exempt from Stamp Duty certain Mineral Waters in Great Britain*, and to allow a Drawback on the Exportation of Gold and Silver Plate manufactured in Ireland, it is enacted, that whenever the Commissioners of Stamps shall discontinue the Use of any Die or Dies, and shall provide any new Die or Dies to be used in lieu thereof, and shall give public Notice thereof by Advertisement in the Manner directed by the said last-recited Act, it shall be lawful for all Persons who shall have in their Custody or Possession any Vellum, Parchment, or Paper stamped or marked with any Die or Dies in lieu of which any such new Die or Dies shall have been provided, and which Vellum, Parchment, or Paper shall, by reason of the providing of such new Die or Dies, be rendered useless or inapplicable for the Purpose for which the same was originally designed, to send the same to the Head Office for Stamps in Westminster or Edinburgh at any Time within Three Calendar Months next after the Day so fixed and appointed by such Advertisement as aforesaid: and it shall be lawful for the said Commissioners, or for any Officer of Stamp Duties duly authorized in that behalf, to cause the Stamp or Stamps upon such Vellum, Parchment, or Paper to be cancelled, and such Vellum, Parchment, or Paper, or (if the said Commissioners or such Officer shall think fit) any other Vellum, Parchment, or Paper, to be duly stamped or marked with such new Die or Dies as in lieu of it or in an equal Amount with the Stamp or Stamps so cancelled: And whereas the said Commissioners of Stamps having discontinued the Use of certain Dies heretofore provided and used for denoting the Stamp Duties payable on Bills of Exchange, Promissory Notes, and Receipts, and having provided other Dies to be used in lieu thereof, did give Notice thereof by Advertisement in the Manner directed by the said last-recited Act, and divers Persons who have in their Custody or Possession stamped Vellum, Parchment, and Paper rendered useless or inapplicable by reason of the providing of such new Dies, have neglected to send the same to the said Head Office for Stamps within the Time limited for that Purpose by the said Act and by such Advertisement as aforesaid, and it is expedient to give Relief to such Persons: be it therefore enacted, That it shall be lawful for the Commissioners of Stamps and Taxes, or any Officer duly authorized in that behalf, to exchange or restamp all such stamped Vellum, Parchment, and Paper so rendered useless or inapplicable as aforesaid, or, in the Discretion of the said Commissioners, to refund and repay the Amount of the Stamp Duty thereon in the Manner directed by the said last-recited Act, provided Application shall be made to them respectively for that Purpose within the Space of Six Calendar Months next after the passing of this Act.

Relief granted to Persons who have neglected to send Vellum, Parchment, &c. to be restamped.

## C A P. LVIII.

An Act for raising the Sum of Fourteen millions three hundred and eighty-four thousand seven hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-four. [18th August 1834.]

## C A P. LIX.

An Act to extend the Term of an Act of the First and Second Years of His present Majesty, for ascertaining the Boundaries of the Forest of Dean, and for inquiring into the Rights and Privileges claimed by Free Miners of the Hundred of Saint Brissels, to the Twenty-first Day of January One thousand eight hundred and thirty-five, and from thence to the End of the then next Session of Parliament. [18th August 1834.]

WHEREAS an Act was passed in the First and Second Years of the Reign of His present Majesty, intitled *An Act for ascertaining the Boundaries of the Forest of Dean, and for inquiring into the Rights and Privileges claimed by Free Miners of the Hundred of Saint Brissels, and for other Purposes*: And whereas the Commission directed by the said recited Act to be issued under the Great Seal of His Majesty's Court of Exchequer bears Date the Twenty-first Day of January One thousand eight hundred and thirty-two: And whereas the Time within which the Commissioners were by the said recited Act directed to make their Reports to the Lord High Treasurer or Lords Commissioners of His Majesty's Treasury was enlarged by an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intitled *An Act to extend to the Twenty-first Day of January One thousand eight hundred and thirty-four, and to the End of the then next Session of Parliament, the Time for carrying into execution an Act of the First and Second Years of His present Majesty, for ascertaining the Boundaries of the Forest of Dean, and for inquiring into the Rights and Privileges claimed by Free Miners of the Hundred of Saint Brissels, and for other Purposes*: And whereas it is expedient that the Time for making the said several Reports should be further enlarged: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Time for making the several Reports directed to be made by the said Commissioners under the Authority of the said recited Act of the First and Second Years of the Reign of His present Majesty shall be extended until the Twenty-first Day of January One thousand eight hundred and thirty-five, and from thence to the End of the then next Session of Parliament.

II. And be it further enacted, That all the Powers, Provisions, Authorities, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters, and Things in the said recited Act of the First and Second Years of the Reign of His present Majesty contained, shall extend and be construed to extend to this present Act, and shall operate and be in force during the said additional Period, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Provisions, Regulations, Directions, Clauses, Penalties, Forfeitures, Matters, and Things were particularly repeated and re-enacted in the Body of this Act, and made expressly applicable thereto, and as if the Time for the making of the said several Reports by the said Commissioners as aforesaid had been therein originally extended to the said additional Period.

## C A P. LX.

An Act to amend the Laws relating to the Land and Assessed Taxes, and to consolidate the Beards of Stamps and Taxes. [18th August 1834.]

WHEREAS, for the more convenient Execution of the Acts relating to the Land Tax, it is expedient to authorize the Commissioners acting in the Execution of the said Acts for any County, Shire, or Riding to alter the Jurisdiction of any Parishes, Townships, Hamlets, or Places, by transferring any One or more thereof from one Division to another of the same County, or by creating thereon any new Divisions or Divisions for the Purposes of the said Act, as Occasions shall require: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Commissioners, at a General Meeting or Meetings for any County, Riding, or Shire, if and as they shall see fit (subject as herein provided), to transfer the Jurisdiction of any of the Parishes, Townships, Hamlets, Towns, or Places in any County from the Division or Divisions to which the same respectively now belong, together with the Rates payable by them respectively at the Time of such Transfer, to any adjoining or other Division or Divisions of the same County, or to any new Division or Divisions, which new Division or Divisions it shall be lawful for the said Commissioners and they are hereby expressly authorized and empowered to create in any such County, provided every such Alteration or Creation of Divisions respectively shall be certified in Writing under the Hands of the Majesty of the Commissioners present at such General Meeting to His Majesty's Commissioners of Stamps and Taxes, and provided, that any such Alteration or Creation shall be approved of by the Commissioners of His Majesty's Treasury

1834 W. 4. c. 115.

1834 W. 4. c. 115.

Time for making Reports under 1834 W. 4. c. 115 extended for One Year.

Powers of 1834 W. 4. c. 115 extended to this Act.

Commissioners empowered to transfer Jurisdiction from one Hamlet or Division to another, or to create new Divisions.

for the Time being; and such Appropriation, together with the Quotas to be assessed and levied on the Parishes, Townships, Tithings, Hamlets, or Places as an aforesaid transferred, shall be certified to the Commissioners of the respective Divisions under the Hands of the Commissioners of Stamps and Taxes, or any Two or more of them, but not otherwise; and the Commissioners whose respective Divisions shall be extended or created in manner aforesaid shall have full Jurisdiction and Control in, over, and throughout the several Parishes, Townships, Tithings, Hamlets, or Places so as aforesaid transferred, and shall and may execute all the Powers and Provisions of the Acts relating to the Land Tax, and of the Acts relating to the Office of Assessed Taxes, in assessing, charging, raising, and enforcing Payment of the said Taxes respectively in and throughout the same; and the Parishes, Townships, Tithings, Hamlets, or Places so as aforesaid respectively transferred shall be considered as forming Part of the Division to which they shall be or shall have been transferred, for all the Purposes of the Acts relating to the Land Tax and the Assessed Taxes respectively, any thing in any former Statute contained to the contrary thereof notwithstanding; and all the Alterations herein provided for, which may have been made at any Time previous to the passing of this Act, shall be as valid, lawful, and effectual, and be acted on in all respects, as if the same had taken place after the passing of this Act, and in pursuance hereof: Provided nevertheless, that nothing herein contained shall be construed to authorize the Alterations of the Limits or Jurisdiction of any of the Cities, Boroughs, Cinque Ports, Towns, and Places respectively in Great Britain for which separate and distinct Quotas of Land Tax are provided by and enumerated in the Acts now in force relating to the Land Tax.

Parishes

Assessments of certain Lands in the Places in which they have usually been assessed declared valid.

II. And whereas divers Open Fields, Commons, and Waste Lands, since the Inclosure thereof, have been rated and assessed to the Land Tax, wholly or in part, in other Parishes, Townships, Hamlets, or Places than those in which such Lands do lie, the Inhabitants of such Parishes, Townships, Hamlets, or Places as in which such Lands are rated and assessed having been before the Inclosure thereof entitled to Common of Pasture or other Common Rights in such Open Fields, Commons, and Waste Lands: And whereas Doubts have arisen touching the Legality of rating and assessing such Lands as aforesaid elsewhere than in the Parishes, Townships, Hamlets, or Places in which the same do lie, and it is expedient to remove such Doubts, he it therefore enacted and declared, That all Assessments and Rates or Parts of Land which at any Time heretofore have been Part or Parcel of any such Open Fields, Commons, or Waste Lands shall and may lawfully be rated and assessed to the Land Tax in such Parish, or in such Parishes, Townships, Hamlets, or Places, as the same have since the Allotment or Inclosure thereof been usually rated and assessed, although such Lands may not lie in the Parishes, Townships, Hamlets, or Places in which the same have been or may be so as aforesaid rated or assessed; and that all Rates and Assessments, which have been at any Time heretofore or may be at any Time hereafter made or charged upon or in respect of any such Lands as aforesaid, in or for the Parishes, Townships, Hamlets, or Places respectively in which the same have heretofore been usually rated or assessed, are hereby declared to have been and shall be deemed to be respectively as valid and effectual to all Intents and Purposes, and shall be collected and levied in like Manner, as if such Lands had been situated within the Parishes, Townships, Hamlets, or Places in or for which such Rates or Assessments have been or shall be made or charged.

Certain Provisions of the Acts hereto recalled repealed.

2 W. 4. c. 45.  
s. 10.

18 G. 3. c. 18.

30 G. 3. c. 17.

III. And whereas by an Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act to amend the Representation of the People of England and Wales*, it is enacted, that in order to settle any Person to vote in any Election of a Knight of the Shire or other Member to serve in Parliament in respect of any Manors, Lands, or Tenements, it shall not be necessary that the same shall be assessed to the Land Tax: And whereas by reason of the said last recited Enactment the Provisions herein-after mentioned or referred to of an Act passed in the Eighteenth Year of the Reign of King George the Second, intitled *An Act to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for that Part of Great Britain called England*, and of an Act passed in the Twentieth Year of the Reign of King George the Third, intitled *An Act to remove certain Doubts relative to Votes at County Elections*, have been rendered unnecessary, and it is expedient to repeal the same, he it therefore enacted, That so much of the said recited Act of the Eighteenth Year of the Reign of King George the Second as requires the Commissioners of the Land Tax to deliver or cause to be delivered to the Clerks of the Peace for their respective Counties any Duplicate of the Copies of the Assessments of Land Tax; and so much of the said recited Act of the Twentieth Year of the Reign of King George the Third as requires the Assessors of the Land Tax to make Three Duplicates of their Assessments, and to cause One of the said Duplicates, or a Copy thereof, to be stuck upon the Door of any Church or Chapel; and also so much of the said last-mentioned Act as requires the said Assessors to deliver One of such Duplicates, assessed as in the said Act is mentioned, to any Chief Constable, or as requires any such Chief Constable to deliver such Duplicate to the Clerk of the Peace in the Manner mentioned in the said Act, and also so much of the said last-mentioned Act as inflicts any Fine, Penalty, or Forfeiture upon any Assessor or Chief Constable for any Neglect or Omission to deliver such Duplicate in manner in the said Act mentioned, or as relates to the levying and recovering of any such Fine, Penalty, or Forfeiture, shall be and the same is and are hereby repealed: and all Persons who have incurred any Fine, Penalty, or Forfeiture by reason of any such Neglect or Omission as aforesaid since the passing of the said recited Act of the Second Year of His present Majesty's Reign shall be and are hereby absolved, freed, and discharged from the same.

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IV. And whereas by an Act passed in the Fifty-third Year of the Reign of King George the Third, intitled *An Act to amend and render more effectual several Acts passed for the Redemption and Sale of the Land Tax*, certain general Rules and Directions contained in a Schedule marked (E) to the said Act intitled *Contract* were enacted with reference to certain Contracts for the Redemption of Land Tax therein mentioned, and amongst other Rules it was enacted as follows; (That in so many, First, the Commissioners for executing this Act who shall have entered into any such Contract as aforesaid, as soon as conveniently can be done after the Date of such Contract, cause an Abstract of so much thereof as shall be necessary to be transmitted to the Commissioners acting in the Execution of the Land Tax Act in the Division where the Land Tax contracted for shall be charged, and the said last-mentioned Commissioners shall from Time to Time cause Assessments to be made of the Payments which according to such Contracts shall become due in each Year ending the Twenty-fifth Day of Month, together with the Amount of the Land Tax contracted for, and the Names of the Contractors and Occupiers of the Premises whereon the Land Tax is charged, in such Form or Forms as shall be made out at the Office for Taxes for that Purpose, and shall annually return Duplicates thereof to the Receiver General and the King's Remembrancer, in such Form and Manner and at such Times as they are directed to return Duplicates of Land Tax, in order that the respective Receivers General may be charged therewith at the Receipt of His Majesty's Exchequer: And whereas it is expedient to repeal the said last-recited Rules, be it therefore enacted, That from and after the passing of this Act so much of the Rules and Directions contained in the said Schedule (E) to the said last-recited Act as aforesaid as in herein-before expressly recited shall be and the same is hereby repealed.

V. And be it enacted, That in lieu of the Duplicates by the said last-recited Act directed to be returned to the Receiver General and the King's Remembrancer, the Certificates of the Commissioners for the Time being acting in the Execution of the Acts for the Redemption and Sale of the Land Tax, to the Commissioners for auditing the Public Accounts, of the Payments which according to such Contracts shall become due in each Year as aforesaid, shall be a sufficient Authority for charging the respective Receiving Officers with the same, and such Certificates shall be in such Form as shall be devised by the said Commissioners acting in the Execution of the said Acts for that Purpose.

VI. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to provide for the Application of Monies arising in certain Cases of Assessments for Land Tax in Great Britain*, the Commissioners of His Majesty's Treasury are authorized, on the Receipt of any such Certificate as in and by the said Act is therein required to be transmitted by the Commissioners of Districts of the Amount of Excess of Assessment and Collection of Land Tax in any such Cases as are therein specified, to direct the net Produce and Amount of such Excess of Assessment and Collection to be applied to His Majesty's Use in such Manner and for such Purposes as in the said last-recited Act are mentioned: And whereas it is expedient to amend the said recited Act in the Manner hereinafter mentioned, be it therefore enacted, That it shall and may be lawful for the said Commissioners acting within and for any District or Division in which any Excess of Assessment and Collection of Land Tax shall arise to cause to be deducted from the Amount of such Excess, and to be paid to the respective Assessors of the several Cities, Boroughs, Towns, Parishes, Wards, or Places in which such Excess shall arise, as a Remuneration to the said Assessors for their Trouble in making the Assessments to the Land Tax, such Sum or Sum of Money as the said last-mentioned Commissioners shall certify to be a just and reasonable Remuneration to the said Assessors, and as the Commissioners of His Majesty's Treasury shall sanction and approve, and then and in such Case the Balance only of such Excess of Assessment and Collection, after making such Deduction as aforesaid, shall be paid and applied to His Majesty's Use in the Manner directed by the said last-recited Act, any thing therein or in any other Act or Acts contained to the contrary thereof in anywise notwithstanding.

VII. And whereas by an Act passed in the Forty-eighth Year of the Reign of King George the Third, intitled *An Act to amend the Acts relating to the Duties of Assessed Taxes, and of the Year upon the Profits of Property, Professions, Trades, and Offices, and to regulate the Assessment and Collection of the same*, it is enacted, that the said Duties shall be collected, levied, paid over, and accounted for under and subject to the Rules and Directions in the said Act contained, and certain Rules and Directions are (amongst others) contained in and enacted by the said Act with reference to the said Duties of Assessed Taxes, and which are intitled, "Number V. Rules and Directions for paying to the Receiver General and accounting for the Duties recovered by the Collectors." And whereas by an Act passed in the Third Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to amend the Laws relating to the Land and Assessed Taxes, and to regulate the Appointment of Receivers General in England and Wales*, certain Rules and Regulations are (amongst others) contained in and enacted by the said last-recited Act with reference to the said Duties of Assessed Taxes, and which are intitled respectively, "Number II. Rules and Regulations respecting the said Office, in relation to Assessed Taxes;" "Number III. Rules and Regulations respecting the Office of Collector of Assessed Taxes;" and "Number IV. Rules and Regulations respecting the Offices of other Persons acting in the Execution of the said Acts." And whereas it is expedient that the Monies arising from the Land Tax should be collected and accounted for under the same Rules, Regulations, and Directions, be it therefore enacted, That from and after the passing of this Act the Monies arising from the Land Tax shall be collected, levied, paid over, and accounted for under and subject to the Rules, Regulations, and Directions severally contained in and enacted by the said recited Acts of the Forty-eighth Year of King George the Third, and the Fifth Year of King George the Fourth, in relation to the said Duties

So much of  
22 G. 3. c. 113  
as is herein  
repealed.

Certificate of  
Land Tax Com-  
missioners in  
lieu of Dupli-  
cates mentioned  
in last-recited  
Act.

Direct Com-  
missioners, with  
the Approbation  
of the Treasury,  
may name any  
Assessors for  
making their  
Assessments,  
and of the surplus  
Land Tax.  
5 G. 4. c. 22

Rules and  
Regulations  
contained in  
48 G. 3. c. 141  
and 3. c. 22  
to extend and  
apply to the  
Land Tax.

Duties of Assessed Taxes hereby before mentioned or referred to; and all such Rules, Regulations, and Directives, and all and every the Clauses and Provisions thereof, so far as the same relate to the said Duties of Assessed Taxes, shall be deemed and taken to extend and apply to the collecting, levying, paying over, and accounting for the Monies arising from the Land Tax, in the same Manner, and as fully and effectually, to all Intents and Purposes, as if such Rules, Regulations, and Directives had been expressly enacted by this Act with reference to the said Monies arising from the Land Tax, and to the Commissioners, Receivers, Collectors, and other Officers or Persons acting in the Execution of the Acts relating thereto.

The Board of Commissioners of Stamps and Commissions for the Affairs of Taxes to be One consolidated Board of Commissioners of Stamps and Taxes.

VIII. And whereas by His Majesty's Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland certain Persons therein named have been constituted and appointed and now are Commissioners of Stamps for the United Kingdom of Great Britain and Ireland, and by the same Letters Patent the same Persons have also been constituted and appointed and now are Commissioners for the Affairs of Taxes in Great Britain: And whereas it is expedient that the several Duties, Matters, and Things under the Care and Management of the said Commissioners of Stamps and of the said Commissioners for the Affairs of Taxes respectively should be and remain under the Care and Management of One consolidated Board of Commissioners, to be called "the Commissioners of Stamps and Taxes;" it is therefore enacted, That from and after the passing of this Act the several Persons as an aforesaid appointed Commissioners of Stamps for the United Kingdom of Great Britain and Ireland and Commissioners for the Affairs of Taxes in Great Britain respectively shall, without any further Commission or other Authority than this Act, be and become One consolidated Board of Commissioners, and be called "The Commissioners of Stamps and Taxes;" and it shall be lawful for His Majesty, His Heirs and Successors, from Time to Time to appoint under the Great Seal of Great Britain and Ireland such other Persons as He or They shall think fit to be Commissioners of Stamps and Taxes, and that from henceforth all the several Duties, Matters, and Things which at the Time of the passing of this Act are collected by or are under the Care and Management of the said Commissioners of Stamps and of the said Commissioners for the Affairs of Taxes respectively shall respectively be collected by and shall be under the Care and Management of the Commissioners of Stamps and Taxes, in the same Manner as such Duties, Matters, and Things respectively have hitherto been collected by or have been under the Care and Management of the said Commissioners of Stamps and of the said Commissioners for the Affairs of Taxes respectively: Provided always, that as well the said Commissioners so to be appointed by His Majesty, His Heirs and Successors, as aforesaid, as the said Commissioners by this Act constituted Commissioners of Stamps and Taxes, shall respectively be and remain Commissioners of Stamps and Taxes during the Pleasure of His Majesty, His Heirs and Successors, and no longer.

Power and Authorities vested in the Commissioners of Stamps and Commissions for the Affairs of Taxes respectively to be exercised by the Commissioners of Stamps and Taxes.

IX. And be it enacted, That the said Commissioners of Stamps and Taxes, or any Three or more of them, shall have, use, and exercise all such Powers and Authorities as are now given to or vested in or as might be used and exercised by the Whole or any Number of the said Commissioners of Stamps or of the said Commissioners for the Affairs of Taxes, under or by virtue of any Act or Acts in force at or immediately before the passing of this Act, and all such Powers and Authorities shall be and are hereby given to and vested in the Commissioners of Stamps and Taxes, and any Three or more of them, as fully and effectually, to all Intents and Purposes, as if such Powers and Authorities, and all Clauses, Regulations, Provisions, Penalties, and Forfeitures in any Act or Acts relating thereto respectively, were severally repeated and re-enacted in this Act, and made Part thereof, and all Rules, Orders, Regulations, Acts, Matters, and Things which shall be made or done by the said Commissioners of Stamps and Taxes, or any Three or more of them, and which by any Act or Acts in force at or immediately before the passing of this Act are or were required or authorized to be made or done or which might be made or done by the Commissioners of Stamps or the Commissioners for the Affairs of Taxes, or any Three of such Commissioners respectively, shall be and be deemed to be as good, valid, and effectual in the Law to all Intents and Purposes as if made or done by the said Commissioners of Stamps or the said Commissioners for the Affairs of Taxes, or any Number of such Commissioners respectively, under or in pursuance of any such Act or Acts as aforesaid: and all Persons shall be subject and liable to the same Penalties and Forfeitures for doing or omitting to do any Act, Matter or Thing, contrary to any Rules, Orders, or Regulations of the said Commissioners of Stamps and Taxes, or any Three or more of them, as such Persons respectively would have been subject and liable to for doing or omitting to do the same Acts, Matters, or Things contrary to any Rules, Orders, or Regulations of the Commissioners of Stamps or the Commissioners for the Affairs of Taxes respectively, under or by virtue of any Act or Acts in force at or immediately before the passing of this Act: Provided always, that where by any Act or Acts in force at or immediately before the passing of this Act any Act, Matter, or Thing is expressly required or authorized to be done by any particular or prescribed Number less than Three of the said Commissioners of Stamps or of the said Commissioners for the Affairs of Taxes, every such Act, Matter, or Thing, being done by such particular or prescribed Number of the Commissioners of Stamps and Taxes, shall be good, valid, and effectual to all Intents and Purposes: And provided also, that all Rules, Orders, and Regulations hitherto made by the said Commissioners of Stamps or the said Commissioners for the Affairs of Taxes respectively, in force at the Time of the passing of this Act, and which are not altered or varied by this Act, or contrary to any of the Provisions thereof, shall respectively remain and continue in full Force and Effect, until the same shall be abrogated, annulled, altered, dissolved by the said Commissioners of Stamps and Taxes.

X. And be it enacted, That all Commissioners, Deputations, and Appointments at any Time heretofore granted to any Officers of the Commissioners of Stamps or of the Commissioners for the Affairs of Taxes, and in force at the Time of the passing of this Act, shall respectively remain and continue in full Force and Effect until the same shall be revoked or recalled by lawful Authority; and the Persons holding such Commissions, Deputations, and Appointments shall have full Power and Authority to execute the Duties of their respective Offices and Appointments, and to enforce all Laws, Regulations, Points, and Penalties relating to the Duties and Revenues for which they have respectively been appointed, as fully and effectually to all Intents and Purposes as they might or could do before, or at the Time of the passing of this Act; and all Officers who at the Time of the passing of this Act hold their respective Offices during the Will and Pleasure of the Commissioners of Stamps or of the Commissioners for the Affairs of Taxes shall hereafter hold such Offices subject to the Will and Pleasure of the Commissioners of Stamps and Taxes, and all such Officers shall be under the Control and Authority of the said Commissioners of Stamps and Taxes, and shall be liable to the same Points, Penalties, and Forfeitures to be inflicted by the said last-mentioned Commissioners as might heretofore have been inflicted upon them by the said Commissioners of Stamps or the said Commissioners for the Affairs of Taxes respectively.

XI. And be it enacted, That all Bonds and Securities to His Majesty, or to the Commissioners of Stamps or the Commissioners for the Affairs of Taxes, or to any Officer or Person in their respective Employ, which have been heretofore given or entered into by any Person or Persons whatsoever, either as Penalties or Sureties, for securing the due accounting for or the Payment of any Duties or other Matters under the Care or Management of the Commissioners of Stamps or of the Commissioners for the Affairs of Taxes, or for the good Conduct of any Office, Clerk, or other Person, or for any other Purpose whatever relating to the said Duties or any of them respectively, shall remain and continue in full Force and Effect until the Conditions of such Bonds or Securities shall have been duly performed and fulfilled, and all such Bonds and Securities, and the Conditions thereof respectively, shall be deemed and construed to extend and be applicable to the Deeds, Matters, and Things, which under or in pursuance of this Act are or shall be placed under the Care or Management of the Commissioners of Stamps and Taxes; and whereover in any such Bonds or Securities as aforesaid, or in the Conditions thereof respectively, or in any Act or Acts now in force, Mention is made of the Commissioners of Stamps or of the Commissioners for the Affairs of Taxes, or of any Receiver or other Officer of the Duties or Revenues under the Care or Management of the said Commissioners respectively, the same, with reference to any Act, Matter, or Thing to be done or performed after the passing of this Act, shall be deemed and construed to apply to and to mean the Commissioners of Stamps and Taxes, or the Receiver or other Officer of the Duties or Revenues under the Care or Management of such last-mentioned Commissioners, as the Case may be or require.

XII. And whereas it would tend to reduce the Expence of receiving and emitting the Public Stamps arising from the Land and Assessed Taxes if several Persons who act as the Distributors of Stamps, or some of them, were also appointed to receive the said Taxes, and it is therefore expedient to authorize the Appointment of the said Distributors of Stamps to be also the Receivers of the said Taxes; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, to nominate and appoint, from Time to Time, each of the Persons for the Time being appointed to execute the Office of a Distributor of Stamps in England as the said Commissioners shall think proper to be Officers or Persons for the Receipt of the Land Tax and of Monies payable for the Sale and Redemption thereof, and the respective Rates and Duties of Assessed Taxes under the Management of the Commissioners for the Affairs of Taxes, within and for such Counties, Districts, and Circles of Receipt as the said Commissioners of the Treasury shall from Time to Time authorize and direct; and it shall also be lawful for the said Commissioners of the Treasury to grant to the Distributors of Stamps appointed Receivers as aforesaid such additional Allowances by way of Compensation for executing and performing the additional Duties imposed on them under this Act, and for the Expence of a Clerk, as the said Commissioners shall deem to be necessary.

XIII. And be it enacted, That every such Distributor appointed a Receiver under the Authority of this Act shall, if required by the Commissioners of Stamps and Taxes, under the Authority of the said Commissioners of His Majesty's Treasury, give and enter into a Bond or Bonds to His Majesty, His Heirs and Successors, either with or without Sureties, as shall be directed by the said Commissioners of Stamps and Taxes under the Authority aforesaid, and in such Penalty and with such Condition as to the said last-mentioned Commissioners shall appear necessary, or shall enter into or give such other Security or Securities as may from Time to Time appear to such Commissioners right and proper for the due Protection of the Revenue; and all Bonds so to be taken to His Majesty under this Act from such Receivers respectively and their respective Sureties shall be of the same Force and Effect, and such Receivers and their Sureties shall be respectively accountable and answerable, in the same Manner as if such Bonds were taken from Receivers of Taxes under the Authority of any former Act or Acts in force.

XIV. And be it enacted, That all and every the Powers, Provisions, Rules, Regulations, and Directions, Penalties, Liabilities, Matters, and Things contained in and imposed by any Act or Acts now in force relating to the Land Tax and to the Sale and Redemption thereof, and the Rates and Duties of Assessed Taxes, or to the Office of a Receiver General, Receiver of Excise, or other Receiver accountable in the Receipt of the Excise, or which by Law may be received General, Receiver of Excise, or

All Commissions and Appointments of Officers under the Commissioners of Stamps and the Commissioners for the Affairs of Taxes to remain in Force

Bonds and Securities to remain in force and to extend to the Duties under the Care of the Commissioners of Stamps and Taxes.

Commissioners of the Treasury may appoint Distributors of Stamps to be also Receivers of the Land and Assessed Taxes.

Receivers appointed under this Act to give Security.

Powers and Provisions of former Acts to be applied to and executed by the Receivers appointed under this Act.

other Receiver is authorized, empowered, or required to do, execute, follow, and perform, shall continue to be in full Force, and be observed, followed, practised, applied, and put in execution by and against the several Officers or Persons appointed for the Receipt of the said Taxes under this Act, to all Intents as if such Officers or Persons respectively were appointed Receivers General, Receiving Inspectors, or other Receivers under or in pursuance of any former Act or Acts relating to the said Duties, and as if the same Powers, Provisions, Matters, and Things were severally repeated and re-enacted by this Act.

XY And be it enacted, That all Bonds, Bills, Securities, and Receipts whatsoever to be entered into with or given by the Receiver to be appointed under the Provisions of this Act, and their respective Sureties with relation to the said Duties of Land and Assessed Taxes respectively, shall be free from all Stamp Duty whatever, and no Distributor of Stamps appointed a Receiver under this Act as aforesaid shall in any Case be liable to or charged with any Stamp Duty, Fee, or Gratuity on his Commission, Warrant, or other Instrument to be obtained or had either on his first Appointment or any renewed or succeeding Appointment to be such Receiver as aforesaid under this Act, nor to any Fee or Gratuity for any Matter or Thing incident to the Execution of his Office, or for auditing or passing his Accounts, either in His Majesty's Treasury, the Office for Taxes, or any Office of the Court or Receipt of the Exchequer.

### C A P. LXI.

An Act for the more effectually providing for the Erection of certain Bridges in Ireland.

[18th August 1834.]

WHEREAS according to the Laws now in force in Ireland, where any River is the Boundary between Two Counties, the Expenses of building, rebuilding, repairing, enlarging, or altering any Bridge over such River are to be defrayed by such Two Counties only, that is to say, a Society by such; and no Money can be paid by the Treasurer of either of such Counties on account of any Provisions for any of the aforesaid Purposes unless an equal Sum shall have been presented to be raised for the same Work upon the adjoining County: And whereas Differences have been frequently found to exist between the Grand Juries of such adjacent Counties with respect to the Expediency of the building, rebuilding, altering, or improving or repairing of Bridges so situated, by reason whereof the same have been in many Instances referred to full into Decree, to the great Inconvenience of the Public: And whereas the Objections to making Provisions for such Bridges have been sometimes founded upon the Supposition that the particular Counties which alone would be thereby so charged would not derive from such Bridge a Benefit commensurate with the Expense, whilst other neighbouring Counties would gain a Portion of such Benefit without contributing in any Degree to the Burden, and it is expedient to remove any Foundation for such Objections, be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where at any Time after the Commencement of this Act it shall be deemed expedient by the Grand Jury of any County or County of a City or Town in Ireland that any Bridge over any River forming a Boundary between such County or County of a City or Town and any other County or County of a City or Town, or any Approach to such Bridge, shall be built, rebuilt, enlarged, altered, repaired, or in anywise improved, it shall and may be lawful for such Grand Jury to present a Memorial to the Lord Lieutenant or other Chief Governor or Governor of Ireland, stating the Nature of the Work proposed, and the Reasons for which the same is considered to be useful or desirable, and praying that the Powers by this Act authorized to be exercised may be applied for the Purpose of prosecuting and completing such Work.

II. And be it enacted, That thereupon it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors of Ireland, if he or they shall so think fit, to appoint any Number of Persons not exceeding Five to inquire into and report upon the Circumstances stated in such Memorial, and to investigate the Truth of the Matters therein contained, and the Propriety and Expediency of complying with the Prayer of such Memorial; and that the Person or Persons so to be appointed shall have full Power to examine into the Merits of such Memorial and the Grounds thereof, and for that Purpose to receive such Evidence, whether oral or documentary, to make or cause to be made such Surveys and Plans, and to collect such Information as may be offered in support of or against the Prayer of such Memorial; and in case such Person or Persons shall, upon a Consideration of all the Facts submitted or proved to them or him, be of opinion that the Provisions of this Act shall be put into operation with respect to the Subject Matter of such Inquiry, he or they shall so report to the said Lord Lieutenant or other Chief Governor or Governors; and such Report shall be accompanied by a proper Plan, Estimate, and Specification for the Execution of the intended Work, and also by a Statement of the Proportions in which the Expenses thereof should be defrayed by the Two Counties between which the Bridge shall be, and by such neighbouring Counties, if any such, as ought to be contributory to such Expenses.

III. And be it enacted, That the said Lord Lieutenant or other Chief Governor or Governors shall cause a Copy of such Report, Plan, Estimate, Specification, and Statement to be transmitted to the Secretary of the Grand Jury of each and every County named in such Statement as proper to be contributory to such Expenses, in Consistent, to be by him laid before the Grand Jury of the said County, and

Books, Commissions, under this Act to be free from Stamp Duty and Fee.

Grand Juries may apply to Lord Lieutenant for Powers under this Act to build or repair Bridges between any Two Counties.

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Lord Lieutenant appointed in special Powers to inquire into the Expediency of complying with such Application.

If such Persons are, before they shall so report, and certify the Plan, Estimate, &c. of the Work.

Copy of the report, &c. to be sent to the Secretary of the Grand Jury of

and each such Grand Jury shall take the same into consideration; and if any such Grand Jury shall determine that an Appeal shall be made against such Report on account of such County being made contributory to the Expenses aforesaid, or on account of its being charged in an undue Proportion for the said Expenses, or on account of any Objection to the Plan, Specifications, Estimate, or Statement aforesaid, it shall be lawful for such Grand Jury to direct that such Appeal shall be made to the said Lord Lieutenant or other Chief Governor or Governors in Council, in the Name of such Grand Jury, on behalf of such County; and the Grounds of such Appeal shall be stated in Writing, and signed by the Foreman of such Grand Jury, and transmitted by him to the Clerk of the Privy Council; and Notice of every such Appeal shall be inserted by or on behalf of such Grand Jury in the Dublin Gazette once in Two successive Weeks next after such Appeal shall have been lodged with the Clerk of the Council as aforesaid; and it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors, by and with the Advice and Consent of His Majesty's Privy Council in Ireland, to hear and determine such Appeal, and to make such Order, Sanctioning or contravening such Report, or for the varying, altering, or modifying such Report, Plan, Estimate, Specification, or Statement, as shall seem meet.

IV. And be it enacted, That upon such Report if not appealed against, or in the Case of any such Appeal then upon such Report, if the same shall be confirmed, or, if varied, altered, or modified, then upon the same as so varied, altered, or modified upon such Appeal, it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, by Order to be signed through his or their Chief or Under Secretary, to direct that the Bridge in such Report mentioned shall be built or rebuilt, or that the same or any of the Approaches thereto shall be repaired, enlarged, widened, altered, or improved in the Manner and according to the Plan as such Report approved of, or according to such other Plan as may be approved of upon such Appeal as aforesaid, and that the Expenses of any such Work, or in case any Grant shall be made in aid of such Work, as herein-after mentioned, then the Reimburs of such Expenses, shall be raised off and from the several Counties which may be specified for that Purpose in such Report or amended Report, according to the Shares and Proportions thereby recommended or determined.

V. And be it enacted, That, in order to provide for any Expenses which may become necessary by the Appointment of any Person or Persons for the Purpose of examining into the Subject Matter of any Memorial to be presented under this Act, the Grand Jury presenting or authorizing any such Memorial shall be and are hereby empowered and required to present to be levied off their own County such Sum not being less than Two hundred Pounds as they may think fit, which Sum shall be deposited with the Treasurer of such County as a Fund or Security for the Discharge of such Expenses as aforesaid, and be by him, or such Proprietor thereof, paid over to such Person or Persons as shall be directed by the said Lord Lieutenant or other Chief Governor or Governors to receive the same, in case a Report shall be made that such Memorial ought not to be complied with, but in case a Compliance with the same shall be recommended and granted, then the Money so deposited shall remain in the Hands of such Treasurer to the Credit of the County, and the Expenses attending the Investigation of the Matter of such Memorial shall be deemed Part of the Charges for the Work recommended, and shall be borne by the several Counties liable thereto under the Provisions of this Act in the several Proportions hereby directed.

VI. And be it enacted, That when any such Report as aforesaid shall have been received and approved of by the said Lord Lieutenant or other Chief Governor or Governors, or if the same shall be appealed against then upon the Determination of such Appeal, the Order made upon the same shall be transmitted to the Secretaries of the Grand Juries of the respective Counties thereby directed to be liable to the Charges of the said Work, and shall be by them at the next Assizes laid before each Grand Jury respectively, who shall thereupon present to be levied off their respective Counties the Sums appearing by such Order to be respectively chargeable thereon.

VII. And be it enacted, That such Presentments may and shall be made without any previous Application or Appeal by any Special Sessions under the Provisions of an Act passed in the Third and Fourth Years of His present Majesty's Reign, intituled *An Act to amend the Laws relating to Grand Juries in Ireland*, or any other Act or Acts.

VIII. And be it enacted, That the building, rebuilding, repairing, widening, enlarging, or improving of any Bridge under the Provisions of this Act, or of any of the Approaches thereto, and the Execution of any Works relating to the same, shall be carried on, conducted, and managed by and under the Control and Direction of the Commissioners for the Time being; and that all the Provisions of the said last-mentioned Act shall and may be applied and extended to the several Works hereby authorized to be executed, so far as the same may be necessary, and may not be repugnant to or inconsistent with this Act; And provided further, that nothing herein contained shall be construed to restrain or prevent the said last-mentioned Commissioners from making any Grant in aid of the Erection of any Bridge which may be proposed to be erected under the Provisions of this Act, in the Manner and to such Extent as they may be authorized by the said last-mentioned Act to make Grants on the Application of any Grand Jury; and such Commissioners are hereby authorized, upon Consideration of the Report, with the Plans, Specifications, and Estimates, to be prepared as herein-before provided, at their Direction, subject nevertheless to the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury for the Time being, to make such Grant or aid of the Erection of Bridges in respect whereof the Provisions of this Act may be put in Execution; and in the Case of any such Grant the Assessor thereof shall be determined from the other Assesses of the respective Counties in which the

every County named therein, to be laid before the Grand Jury for Consideration; and from which they may appeal.

Lord Lieutenant upon such Report may direct that the Bridge shall be built or repaired, and how the Reparation shall be raised.

Grand Jury making such Application to present a Sum for defraying Expenses of Commission; but if Report be favourable, the Expenses shall be defrayed out of the Money raised for the Work.

If Report be approved by Lord Lieutenant, the Order made thereon to be laid before the Grand Jury.

Presentments to be made without any Application to Sessions.

The building, &c. of such Bridges to be placed under the Management of the Commissioners of Public Works.

Not to prevent the Commissioners making Grants in aid of Work.



the Tolls only shall be levied of the several Counties contributory to such Expenses in the Proportions and Manner prescribed by the Order of the said Lord Lieutenant or other Chief Governor or Governors as aforesaid.

Grand Jurymen  
above. Provisions  
to be  
levied by the  
aforesaid.

Lord Lieutenant  
may order  
Sums presented  
to be advanced  
out of the Con-  
solidated Fund.  
1834 V. 1. 102.

Any Surplus of  
Sums presented  
remaining after  
Completion of  
Work to be re-  
turned to Coun-  
ty Treasurers.

The Act of  
1814, c. 111,  
for building a  
Bridge over the  
River at  
Portsmouth, re-  
pealed, except  
as to Matters  
hereinafter stated.

Right of Ferry  
privily obtain-  
ed not removed  
by this Act.

Bridge of Por-  
smouth trans-  
ferred to Com-  
missioners of  
Public Works.

Commissaries deriv-  
ing Benefit from  
Customs  
Bridge shall  
contribute to-  
wards Re-con-  
struction of  
same.

X. And be it enacted, That it shall be lawful for any Grand Jury hereby required to present any Sum of Money for the Purposes of this Act to direct that the Amount of such Presentation shall be levied by any Number of equal half-yearly Installments not exceeding Twelve; and upon such Presentation being made it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to order that the whole or such Part as he or they shall deem proper of the Money so presented, or the Balance thereof in case of any Grant having made as aforesaid, shall be advanced out of the Sum of Five hundred thousand Pounds which by an Act of the First and Second Year of His present Majesty, intitled *An Act for the Extension and Promotion of Public Works* is heretofore, may be advanced to the said Commissioners of Public Works, for the more speedy Execution of the Work to which such Presentation shall relate, which Sums so advanced shall be repaid in the Proportions prescribed by any such Order as aforesaid of the said Lord Lieutenant or other Chief Governor or Governors, by the Treasurers of the respective Counties, to the Collectors of Excise for their respective Districts, by Installments, pursuant to the Presentments, and he by such Collectors accounted for as in any other Public Money which may come to their Hands.

XI. And be it enacted, That if any Surplus of any Money presented under this Act shall remain after the Completion of the Work for which the same shall have been raised, such Surplus shall be refunded to the Treasurers of the respective Counties of which the said Money shall have been raised in the like Proportions as there in which such Counties were made chargeable towards the Expenses of such Work; and in like Manner any additional Sum beyond the Amount of the Estimate which may be found necessary shall be presented in like Proportions, pursuant to the Order and Directions of the said Lord Lieutenant or other Chief Governor or Governors.

XII. And whereas by an Act passed in the Parliament of Great Britain in the Thirty-fifth Year of the Reign of His late Majesty, King George the Third, intitled *An Act for building a Bridge over the River Sturmer at Portsmouth* in the County of Galway, certain Persons therein named were constituted Trustees for receiving Subscriptions for building a Bridge over the River Sturmer where the Ferry of Portsmouth then was, and the Subscribers therein were created, named, and elected into One Company, and were thereafter to be One Body Politic and Corporate by the Name of the Commissioners for building a Bridge over the River Sturmer at Portsmouth, with certain Powers and Duties in the said Act particularly mentioned and set forth: And whereas the said Company was by the said Act authorized to demand and receive certain Sums therein specified in the Nature of Toll for Passage over the said Bridge, and also to raise Money for the Purposes of the said Act in any Manner which they or any Eleven or more of them should judge necessary: And whereas the said Commissioners afterwards caused a Bridge to be erected and built across the said River Sturmer pursuant to the Provisions of the said Act, and thereupon received and have since continued to collect the several Tolls thereby given, as well for the Purposes of maintaining and keeping in repair the said Bridge as reimbursing the several Persons advancing Money for the Execution thereof: And whereas the said Commissioners, in execution of the Powers by the said Act vested in them, have from Time to Time borrowed considerable Sums of Money on the Credit of the said Tolls, an account of which Loans the said Commissioners are now indebted in the Extent of Three thousand Pounds or thereabouts: And whereas, notwithstanding the Receipt of such Tolls, and of the Funds so produced on the Credit thereof, the said Bridge hath been neglected, and is now in such a State of Dilapidation and Decay as to be nearly impassable and useless, and it is therefore expedient that the Management of the said Bridge should be otherwise conducted, and the Revenue arising therefrom more judiciously and properly applied: It is therefore enacted, That from and after the Commencement of this Act the said Act of the Thirty-fifth Year of the Reign of His late Majesty King George the Third shall be and the same is hereby repealed, save and except as to any Matters or Things heretofore done or which have heretofore taken place under the Authority thereof.

XIII. Provided always, and be it enacted, That nothing herein contained shall have the Effect of re-voicing, creating, or validating any Right of Ferry or other Right or Privilege abolished or affected by the said Act.

XIII. And be it enacted, That the said Bridge at Portsmouth, and all the Right, Title, Interest, Property, Claim, and Demand, or Law or in Equity, of the said Body Politic and Corporate therein, and in and to all Tolls, Revenues, Profits, Emoluments, Income, and Benefits arising therefrom or thereon, shall be and the same are hereby transferred to and vested in the said Commissioners for the Execution of the said Act passed in the First and Second Years of the Reign of His present Majesty, and their Successors, in like Manner as any Public Work to which the said last-mentioned Act may now apply.

XIV. And be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to appoint Three or more Persons for the Purpose of investigating and reporting upon the respective Proprietors in which the Counties likely to derive Benefit from the said Portsmouth Bridge shall contribute to the Expenses of re-constructing and repairing the same, which Persons so appointed shall be at Liberty, if they should so think fit, to cause proper Plans, Maps, Estimates, and Specifications to be made for the Purpose of giving their Opinions upon the Matter as aforesaid to them, and to propose whether, and of what Things by them directed as aforesaid, shall be deemed

demred and taken to be Part of the Charges associated with the said Bridge, and shall be defrayed in the like Manner and in the same Proportion as any other Expenses attending the same.

XV. And be it enacted, That one Half of the Sum necessary for the rebuilding or otherwise completing the said Bridge and of the Approaches thereto shall be paid and advanced out of the Sum of Two hundred thousand Pounds which by the aforesaid Act of the First and Second Year of His present Majesty may be advanced for the Purpose of making Roads and building Bridges in Ireland, upon Warrants to be from Time to Time issued for that Purpose by the Lord Lieutenant or other Chief Governor or Governors of Ireland, and the other Moleys thereof shall be raised off the respective Counties which under the Provision herein-before contained shall be repayed by the Persons or Persons in that behalf appointed to be liable to the Expenses of the said Bridge, and shall be apportioned among such Counties in manner recommended by such Report.

XVI. And forasmuch as the rebuilding the said Protestant Bridge so intended to be built, and the repairing, preserving, enlightening, watching, and supporting the same, will be attended with considerable Expense; be it further enacted, That it shall be lawful to and for the said Commissioners and their Successors, and they are hereby authorized and empowered, to take and receive, or cause to be taken and received, in the Name of a Toll, before any Passage over the said Bridge shall be permitted, any Sum which the said Commissioners or their Successors shall direct not exceeding the following Rates; (that is to say.)

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn by Six, or more Horses or other Beasts of Burthen, the Sum of Four Shillings Sterling; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn by any lesser Number of Horses or other Beasts of Burthen than Six, or more than Two, the Sum of Two Shillings Sterling;

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn with Two Horses or other Beasts of Burthen, the Sum of One Shilling Sterling;

For every Waggon, Wain, Cart, Car, or other Carriage with Four Wheels, drawn by Four or more Horses or other Beasts of Burthen, the Sum of One Shilling Sterling; by less than Four and more than One Horse or other Beast of Burthen, the Sum of Sixpence Sterling;

For every Waggon, Wain, Cart, Car, or other Carriage with Two Wheels, drawn by more than Two Horses or other Beasts of Burthen, the Sum of Nine-pence Sterling, and when empty the Sum of Sixpence Sterling;

For every Cart, Car, or other Carriage drawn by Two Horses or other Beasts of Burthen, the Sum of Sixpence Sterling;

For every Carriage commonly called a Chaise or Chair, with Two Wheels, drawn with One Horse or other Beast of Burthen, the Sum of Three-pence Sterling; if with Four Wheels, the Sum of Four-pence Sterling;

For every Cart, Car, or other Carriage drawn by One Horse or other Beast of Burthen, and not laden, the Sum of Two-pence Sterling;

For every Cart or other Carriage drawn by One Horse or other Beast of Burthen, and laden (except with Hops), the Sum of Three-pence Sterling;

For every Horse carrying One Hide, the Sum of Two-pence Sterling;

For every Sledge, Sled, or other Carriage without Wheels, drawn in any Manner, the Sum of One Shilling; and for all Carriages whatsoever drawn in or by any other Manner than as aforesaid, the Sum of Sixpence;

For every Horse, Gelding, Mare, Mule, Ass, or other Beast of Burthen, laden or unladen and not drawing, the Sum of Two pence Sterling.

For every Drive of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence Sterling per Score, and so in proportion for a greater or lesser Number.

For every Drive of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence Sterling per Score, and so in proportion for any greater or less Number;

For every dead Hog, the Sum of One Halfpenny;

Which said respective Sums and Sums shall be demanded and taken in the Name of or as a Per-centage Toll or Duty; and the Money so to be raised as aforesaid it and shall be hereby vested in the Commissioners and their Successors for ever; and the said Commissioners and their Successors shall be and are hereby empowered, by themselves or any Person or Persons by them under their Hands and Seals therein authorized, to levy the Tolls or Duties by this Act appointed and required to be paid, upon any Person or Persons who shall, after Demand made thereof, neglect or refuse to pay the same, by Distress of any Carriage, Horse, or other Cattle or Goods upon which any such Toll or Duty is by this Act imposed, or upon any other of the Goods or Chattels of any such Person or Persons as ought to pay the same, and may detain the same until such Toll or Duty, with the reasonable Charges of such distraining or keeping, shall be paid; and it shall and may be lawful to and for the Persons or Persons so distraining, after the Space of Four Days after such Distress made and taken, to sell the Goods distrained by Public Auction, returning the Overplus (if any), upon Demand, to the Owner, after such Toll, Duty, and reasonable Charges for distraining and keeping the same shall be deducted and paid.

XVII. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty or any of the Royal Family; or to the ships, Barges, Boats, Gallies, or other Carriages of His Majesty, His Majesty's Fleet, or any of the Royal Navy; or to the ships, Barges, Boats, Gallies, or other Carriages of the Admiralty, or any of the Royal Navy employed

One Half the Sum required shall be advanced out of the Consolidated Fund, and the Remainder raised off the respective Counties.

Commissioners of Public Works may levy suitable Tolls on the said Bridge.

Tolls.

Exemption from Tolls.

employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Brasn, Cattle, or Carriages attending them, with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordinance, Ammunition, or Commissariat or other Public Stores or of belonging to His Majesty, or for the Use of His Majesty, or for the Use of His Majesty's Forces; or for any Chief Constable, Constable, or any Person of higher or lower Rank or of belonging to any Constabulary Force or Police, being on Duty, or for any Horse, Murr, or Gelding furnished by or for or belonging to any such Constable, Chief Constable, or other such Person as aforesaid, rode by them in going to or returning from any Place upon Duty; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds.

XVIII. And be it enacted, That it shall and may be lawful to and for the said Commissioners and their Successors to erect and place a Toll House or Toll Houses, and a Toll Gate or Toll Gates, at or near the said Ploverton Bridge; and the said Commissioners and their Successors, and any Person or Persons by them therein authorized, are hereby empowered to receive at such Gate or Gates the Tolls or Duties required by virtue of this Act to be paid, before the Passage of any Person, Carriage, Cattle, or Goods through the said Gate or Gates; and that any Person forcing a Passage through such Gate or Gates, for himself or himself, his or her Carriage, Cattle, or Goods, and not paying the due and regulated Tolls, or who shall wilfully and maliciously destroy, break, pull down, or damage any Gate or Gates, Toll House or Toll Houses, or Works, erected by virtue of this Act, or shall prevent or obstruct the Erection of any such Gate or Gates, Toll House or Toll Houses, or Works, or shall obstruct the Collectors appointed by the said Commissioners in collecting the said Tolls, or the Persons employed for that Purpose, may for every such Offence be summarily punished, or by a Summons left at his or her usual Place of Abode with some Person living therein of the Age of Sixteen Years and upwards, at the Instance of the said Commissioners or of the Person or Persons appointed by them to receive the same, One Day before the Day on which his or her Appearance shall be required, to appear before One or more Justice or Justices of the Peace for the King's County or Counties of Wicklow or Tipperary, who shall hear and determine the Merits of such Complaint in a summary Way, by the Oath or Oaths of One or more Witnesses or Witnesses, which Oath such Justice or Justices of the Peace is and are hereby required to administer, or by the Confession of the Party, and to inquire into and determine upon any Offence as aforesaid, and shall, in case of Proof of any such Offence, whether the Party complained against appear or not, if the Services of the Summons be duly proved, adjudge the Person or Persons guilty of the same to pay to the said Commissioners or their Successors, or to the Person or Persons by them or their Successors authorized, any Sum not exceeding Ten Pounds, with the necessary Costs and Charges; and in case of Nonpayment of the same the Sum to be adjudged by such Justice or Justices of the Peace shall be levied, by Warrant of Distress under the Hand and Seal of such Justice or Justices of the Peace, on the Goods and Chattels of the Person or Persons so adjudged to pay the same; and the Goods and Chattels so distrained shall and may on any Day after Four Days from the Time of distraining, and within Two Days, be publicly sold, and out of the Produce thereof the Sum so adjudged shall be paid to the Person or Persons empowered to receive the same; and the Overplus (if any be), after deducting the Costs and Charges, shall be paid to the Owner of such Goods and Chattels so distrained, and in case such Overplus cannot be made, then that the said Justice or Justices of the Peace shall and may and they are hereby empowered to commit the said Person or Persons to the Common Goal of the County in which he is a Justice of the Peace, there to remain without Bail or Mainprize for such Time not exceeding Three Months as to the said Justice or Justices of the Peace shall seem fit and meet.

XIX. And be it enacted, That it shall and may be lawful to and for the said Commissioners and their Successors to nominate and appoint such Person or Persons to be Receiver or Receivers, Collector or Collectors of the said several Tolls and Duties as they shall think fit; and all Persons by this Act liable to pay the said Tolls or Duties or any of them are hereby required to pay the same, after the Rates aforesaid, to such Receiver or Receivers, Collector or Collectors; and all such Receivers or Collectors shall respectively pay the same, at all Time and Times when thereto required, either to the Treasurer of the said Commissioners, or to such other Person or Persons as the said Commissioners or their Successors shall empower and appoint by Writing under their Hands and Seals for that Purpose; and that such Receiver or Receivers, Collector or Collectors aforesaid shall, upon Oath, if required by the said Commissioners or their Successors, which Oath the said Commissioners are hereby empowered to administer from Time to Time, give in a true, exact, and perfit Account, in Writing under their respective Hands, of all Moneys which they or any of them shall to such respective Treasurers have received, paid, and delivered by virtue of this Act, or by reason of their respective Offices, for which Oath no Fee or Reward shall be taken, and the same may be taken without any Stamp; and in case any such Receiver or Receivers, Collector or Collectors of the said Tolls and Duties shall not make such Account and Payment as by this Act directed, then any Justice or Justices of the Peace for the said County or Counties of Wicklow or Tipperary shall and may cause their Party to be forthwith

Penalty for charging Exemptions not being entitled thereto.

Power to erect Toll Houses, &c.

Penalty for refusing to pay Toll House, &c.

Commissioners of Public Works may appoint Collectors of such Tolls.

neglecting so to do to the Public Good of the County of which he is a Justice of the Peace, there to remain without Bail or Surety until he or they shall have made a true Account and Payment as aforesaid, or compensated for the same with the said Commissioners, or their Successors, and paid the Money by every such Composition stipulated to be paid.

XX. And be it enacted, That it shall and may be lawful for the said Commissioners or their Successors to devise or let the said Tolls appointed by virtue of this Act, for any Time not exceeding Twenty-one Years, and the said Commissioners or their Successors are hereby required and empowered, under their Hands and Seals, to appoint the said Tenant or Tenants thereof, his or their Servant or Servants, to receive and collect the said Tolls for such Term as aforesaid, and to erect such Toll Gates or Toll Gates as aforesaid; and the said Commissioners are hereby empowered to make and ordain such Rules and Regulations as they or their Successors, or any Two or more of them, shall judge necessary and expedient, for the better collecting the Tolls aforesaid.

XXI. And be it enacted, That the several Tolls by this Act authorized to be collected and taken shall be applied in the first instance towards the Expenses of maintaining and repairing the said Bridge at Portsmouth; and in the next place towards the Repayment of any Sum or Sums of Money heretofore advanced or borrowed from the said Commissioners, or any other Commissioner, under any Act or Acts for the Advance of Money in aid of Public Works in England, or paid out of the Consolidated Fund of the United Kingdom by virtue of any such Act or Acts; and that the Surplus arising therefrom, if any, shall be applied and disposed of in such Manner as the Commissioners for executing the Office of Lord High Treasurer shall from Time to Time direct and appoint.

XXII. Provided always, and be it enacted, That when any such Surplus shall arise it shall be lawful to lessen and reduce all or any of the Tolls by this Act authorized to be taken in such Manner as the Commissioners for executing the Office of Lord High Treasurer shall from Time to Time direct and appoint, so that at any Time thereafter the Amount of such Tolls shall not be less or greater than may be requisite to supply the Fund requisite for maintaining and repairing the said Bridge at Portsmouth.

XXIII. And be it enacted, That no Person or Persons shall keep or maintain any Boat or Boats to ply for Hire over or across the said River at any Place between the Distance of One Mile above and One Mile below the Bridge intended to be built as aforesaid, or to carry or convey for Hire any Passenger or Passengers, Cattle, Carriages, or Goods which is or are subject or chargeable with Toll or Duty by this Act, over or across the said River Shannon, except such Person or Persons as shall be licensed or appointed by the said Commissioners or their Successors.

XXIV. And be it enacted, That the Architects, Managers, or Persons employed to build the said Bridge, or such other Person or Persons as the said Commissioners or their Successors shall appoint, shall have all and singular the same Powers of raising and carrying away Gravel, Stones, Earth, or other Materials for the Purpose of erecting the said Bridge as are given by the Laws now in Force to any Person employed or acting in or for the repairing of Public Roads, and subject to the same Regulations and Restrictions.

XXV. And be it enacted, That wherever the Word "County," occurs in this Act the same shall be construed to extend to and comprehend a County of a City or a County of a Town as well as a County at large.

#### C A P. LXII.

An Act for improving the Practice and Proceedings in the Court of Common Pleas of the County Palatine of Lancaster. [13th August 1834.]

WHEREAS various Alterations and Improvements have recently been made, by the Authority of Parliament and otherwise, in the Practice and Proceedings in the superior Courts of Common Law at Westminster; and it is expedient that certain Alterations and Improvements should be effected in the Practice and Proceedings of the Court of Common Pleas at Lancaster: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Process in all personal Actions hereafter to be commenced in the Court of Common Pleas at Lancaster, where it is not intended to hold the Defendant on Special Bail, shall, whether the Action be brought by or against any Person entitled to the Privilege of Peerage or of Parliament, or of the said Court, or of any other Court, or to any other Privilege, or by or against any other Person, be according to the Form contained in the Schedule to this Act annexed marked Number 1, and shall be called a Writ of Summons; and in every such Writ, and Copy thereof, the Place and Residence or supposed Residence of the Party Defendant, or where the Defendant shall be or shall be supposed to be, shall be mentioned; and such Writ shall be issued by the Prothonotary of the said Court, or his Deputy, and shall be served in the Manner heretofore used in the County Palatine of Lancaster, and not elsewhere, and the Person serving the same shall and is hereby required to return on the Writ the Day of the Month and Week of the Service thereof.

II. And be it further enacted, That the Mode of Appearance to every such Writ or under the Authority of this Act shall be by delivering to the said Prothonotary or his Deputy a Memorandum in Writing, dated on the Day of Delivery thereof, according to the Form contained in the said Schedule and marked Number 2.

III. And be it further enacted, That in case it shall be made appear by Affidavit to the Satisfaction of the said Court or One of the Justices thereof that any Affidavit has not been previously sworn with

and may derive such Tolls.

Application of Tolls.

If a Surplus arise, the Tolls to be reduced.

No Ferry Boats shall ply within a certain Distance of the Bridge without License.

Power to the said Commissioners.

Construction of the Word "County."

Residence of the Defendant in personal Actions.

Mode of Appearance to writs of Summons.

Appearance may be effected by a Writ of

*Distringas, in cases of Detainers served by the Writ of Habeas Corpus.*

any such Writ of Habeas Corpus as herein-before mentioned, and his not, according to the Ensigney thereof, appeared to the Action, and thence to be compelled so to do without some more efficacious Process, then and in any such Case it shall be lawful for such Court or Judge, by Rule or Order, to order a Writ of Distringas to be issued, directed to the Sheriff of the said County of Lancaster, (or to any other Officer to be named in such Rule or Order,) to compel the Appearance of such Defendants, which Writ of Distringas shall be in the Form and with the Notice authorized therein mentioned in the Schedule to this Act marked Number 5, which Writ of Distringas and Notice, or a Copy thereof, shall be served on such Defendant, if he can be met with, or if not, shall be left at the Place where such Distringas shall be executed; and a true Copy of every such Writ and Notice shall be delivered together therewith to the Sheriff or other Officer to whom such Writ shall be directed, and every such Writ shall be made returnable on a Day certain, to be named therein, not being less than Fifteen Days after the Term thereof; and if such Writ of Distringas shall be returned Non est inventus and Nulla bona, and the Party suing out such Writ shall not intend to proceed to Outlawry or Waiver, according to the Authority herein-after given, and any Defendant against whom such Writ of Distringas issued shall not appear at or within Eight Days inclusive after the Return thereof, and it shall be made appear by Affidavit, to the Satisfaction of the said Court or One of the Judges thereof, that due and proper Means were taken and used, to serve and execute such Writ of Distringas, it shall be lawful for such Court or Judge to authorize the Party suing out such Writ to enter an Appearance for such Defendant, and to proceed thereon to Judgment and Execution.

*Reliable Process for the Commencement of personal Actions.*

IV. And be it further enacted, That in all Actions wherein it shall be intended to arrest and hold any Person to Special Bail who may not be in Custody of the Keeper of the Goal of the said County, the Process shall be by Writ of Capias according to the Form contained in the said Schedule and marked Number 6; and so many Copies of such Process, together with every Memento and Notice authorized therein, and all Involvements thereon as there may be Persons intended to be arrested thereon or served thereon, shall be delivered therewith to the Sheriff or other Officer or Person to whom the same may be directed, or who may have the Execution and Return thereof, and who shall upon or forthwith after the Execution of such Process cause One such Copy to be delivered to every Person upon whom such Process shall be executed by him, whether by Service or Arrest, and shall indorse on such Writ the true Day of the Execution thereof, whether by Service or Arrest; and if any Defendant be taken or charged in Custody upon any such Process, and imprisoned for Want of Sureties, for his Appearance therein, the Plaintiff in such Process may, after the Detainer or Arrest of such Defendant, declare against such Defendant, and proceed thereon according to the Practice of the said Court, as against a Defendant in Custody on Memento Process: Provided always, that it shall be lawful for the Plaintiff or his Attorney to order the Sheriff or other Officer or Person to whom such Writ shall be directed to arrest One or more only of the Defendants therein named, and to serve a Copy thereof on One or more of the others, which Order shall be duly obeyed by such Sheriff or other Officer or Person; and such Service shall be of the same Force and Effect as the Service of the Writ of Summons herein-before mentioned and no other.

*Proceedings to Outlawry.*

V. And be it further enacted, That upon the Return of Non est inventus as to any Defendant against whom such Writ of Capias shall have been issued, and also upon the Return of Non est inventus and Nulla bona as to any Defendant against whom such Writ of Distringas as herein-before mentioned shall have issued, whether such Writ of Capias or Distringas shall have issued against such Defendant only, or against such Defendant and any other Person or Persons, it shall be lawful, until otherwise provided for, to proceed to outlaw or waive such Defendant by Writ of Exigi Felas and Proclamations, and otherwise, in such and the same Manner as may now be lawfully done upon the Return of Non est inventus to a Plurim Writ of Capias ad respondendum issued after an Original Writ: Provided always, that every such Writ of Exigent, Proclamation, and other Writ subsequent to the Writ of Capias or Distringas shall be made returnable on a Day certain to Term, and every such first Writ of Exigent and Proclamation shall bear Terte on the Day of the Return of the Writ of Capias or Distringas, and every subsequent Writ of Exigent and Proclamations shall bear Terte on the Day of the Return of the next preceding Writ; and no such Writ of Capias or Distringas shall be sufficient for the Purpose of Outlawry or Waiver if the same be returned within less than Fifteen Days after the Delivery thereof to the Sheriff or other Officer to whom the same shall be directed.

*Proceedings to Outlawry may be had after Judgment given under the Authority of this Act.*

VI. And be it further enacted, That after Judgment given in any Action commenced by Writ of Summons or Capias, under the Authority of this Act, Proceedings to Outlawry or Waiver may be had and taken, and Judgment of Outlawry or Waiver given, in such Manner and in such Cases as may now be lawfully done after Judgment in an Action commenced by Original Writ: Provided always, that every Outlawry or Waiver had under the Authority of this Act shall and may be vacated or set aside by Writ of Error or Motion, in like Manner as Outlawry or Waiver granted on an Original Writ may now be vacated or set aside.

*Modes of detaining a Prisoner in Goal.*

VII. And be it further enacted, That when it shall be intended to detain in any such Action any Person being in the Custody of the Keeper of the Goal for the said County of Lancaster, the Process of Detainer shall be according to the Form of the Writ of Detainer contained in the said Schedule and marked Number 8, and a Copy of such Process, and of all Involvements thereon, shall be delivered, together with such Process, to the Keeper of the said Goal, who shall forthwith serve such Copy upon the Defendant personally, or to the same at his House, and the Detainer thereupon shall and may always be returned to be in Custody in the said Goal, and the said Process and Proceedings shall be as against

against Prisoners in Custody upon Mesne Process, according to the Practice of the said Court, unless otherwise ordered by some Writ to be made by the Judges of the said Court.

VIII. And be it further enacted, That no Writ hereinafter mentioned by Authority of this Act shall be in force for more than Four Calendar Months from the Day of the Date thereof, including the Day of such Date; but every Writ of Summons and Capias may be continued by Alias and Pluries, in the Case may require, if any Defendant therein named may not have been arrested thereon or served therewith: Provided always, that no first Writ shall be available to prevent the Operation of any Statute whereby the Time for the Commencement of the Action may be limited, unless the Defendant shall be arrested thereon or served therewith, or Proceedings to or towards Outlawry shall be had thereupon, or unless such Writ, and every Writ (if any) issued in continuation of a preceding Writ, shall be returned Non est return, and entered of Record within One Calendar Month next after the Expiration thereof, including the Day of such Expiration, and unless every Writ issued in continuation of a preceding Writ shall be issued within One such Calendar Month after the Expiration of the preceding Writ, and shall contain a Memorandum endorsed thereon or subscribed thereto, specifying the Day of the Date of the first Writ, and Return to be made, in suitable Process by the Sheriff or other Officer to whom the Writ shall be directed, or his Successor in Office, and, in Process not bailable, by the Plaintiff or his Attorney suing out the same, as the Case may be.

IX. And be it further enacted, That when any Writ of Summons, Capias, or Detainer issued by Authority of this Act shall be served or executed, all necessary Proceedings to Judgment and Execution may be had thereon, without Delay, at the Expiration of Eight Days from the Service or Execution thereof: Provided always, that if the last of such Eight Days shall in any Case happen to fall on a Sunday, Christmas Day, Good Friday, or any Day appointed for a Public Fast or Thanksgiving, in any of such Cases the following Day shall be considered as the last of such Eight Days.

X. And be it further enacted, That upon every Writ to be issued as aforesaid by Authority of this Act the Name or Firm and the Place of Business or Residence of the Attorney or Attorneys suing such Writ shall be returned thereon, and where such Attorney or Attorneys shall be Agents only, then there shall be further returned thereon the Name or Firm and Place of Business or Residence of the principal Attorney or Attorneys, but in case no Attorney or Attorneys shall be employed for that Purpose, then a Memorandum shall be indorsed thereon, expressing that the same has been used out by the Plaintiff in Person, mentioning the City, Town, or Parish, and also the Name of the Habiter, Street, and Number of the House of such Plaintiff's Residence, if any such there be.

XI. And be it further enacted, That every such Writ of Summons issued against a Corporation Aggregate may be served on the Mayor or other Head Officer, or on the Town Clerk, Clerk, Treasurer, or Secretary of such Corporation; and every such Writ issued against the Inhabitants of a Hundred or other like District may be served on the High Constable thereof, or any One of the High Constables thereof; and every such Writ issued against the Inhabitants of the County of Leicester, or the Inhabitants of any Franchise, Liberty, Town, or Place, not being Part of a Hundred or other like District, on some Peace Officer thereof.

XII. And be it further enacted, That all such Proceedings as are mentioned in any Writ, Notice, or Warrant to be issued as aforesaid under this Act shall and may be had and taken in default of a Defendant's Appearance or putting in Special Bail, as the Case may be.

XIII. And be it further enacted, That every Attorney whose Name shall be indorsed on any Writ issued as aforesaid by Authority of this Act shall, on Demand in Writing made by or on behalf of any Defendant, declare forthwith whether such Writ has been issued by him, or with his Authority or Privity, and if he shall answer as the Affirmative, then he shall also, in case the said Court, or one of the Judges thereof, shall by Rule or Order so order and direct, declare in Writing, within a Time to be allowed by such Court or Judge, the Profession, Occupation, or Quality, and Place of Abode of the Plaintiff, on pain of being guilty of a Contempt of the said Court; and if such Attorney shall declare that the Writ was not issued by him, or with his Authority or Privity, the said Court, or any Judge thereof, shall and may, if it shall appear reasonable so to do, make an Order for the immediate Discharge of any Defendant or Defendants who may have been arrested on any such Writ, on entering a common Appearance.

XIV. Provided always, and be it further enacted, That nothing in this Act contained shall subject any Person to Arrest, Outlawry, or Waiver, who, by reason of any Privilege, Usage, or otherwise, may now by Law be exempt therefrom, or shall extend to any Cause removed into the said Court by Writ of Habeas Corpus, Accedas ad curiam, Cartoris, Recordari contra Insuperiores, Habeas Corpus, or otherwise.

XV. And be it further enacted, That from the Time when this Act shall commence and take effect the Writs hereinbefore authorized shall be the only Writs for the Commencement of Personal Actions in the said Court in the Cases to which such Writs are applicable.

XVI. And be it further enacted, That it shall be lawful for the Parties in any Action depending or to be depending in the said Court of Common Pleas at Leicester, after Issue joined by Consent, and by Order of One of the Judges of the said Court, to state the Facts of the Case in the Form of a Special Case for the Opinion of the said Court, or of One of the Superior Courts of Common Law at Westminster, and to agree that a Judgment shall be entered for the Plaintiff or Defendant by Confession or of Nolle prosequi, immediately after the Decision of the Case, or otherwise, on the Court before which such Case shall be heard may think fit, and Judgment shall be entered accordingly.

XVII. And

Duration of Writs.

Process as to Statutes.

Proceedings on Writs served or executed at certain Times.

Indorsament on Writs, &c. of the Attorney or Party suing.

Service of Writs of Summons on Corporations, and on Inhabitants of Hamlets and Towns.

Proceedings in default of Appearance.

Attorney to declare whether Writ issued by his Authority, and Name, &c. of the Plaintiff, if required, if Writ issued by Authority of the Attorney. Defendant may be discharged.

Proviso for Persons privileged from Arrest.

As to Writs for Commencement of Personal Actions.

Power to state a Special Case without prejudice to Trial.

Judges may make Rules for altering and regulating the Mode of pleading in such, and transcribing Records, and touching the Admissions of Documents.

XVII. And be it further enacted, That it shall and may be lawful for the Judges of the said Court of Common Pleas at *Leicester* for the Time being, or any Two of them, from Time to Time to make such Orders, Rules, and Regulations for altering and regulating the Mode of pleading in that Court, and for altering the Mode of entering and transcribing Pleadings, Judgments, and other Proceedings in Actions at Law therein, and touching the voluntary Admissions, upon any Application for that Purpose at a reasonable Time before the Trial of any Action of one Party to the other, of all such written or printed Documents, or Copies of Documents, as are intended to be offered in Evidence on the said Trial by the Party requiring such Admissions, and touching the Inspection thereof before such Admissions is made, and touching the Costs which may be incurred by the Proof of such Documents or Copies on the Trial of the Cause, in case of the desisting to apply for such Admissions, or the not producing of such Documents or Copies for the Purpose of obtaining Admissions thereof, or of the Refusal to make such Admissions, as the Case may be, and as to the said Judges of the said Court for the Time being, or any Two of them, shall seem meet.

Writs of Inquiry under the Statute 5 Geo 2. c. 11. to be executed before the Sheriff, unless otherwise ordered.

XVIII. And be it further enacted, That all Writs of Inquiry of Damages hereafter to be issued by the Court of Common Pleas at *Leicester*, under and by virtue of the Statute passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of King William the Third, intituled *An Act for the better preserving Peaceable and quietness there*, shall, unless the said Court, or One of the Judges thereof, shall otherwise order, direct the Sheriff of the said County of *Leicester* to summon a Jury to appear before him, instead of the Justices or Justice of Assize of and for the said County, to inquire of the Truth of the Damages suggested, and assess the Damages that the Plaintiff shall have sustained thereby, and shall command the said Sheriff to make Returns thereof to the said Court on a Day certain in such Writ to be mentioned, and such Proceedings shall be had after the Returns of such Writ as are in the said Statute in that behalf mentioned, in like Manner as if such Writ had been executed before a Justice of Assize or Nisi Prius.

Returns of other Writs of Inquiry.

XIX. And be it further enacted, That every other Writ of Inquiry to be issued by the said Court of Common Pleas at *Leicester* shall be made returnable on any Day certain to be named in such Writ.

Power to direct Issues joined in certain Actions to be tried before the Sheriff or any Judge.

XX. And be it further enacted, That in any Action depending in the said Court of Common Pleas at *Leicester* for any Debt or Demand in which the Sum sought to be recovered and indorsed on the Writ of Summons shall not exceed Twenty Pounds it shall be lawful for the said Court or any Judge thereof, if such Court or Judge shall be satisfied that the Trial of the said Action will not involve any difficult Question either of Law or Fact, and such Court or Judge shall think fit so to do, in order and direct that the Issue or Issues joined shall be tried before the Sheriff of the said County Palatine of *Leicester*, or any Judge of any Court of Record for the Recovery of Debt in such County, and for that Purpose a Writ shall issue, directed to such Sheriff or Judge, commanding him to try such Issue or Issues by a Jury to be summoned by him, and to return such Writ, with the Finding of the Jury thereon inferred, at a Day certain to be named in such Writ, and thereupon such Sheriff or Judge shall summon a Jury, and shall proceed to try such Issue or Issues.

Upon the Return of Inquiry or Writ for Trial of Issues Judgment may be given, unless, &c.

XXI. And be it further enacted, That at the Return of every Writ of Inquiry, or Writ for the Trial of such Issue or Issues as aforesaid, Costs shall be taxed, Judgment signed, and Execution issued forthwith, unless the Sheriff or his Deputy before whom such Writ of Inquiry may be executed, or such Sheriff, Deputy, or Judge before whom such Trial shall be had, shall certify, under his Hand, upon such Writ, that Judgment ought not to be signed until the Defendant shall have had an Opportunity to apply to the said Court of Common Pleas at *Leicester*, or One of the Judges thereof, for a new Inquiry or Trial, or the said Court, or One of the Judges thereof, shall think fit in order that Judgment or Execution shall be stayed till a Day to be named in such Order; and the Verdict of such Jury on the Trial of such Issue or Issues shall be as valid and of the like Force as a Verdict of a Jury or the Assizes; and the Sheriff or his Deputy or Judge presiding at the Trial of such Issue or Issues shall have the like Powers, with respect to the Assessment on such Trial, as are given to Judges at Nisi Prius by an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act for the better Amendment of the Law, and the better Advancement of Justice*.

54 W. 2. c. 45.

Judgment may be entered, Execution signed, and new Trial granted.

XXII. Provided always, and be it further enacted, That, notwithstanding any Judgment signed or Execution issued as aforesaid by virtue of this Act, it shall be lawful for the said Court of Common Pleas at *Leicester* to order such Judgment to be vacated and Execution to be stayed or set aside, and to enter an Arrest of Judgment, or grant a new Trial or new Writ of Inquiry, as Justice may appear to require; and thereupon the Party affected by such Writ of Execution shall be restored to all that he may have lost thereby in such Manner as upon the Reversal of a Judgment by Writ of Error or otherwise, as the Court may think fit to direct.

Defendant to be allowed to pay Money into Court in certain Actions.

XXIII. And be it further enacted, That it shall be lawful for the Defendant in all personal Actions, except Actions for Assault and Battery, false Imprisonment, Libel, Slander, malicious Arrest or Prosecution, Criminal Conviction, or detaching of the Plaintiff's Daughter or Servant, by Leave of the said Court of Common Pleas at *Leicester* or One of the Judges thereof, to pay into Court a Sum of Money by way of Composition or Amends, in such Manner, and under such Regulations as to the Payment of Costs and the Terms of pleading, as the Judges of the said Court shall, by any Rules or Orders by them to be from Time to Time made, order and direct.

Power to appoint additional Judges.

XXIV. And whereas it would tend to further the Administration of Justice in the said Court of Palatine Pleas at *Leicester* by the addition of the Judges of the said Court to the said Court, we do hereby appoint

Justice for all manner of Pleas within the said County Palatine of Lancaster; be it therefore enacted, That it shall and may be lawful to and for the King's most Excellent Majesty, in right of His Deputy and County Palatine of Lancaster, from Time to Time to nominate and appoint all or any of the Judges of the superior Courts at Westminster to be Judges of the Court of Common Pleas for the County Palatine of Lancaster; Provided nevertheless, that the Judges before whom the Assizes for the said County Palatine of Lancaster shall from Time to Time be held, and their respective Officers, shall also be entitled to the Fees and Emoluments heretofore received by the Judges of the said County Palatine and their Officers.

XXV. And be it further enacted, That the Judges of the superior Courts of Common Law at Westminster, or any Eight or more of them, of whom the Chief of each of the said Courts shall be Three, may, by any Rule or Order to be from Time to Time after this Act shall take effect, make such Regulations as to the Fees to be charged by all and every or any of the Officers of the said Court of Common Pleas at Lancaster and the Attornies thereof as they may seem expedient, and to alter the same when and as it may seem fit and proper, so as such Fees shall not exceed the Fees now received; and all such Regulations shall be binding and obligatory on the said Court of Common Pleas at Lancaster, and all the Officers and Attornies of the said Court.

XXVI. And be it further enacted, That it shall be lawful for any Party in any Action now depending or hereafter to be depending on the said Court of Common Pleas at Lancaster to apply by Motion to any One of the superior Courts at Westminster sitting in Banco, within such Period of Time after the Trial as Matters of the like Kind shall from Time to Time be permitted to be made in the said superior Court, for a Rule to allow Cause why a new Trial should not be granted or Nonsuit not made, and a new Trial had or a Verdict entered for the Plaintiff or Defendant, or a Nonsuit entered, as the Case may be, in such Action, which Court is hereby authorized and empowered to grant or refuse such Rule, and afterwards to proceed to hear and determine the Merits thereof, and to make such Order thereupon as the same Court shall think proper; and in case such Court shall order a new Trial to be had in any such Action the Party or Parties obtaining such Order shall deliver the same, or an Office Copy thereof, to the Prothonotary of the said Court of Common Pleas at Lancaster, or his Deputy, and thereupon all Proceedings upon the former Verdict or Nonsuit shall cease; and the Action shall proceed to Trial at the next or some other subsequent Session of Assizes holden for the County of Lancaster, in like Manner as if no Trial had been had therein; or in case the Court before which any such Rule shall be heard shall order the same to be discharged, the Party or Parties obtaining any such Order may upon delivering the same or an Office Copy thereof to the said Prothonotary, or his Deputy, be at liberty to proceed in any such Action as if no such Rule had been obtained; or if a Verdict be ordered to be entered for the Plaintiff or Defendant, or a Nonsuit be ordered to be entered, as the Case may be, Judgment shall be entered accordingly.

XXVII. Provided always, and be it further enacted, That the entering up of Judgment in any Action in the said Court of Common Pleas at Lancaster, and the issuing of Execution upon such Judgment, shall not be stayed unless the Party intending to apply for such Rule as last aforesaid shall, with Two sufficient Sureties such as the last-mentioned Court shall approve of, become bound unto the Party for whom such Verdict or Nonsuit shall have been given or obtained, by Recognizance, to be acknowledged in the same Court, in such reasonable Sum as the same Court shall think fit, to make and prosecute such Application as aforesaid, and also to satisfy and pay, if such Application shall be refused, the Debt, or Damages and Costs adjudged and to be adjudged in consequence of the said Verdict or Nonsuit, and all Costs and Charges to be awarded for the delaying of Execution thereon.

XXVIII. Provided also, and be it further enacted, That nothing herein contained shall prevent the said Court of Common Pleas at Lancaster from granting any new Trial, or setting aside any Nonsuit, or entering a Nonsuit, or altering a Verdict as heretofore.

XXIX. And be it further enacted, That the Service of every Writ of Subpoena heretofore to be issued out of the said Court of Common Pleas at Lancaster, and served upon any Person in any Part of England or Wales, shall be as valid and effectual in Law, and shall entitle the Party suing out the same to all and the like Remedies, by Action or otherwise howsoever, as if the same had been served within the Jurisdiction of the said Court of Common Pleas at Lancaster; and in case such Person so served shall not appear according to the Enjoinment of such Writ, it shall be lawful for the same Court or One of the Judges thereof, upon Oath or Affirmation to be taken in open Court, or upon an Affidavit, of the personal Service of such Writ, to transmit a Certificate of such Default, under the Hand of One of the Judges of the same Court, to the Court of King's Bench in England; and the said last-mentioned Court shall and may thereupon proceed against and punish, by Attachment or otherwise, according to the Course and Practice of the same Court, the Person so having made Default, in such and the like Manner as they might have done if such Person had neglected or refused to appear in obedience to a Writ of Subpoena issued to compel the Attendance of Witnesses out of such last-mentioned Court.

XXX. Provided always, and be it further enacted, That the said Court of King's Bench shall not in any Case proceed against or punish any Person, nor shall any such Person be liable to any Action, for having made Default by not appearing to give Evidence in obedience to any Writ of Subpoena or other Process for that Purpose issued under the Authority of this Act, unless it shall be made to appear to the Court that a reasonable and sufficient Sum of Money to defray the Expenses of coming and

Judges of superior Courts at Westminster may regulate Fees to be taken in Court of Common Pleas at Lancaster.

Rules for New Trials to be moved before any of the Courts at Westminster.

Judgment and Execution not to be stayed, unless the Party suing enter into Recognizance with Sureties.

Not to take away Power of granting new Trial.

Service of Subpoena in Writs of Subpoena in Parts of England and Wales shall be valid to compel Appearance.

Expense of Attendants on Writs of Subpoena shall be paid by Witnesses.



attending to give Evidence, and of returning from giving such Evidence, had been tendered to such Person at the Time when such Writ of Subpoena was served upon such Person.

XXXI. And be it further enacted, That whenever a Plaintiff or Defendant in any Action or Suit in which Judgment shall be recovered in the said Court of Common Pleas at Lancaster shall remove his Person or Goods or Chattels from out of the Jurisdiction of the said Court of Common Pleas at Lancaster, it shall and may be lawful for any of the superior Courts at Westminster, upon a Certificate from the Prothonotary of the said Court of Common Pleas at Lancaster, or his Deputy, of the Amount of legal Judgment obtained in any such Action, to issue a Writ or Writs of Execution thereupon for the Amount of such Judgment, and the Costs of such Writ or Writs and Certificates, to the Sheriff of any County, City, Liberty, or Place, against the Person or Persons or Goods of the Party or Parties against whom such final Judgment shall have been obtained, in such Manner as upon Judgments obtained in any of the said Courts at Westminster.

XXXII. And be it further enacted, That in case any Rule of the said Court of Common Pleas at Lancaster cannot be enforced by reason of the Non-residence of any Party or Parties within the Jurisdiction thereof, it shall be lawful, upon a Certificate of such Rule by the Prothonotary of the said Court, and an Affidavit that by reason of such Non-residence such Rule cannot be enforced as aforesaid, to make such Rule a Rule of any one of the said Courts at Westminster, if such Court shall think fit, whereupon such Rule shall be enforced as a Rule of such Court.

XXXIII. And be it further enacted, That all Writs issued out of the said Court of Common Pleas at Lancaster shall be tested in the Name of the Chief Justice of that Court, or in case of a Vacancy of such Office, in the Name of One of the other Judges thereof, and that every Writ of *Vocare facias* juxta formam, issued out of the same Court, shall bear Date on the Day next preceding the First Commission Day of each Assize, unless, such Commission Day shall be on a Monday, and then on the Saturday preceding, and that every Writ of *Habeas corpus* juxta formam shall bear Date on the Day of the Return of the *Vocare facias* juxta formam; and that all other Writs, except Writs of Exigent and Proclamation, shall respectively bear Date on the Day on which the same shall be issued; and that all Writs of Execution may, if the Party suing out the same shall think fit, be made returnable immediately after the Execution thereof.

XXXIV. And be it further enacted, That whenever by any Act of Parliament, or by or under the Authority of any Act of Parliament, or by any Rule or Order of any of His Majesty's superior Courts at Westminster, or of any of the Judges of the same, any Rules, Orders, or Regulations shall be made for the Purpose of staying, repeating, or amending the Proceedings, Process, or Proceedings of any of the said superior Courts at Westminster, it shall be lawful for the Judges of the said Court of Common Pleas at Lancaster, or any Two of them, by Rule or Order to be made in that behalf, to adapt, amend, make, alter, all or any of such Rules, Orders, or Regulations, or any Part or Parts thereof, as to the said last-mentioned Judges shall seem fit.

XXXV. And be it further enacted, That the Costs to be from Time to Time allowed for preparing Pleadings in Actions in the said Court of Common Pleas at Lancaster shall be the same as shall be allowed for preparing Pleadings of a like Description in Actions in the superior Courts at Westminster.

XXXVI. And be it further enacted, That this Act shall commence and take effect on the First Day of September One thousand eight hundred and thirty-four.

XXXVII. And be it further enacted, That this Act may be amended, altered, or repealed during the present Session of Parliament.

#### SCHEDULE to which this Act refers.

##### No. 1.

#### WRIT OF SUMMONS.

WILLIAM THE FOURTH, of Great Britain.

To C. B. of, of, in the County of Lancaster, Greeting:

We command you [or as before, or after We have commanded you], that within Eight Days after the Service of this Writ on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of Common Pleas at Lancaster, in an Action on Provisors [or as the Case may be] at the Suit of A. B.; and take notice, that in default of your so doing the said A. B. may cause an Appearance to be entered for you, and proceed therein to Judgment and Execution.

Witness at Lancaster, the Day of in the Year of Our Reign.

*Memoirandum to be subscribed on the Writ.*

N. B.—This Writ is to be served within Four Calendar Months from the Date thereof, including the Day of such Date, and not afterwards.





## C A P. LXIII.

An Act to define the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in Great Britain and Ireland; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Sergeants Major, and Sergeant Majors of the Militia, until the First Day of July One thousand eight hundred and thirty-five. [13th August 1834.]

[This Act is the same (except as to Dates) as 5 & 4 W. 4. c. 22.]

## C A P. LXIV.

An Act to extend until the End of the next Session of Parliament the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [13th August 1834.]

[This Act is the same, except as to Dates and the Section here inserted, as 5 & 4 W. 4. c. 21.]

III. And be it further enacted, That it shall and may be lawful for His Majesty, by Order, signified by One of His Majesty's Principal Secretaries of State, to direct that in case of any Vacancy occurring in the disembodied permanent Staff, such Vacancy, if it be thought advisable, shall not be filled up.

His Majesty may direct Vacancies not to be filled up.

## C A P. LXV.

An Act for the more effectual Administration of Justice at Norfolk Island. [13th August 1834.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty, intitled *an Act for providing Offices committed by Transports kept in Labour in the Colonies, and better regulating the Powers of Justice of the Peace in New South Wales*, His Majesty was empowered, by Order in Council, to appoint or authorize the Governors or Persons administering the Government of any of His Majesty's Foreign Possessions, Colonies, or Plantations, to appoint the Place within His Majesty's Dominions to which any Offenders convicted in any such Possession, Colony, or Plantation, and being under Sentence or Order of Transportation, should be sent or transported, And whereas His said Majesty, by an Order bearing Date the Eleventh Day of November in the Year of our Lord God, thousand eight hundred and twenty-five, was pleased, by and with the Advice of His Privy Council, to authorize the Governors or other Persons administering the Government of any of His Majesty's Possessions, Colonies, or Plantations, from Time to Time, by Proclamation to be by them respectively for such Purpose issued, to appoint the Place or Places within His Majesty's Dominions to which any Offender convicted as aforesaid, and being under Sentence or Order of Transportation, should be sent or transported: And whereas in pursuance of the said Order of His Majesty in Council, the Governor of New South Wales issued a Proclamation, bearing Date the Fifteenth Day of August in the Year One thousand eight hundred and twenty-six, and thereby appointed, among other Places, Norfolk Island to be the Place within the Colony of New South Wales to which Offenders convicted in the said Colony, and being under Sentence or Order of Transportation, might be sent or transported: And whereas the Removal of Persons under Charge of Capital and other Offences committed at Norfolk Island, from thence for Trial in the Supreme Court of the said Colony, is attended with great Delay, Expence, and Inconvenience, and it is expedient that a Court should be established at Norfolk Island for the Trial and Punishment of Crimes, Misdemeanors, and Offences, of what Nature or Degree soever, committed there by Persons under Sentence or Order of Transportation: And whereas an Act was made and passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third, intitled *An Act to amend an Act made in the last Session of Parliament, intitled "An Act to enable His Majesty to establish a Court of Criminal Judicature in Norfolk Island, and for better enabling His Majesty to establish such Court in the said Island"*, And whereas the Provisions of the said recited Act are insufficient to remedy the Inconvenience and to carry into effect the Purposes hereinbefore expressed, and it is therefore expedient to amend the same: He it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act be made and passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third as aforesaid, and every Clause, Matter, and Thing therein contained, shall be and the same it and are hereby repealed.

c. 2. c. 1. 2. 29

c. 2. c. 1. 2. 29

Recited Act 33 G. 3. c. 18. repealed.

Governor of New South Wales was empowered to authorize a Court of Criminal Jurisdiction in Norfolk Island.

II. And be it further enacted, That it shall and may be lawful for the Governor of New South Wales, with the Advice and Consent of the Legislative Council of the said Colony, by an Ordinance to be by them made for such Purpose, to institute a Court of Criminal Jurisdiction in Norfolk Island, and to grant to such Court full Power and Authority to take cognizance of all Crimes, Misdemeanors, and Offences soever committed by any Felon or other Offender under Sentence or Order of Transportation or Removal to Norfolk Island, whether the same be committed within the said Island, or on board of any Ship or Vessel during the Passage of such Felon or Offender to the same, or at the Island called Philip Island, adjacent to Norfolk Island; and the said Crimes, Misdemeanors, and Offences so committed to be adjudged and punished respectively according to the Laws in force in New South Wales in like Cases.

Court in con-  
sult with the  
Baronet and  
the Military  
or Naval  
Officers.

III. And be it enacted, That the said Court of Criminal Jurisdiction shall consist of One Judge, who shall be a Barrister duly admitted in England or Ireland, of not less than Three Years standing, and of Five Commissioned Officers of His Majesty's Sea or Land Forces, whether on Full or Half Pay; and such Judge and Officers respectively shall from Time to Time, as Occasion shall require, be appointed by the Governor of New South Wales, for the Purpose of forming a Court as aforesaid, and the said Court shall have such ministerial Officers as shall be necessary for conducting the Proceedings and executing the Process, Judgments, and Orders thereof; and the said ministerial Officers shall be appointed to and removed from their respective Offices in such Manner as the said Governor for the Time being shall direct; and the said Judge, Commissioned Officers, and ministerial Officers respectively shall receive such reasonable Allowances as the said Governor, with the Advice of the Legislative Council of the said Colony, shall, by any such Ordinance made as aforesaid, appoint and direct, which Allowances shall be in lieu of all Fees, Perquisites, and Emoluments whatsoever in respect of their said Office.

Accordingly  
to be held  
of the Court

IV. And be it further enacted, That the said Court of Criminal Jurisdiction shall be holden at *Neybitt Island* on each Time and Place as the Governor of New South Wales shall, by Warrant under his Hand, from Time to Time appoint and direct; and all Cases, Misdemeanors, Offences, and other Misdemeanors cognizable by such Court shall be prosecuted, tried, and adjudged, and the Judgments, Process, and Orders thereof shall be carried into effect, according to such Forms, Rules, Courses, and Order of Proceeding as the said Governor, with the Advice of the said Legislative Council, shall by any such Ordinance as aforesaid from Time to Time direct and appoint: Provided always however, that Execution shall not be had or done upon any Convict or Convicts in any Capital Case unless the said Judge and Five Officers by whom such Convict or Convicts shall be tried shall concur in finding him or them guilty.

From the  
Court of the

V. And be it further enacted, That the said Court of Criminal Jurisdiction shall be a Court of Record, and shall have all such Powers as by Law are incident and belong to a Court of Record: Provided always, that the Records and Proceedings of such Court shall be deposited in the Office of the Supreme Court of New South Wales, and there safely kept in like Manner as other Records of the said Court.

#### C A P. LXVI.

An Act for empowering the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to pay the net Proceeds of the Tolls of the Merrim and Conway Bridges into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund. [19th August 1834.]

WHEREAS by an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend an Act passed in the Fifty-fifth Year of His present Majesty, for granting to His Majesty the Sum of Twenty thousand Pounds towards repairing Roads between London and Holyhead by Chester, and between London and Bangor by Shrewsbury; and for giving additional Powers to the Commissioners therein named to build a Bridge over the Mersey Straits, and to make a new Road from Bangor Ferry to Holyhead in the County of Anglesea, it was (amongst other things) enacted, that the Commissioners therein named should yearly, out of the Monies arising from the Tolls which should be collected and received at any of the Turnpikes or Toll Gates erected on or across the said intended Bridge by virtue of the said Act now in recital, reserve and keep in their own Hands the Sum of Five hundred Pounds as and for the Expenses incident to the maintaining and keeping in necessary Repair the said intended Bridge, and the Arches and Roads thereto within One hundred Yards thereof; and all the Surplus, Rent, Residue, and Remainder of the Monies arising from such last-mentioned Tolls should yearly and every Year, on the First Day of May, or within Thirty Days thereafter, be paid over by the said Commissioners into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund, until the whole of the Principal Sum or Sums of Money which should be advanced by the Lord High Treasurer or the Commissioners of His Majesty's Treasury for and towards defraying the Expenses of building and completing the said Bridge and the Arches thereto, and for making and completing a Road from the said Bridge to Holyhead, and for the Purchase of the said Ferry called Bangor Ferry, and the Tolls, Profits, and Appurtenances thereof, or of any Leases, Tenements, or Hereditaments necessary for the Purpose of the said Bridge or Roads, together with Interest for the same at and after the Rate of Five Pounds per Centum per Annum, should be wholly paid off and discharged; and when the whole of such Principal Sum or Sums, together with the Interest for the same at and after the Rate aforesaid, should be so discharged, then all the Money arising from the said Tolls should be applied by the said Commissioners to the Support, Repair, and Maintenance of the said intended Bridge and the Arches thereto: And whereas by an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for vesting in Commissioners the Bridge now building over the Mersey Straits and the River Conway, and the Mouths of Howth and Holyhead, and the Road from Dublin to Howth; and for the further Improvement of the Road from London to Holyhead, it was (amongst other things) enacted, that all the Powers, Clauses, Provisions, and Authorities contained in the said recited Act of the Fifty-ninth Year of King George the Third should be executed and carried into effect by the Commissioners appointed by the said Act to be holden in the building**

and completing the said Bridge over the *Messin Straits*, and the Roads and Accesses thereto, in the same Manner and as fully and efficiently as the same might have been executed and carried into effect by the said Commissioners mentioned in the said recited Act of the Fifty-ninth Year of King George the Third; and from and after the said Bridge should be completed, the same, with the Accesses and Approaches thereto, should be maintained, repaired, and supported under the Powers and Authorities and Provisions of the said recited Act of the Fifty-ninth Year of the Reign of King George the Third, for building a Bridge over the *Messin Straits*, and it was further enacted, that the said Commissioners appointed by the Act now in recital should yearly, out of the Monies arising from the Tolls which should be collected and received at the Turnpikes or Toll Gates erected on or across the said Bridge over the *River Conway*, reserve and keep in their own Hands the Sum of Two hundred Pounds at and for the Expenses incident to the maintaining and keeping in necessary Repair the said Bridge over the *River Conway*, and the Accesses and Roads thereto; and all the Surplus, Rent, Rents, and Homages of the Monies arising from such last-mentioned Tolls should yearly and every Year, on the First Day of May, or within Thirty Days thereafter, be paid over by the said Commissioners into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund, until the whole of the Principal Sum of Forty thousand Pounds advanced by the Commissioners of His Majesty's Treasury under the Powers of an Act passed in the First and Second Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for applying a certain Sum of Money out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland for the Purpose of building a Bridge over the River Conway in the County of Carmarthen, and for imposing additional Rates of Passage on Letters and Parcels conveyed over the said Bridge*, for and towards the Expenses of building and completing the said Bridge over the *River Conway*, and the Accesses and Approaches thereto, and for the Purchase of Conway Ferry, and the Tolls and Profits arising therefrom, together with Interest for the same at and after the Rate of Four Pounds per Centum per Annum, should be wholly paid off and discharged; and when the whole of such Principal Sum or Sums, together with Interest for the same at and after the Rate aforesaid, should be so discharged, then all the Monies arising from the said Tolls should be applied by the said Commissioners thereby appointed in the Support, Repair, and Maintenance of the said intended Bridge, and the Accesses thereto. And whereas by an Act passed in the Third and Fourth Year of the Reign of His present Majesty, intitled *An Act for transferring to the Commissioners of His Majesty's Woods and Forests the Powers now vested in the Holyhead Road Commissioners, and for enlarging the last mentioned Commissioners from the former Repair and Maintenance of the Roads, Harbours, and Bridges now under their Care and Management*, it was (amongst other things) enacted, that from and after the passing of the Act now in recital the Commissioners appointed in and by the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth should be discharged from and should cease to carry into execution all or any of the Trusts and Powers vested in them by the said recited Act of the Fourth Year of the Reign of His said late Majesty; and it was further enacted, that the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, and such other Person or Persons as should be nominated and appointed in manner therein-after mentioned, should be Commissioners for carrying into execution the Powers and Provisions of the said several then-before recited Acts and the Act now in recital: And whereas it is expedient that the whole Net Amount of all the Tolls to be received at the Turnpikes or Toll Gates erected on or across the said Bridges respectively (after deducting the Expenses of Collection and Management) should be paid into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act such Parts of the said several Acts as relate to the Application of the Monies arising from the Tolls of the said Bridges respectively shall be and the same are hereby repealed.

It And be it further enacted, That all Monies now at the Disposal of the Commissioners for the Execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty, received on account of the Tolls of the said Bridges respectively, and whether in respect of the said annual Sums of Five hundred Pounds and Two hundred Pounds so directed to be set apart as aforesaid, or otherwise, under or by virtue of the said recited Act or any of them, shall immediately after the passing of this Act be paid into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund; and all Sums of Money which shall at any Time hereafter be received by the said last-mentioned Commissioners, their Agents or Receivers, on account of the said Tolls, after deducting thereout all the Expenses incidental to the Collection and Management of the said Tolls, shall yearly and every Year, on the First Day of May, or within Thirty Days thereafter, be paid over by the said Commissioners into the Receipt of His Majesty's said Exchequer, to the said Account of the Consolidated Fund.

III. And whereas by an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for further extending the Powers of an Act for vesting in Commrs. the Bridge over the Messin Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead*, it was enacted, that the Commissioners acting in execution of the said recited Act of the Seventh Year of the Reign of His late Majesty King George the Fourth, should apply every

1834 G. 4.

1834 G. 4.

Act 1834 G. 4. c. 66. s. 1. The Commissioners appointed by the Act now in recital should yearly, out of the Monies arising from the Tolls which should be collected and received at the Turnpikes or Toll Gates erected on or across the said Bridge over the River Conway, reserve and keep in their own Hands the Sum of Two hundred Pounds at and for the Expenses incident to the maintaining and keeping in necessary Repair the said Bridge over the River Conway, and the Accesses and Roads thereto; and all the Surplus, Rent, Rents, and Homages of the Monies arising from such last-mentioned Tolls should yearly and every Year, on the First Day of May, or within Thirty Days thereafter, be paid over by the said Commissioners into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund, until the whole of the Principal Sum of Forty thousand Pounds advanced by the Commissioners of His Majesty's Treasury under the Powers of an Act passed in the First and Second Year of the Reign of His late Majesty King George the Fourth, intitled An Act for applying a certain Sum of Money out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland for the Purpose of building a Bridge over the River Conway in the County of Carmarthen, and for imposing additional Rates of Passage on Letters and Parcels conveyed over the said Bridge, for and towards the Expenses of building and completing the said Bridge over the River Conway, and the Accesses and Approaches thereto, and for the Purchase of Conway Ferry, and the Tolls and Profits arising therefrom, together with Interest for the same at and after the Rate of Four Pounds per Centum per Annum, should be wholly paid off and discharged; and when the whole of such Principal Sum or Sums, together with Interest for the same at and after the Rate aforesaid, should be so discharged, then all the Monies arising from the said Tolls should be applied by the said Commissioners thereby appointed in the Support, Repair, and Maintenance of the said intended Bridge, and the Accesses thereto.

Act 1834 G. 4. c. 66. s. 2. And whereas by an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled An Act for further extending the Powers of an Act for vesting in Commrs. the Bridge over the Messin Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead, it was enacted, that the Commissioners acting in execution of the said recited Act of the Seventh Year of the Reign of His late Majesty King George the Fourth, should apply every

1834 G. 4.

\* Sum not exceeding the Sum of Fourteen thousand Pounds in making and completing a new Cut or  
 \* Piece of Road, leaving the then present Road from London to Holyhead in the Town of Barnet, and  
 \* falling into the same Road again at South Mews, the same being within the Limits and District of the  
 \* Saint Alban's Trust; and it was thereby further enacted, that it should be lawful for the Trustees of  
 \* the Saint Alban's Trust, and they were thereby authorized and required, when and as soon as the  
 \* said new Road should be completed and opened to the Publick, to cause a Toll Gate to be erected  
 \* and set up on the said new Road, and to take and collect the several Tolls in the now recited Act  
 \* particularly mentioned and specified; and it was thereby further enacted, that the said Trustees of  
 \* the Saint Alban's Trust should apply and dispose of the Tolls to be collected by them in the end  
 \* new Lane of Road, under the Authority of the now reciting Act, in manner following: (that is to say,)  
 \* One Fourth Part of the Amount of the said Tolls should be applied in repairing and maintaining the  
 \* said last-mentioned new Road, and the other Roads within the Saint Alban's Trust, and all the Rest,  
 \* Roades, and Remainder of the Amount of the said last-mentioned Tolls, after deducting the  
 \* Expenses of collecting and receiving the same, should be annually accounted for and paid over by  
 \* the said Trustees of the said Saint Alban's Trust to the Commissioners acting in the Execution of  
 \* the said recited Act of the Fourth Year of the Reign of His said late Majesty King George the  
 \* Fourth, until the Amount of the Sum or Sums to be advanced under the Provisions of the now  
 \* reciting Act, and applied in completing and repairing the said last-mentioned new Piece of Road,  
 \* together with Interest for the same after the Rate of Four Pounds per Centum per Annum, to be  
 \* computed on the said Sum or Sums from the Time of advancing the same, should have been paid  
 \* off and discharged, the said Interest of Four Pounds per Centum per Annum on so much of the said  
 \* Principal Sum or Sums so to be advanced as aforesaid as should from Time to Time remain due  
 \* to be in the first place paid, and the Balance which should from Time to Time arise from the said  
 \* Tolls should be applied, so far as the same might extend, to discharge of the said Principal Sum or  
 \* Sums so to be advanced as aforesaid; and when and as soon as the said Principal Money, together  
 \* with the Interest thereon, should be fully paid off and discharged, the said Trustees of the Saint  
 \* Alban's Trust should and they were thereby authorized and required to reduce the said Tolls to One  
 \* Half Part of the Amount therein-before directed to be taken and collected by them, and from  
 \* thenceforth the said Trustees should collect and receive such reduced Tolls, and, after paying the  
 \* Expenses of collecting and receiving the same, should by and apply the Residue thereof in and  
 \* towards the future Repair and Maintenance of the whole Lane of Road extending from the Town  
 \* of Barnet to a certain Place beyond Saint Alban's called the *Field Road*. And whereas by an Act  
 \* passed in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth,  
 \* intituled *An Act for the further Improvement of the Road from London to Holyhead, out of the Road  
 \* from London to Liverpool*, it was enacted, that in case the Sum which by the said recited Act of the  
 \* Seventh Year of the Reign of His late Majesty King George the Fourth was made applicable to the  
 \* making and completing of the said new Piece of Road from Barnet to South Mews should be found  
 \* insufficient for the Purpose, the said Commissioners acting in execution of the said recited Act of  
 \* the Fourth Year of the Reign of His late Majesty King George the Fourth should, in manner therein  
 \* directed, certify the Amount of the Deficiency to the said Trustees of the Saint Alban's Trust, and  
 \* the said Trustees should pay the Amount of such Deficiency, provided the same should not exceed  
 \* the Sum of Three thousand Pounds, out of the Tolls to be collected on the said new Piece of Road:  
 \* And whereas by an Act passed in the First Year of the Reign of His present Majesty King William  
 \* the Fourth, intituled *An Act to alter and amend several Acts for the Improvement of the Roads from  
 \* London to Holyhead, and from London to Liverpool, and for the further Improvement of the said Roads*,  
 \* it was enacted, that during such Time as the said new Piece of Road from Barnet to South Mews should  
 \* be repaired and maintained by the said Commissioners acting in execution of the said recited Act of  
 \* the Fourth Year of the Reign of His said late Majesty King George the Fourth, as aforesaid, under  
 \* or by virtue of the Powers and Provisions contained in the said recited Act of the Seventh and  
 \* Eighth Year of the Reign of His late Majesty King George the Fourth, the said Commissioners were  
 \* thereby authorized and empowered, with and out of the Tolls to be received by them from the  
 \* Trustees of the Saint Alban's Trust in respect of the said new Piece of Road, to lay out and expend  
 \* to the Repair and Maintenance of the same such annual Sums or Sums of Money as they the said  
 \* Commissioners might think expedient, not exceeding the annual Sum of One thousand Pounds: And  
 \* whereas the said new Piece of Road from Barnet to South Mews hath been long since completed and  
 \* opened to the Publick, and the same hath been kept in repair by and under the Direction of the  
 \* Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His  
 \* late Majesty King George the Fourth, up to and until the Nineteenth Day of July One thousand  
 \* eight hundred and thirty-three, when the Care and Management of the said Road was transferred to  
 \* the Trustees of the Saint Alban's Trust: And whereas the several Sums which were by the said  
 \* recited Act made applicable to the making, completing, and repairing the said new Piece of Road  
 \* have been found insufficient for that Purpose; and by an Account made up and audited by the said  
 \* Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His  
 \* late Majesty King George the Fourth it appears that at the Time of transferring the said new Piece  
 \* of Road to the Trustees of the Saint Alban's Trust as aforesaid several further Sums of Money  
 \* had been laid out and expended by them the said Commissioners in the making and repairing such  
 \* *Tram-Roads of Roads, and other Sums of Money, the said Commissioners*

7 B 4 c. 55

1 W. 4. c. 67.

in respect thereof: And whereas it is expedient that Provision should be made for the Payment of such Sums of Money to the said Commissioners acting in execution of the heretofore recited Act of the Third and Fourth Year of the Reign of His present Majesty: he it therefore farther enacted, That it shall and may be lawful to and for the Trustees of the *Saint Alban's Trust*, and they are hereby authorized, empowered, and required, to continue the Tolls by them imposed and raised and now levied under or by virtue of the said recited Act of the Seventh Year of the Reign of His late Majesty King George the Fourth, for the Purpose of paying off the several Sums authorized and directed by that Act and by the said recited Acts of the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth and the First Year of the Reign of His present Majesty to be laid out and expended in the making and repairing of the said new Piece of Road from *Barnet to South Mimms*, and all Interest due or to become due on the said several and respective Sums, and as well the said several Sums, and all Interest due said to become due thereon respectively, as also the Sums or Sums to be paid by the Trustees of the *Saint Alban's Trust* to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty as herein after directed, together with all Interest thereon, shall be fully paid off and discharged.

IV. And he it further enacted, That it shall and may be lawful for the Trustees of the *Saint Alban's Trust*, and they are hereby authorized and required, with and out of the said Tolls, (in addition to and over and above the several Sums mentioned in the said recited Acts of the Seventh and Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, and the First Year of the Reign of His present Majesty, and Interest thereon respectively,) to pay to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty such further Sums or Sums of Money, not exceeding in the whole the Sum of Four thousand five hundred Pounds, as shall have been paid and applied in making and repairing the before-mentioned new Piece of Road, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of the advancing thereof, on so much of the said last-mentioned Sums or Sums as shall from Time to Time remain due and unpaid.

V. And whereas by an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the further Improvement of the Road from London to Holyhead, and of the Road from London to Liverpool*, it was enacted, that the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth should apply any Sum not exceeding the Sum of Four thousand seven hundred Pounds in clearing and improving the Road from *Hockley* in the County of *Bedford* to *Stony Stratford* in the County of *Buckingham*, the same being within the Limits and District of the *Hockley and Stony Stratford Trust*, and in repairing the same for the Space of Two Years after the same should have been completed; and it was thereby further enacted, that it should be lawful for the Trustees of the *Hockley and Stony Stratford Road*, and they were thereby required, to continue the additional Tolls by them imposed and raised and then levied for the Purpose of paying off the Sums of Seven thousand Pounds and One thousand five hundred Pounds, advanced for certain Alterations and Improvements in the said Road in the said Act mentioned, and as well the said Sums of Seven thousand Pounds and One thousand five hundred Pounds so advanced, and all Interest thereon respectively, as also the Principal Sum or Sums to be advanced under the Provisions of the now recited Act, and to be applied in clearing and improving the Road within the said Trust and in repairing the same as therein-before directed, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of the advancing thereof, on so much of the said last-mentioned Sum or Sums as should from Time to Time remain due and unpaid, should be fully paid off and discharged: And whereas the Alterations and Improvements in the Road from *Hockley* to *Stony Stratford* authorized and directed to be made and done by the said recited Act of the Ninth Year of the Reign of His late Majesty King George the Fourth have been some Time since completed and finished, and the said Road hath been kept in repair by and under the Direction of the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty King George the Fourth, up to and until the First Day of August One thousand eight hundred and thirty, when the Care and Management of the said Road was transferred by them to the Trustees of the *Hockley and Stony Stratford Trust*: And whereas the said Sum of Four thousand seven hundred Pounds, by the said recited Act of the Ninth Year of the Reign of His said late Majesty King George the Fourth made applicable to the making and completing such Alterations and Improvements in the said Road, has been found sufficient for the Purpose of completing and repairing the same; and by an Account made up and stated by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, it appears that at the Time of their transferring the said Road to the Trustees of the *Hockley and Stony Stratford Trust* several further Sums of Money had been laid out and expended by them the said Commissioners in the said Alterations and Improvements in the said Road, and other Sums of Money remained due and owing from the said Commissioners in respect thereof: And whereas it is expedient that Provision should be made for the Payment of such Sums of Money to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Years of the Reign of His present Majesty: he it therefore farther enacted, That it shall and may be lawful for the Trustees of the *Hockley and Stony Stratford Road*, and they are hereby authorized, empowered, and required, to continue the additional Tolls by them imposed and raised and now levied under or by virtue of the said recited Act of the Seventh

Trustees of the  
St. Alban's  
Trust empowered  
to continue the  
Tolls levied  
under the Act  
before recited.

Trustees of the  
St. Alban's  
Trust to pay to  
Commissioners  
Further Sums  
out of the Tolls  
not exceeding  
4,500*l*.

Trustees of the  
*Hockley and  
Stony Stratford Road*  
to continue the  
Additional Tolls  
levied by  
1794 c. 74.



Pounds, One thousand five hundred Pounds, and Four thousand seven hundred Pounds, mentioned in the said recited Act of the Ninth Year of the Reign of His said late Majesty King George the Fourth, until as well the said last-mentioned several Sums, and all Interest due or to become due thereon respectively, as also the Sum or Sums to be paid by the Trustees of the *Buckfild* and *Streetsford* Road to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Years of the Reign of His present Majesty, as herein-after directed, together with Interest thereon, shall be fully paid off and discharged.

VI. And by a further enacted, That it shall and may be lawful for the Trustees of the *Buckfild* and *Streetsford* Road, and they are hereby authorized and required, with and out of the said additional Tolls, (in addition to and over and above the said several Sums of Seven thousand Pounds, One thousand five hundred Pounds, and Four thousand seven hundred Pounds, and the Interest thereof respectively,) to pay to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty such further Sum or Sums of Money, not exceeding in the whole the Sum of Two thousand five hundred Pounds, as shall here be laid out and applied in the Alterations and Improvements of the said Road within the *Buckfild* and *Streetsford* Trust, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of the advancing thereof, on as much of the said last-mentioned Sum or Sums as shall from Time to Time remain due and unpaid.

VII. And whereas by the said recited Act of the Seventh and Eighth Year of the Reign of His late Majesty King George the Fourth it was enacted, that it should be lawful for the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth to apply the Sum of Twelve thousand Pounds in making and completing a new Cut or Piece of Road, leaving the then present Road from *Leaden* to *Highland* at the *Seven Stars Public* House at *Widley* in the County of the City of *County*, and passing from thence in nearly a direct Line to within a short Distance of the Southern End of *Little Park Street* in the City of *County*, and from thence into *Mayford Street* in the same City, and leaving the said City or *Saint John's* Church, and passing from thence in a direct Line to the Village of *Widley* in the County of *Warrick*, the same being within the Limits and District of the *Dunbarrow* and *Stonebridge* Trust, and in or towards the repairing and maintaining such Parts of the said new Piece of Road as therein-after mentioned for the Period of Two Years after the same should have been completed and opened to the Public; and it was thereby also further enacted, that the said Trustees of the *Dunbarrow* and *Stonebridge* Trust should and they were thereby authorized and required to demand and take at the several Turnpike Gates which should be erected by virtue of the said Act or any other Act upon the said Road or any Part thereof, besides the ordinary Tolls authorized to be collected and taken by them by the Act therein mentioned, the several Tolls and Duties so in the now recited Act particularly mentioned and specified; and it was thereby further enacted, that it should be lawful for the said Trustees of the *Dunbarrow* and *Stonebridge* Trust, and they were thereby authorized and required, to apply the Monies arising from the said additional Tolls to be so collected by them as aforesaid, in the first place, in the Payment of Two several Sums of Three thousand five hundred Pounds and Two thousand Pounds in the now-recited Act mentioned, and the Interest thereof respectively, or so much thereof as remained due and unpaid; in the next place, in repaying to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty the Sum of Twelve thousand Pounds, to be applied, under the Provisions therein-before contained, in making the aforesaid new Piece of Road within the said Trust, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of advancing the same, on as much of the said last-mentioned Sum as should be for the Time being due and unpaid.

And whereas by the said recited Act of the Ninth Year of the Reign of His late Majesty King George the Fourth it was enacted, that the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth should apply any Sum not exceeding Four thousand Pounds in altering and improving the Road from the *Seven Stars Public* House at *Widley* to the City of *County*, and from thence to the Village of *Widley*, in the County of *Warrick*, the same being within the Limits and District of the *Dunbarrow* and *Stonebridge* Trust, and in repaying the same for the Period of Two Years after the same should have been completed; and it was thereby further enacted, that it should be lawful for the Trustees of the *Dunbarrow* and *Stonebridge* Trust, and they were thereby required, to continue the additional Tolls by them imposed on the road, and then listed under the Powers and Authorities of the said recited Act of the Seventh and Eighth Years of the Reign of His then present Majesty, for the Purpose of paying off the several Sums of Three thousand five hundred Pounds, Two thousand Pounds, and Twelve thousand Pounds in the said Act mentioned, and all Interest due or to become due on the said several and respective Sums, until as well the said several Sums of Three thousand five hundred Pounds, Two thousand Pounds, and Twelve thousand Pounds, and all Interest due or to become due thereon respectively, as also the Principal Sum or Sums to be advanced under the Provisions of the now recited Act, and to be applied in making Improvements in the Road within the Districts of the *Dunbarrow* and *Stonebridge* Trust, and in repaying the same as therein-before directed, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of the advancing thereof, on as much of the said last-mentioned Sum or Sums as should from Time to Time remain due and unpaid, should be fully paid off and discharged: And whereas the said

Trustees of the *Buckfild* and *Streetsford* Road to pay to the Commissioners the said Sums out of additional Tolls, not exceeding 2,500*l*.

Trustees of *Dunbarrow* and *Stonebridge* Trust to continue additional Tolls.

Alterations, and Improvements within the *Dunshard* and *Stowbridge* Tract authorized and directed to be made and done by the said recited Acts of the Seventh and Eighth and Ninth Years of the Reign of His late Majesty King George the Fourth, have been since Time since completed and finished, and the said Roads have been kept in repair by and under the Direction of the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty King George the Fourth, up to and until the Twentieth Day of August One thousand eight hundred and thirty-one, when the Care and Management of the said Roads was transferred to the Trustees of the *Dunshard* and *Stowbridge* Tract: And whereas the said several Sums of Twelve thousand Pounds and Four thousand Pounds by the said recited Acts of the Seventh and Eighth and Ninth Years of the Reign of His said late Majesty made applicable to the making and completing such new Pieces of Road, Alterations, and Improvements, have been found insufficient for the Purpose of completing the same; and by an Account made up and stated by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth as aforesaid, it appears that at the Time of their transferring the said Roads to the Trustees of the *Dunshard* and *Stowbridge* Tract several further Sums of Money have been laid out and expended by them the said Commissioners in or about the said new Pieces of Road, Alterations, and Improvements, and other Sums of Money remained due and owing from the said Commissioners in respect thereof: And whereas it is expedient that Provision should be made for the Payment of such Sums of Money to the said Commissioners, acting in execution of the said recited Act of the Third and Fourth Years of the Reign of His present Majesty; he it therefore further enacted, That it shall and may be lawful for the Trustees of the *Dunshard* and *Stowbridge* Tract, and they are hereby authorized, empowered, and required, to continue the additional Tolls by them imposed and raised and now levied under or by virtue of the said recited Act of the Seventh and Eighth Year of the Reign of His said late Majesty as aforesaid, for the Purpose of paying off the several Sums of Three thousand five hundred Pounds, Two thousand Pounds, Twelve thousand Pounds, and Four thousand Pounds, mentioned in the said recited Act of the Ninth Year of the Reign of His said late Majesty as aforesaid, and as well the said last-mentioned several Sums, and all Interest due or to become due thereon respectively, as also the Sum or Sums to be paid by the Trustees of the *Dunshard* and *Stowbridge* Tract to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Years of the Reign of His present Majesty, as herein-after directed, together with Interest thereon, shall be fully paid off and discharged.

VIII. And be it further enacted, That it shall and may be lawful for the Trustees of the *Dunshard* and *Stowbridge* Tract, and they are hereby authorized and required, with and out of the said additional Tolls, (in addition to and over and above the said several Sums of Three thousand five hundred Pounds, Two thousand Pounds, Twelve thousand Pounds, and Four thousand Pounds, and the Interest thereof respectively,) to pay to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty such further Sum or Sums of Money, not exceeding in the whole the Sum of Two thousand five hundred Pounds, as shall have been laid out and applied in the making and completing the said new Pieces of Road, Alterations, and Improvements within the *Dunshard* and *Stowbridge* Tract, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of the advancing thereof, on so much of the said last-mentioned Sum or Sums as shall from Time to Time remain due and unpaid.

IX. And whereas by the said recited Act of the Ninth Year of the Reign of His late Majesty King George the Fourth it was enacted, that the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty should apply any Sum not exceeding the Sum of Five thousand five hundred Pounds in making a new Cut or Piece of Road from the Main Street in the Town of *Stafford* in the County of *Staffs*, and passing from thence in nearly a straight Line over *Peaslake* belonging to *Minor Snow* and others in the Cross Lane to the then private Mail Coach Road near *Minor Snow's* Gate, the same being within the Limits and District of the *Stafford* District of the *Walsley Street* Road, and so repairing the same for the Period of Two Years after the same should have been completed; and it was thereby further enacted, that the Trustees of the *Stafford* and District of the *Walsley Street* Road should after the First of January One thousand eight hundred and twenty-one demand and take at the Turnpike Gates which should be erected on the said Road or any Part thereof, being Part of the *Stafford* Mail Coach Road, besides the ordinary Tolls by the Act therein mentioned authorized to be taken, the several additional Tolls in the now reciting Act particularly mentioned; and it was thereby further enacted, that it should be lawful for the said Trustees of the *Stafford* District of the *Walsley Street* Road, and they were thereby authorized and required, to apply the Money arising from the said additional Tolls to be so collected by them as aforesaid, in the first place, in the Payment of Two several Sums of Two thousand Pounds and Four thousand Pounds, and the Interest thereof respectively, or so much thereof as still remained due and unpaid, in the next place, in repaying to the said Commissioners acting in Execution of the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth the Sum of Five thousand five hundred Pounds, to be applied, under the Provisions in the now reciting Act contained, in making the Alterations and Improvements in the Road within the said Tract, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of advancing the same, or so much of the said last-mentioned Sum of Five thousand five hundred Pounds as should be for the Time being due and unpaid, such Interest, to be paid by Two half-yearly Payments for every Year, being due and unpaid, each Interest, to be paid by Two half-yearly

Trustees of the  
*Dunshard* and  
*Stowbridge*  
Tract to pay to  
the Commissioners  
further Sums  
out of additional  
Toll not ex-  
ceeding Three

Trustees of the  
*Stafford* Dis-  
trict of the *Wal-  
sley Street* Road  
to demand said  
Tolls.

• Pounds, together with the Interest thereon, should be fully paid off and discharged, the said Trustees should cease to collect the said additional Tolls: And whereas the said last-mentioned new Piece of Road authorized and directed to be made by the said last-before recited Act hath been now since since completed and finished, and the said new Piece of Road hath been kept in repair by and under the Direction of the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, up to and until the Time when the Care and Management of the said new Piece of Road was transferred by them to the Trustees of the *Stafford District of the Watling Street Road*: And whereas the said Sum of Five thousand five hundred Pounds by the said last-recited Act made applicable to the making and completing the said new Piece of Road had been found insufficient for that Purpose: and by an Account made up and sent by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His late Majesty King George the Fourth as aforesaid it appears that at the Time of their transferring the said new Piece of Road to the Trustees of the *Stafford District of the Watling Street Road* as aforesaid several further Sums of Money had been laid out and expended by them the said Commissioners in the making and repairing such new Piece of Road, and other Sums of Money remained due and owing from the said Commissioners in respect thereof: And whereas it is expedient that Provision should be made for the Payment of such Sums of Money to the said Commissioners acting in execution of the herein-before recited Act of the Third and Fourth Year of the Reign of His present Majesty: be it therefore further enacted, That it shall and may be lawful for the Trustees of the *Stafford District of the Watling Street Road*, and they are hereby authorized, empowered, and required, to continue the additional Tolls by them imposed and raised and now levied under or by virtue of the said recited Act of the Ninth Year of the Reign of His late Majesty King George the Fourth, for the Purpose of paying off the said several Sums of Two thousand Pounds, Four thousand Pounds, and Five thousand five hundred Pounds in the said Act mentioned, and as well the said last-mentioned several Sums, and all Interest due or to become due thereon respectively, as also the Sums or Sums to be paid by the Trustees of the *Stafford District of the Watling Street Road* to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty, as herein after directed, together with Interest thereon, shall be fully paid off and discharged.

X. And be it further enacted, That it shall and may be lawful for the Trustees of the *Stafford District of the Watling Street Road*, and they are hereby authorized and required, with and out of the said additional Tolls, (but subject and without Prejudice to the Payment of the said several Sums of Two thousand Pounds, Four thousand Pounds, and Five thousand five hundred Pounds, and the Interest thereof respectively,) to pay to the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty such further Sum or Sums of Money, not exceeding in the whole the Sum of Ten thousand and fifty Pounds, as shall have been laid out and applied in the making and completing the said new Piece of Road within the *Stafford District of the Watling Street Road*, together with Interest at the Rate of Four Pounds per Centum per Annum, to be computed from the Time or respective Times of the advancing thereof, on so much of the said last-mentioned Sum as shall from Time to Time remain due and unpaid.

XI. And be it further enacted, That all the said additional and other Tolls which are and which are to be continued to be levied and raised by the Trustees of the *Stout Allen's Trust*, the Trustees of the *Hockley and Stoughton Trust*, the Trustees of the *Donnerley and Stonebridge Trust*, and the Trustees of the *Stafford District of the Watling Street Road*, as herein-before is directed, shall, during the Time that they are hereby required to be continued, be levied and raised and be accounted for and paid over in the Manner and under the Powers and Provisions of the several Acts under which such additional and other Tolls are now collected and taken by such respective Trustees: and in case the said Trustees or any or either of these shall refuse or neglect to levy, collect, or continue the said additional and other Tolls, or shall lower the same, or shall make Default in Payment of the Sums or Sums to be paid by them as herein-before directed, or the Interest thereof, before the same Sums and the Interest thereof shall be fully paid off and discharged, it shall and may be lawful for the said Commissioners acting in execution of the said recited Act of the Third and Fourth Year of the Reign of His present Majesty to enter upon and take possession of the Toll Gates, Bars, and Toll Houses of the Trustees making Default, and to collect, take, receive, and recover the Tolls arising on the Road under the Care of the Trustees making Default, and to pay over the same in manner directed by the said several Acts under which such additional and other Tolls are now raised, collected, and taken by such Trustees, and by this Act, and to execute all the Powers, Provisions, and Authorities in and by the said several Acts in such Case given, as fully and effectually as if the same were repeated and re-enacted in and by this Act.

## C A P. LXVII

An Act for abolishing Capital Punishment in case of returning from Transportation.

[18th August 1834.]

• WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Transportation of Offenders from Great Britain*, it is amongst other Things enacted, that if any Offender who should have been or should be sentenced or ordered to be imprisoned, or to be put to death, or to be transported, or to be confined in any Hospital, or to be kept in any

Trustees of the Stafford District of the Watling Street Road to pay to Commissioners, out of additional Tolls, further Sums, not exceeding 15000.

Tolls to be continued, subject to existing Powers and Provisions, with Tolls for Commissioners of S. & W. R. to take possession of Toll Gates in Case of Default.

or herself, on certain Conditions, either for Life or any Number of Years, under the Provisions of the said last-mentioned Statute Act or any former Act, should be afterwards at large within any Part of His Majesty's Dominions, without some lawful Cause, before the Expiration of the Term for which such Offender should have been sentenced or ordered to be transported or banished, or should have agreed to transport or banish himself or herself, on certain Conditions, either for Life or any Number of Years, under the Provisions of the said last-mentioned Act or any former Act, should be afterwards at large within any Part of His Majesty's Dominions without some lawful Cause, before the Expiration of the Term for which such Offender should have been sentenced or ordered to be transported or banished, or should have agreed to transport or banish himself or herself, every such Offender so being at large, being thereof lawfully convicted, should suffer Death as in Cases of Felony without Benefit of Clergy: And whereas it is expedient that a lesser Punishment than that of Death should be provided for the Punishment of the Offenders convicted of any such Offence as is specified in the said Act of the Fifth Year of the Reign of King George the Fourth, he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the recited Act as inflicts the Punishment of Death upon Persons convicted of any Offence therein and hereto-before specified shall be and the same is hereby repealed; and that from and after the passing of this Act every Person convicted of any Offence above specified in the said Act of the Fifth Year of the Reign of His late Majesty King George the Fourth, or of aiding or abetting, counselling or procuring the Commission thereof, shall be liable to be transported beyond the Seas for his or her natural Life, and previously to Transportation shall be imprisoned, with or without hard Labour, in any Common Goal, House of Correction, Prison, or Penitentiary for any Term not exceeding Four Years.

In such of recited Act as inflicts the Punishment of Death for the returning from Transportation specified.

Punishment substituted for such Offence, or for aiding or

## C A P. LXVIII

An Act to authorize an Advance out of the General Fund of Monies belonging to the Sitters of the Courts of Chancery and Exchequer in Ireland, towards the purchasing of Ground, and building thereon Offices necessary to the Courts of Justice in Dublin. [18th August 1831.]

WHEREAS by an Act passed in the Parliament of Ireland in the Thirtieth Year of the Reign of His late Majesty King George the Third, entitled *An Act for enabling the Lord High Chancellor and the Court of Exchequer respectively to make Orders on the Governor and Company of the Bank of Ireland for Payment, out of the General Fund of Monies belonging to the Sitters of the Courts of Chancery and Exchequer, the Sum therein mentioned towards building the principal Courts of Justice in Dublin, and Law Offices, and for amending an Act, intitled 'An Act for better securing the Monies and Effects of the Sitters of the Court of Chancery and Court of Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order, or other Token for the Payment or Delivery of such Monies or Effects, and for other Purposes,' it is amongst other Things enacted, that out of the General Fund of the Monies of the Sitters of His Majesty's High Court of Chancery and Court of Exchequer, which then were or should be deposited in the Bank of Ireland the Governor and Company of the Bank of Ireland should, within the Space of Three Years from the Twenty-fifth Day of March One thousand seven hundred and ninety, pay to the Lord High Chancellor and Chief Justice, towards building such Courts and Offices as therein mentioned the Sum of Thirty thousand Pounds, in manner therein provided: And whereas by an Act passed in the Parliament of Ireland in the Thirty-fourth Year of the same Reign, entitled *An Act for enabling the Lord High Chancellor of Ireland and the Court of Exchequer respectively to make Orders on the Governor and Company of the Bank of Ireland for Payment, out of the General Fund of Monies belonging to the Sitters of the Courts of Chancery and Exchequer, of the further Sum therein mentioned towards building the principal Courts of Justice at Dublin, and Law Offices, and for satisfying that all Government Securities purchased by the Governor and Directors of the said Bank, and Profits arising therefrom, should be placed to the Account of the Governor and Company of the said Bank, it is amongst other Things enacted, that a further Sum of Thirteen thousand five hundred Pounds should be paid out of the said Fund to the Lord High Chancellor and Chief Justice towards building the said Courts and Offices: And whereas by an Act passed in the Parliament of the United Kingdom in the Second Year of the Reign of His present Majesty, intitled *An Act for the Erection of a New Price Court House in Dublin, it is amongst other Things enacted, that out of the said General Fund of Monies of the Sitters of the said High Court of Chancery and Court of Exchequer which then were or should be deposited in the Bank of Ireland the Governor and Company of the Bank of Ireland should, from and after the Twenty-fifth Day of September One thousand eight hundred and thirty-two, from Time to Time as might be required, pay to the Commissioners for the Extension and Provision of Public Works in Ireland for building the said Court House (and also for improving the Accommodations on the present principal Courts of Justice in Dublin), any further Sum or Sums of Money not exceeding in the whole the Sum of Four thousand Pounds, upon any Order or Orders which the Lord High Chancellor or the Lord High Keeper or Lords Commissioners for the Custody of the Great Seal of Ireland for the Time being, and the Lord Chief Justice of the Court of Exchequer for the Time being, should respectively make for that Purpose in each Year respectively: And whereas it is expedient that the said Acts should be amended in conformity with His Majesty's especial Command, Address of the House of Commons of the Twenty-fifth Day of May One thousand eight hundred and***

20 C 7. 41.

20 C 7. 42.

2 W 4. 10.



I of in consideration of the Sum of 10 000  
 Majesty King William the Fourth, intitled (As is set forth in the Title of this Act), do hereby grant and  
 release to the said Commissioners [or other Grants] all [describing the Premises to be conveyed],  
 together with all Ways, Rights, and Appurtenances thereto belonging, and all my Estate, Right,  
 and Interest in the same and every Part thereof; to hold to the said Commissioners [or other Grants]  
 and their Successors [or Heirs] for ever. In witness whereof I have hereunto set my Hand and  
 Seal the Day of in the Year of our Lord One thousand eight hundred and  
 thirty

Form of Con-  
 veyance.

And all Conveyances and Assurances aforesaid shall be good and valid and effectual in Law to all  
 Intents and Purposes, and shall operate and be good as a Merger of all out-standing Terms of Years,  
 and be a complete and effectual Bar to all Estates Tail and other Estates, Rights, Titles, Remainders,  
 Reversions, Limitations, Trusts, Charges, Incumbrances, and Interests whatsoever.

C A P. LXIX.

An Act for placing the *Musshole Head Lighthouse* in the County of Glamorgan under the  
 Management of the Corporation of the *Trinity House of Dwyfford Street*. [17th August 1834.]

WHEREAS an Act was passed in the Thirty-five Year of the Reign of His Majesty King George  
 the Third, intitled *An Act for repairing, enlarging, and preserving the Harbour of Swansea* in the  
 County of Glamorgan: And whereas another Act was passed in the Thirty-sixth Year of the Reign of His  
 said Majesty, intitled *An Act to amend and render more effectual an Act made in the Thirty-first Year  
 of His present Majesty, for repairing, enlarging, and preserving the Harbour of Swansea in the County  
 of Glamorgan, and for making Improvements in the Lights at the Musshole*: And whereas another Act was  
 passed in the Forty-fourth Year of the Reign of His said Majesty, intitled *An Act for amending and  
 enlarging the Powers of Two Acts passed for preserving the Harbour of Swansea in the County of  
 Glamorgan, and for further improving the same*: And whereas the Trustees appointed under the said  
 Acts have erected and maintained a Lighthouse at the *Musshole Head* in the County of Glamorgan,  
 and the said Lighthouse is of Importance for the Safety of Ships and Vessels navigating the *Bristol  
 Channel or Severn Sea*: And whereas the Money annually collected on account of the said Lighthouse  
 has exceeded the Expenditure thereon, and no Provision was made by the said Acts for the Appor-  
 portion of any surplus Revenue: And whereas the said Trustees are willing and desirous to repair  
 and maintain the said Lighthouse out of the Revenues of the Harbour of Swansea aforesaid, in  
 consideration of such Surplus being transferred to them: And whereas it is expedient that such  
 Lighthouse should be continued under the Management of the said Trustees, but subject to the  
 Control and Direction of the Corporation of *Trinity House of Dwyfford Street*, and that such Surplus  
 should be transferred to the said Trustees, who should repair and maintain the said Lighthouse out  
 of the Revenues of the said Harbour: Be it therefore enacted by the King's most Excellent Majesty,  
 by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present  
 Parliament assembled, and by the Authority of the same, That the said Lighthouse shall be and remain  
 vested in the said Trustees as before, and they are hereby required to keep and maintain the same in  
 proper Repair, and to cause a good and sufficient Light to be kept constantly burning, and exhibited  
 therein from Sun-setting to Sun-rising throughout the Year, for the Benefit and Security of all Ships  
 and Vessels navigating the *Bristol Channel or Severn Sea*.

21 G. 3. c. 43

32 G. 3. c. 70

44 G. 3. c. 56

Lighthouse to  
 remain vested in  
 the Trustees,  
 who are to  
 maintain it.

The Corpora-  
 tion of Trinity  
 House to repair  
 and maintain  
 the same  
 out of the  
 Revenues of  
 the Harbour  
 of Swansea.

II. And be it enacted, That it shall be lawful for the said Corporation of *Trinity House* to superintend  
 and regulate the Acts and Proceedings of the said Trustees in relation to the said Lighthouse and  
 the Light to be exhibited therein, and from Time to Time to prescribe and direct any Alterations to  
 be made in the said Lighthouse, and the Description and Power of such Light, and all such Regula-  
 tions and Directions shall be binding upon and shall be from Time to Time duly observed by the  
 said Trustees.

Rates to come,  
 except as after  
 mentioned.

Sum or fund to  
 be added to  
 Harbour Funds.  
 Trustees to de-  
 fray all Charges.

III. And be it further enacted, That the Rates or Duties imposed by the said recited Acts or any of  
 them on Ships and Vessels navigating the *Bristol Channel or Severn Sea*, and which are assessable and  
 payable to such Lights, shall from and after the passing of this Act cease to be levied and collected,  
 except in the Events hereinafter mentioned: and all Sums of Money now in the Hands of the said  
 Trustees, or due to them on account of the said Light, shall be added to and form Part of the Funds of  
 the said Trustees of the Harbour of Swansea; and the said Trustees are hereby required to defray  
 all the Costs, Charges, and Expenses of supporting and maintaining the said Lighthouse and Light in  
 good Condition out of the Rates or Duties imposed by the said recited Acts or any of them in respect  
 of the said Harbour: Provided always, that if in consequence of the rebuilding of the said Lighthouse  
 or of any extraordinary Repairs therein having become necessary (the Necessity for such rebuilding or  
 of such extraordinary Repairs not being arising from the Neglect or Default of the said Trustees), or  
 any extensive Alterations in the Construction of the said Lighthouse, or in the Mode of exhibiting  
 the said Light, and which Alterations shall be deemed necessary by the *Trinity House* for the general  
 Trade of the *Bristol Channel or Severn Sea*, the Sum of Three hundred Pounds and upwards shall have  
 been expended in any Period not exceeding Seven Years consecutively beyond the ordinary current  
 Expenses of supporting and maintaining such Lighthouse and Light in good Condition as aforesaid, it  
 shall be lawful for the said Trustees to receive and collect the said Rates or Duties imposed by the  
 said recited Acts or any of them, and to apply the same to the said Lighthouse and Light.

If rebuilding or  
 extraordinary  
 Repairs shall  
 become necessary,  
 and more shall  
 be expended  
 thereon, the  
 Collection of the  
 Rates, reduced as  
 after

mentioned, may be retained until the Expense be repaid.

Rebuilding, Repairs, &c. to be approved by the Trinity House.

If Lighthouse not kept in repair, or sufficient Light be exhibited, the Corporation (after Notice to the Trustees) to repair the same.

No Duty to be levied on the Revenue of Trinity.

Majority of the Rates or Duties so imposed as aforesaid in respect of the said Light as shall be approved by the Corporation of Trinity House, until a Sum equal to the Amount expended over and above the Sum of Three hundred Pounds as aforesaid in such rebuilding or extraordinary Repairs or Alterations as aforesaid shall have been raised, and such Rates and Duties shall be raised, levied, collected, and recovered in the same Manner and by the same Ways and Means as the Rates and Duties imposed by the said recited Act: Provided also, that such rebuilding, extraordinary Repairs, and Alterations as aforesaid, and the Costs and Expenses thereof, shall from Time to Time be first approved of by the said Corporation of Trinity House, and be certified in Writing under their Seal: Provided always, that One Month's Notice in some Newspaper published in the County of Gloucestershire shall from Time to Time be given by the said Trustees of their Intention to resume the Collection of such Rates or Duties, so reduced as aforesaid, in respect of the said Light, and of the Amount of Monies intended to be collected, and the Purposes for which such Monies are required; and that when and as soon as such Monies shall be collected a Statement of the Receipt and Appropriation thereof shall be inserted in some Newspaper published within the said County.

IV. And be it further enacted, That if at any Time it shall appear to the said Corporation of Trinity House that the said Lighthouse is not kept in proper Repair, or that a good and sufficient Light is not exhibited therein, pursuant to the Provisions of this Act or of the said recited Acts, or if Complaint shall be made to the said Corporation to that Effect by any Person or Persons interested in the Trade of the said Channel or Sea, and possessed of Two thousand Tons of Shipping therein, and the same shall be proved to the Satisfaction of the said Corporation, it shall and may be lawful for the said Corporation (after One Month's Notice in Writing given to the said Trustees requiring them to repair such Lighthouse, and exhibit such good and sufficient Light, and their neglecting to repair and exhibit the same accordingly,) to enter into the Possession of the said Lighthouse, and to execute, do, and perform all necessary Repairs therein, and exhibit a good and useful Light therein for the Time and in Manner aforesaid; and the Expense of all and every Part of such Repairs, and of exhibiting and maintaining such Light, shall be a Charge on and be paid by the said Trustees out of the said Rates or Duties of the Harbour of Swansea aforesaid; and the said Trustees, and their Treasurer, Receiver, Collector, and Comptroller for the Time being, and every of them, are and is hereby required to pay the same to the said Corporation out of such Rates or Duties in preference to all other Demands, Charges, or Incumbrances of what Nature or Kind soever in any way affecting the same.

V. Provided always, and be it further enacted, That nothing herein contained shall authorize the Levy or Collection of any Dues on His Majesty's Ships of War, or on any Transport Ship or Vessel employed in His Majesty's Service in the Convoys of any Officers or Soldiers, or their Horses, Arms, Ammunition, or Baggage, or of any Ordnance, Boreas, or Commissioned Stores, or to any Vessel in the Service or Employ of the Ordnance, Customs, Excise, or General Post Office Departments.

### C A P. LXX.

An Act to regulate the Salaries of the Officers of the House of Commons, and to establish the Sincure Office of Principal Committee Clerks and Clerks of Ingressions.

[18th August 1834.]

23 & 24 W. 4. 119.

3 & 4 G. 4. 11.

WHEREAS an Act was passed in the Second and Third Year of the Reign of His present Majesty, intituled *An Act for the better Support of the Dignity of the Speaker of the House of Commons, and for disabling the Speaker of the House of Commons for the Time being from holding any Office or Place of Profit during Pleasure under the Crown: And whereas an Act was passed in the Fifty-second Year of the Reign of His Majesty King George the Third, intituled *An Act to amend an Act passed in the Thirty-ninth and Fortieth Years of His present Majesty, for establishing certain Regulations in the Office of the House of Commons, and to establish other and further Regulations in the said Office: And whereas by the said first-recited Act a clear yearly Sum of Six thousand Pounds was directed to be paid to the Speaker of the House of Commons, and by the said second-recited Act set annual Sums were directed to be paid to certain of the Officers of the House of Commons: And whereas it is deemed expedient to reduce the said several annual Salaries upon the Termination of the existing Intermittent such Offices, and also to make Provisions in relation to certain other Offices of the House of Commons: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the next Election of a Speaker of the House of Commons the net annual Salary of Five thousand Pounds shall be issued and paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Speaker of the House of Commons, in lieu and instead of the annual Sum of Six thousand Pounds now payable to the Speaker out of the said Fund.**

Salary to Speaker.

Provision to prevent Speaker.

Salary to Speaker's Secretary.

II. Provided always, and be it enacted, That nothing herein contained shall extend or be construed so extend to affect the present Speaker in the Event of his Election to that Office by any future Parliament or Parliaments.

III. And be it enacted, That from and after the Determination of the Appointment of the Person now holding the Office of Secretary to the Speaker the Speaker's Secretary shall have and receive the net annual Sum of Five hundred Pounds in lieu and instead of any Salary, Fee, Pension, or Emolument which he or she now receives in that Office, and in lieu and instead of any Office of Secretary to the Speaker.

the Office of Secretary to the Commissioners of the Fee Fund of the House of Commons: Provided always, that the said Office of Secretary to the Commissioners of the Fee Fund of the House of Commons shall be held in conjunction with the Office of Secretary to the Speaker.

Salaries to Clerk, Clerk Assistant, &c.

IV. And be it enacted, That the Clerk of the House of Commons shall have and receive the net annual Sum of Two thousand Pounds, the Clerk Assistant the net annual Sum of One thousand five hundred Pounds, the Second Clerk Assistant the net annual Sum of One thousand Pounds, the Sergeant-at-Arms attending the Speaker of the House of Commons the net annual Sum of One thousand five hundred Pounds, and the Deputy Sergeant-at-Arms the net annual Sum of Eight hundred Pounds, which said respective annual Sums shall be in lieu and instead of the annual Sums granted to those Officers by the said recited Act passed in the Fifty-second Year of the Reign of King George the Third.

Act not to affect Persons now holding certain Offices

V. Provided always, and be it enacted, That nothing herein-before contained shall extend or be construed to extend to affect, alter, diminish, or take away any Salary, Allowance, Perquisite, Emolument, or Benefit held, used, or enjoyed by the Persons now holding the several and respective Offices of Clerk of the House of Commons, Clerk Assistant, Second Clerk Assistant, Sergeant and Deputy Sergeant, at the Time of passing this Act.

Salaries of Office of Comptroller-Clerk and Incomptroller-Clerk abolished

VI. And be it enacted, That the Offices of Principal Committee Clerk and of Clerk of Incomptrollers in the House of Commons, now held as Separate Offices, shall be abolished: Provided always, that the Commissioners appointed by the said last-recited Act shall be and they are hereby authorized and empowered to make such Compensation out of the Fund under their Care and Management to the present Holders of the aforesaid Offices as may be consistent with the Circumstances of each individual Case.

Salary for the present Clerk Assistant and Second Clerk Assistant

VII. And be it further enacted, That if the present Clerk Assistant should be promoted to the Office of Clerk of the House of Commons, or if the present Second Clerk Assistant should succeed to either of the Offices of Clerk Assistant or Clerk of the House of Commons, they shall have and receive the same Salary as they would respectively have been entitled to under the said recited Act of the Fifty-second Year of the Reign of His Majesty King George the Third; any thing in this Act contained to the contrary notwithstanding.

Salaries of abolished and regulated Offices, payable by Fee Fund

VIII. And be it enacted, That the Salaries, Fees, Perquisites, and Emoluments receivable by or on account of the several Offices of Speaker's Secretary, Principal Committee Clerks, and Incomptroller Clerks, hereby abolished or regulated, shall be earned to and form a Part of the Fund under the Care and Management of the Commissioners for executing the said last-recited Act, which said Commissioners are hereby authorized and directed to pay the net annual Sums herein mentioned, and also the Commissions hereby authorized to be made, in such and the like Manner as they were directed to pay the several Sums in the said Act specified.

C A P. LXXI.

An Act to repeal certain Provisions of Two Acts of His Majesty King George the Third, affecting the Printers, Publishers, and Proprietors of Newspapers in Ireland. [13th August 1834.]

20 Geo. 3. c. 11

WHEREAS by an Act passed in the Parliament of Ireland in the Thirty-eighth Year of the said King George the Third, intituled *an Act to amend an Act passed in the Twenty-third and Twenty-fourth Years of the Reign of His present Majesty, intituled 'An Act to secure the Liberty of the Press by preventing the Abuse arising from the Publication of treacherous, seditious, false, and scandalous Libels by Persons unknown; and it amongst other things enacted, that if any Printer, Publisher, or Proprietor, or Printers, Publishers, or Proprietors of any Newspaper, Intelligence, or Occurrence, or any Paper serving the Purpose of a Newspaper, Intelligence, or Occurrence, shall have become and be found a Lazzaree or non compos mentis, or shall become and be found bankrupt, or shall be outlawed for any Crime, or shall be found guilty and receive Judgment for printing or publishing any treasonous, scandalous, false, or seditious Libel, or shall be charged by Indictment or Information with having published a treasonous, scandalous, false, or seditious Libel, and shall not within Six Days after a Copy of such Indictment or Information shall be served upon such Printer, Publisher, or Proprietor, or at the House or Place of printing or publishing the Paper in which the Newspaper containing such Libel shall be printed, surrender himself, herself, or themselves to take his, her, or their Trial at the then next Commission of Oyer and Terminer, Quarter Sessions of the Peace, or Assizes, for the City or County where he, she, or they shall be indicted or arrested, or where such Information is aforesaid it to be tried, every Printer and Publisher or neglecting shall from thenceforth be disabled to be the Printer, Publisher, or Proprietor of any Newspaper, Intelligence, or Occurrence, and the Commissioners of Stamp Duties are thereby required to refuse to deliver to such Person or Persons stamped Paper for the Purpose of printing a Newspaper; and by an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland in the Fifty-fifth Year of the Reign of His said Majesty King George the Third, intituled *an Act to provide for the Collection and Management of Stamp Duties on Pamphlets, Almanacks, and Newspapers in Ireland*, it is also amongst other things enacted, that of any Printer, Publisher, or Proprietor of any Newspaper in Ireland shall be by due Course of Law outlawed for any Criminal Offence, or receive Judgment for printing or publishing a treasonous or seditious Libel, the said Commissioners of Stamps in Ireland, and their Officers, respectively, were they respectively so called, authorized to seal up the Copy, or Copies*

20 Geo. 3. c. 11

22 Geo. 3. c. 12



Printers, Publishers, or Proprietors as outlawed, or who shall have so received Judgment for such Libel, any stamped Paper for printing any Newspaper; and it is also further enacted, that if any Printer, Publisher, or Proprietor of any Newspaper which shall be at any Time published in Ireland shall have access a Bankrupt or non-solvent state, or shall be outlawed for any Crime, or shall receive Judgment for printing or publishing any obscene or seditious Libel, then and in every such Case such Printer or Printers, Publisher or Publishers, Proprietor or Proprietors respectively shall no longer be entitled to print or publish such Newspaper, but shall as in any such Right be considered from thenceforth as if he, she, or they never had made such Affidavit as in the said last-mentioned Act is mentioned: And whereas it is expedient to amend several Enactments; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act as much of the said respective Acts as is herein-before recited shall be and the same is hereby repealed.

Several Provisions of several Acts repealed.

## C A P. LXXII.

An Act to amend several Acts for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purpose of the said Acts. [16th August 1834.]

WHEREAS an Act passed in the Fifty-seventh Year of the Reign of His Majesty King George the Third, intitled *An Act for authorizing the Issue of Exchequer Bills, and the Advance of Money out of the Chamberlain's Fund, in a limited Sum, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned*: And whereas another Act passed in the same Session of Parliament, intitled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and the Employment of the Poor*: And whereas another Act passed in the First Year of the Reign of His said late Majesty King George the Fourth, intitled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King George the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries and Employment of the Poor; and to extend the Powers of the Commissioners for executing the said Acts in Great Britain*: And whereas another Act passed in the First and Second Years of the Reign of His late Majesty King George the Fourth, intitled *An Act to empower the Commissioners in Great Britain for the Execution of several Acts for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries and Employment of the Poor to extend the Term for the Payment of certain Advances under the said Acts*: And whereas another Act passed in the Third Year of the Reign of His said late Majesty, intitled *An Act to amend Two Acts of the Fifty-seventh Year of the Reign of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills, the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize the further Issue of Exchequer Bills for the Purpose of the said Acts*: And whereas another Act passed in the Fourth Year of the Reign of His said late Majesty, intitled *An Act to authorize the Advance of Money by the Commissioners under several Acts for the Issue of Exchequer Bills for the Public Works, for the building, rebuilding, enlarging, or repairing of Gaols in England*: And whereas another Act passed in the Fifth Year of the Reign of His said late Majesty, intitled *An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works*: And whereas another Act passed in the said last-mentioned Year, intitled *An Act to amend the Acts for the Issue of Exchequer Bills for Public Works*: And whereas another Act passed in the Sixth Year of His said late Majesty's Reign, intitled *An Act to render more effectual the several Acts for authorizing Advances for carrying on Public Works, as far as relate to Ireland*: And whereas another Act passed in the Seventh Year of the Reign of His said late Majesty, intitled *An Act to amend the several Acts for authorizing Advances for carrying on Public Works, and to extend the Powers thereof in certain Cases*: And whereas another Act passed in the Seventh and Eighth Years of the Reign of His said late Majesty, intitled *An Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying on Public Works in Ireland*: And whereas another Act passed in the said last-mentioned Year, intitled *An Act for the further Amendment and Extension of the Powers of the several Acts authorizing Advances for carrying on Public Works*: And whereas another Act passed in the First and Second Years of His present Majesty, intitled *An Act to amend several Acts passed for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purpose of the said Acts*: And whereas another Act was passed in the Third and Fourth Years of the Reign of His present Majesty, intitled *An Act to amend the several Acts authorizing Advances for carrying on Public Works*: And whereas sundry Advances have been made by the Commissioners appointed by the said recited Acts for the Purpose and under the Regulation in the said Acts respectively contained, and Applications have been made and are by the several Acts authorized to be made to the said Commissioners for other Advances which the Funds remaining at their Disposal are insufficient to meet, and it is therefore expedient that a further Advance of Exchequer Bills should be placed at the Disposal of the said Commissioners for the use proposed, and to that effect the said Acts and the said several Acts mentioned in the said recited Acts, any of

' them, or in any Act or Acts having reference thereto, except so far as such Terms and Conditions may be altered or extended by this Act.' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the King's most Excellent Majesty may, by Warrant or Warrants under His Royal Sign Manual, authorize the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, for the Time being, to issue or direct any Number of Exchequer Bills to be made out at His Majesty's Exchequer in Great Britain, not exceeding in the whole the Sum of One Million, in the same or like Manner, Form, and Order, and according to the same or the like Rules and Directions (except where other Directions for making out the same are contained and particularly expressed in this Act), as in and by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intitled *An Act for regulating the issuing and paying off Exchequer Bills*, are enacted and provided.

II. And be it further enacted, That all the Powers, Authorities, Regulations, Clauses, Provisions, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act of the Forty-eighth Year of His said late Majesty's Reign shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisions had been particularly repeated and re-enacted in the Body of this Act.

III. And be it further enacted, That the said Exchequer Bills to be made in pursuance of this Act shall bear an Interest not exceeding the Rate of Two-pence per Centum per Annum upon or in respect of the whole of the Money contained therein, and shall be made payable at the Period herein-after mentioned.

IV. Provided always, and be it further enacted, That the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled after the respective Days on which they shall become due and payable, shall after that Time pass and be current to all Receivers and Collectors in Great Britain of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever due or payable to His Majesty, His Heirs or Successors, and also at the Receipt of Exchequer in Great Britain for the said Receivers or Collectors; but no such Receiver or Collector shall exchange at any Time before the said Day of Payment thereof for any Money of such Hovemans, Aid, Taxes, or Supplies in his Hands any Exchequer Bills which shall have been issued as aforesaid by virtue of this Act, nor shall any Action be maintained against any such Receiver or Collector for neglecting or refusing to exchange any such Exchequer Bill for ready Money before the said Day of Payment thereof; any thing in this Act to the contrary notwithstanding; and that each of the same Bills as shall be received at the said Receipt of Exchequer shall be locked up and secured as Cash according to the Course of the said Exchequer settled and established by Law for locking up and securing Moneys received in specie there.

V. And be it further enacted, That from and after the passing of this Act all Exchequer Bills which at any Time after the passing of this Act shall be made out and issued in pursuance of either of the said recited Acts or this Act, and advanced for any of the Purposes mentioned in the said recited Acts or any of them, or in this Act, shall be made payable within One Year from the Date thereof respectively; and that the Principal Sum mentioned in every such Bill, together with the Interest thereon at the Rate aforesaid, to be computed from the Day of the Date of such Bills respectively until the Time of Payment thereof, shall be chargeable on some Part of the Aids or Supplies for the Year next succeeding the Day of the Date of the said Bills respectively.

VI. And be it further enacted, That no Officer or other Person employed in and about the Execution of the said recited Acts and this Act in the Receipt of His Majesty's Exchequer in Great Britain shall demand, take, or accept any Fee or Gratuity whatsoever for their Care and Labour therein, other than such Salaries, Allowances, Rewards, or Emoluments as shall or may be granted to or be allowed to be taken by them respectively under the Authority of the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being in Great Britain.

VII. And be it further enacted, That the several Persons who in and by the said recited Acts or any of them are constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of the passing of this Act, shall be and they are hereby constituted Commissioners for the Execution of the said recited Acts and this Act; and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

VIII. And be it further enacted, That the said Commissioners named in the said recited Acts or either of them shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect:

' I, A. B. do declare, That according to the best of my Judgment I will faithfully and impartially execute the several Duties, Powers, and Trusts vested in me by an Act, intitled [here insert the Title of the Act], according to the Tenor and Purport of the said Act, the Acts therein recited, and other Acts having reference thereto.'

And that such Declaration shall be read and entered, with the aforesaid Proceedings of the said Commissioners.

His Majesty may authorize the Commissioners of the Treasury to issue Exchequer Bills to the Amount of One Million

699, C. 72.

Persons of both sexes are entitled to this Act.

Bills to bear an Interest of Six per Cent. per Annum

Bills may be payable in gold

but not to be received in Payment before the Day appointed for the Payment.

Exchequer Bills to be payable within One Year from Date, with Interest

Officers of the Exchequer not to receive any Fee other than allowed by Warrant.

Commissioners appointed under recited Acts to be Commissioners under this Act.

Commissioners to take the following Oath.

Maner of a-  
counting Bills by  
Commissioners.

IX. And be it further enacted, That when the Commissioners for the Extinction of the said recited Acts and this Act shall have determined upon any Amount of Exchequer Bills to be advanced under the Provisions of the said recited Acts or any of them, or this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Auditor of the Receipts of His Majesty's Exchequer at Westminster for the Time being, who, on such Certificate or Certificates being deposited in his Office, shall issue and direct to be delivered to the Bearer or Bearers thereof Exchequer Bills payable at the Period before mentioned, and to such Amount as the said Commissioners shall direct; provided the total Amount to be issued by virtue of such Certificate shall not at any Time exceed the Amount of such Exchequer Bills directed to be issued under the said recited Acts and this Act; and every such Exchequer Bill shall bear Date on the Day on which the said Certificate shall appoint and direct, and shall and may be signed by the Auditor of the Receipts of His Majesty's Exchequer, or in his Name by any Person duly authorized by the said Auditor to sign the same.

Bills issued not  
in a stated  
Sum, and direct-  
ed by this and  
recited Acts.

X. And be it further enacted, That the Officers by whom such Exchequer Bills shall be delivered shall from Time to Time, upon Requisition of the said Commissioners for the Execution of the said recited Acts and this Act, to them, in their Office, give complete Lists of all the Exchequer Bills made out and delivered by them, specifying therein the respective Days and Sums expressed therein, and the Period appointed for the Payment of the same, and distinguishing therein the Persons to whom and the Numbers of the Certificates by virtue whereof the same were issued respectively.

Classes of Persons,  
the respective  
Advances and  
Accounts made  
under recited  
Acts referred  
to Advances  
made by Com-  
missioners under  
this Act.

XI. And be it further enacted, That all the Classes, Powers, Provisions, Directions, Regulations, Authorities, Restrictions, Privileges, Provides, Advantages, Benefits, and Forfeitures contained in the said recited Acts or any of them in relation to any Advances made or to be made under the said recited Acts or any of them, or for the Recovery, Repayment, and Application of such Advances after Repayment, and the Accounts to be kept in relation thereto, shall extend and are hereby extended and made applicable to the said Commissioners, and all other Persons, Parties, Bodies Politic or Corporate, in respect to all Advances which shall be made by the said Commissioners, and all Acts done or directed by the Lords Commissioners of His Majesty's Treasury, or the said Commissioners for executing this Act and the said recited Acts, or either of them, under the Authority of the said recited Acts and this Act, and the Recovery, Repayment, and Application of such Advances, and of all Accounts in respect of the same, in such and the like Manner, to all Invents, Contractors, and Purposes whatsoever, as if such Classes, Powers, Provisions, Directions, Regulations, Authorities, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures had been particularly and severally repeated and re-enacted to the Body of the Act, except only so far as the same are amended or altered by this Act.

Further Advan-  
ces may be  
made on un-  
finished Works,  
on Mortgage of  
such Works, or  
other Security.

XII. And whereas in some Cases Advances have been made by the said Commissioners towards the Completion of Public Works which yet remain unfinished in consequence of the Expect of completing the same having, from unforeseen Circumstances, exceeded the Sum estimated for the Completion thereof, and the Capital provided for such Completion at the Time of the Application for such Advances, and if it is expedient, for the Security of the Money already expended and advanced on such unfinished Works, that in addition to the Powers and Remedies provided by the said recited Acts, or some or one of them, for making Calls on the Proprietors or Shareholders of such unfinished Works or Undertakings under the Circumstances aforesaid, that the said Commissioners should have Authority, if they should think fit, to make Advances in anticipation of such Calls, or on the Security of a further Mortgage of such unfinished Works, with a view to the Completion thereof; be it therefore enacted, That in all Cases in which the said Commissioners have made or shall hereafter make Advances, under the Powers of the said recited Acts or this Act, for any incomplete Work or Undertaking, which shall, after the Expenditure of such Advance and the Capital provided for the same, remain unfinished in consequence of the Expense of perfecting the same exceeding the Sum estimated for the Completion thereof at the Time of the Application for such Advance, it shall be lawful for the said Commissioners to make any further Advance for or towards the Completion of any such incomplete Work, either in anticipation of the Calls to which the Proprietors or Shareholders of such Work shall be liable under the Provisions of the said recited Acts or either of them, or on the Security of further Mortgages of the same Works, or upon such other Security, and upon such Terms and Conditions as to the Periods of Repayment or otherwise, as the said Commissioners may direct or appoint; and that such further Mortgages and other Securities shall be entitled to such and the like Priority, Privileges, and Advantages as any Mortgage or other Security which may have been previously granted to the said Commissioners on such unfinished Work; any thing contained in any Act or Acts relating to such Works, or restricting the Amount of Capital to be raised by Shares, Mortgage, or otherwise, or account thereof, or in any of the said recited Acts or this Act, to the contrary notwithstanding.

#### C A P. LXXIII.

An Act to grant Relief from the Duties of Assessed Taxes in certain Cases. [14th August 1834.]

WHEREAS it is expedient to grant Relief from certain of the Duties of Assessed Taxes on the several Cases herein-after particularly mentioned; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon all Assessments made or to be made for any Year commencing after the Fifth Day of April One thousand eight hundred and thirty-four the Duties of Assessed Taxes in the several Cases

Exemptions  
granted on the  
assessments made

heron after particularly mentioned shall be granted and allowed on the Terms and Conditions hereinafter specified.

II. And be it enacted, That every Dwelling House, being a Farmhouse *used* for the Purpose of Husbandry only, and occupied by the Tenant of a Farm at Back-rent the Rent of which Farm shall be less than Two hundred Pounds a Year, or occupied by any Person who shall be the Occupier of any Estate or any other Tenure than as Tenant at Back-rent only, or by the Occupier of such Estate as is last mentioned who shall also be the Occupier of a Farm at Back-rent the Value of which is the whole shall be less than equivalent to a Farm at the Back-rent of Two hundred Pounds a Year, (reckoning the Value of every Estate occupied by the Owner thereof, or on any other Tenure than as Tenant at Back-rent, as equivalent to Double the Amount of the like Farm at Back-rent,) shall be exempt from the Duties on Windows or Lights granted by an Act passed in the Forty-eighth Year of the Reign of King George the Third, and specified in the Schedule marked (A.) *terres annexes*: provided the Occupier of such Dwelling House shall not derive any Profit or Income exceeding One hundred Pounds a Year from any other Estate than the said Farm or Estate so occupied by him as aforesaid.

III. And be it enacted, That the Duties granted by the said Act of the Forty-eighth Year of the Reign of King George the Third, and by another Act passed in the Fifty-second Year of the said King's Reign, in or in respect of Male Servants or Persons retained or employed in the several Capacities mentioned in Schedule (C.) Numbers 1, 3, and 4, to the said Acts respectively enacted, shall cease to be paid or payable for or in respect of any Male Servant or Person retained or employed by any Person residing in the Parish or Place in which such Male Servant or Person shall have a legal Settlement; provided such Male Servant or Person shall not have attained the Age of Eighteen Years before the Sixth Day of April in the Year for which any such Assessment shall be made; and provided such Exemption shall be duly claimed in the Manner hereinafter directed.

IV. And whereas by the said Acts respectively passed in the Forty-eighth and Fifty-second Years of King George the Third certain further Duties were and where the other Duties therein mentioned are granted and made payable for every Male Servant retained or employed in any of the Capacities mentioned in Schedule (C.) Number 1, to the said Acts respectively enacted, by any Male Person never having been married, be it enacted, That the said further or additional Duties so granted and made payable as aforesaid by reason or on account of the Person retaining or employing any such Male Servant never having been married shall cease to be paid or payable for or in respect of any Male Servant retained or employed by any Priest of the Roman Catholic Faith who shall have duly taken and subscribed the Oaths and Declarations required by Law; provided such Priest shall duly return a List of all such servants retained or employed by him, and shall add the Letter B. to the Signature of his Name to every such List, in the Manner as other Persons never having been married are required by the Law so herein to denote the same by adding the said Letter B. to their Signatures to such Lists as aforesaid; and provided such Exemption shall be duly claimed in the Manner hereinafter directed.

V. And be it enacted, That any Doctor, Vicar, or Curate actually doing Duty in the Church or Chapel of which he is Rector, Vicar, or Curate, (except such Person who shall occasionally perform the Duty pertaining to any Rector, Vicar, or Curate, without being the regular officiating Minister of the Parish or Place in which such Duty shall be performed,) and any Priest of the Roman Catholic Faith who shall have duly taken and subscribed the Oaths and Declarations required by Law, and any Teacher or Preacher of any separate Congregation of Protestant Dissenters whose Place of Meeting shall have been duly registered, such Teacher or Preacher having duly taken and subscribed the Oaths and Declarations required by Law, and not following any secular Occupation (except that of a Schoolmaster, shall respectively be exempt from the Duties granted by any Act or Acts relating to the Duties of Assessed Taxes on One Horse, Mare, Gelding, or Male kept or used for the Purpose of riding or of drawing any Carriage not chargeable with Duty; provided the Person claiming such Exemption shall not be possessed of an Income of One hundred and twenty Pounds per Annum or upwards, whether arising from Ecclesiastical Preferment or otherwise, and shall not keep more than One Horse, Mare, Gelding, or Male, which otherwise would be chargeable with Duty under the said Acts; and provided also, that such Exemption shall be duly claimed in the Manner hereinafter directed.

VI. And be it enacted, That so much of an Act passed in the First Year of His present Majesty's Reign, intitled *An Act to continue Exemptions for Assessed Taxes for a further Term of One Year, and to grant Relief from and alter and repeal several Duties in certain Cases*, as grants any Exemption from Duty in respect of One Horse, Mare, or Gelding retained and usually employed by any Person for the Purpose of Husbandry on the Farm or Farms occupied by him or her, although occasionally used for the Purpose of riding, where such Tax shall be of less Value than Two hundred Pounds per Annum, shall be and the same is hereby repealed; and in lieu of the said Exemption so repealed, there shall be granted and allowed the following Exemption, (that is to say,) every Person occupying a Farm or Estate which shall be of less Value than Two hundred Pounds a Year, continued in the Manner hereinafter directed with regard to the Exemption from the Duties on Windows and Lights, shall be exempt from the Duties granted by any Act or Acts relating to the Duties of Assessed Taxes on One Horse, Mare, Gelding, or Male, and such Person shall not be possessed of an Income of One hundred and twenty Pounds per Annum or upwards, whether arising from Ecclesiastical Preferment or otherwise, and shall not keep more than One Horse, Mare, Gelding, or Male, which otherwise would be chargeable with Duty; provided the Occupier of such Estate or Farm shall not keep more than One

after 25 April 1834

Tenement  
belonging to  
Persons under  
200 a Year  
exempt from  
the Duties on  
Windows.

Exemption in  
respect of Male  
Servants under  
Eighteen Years  
of Age.

Roman Catholic  
Clergyman exempt  
from the  
additional  
Duties granted in  
respect of  
Male Servants  
never  
married.

Clergyman and  
Dissenting  
Ministers whose  
Income are  
under 1200 a  
Year exempted  
from the Duty  
on the riding  
Horse.

Repeal of the  
Exemption  
granted by  
1794 c. 8  
1795 c. 25,  
in Discharge of  
Games under  
2000 a Year for  
the Duty on  
One Horse not  
occasionally  
used for riding.

Exemption  
granted in lieu  
thereof to the  
Occupier of a

Farms under  
5000 a Year

such Horses, Mares, Geldings, or Males which otherwise would be chargeable with Duty under the said Act, and shall not derive any Profit or Income exceeding One hundred Pounds a Year from any other Source than the said Estate or Farms so occupied by him as aforesaid; and provided such Exemption shall be duly claimed in the Manner herein after directed.

Exemption in  
respect of Horses  
and Males not  
regularly used  
for other Purposes  
of Pleasure, or  
let to draw the  
Mill.

VII. And be it enacted, That any Person shall be exempt from the Duties granted by any Act or Acts relating to the Duties of Assessed Taxes for any Horses, Mares, Geldings, or Males *bona fide* kept and usually employed for the Purpose of Husbandry, although such Horses, Mares, Geldings, or Males shall be occasionally used for other Purposes in drawing Barrows, and although such Horses, Mares, Geldings, or Males shall be occasionally used by such Person or let by him for the Purpose of drawing for Hire or Profit; provided such Horses, Mares, Geldings, or Males shall not be used for drawing any Carriage chargeable with Duty.

Licensed Post  
masters allowed to  
use their Post  
Horses on Horse  
bandy, and in  
drawing Mess-  
engers, Porters,  
&c. without pay-  
ing duty on  
Duty.

VIII. And whereas by the said Act passed in the Fifty-second Year of the Reign of King George the Third, any Postmaster, Inskeeper, or other Person licensed for that Purpose by the Comma-  
• nitors appointed to manage the Duties charged on stamped Yellow, Parchment, and Paper, is  
• exempted from the Duties granted by the said Act in respect of any Horse, Mare, or Gelding let to  
• Hire by him or her; provided that such Horse, Mare, or Gelding shall in every Case be *bona fide* let  
• to Hire by him or her in such Manner that the Stamp Office Duty shall be payable on such Horses let  
• to Hire on such Letting, and shall be accounted for by Delivery of the Tackles denoting the Stamp  
• Office Duty payable, and be duly satisfied and paid on such Letting according to the Directions of  
• the Act or Acts granting such Stamp Duty, without seeking Compensation for the same; and provided  
• that such Horse, Mare, or Gelding shall not on any Occasion be used by such licensed Person, or  
• any other, without such Letting to Hire and Payment of Stamp Duty as aforesaid; be it enacted,  
That no such Postmaster, Inskeeper, or other Person licensed as aforesaid shall be chargeable with any  
Duty under any Act or Acts relating to the Duties of Assessed Taxes in respect of any Horse, Mare,  
or Gelding *bona fide* kept for the Purpose of being let to Hire as aforesaid, by reason of such  
Horse, Mare, or Gelding being also used by him or her for the Purpose of Husbandry, or for the  
Purpose of drawing Post to his or her Dwelling House, or of drawing Messengers, or Hay, Straw, Corn, or  
any Description of Fodder, to or from the Stables or Premises of such Postmaster or Inskeeper or  
Person licensed as aforesaid.

Exemption in  
respect of  
Horses kept  
by Deacons,  
Shepherds, and  
Herdsmen.

IX. And be it enacted, That any Person shall be exempt from the Duties granted by any Act or Acts relating to the Duties of Assessed Taxes in respect of One Horse, Mare, Gelding, or Male *bona fide* kept for and usually employed by any *Bona fide* upon the Concerns of any Farm or Farms with which such *Bona fide* may be entrusted, and also in respect of One Horse, Mare, Gelding, or Male *bona fide* kept for and employed by any Shepherd or Herdsman solely in tending Sheep or Cattle, provided the several Exemptions last mentioned shall respectively be claimed in the Manner herein after directed.

Exemption in  
respect of Dogs  
kept for the  
Care of Sheep.

X. And be it enacted, That any Person shall be exempt from the Duty granted by the said several Acts in respect of any Dog or Dogs *bona fide* and wholly kept and used in the Care of Sheep or Cattle; provided no such Dog shall be a Greyhound, Hound, Pointer, Setting Dog, Spaniel, Lurcher, or Terrier; and provided such Exemption shall be duly claimed in the Manner herein after directed.

Exemptions to  
be claimed in  
the Manner  
directed by  
an Act of the  
5th Geo. 3. c. 11.  
s. 25.

XI. Provided always, and be it enacted, That in the several Cases of Exemption granted by this Act in respect of any of the Duties on Male Servants, on Horses, Mares, Geldings, or Males, and on Dogs, whose such Exemption is directed by this Act to be claimed, all such Servants, Horses, Mares, Geldings, or Males, and Dogs, respectively, shall be duly returned to the Assessor; and every such Exemption shall be claimed by the Party seeking the Benefit thereof in the Manner directed by an Act passed in the Forty-third Year of the Reign of King George the Third with regard to other Exemptions from the Duties of Assessed Taxes; and no such Exemption shall be allowed unless the same and the Cause thereof shall be duly returned to the Assessor in the Manner directed by the said Act.

Servants,  
Horses, and  
Dogs, wholly  
employed from  
Duty, not to be  
relieved for the  
Purpose of  
seeking the  
proportionate  
Duties in re-  
spect of other  
Servants, &c.  
kept by the  
same Person.

XII. And be it enacted, That whosoever, under or by virtue of this Act, or of any other Act or Acts relating to the Duties of Assessed Taxes, any Person is or shall be wholly exempted from Duty in respect of any Male Servant, or any Horse, Mare, or Gelding, or any Dog, respectively retained or employed or kept by him, such Male Servant, or such Horse, Mare, or Gelding, or Dog, shall not be counted or reckoned for the Purpose of assessing or increasing the proportionate or other Duties payable by such Person in respect of any other Male Servants, or Horses, Mares, or Geldings, or Dogs, respectively retained or employed or kept by him, but that all such last-mentioned Duties shall be assessed and charged on such Person without reference to the Male Servant, Horse, Mare, or Gelding, or Dog, in respect of which such total Exemption from Duty as aforesaid shall be duly allowed.

#### C A P. LXXIV.

An Act to continue until the Fifth Day of March One thousand eight hundred and thirty-five, and from thence to the End of the then next Session of Parliament, an Act of the Fifty-fourth Year of His Majesty King George the Third, for rendering the Payment of Creditors more equal and expeditious in Scotland. [14th August 1834.]

## C A P. LXXV.

An Act to repeal the Duties on Spirits made in Ireland and to impose other Duties in lieu thereof; and to impose additional Duties on Licences to Retailers of Spirits in the United Kingdom. [14th August 1834.]

WHEREAS it is expedient to repeal the Duties payable in respect of Spirits made or distilled or warehoused in Ireland, and to impose other Duties in lieu thereof; and to impose additional Duties on Licences to be taken out by Retailers of Spirits in the United Kingdom: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of September One thousand eight hundred and thirty-four all the Duties of Excise on Spirits made or warehoused in Ireland shall cease and determine, and be no longer paid or payable, save and except in all Cases relating to the raising, for buying and recovering of any Arrear thereof, or any Fine, Penalty, or Forfeiture which shall have been incurred before the said First Day of September One thousand eight hundred and thirty-four.

II. And be it further enacted, That from and after the said First Day of September One thousand eight hundred and thirty-four, in lieu of the said Duties of Excise so by this Act repealed, there shall be raised, levied, and collected and paid the Duties of Excise following; (that is to say,)

For and upon every Gallon of Spirits of the Strength of Hydrostatic Proof which shall be made or distilled in Ireland, or which shall be warehoused in Ireland, and taken out for Consumption, the Sum of Two Shillings and Four-pence, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity:

For and upon every Gallon of Spirits of such Strength as aforesaid which shall be made or distilled in Ireland, and which shall be or shall have been warehoused there, free of Duty, and which shall be taken out of Warehouse for Removal into Scotland for Consumption, the Sum of Three Shillings and Four-pence, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity:

For and upon every Gallon of the like Spirits which shall be taken out of Warehouse for Removal to England for Consumption the Sum of Seven Shillings and Pence, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity.

III. And be it further enacted, That the said Duties of Excise hereby imposed shall be respectively raised, levied, collected, recovered, accounted for, and paid in such and the like Manner, and in and by any or either of the general or special Ways, Means, or Methods by which the former Duties of Excise hereby repealed were or might have been raised, levied, collected, recovered, accounted for, and paid; and every Fine, Penalty, Fine, and Forfeiture for any Offence whosoever committed against or in breach of any Act or Acts so and immediately before the passing of this Act, and for securing the Revenue of Excise or other Duties under the Management of the Commissioners of Excise respectively, or for the Regulation or Improvement thereof, and the several Clauses, Powers, and Directions therein contained, shall and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution for and in respect of the said Duties of Excise hereby charged, in as full and ample a Manner to all Intents and Purposes as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Penes, Penalties, and Forfeitures were particularly repeated and recited in this Act.

IV. And whereas by reason of the Repeal of the Duties of Excise now payable on Spirits made or distilled in Ireland, and the imposition of the other Duties of Excise in lieu thereof, the Duties on Spirits made or distilled or warehoused in Ireland will be of a less Amount than the Duties of Excise payable in Scotland on Spirits made or distilled in Scotland, and it is therefore requisite to provide Regulations for the Removal of Spirits from Scotland into Ireland, and from Ireland into Scotland; be it therefore enacted, That from and after the said First Day of September One thousand eight hundred and thirty-four it shall be lawful to remove any Spirits from any Warehouse in which the same may be warehoused in Scotland to any Warehouse appointed by the Commissioners of Excise in Ireland, under the same Regulations; and in the same Manner as may now be done by Law; and all such Spirits so removed and warehoused in Ireland shall, when taken out of Warehouse for Consumption in Ireland, be charged with the said Duty of Two Shillings and Four-pence per Gallon.

V. And be it further enacted, That all Spirits shall be removed from Ireland into Scotland under the like Regulations, Restrictions, and Provisions for removing Spirits from Scotland or Ireland into England contained in an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, entitled An Act to repeal the Duties payable in respect of Spirits distilled in England, and of Licences for distilling, rectifying, or compoundings such Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof; and to provide other Regulations for the Collection of the said Duties, and for the Sale of Spirits, and for the warehousing of such Spirits without Payment of Duty for Re-exports, respect being had to the different Amount of Duty which shall be payable in Scotland; and all Enactments, Provisions, Restrictions, Rules, and Regulations in the said Act contained regulating the Removal of Spirits from Scotland or Ireland into England, together with all Penes, Penalties, Fines, and Forfeitures relating thereto, shall be in full Force and Effect, and be applied and enforced with respect to the Removal of Spirits from Ireland to Scotland, Reference being had to the different Amount of Duty so fully and effectually as if the same were repeated and recited in the said Act.

From and after 1st September 1834 Duties on Spirits made or warehoused in Ireland repealed.

New Duties in lieu of Duties repealed.

Duties now granted to be raised and levied in the same Manner as former Duties.

removed from Warehouse in Scotland to Ireland, and when taken out for Consumption in Ireland, is charged with a Duty of 2s. 4d. per Gallon.

Removal of Spirits from Ireland to Scotland to be made under same Regulations as Spirits are removed from Ireland or Scotland into England. 4 G. 4. c. 83.

Regiment of  
Malt Allowance  
not required on  
Exportation.

Additional  
Duties on Li-  
cences for re-  
velling Spirits.

VI. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to require the Regipment of any Malt Allowance on any Spirits distilled from Malt; only which may be removed from Scotland to England or from Ireland to Scotland.

VII. And be it further enacted, That there shall be raised, levied, collected, and paid throughout the United Kingdom the additional Rates and Duties of Excise following: (that is to say.) Upon every Excise Licence to be taken out after the Tenth Day of October One thousand eight hundred and thirty-five by any Retailer of Spirits in Great Britain and Ireland, if the Dwelling House in which such Retailer shall reside or retail such Spirits shall not, together with the Offices and Premises therewith occupied, be rented or valued at a Rent of Ten Pounds per Annum or upwards, an additional Duty of One Pound and One Shilling:

If the same shall be rented or valued as aforesaid at Ten Pounds per Annum or upwards, and under Twenty Pounds, Two Pounds and Two Shillings:

If at Twenty Pounds and under Twenty-five Pounds, Three Pounds and Three Shillings:

If at Twenty-five Pounds and under Thirty Pounds, Three Pounds Thirteen Shillings and Sixpence:

If at Thirty Pounds and under Forty Pounds, Four Pounds and Four Shillings:

If at Forty Pounds and under Fifty Pounds, Four Pounds Fourteen Shillings and Sixpence:

If at Fifty Pounds per Annum or upwards, Five Pounds and Five Shillings.

And all such additional Duties shall be raised, levied, collected, recovered, accounted for, and paid in the same Manner, and under the same Provisions, Enactments, Powers, Penalties, and Forfeitures, as the Duties granted and imposed by an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intitled *An Act to repeal several Duties payable on Excise Licences in Great Britain and Ireland, and to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences*, are raised, levied, collected, recovered, accounted for, and paid.

C. 74. a. 11.

Spirit Licences  
of Grocers in  
Ireland not to  
be affected.

All Houses  
licensed at the  
passing of this  
Act to continue  
to be deemed to  
be licensed at  
the same Value  
as long as the  
present Provisions  
hold there, and  
the Pro-  
visions remain  
unrepealed,

afterwards, the  
actual Value  
shall be ascer-  
tained by the  
Means pre-  
scribed by re-  
voked Act of  
4 G. 4.

Licences under  
5 G. 4. c. 47,  
for the Sale of  
excisable Cer-  
tificates on  
board Foreign  
Vessels may be  
granted by Com-  
missioners of  
Excise or shall  
be termed  
G. 4.

Act may be  
drawn this  
Bill.

VIII. Provided always, and be it further enacted, That nothing herein contained shall extend to impose any additional Duty on any Licence to retail Spirits to be taken out by any Person in Ireland duly licensed to trade in, vend, and sell Coffee, Tea, Cocoa Nuts, Chocolate, or Pepper, and not selling Spirits to be consumed in the House or Premises of such Retailer.

IX. And whereas by the said herein before mentioned Act of the Sixth Year of the Reign of His said late Majesty the Rates of Duty, on Excise Licences taken out by Retailers of Beer, having the Authority of Justices of Peace to keep a common Inn, Alehouse, or Victualling House, and of Spirits, in Great Britain, were fixed and ascertained by the Rent or Value at which the House and Premises occupied or used by such Retailers were rated under the Authority of any Act or Acts of Parliament for granting Duties on inhabited Houses, and by an Act passed in this present Session of Parliament the said Duties on inhabited Houses are repealed, whereby it has become necessary to make Provision for ascertaining the Rent or Value of Houses and Premises in respect of which such Licences shall hereafter be taken out: be it therefore enacted, That every House and Premises in respect of which any Person shall be licensed as such Retailer of Beer or Spirits at the Time of the passing of this Act shall continue to be deemed of the same Rent or Value at which the same was assessed, and in respect of which the Licence Duty was paid on the last taking out or Renewal of the Licences by such Person, so long as such Person shall continue to hold the same, and to cover his Licences in respect thereof, and so long as such House and Premises shall remain unaltered, and in case of any such Person quitting such House and Premises, or of any Alteration therein, and in all Cases hereafter in which any such Licence or Licences shall be applied for in respect of any House or Premises not licensed at the passing of this Act, the Rent or actual Value of the House and Premises in respect of which such Licence or Licences shall be applied for shall be ascertained in the Manner and by the Means and Method prescribed by the said Act of the Sixth Year of His said late Majesty's Reign, where Houses and Premises were not so rated to the Duty on Inhabited Houses; and the Rates of Licence Duty shall be fixed and paid in conformity thereto according to the Amount of Duty by the said revoked Act and this Act imposed.

X. And whereas an Act was passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, for regulating the Retail of excisable Articles and Commodities to Passengers on board of Passage Vessels from one Part to another of the United Kingdom, and by an Ordinance in the said Act to Power is given to any Officer of Excise, or any other Person than the Commissioners of Excise, to grant the Licences hereby authorized to be granted, whereby great Inconvenience and Delay is occasioned to Persons desirous of obtaining such Licences: for Remedy whereof be it further enacted, That all Licences to be granted under the said Act, or any other Act relating to the Revenue of Excise, may be granted by the Commissioners of Excise, or by any Officer or Officers of Excise who shall be authorized by the Commissioners of Excise to grant the same, and all Licences granted by any Officer or Officers so authorized shall be good, valid, and effectual: any thing in any Act contained to the contrary notwithstanding.

XI. And be it further enacted, That this Act may be altered, repealed, or varied by any Act or Acts to be passed on this present Session of Parliament.

C A P. LXXVI.

An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales. [14th August 1834.]

WHEREAS it is expedient to alter and amend the Laws relating to the Relief of poor Persons in England and Wales: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty, His Heirs and Successors, by Warrant under the Royal Sign Manual, to appoint Three fit Persons to be Commissioners to carry this Act into execution, and also from Time to Time, at pleasure, to remove any of the Commissioners for the Time being, and upon every or any Vacancy in the said Number of Commissioners, either by Removal or by Death or otherwise, to appoint some other fit Person to the said Office, and until such Appointment it shall be lawful for the surviving or continuing Commissioners or Commissioner to act as if no such Vacancy had occurred.

II. And be it further enacted, That the said Commissioners shall be styled "The Poor Law Commissioners for England and Wales," and the said Commissioners, or any Two of them, may sit, from Time to Time as they deem expedient, as a Board of Commissioners for carrying this Act into execution; and the said Commissioners acting as such Board shall be and are hereby empowered, by Summons under their Hands and Seal, to require the Attendance of all such Persons as they may think fit to call before them upon any Question or Matter connected with or relating to the Administration of the Laws for the Relief of the Poor, and also to make any Inquiries and require any Answer or Returns as to any such Question or Matter, and also to administer Oaths, and examine all such Persons upon Oath, and to require and enforce the Production upon Oath of Books, Contracts, Agreements, Accounts, and Writings, or Copies thereof respectively, in answer relating to any such Question or Matter; or, in lieu of requiring such Oath as aforesaid, the said Commissioners may, if they think fit, require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: Provided always, that no such Person shall be required, in obedience to any such Summons, to go or travel more than Ten Miles from the Place of his Abode: Provided also, that nothing herein contained shall extend or be deemed to extend to authorize or empower the said Commissioners to act as a Court of Record, or to require the Production of the Title, or of any Papers or Writings relating to the Title of any Lands, Tenements, or Hereditaments not being the Property of any Parish or Union.

III. And be it further enacted, That the said Commissioners shall cause to be made a Seal of the said Board, and shall cause to be sealed or stamped therewith all Rules, Orders, and Regulations made by the said Commissioners in pursuance of this Act; and all such Rules, Orders, and Regulations, or Copies thereof, purporting to be sealed or stamped with the Seal of the said Board, shall be received as Evidence of the same respectively, without any further Proof thereof; and no such Rule, Order, or Regulation, or Copy thereof, shall be valid, or have any Force or Effect, unless the same shall be so sealed or stamped as aforesaid.

IV. And be it further enacted, That the said Commissioners shall make a Record of their Proceedings, in which shall be entered in Writing a Reference to every Letter received, from whence, its Date, the Date of its Reception, and the Subject to which it relates, and a Minute of every Letter written or Order given by the said Commissioners, whether in answer to such Letter received or otherwise, with the Date of the same, and a Minute of the Opinion of each of the Members of the Board of Commissioners, in case they should finally differ in Opinion upon any Order to be given or other Proceeding of the Board; and such Record shall be submitted to One of His Majesty's Principal Secretaries of State once in every Year, or as often as he shall require the same.

V. And be it further enacted, That the said Commissioners shall, once in every Year, submit to One of the Principal Secretaries of State a general Report of their Proceedings; and every such general Report shall be laid before both Houses of Parliament within Six Weeks after the Receipt of the same by such Principal Secretary of State, if Parliament be then sitting, or if Parliament be not sitting then within Six Weeks after the next Meeting thereof.

VI. And be it further enacted, That the said Commissioners shall from Time to Time, at such Times as any One of His Majesty's Principal Secretaries of State shall direct, give to the Principal Secretary of State requiring the same such Information respecting their Proceedings, or any Part thereof, as the said Principal Secretary of State shall require.

VII. And be it further enacted, That the said Commissioners shall and they are hereby empowered from Time to Time to appoint such Persons as they may think fit to be Assistant Commissioners for carrying this Act into execution, at such Places and in such Manner as the said Commissioners may direct, and to remove such Assistant Commissioner, or any of them, at their Discretion, and on every or any Vacancy in the said Office of Assistant Commissioner, by Removal or by Death or otherwise, to appoint, if they see fit, some other Person to the said Office: Provided always, that it shall not be lawful for the said Commissioners to appoint more than Nine such Assistant Commissioners to act at any one Time, unless the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall consent to the Appointment of a greater Number.

Appointments and Removal of Commissioners.

Style of Commissioners who may sit as a Board with Power to summon and examine Witnesses, and call for Production of Papers, &c.

to authorize a Commissioner to do Oath.

not sent to inquire into any Title.

To have a Common Seal, and Rules, &c. purporting to be sealed to be received as Evidence, as aforesaid.

Commissioners to record their Proceedings.

Commissioners to make a general Report to the Secretary of State yearly.

not to report to Secretary of State when required.

Power to appoint Assistant Commissioners, and to remove same.

Not more than Nine to be appointed without Consent of Treasury.



Commissioners  
are to sit in  
Parliament.

Commissioners  
Imparially to  
Secretary, Assistant  
Secretary or  
Solicitors,  
Clerks, and  
other Officers.

Appointments of  
Commissioners,  
&c. to hold for  
Five Years.

Commissioners  
and Assistant  
Commissioners  
to take Oath.

Form of Oath

Notification of  
Appointments of  
Commissioners  
to be sent to  
Clerks of the  
Peace, and pub-  
lished.

Commissioners  
may delegate  
Powers to Assis-  
tant Commis-  
sioners, and  
exercise them.

Assistant Com-  
missioners may  
execute Powers  
there upon Oath,  
or a Declaration  
may be substi-  
tuted for an  
Oath.

Persons giving  
false Evidence  
guilty of Per-  
jury.

Refusing to  
attend the  
guilty of Misde-  
meanor.

**XII.** And be it further enacted, That no Commissioner or Assistant Commissioner appointed as aforesaid shall during his Commission in such Appointment be capable of being elected or sitting as a Member of the House of Commons.

**XI.** And be it further enacted, That the said Commissioners may and they are hereby empowered from Time to Time to appoint a Secretary, Assistant Secretary or Secretaries, and all such Clerks, Messengers, and Officers as they shall deem necessary, and from Time to Time, at the Discretion of the said Commissioners, to remove such Secretary, Assistant Secretary or Secretaries, Clerks, Messengers, and Officers, or any of them, and to appoint others in their Stead: Provided always, that the Amount of the Salaries of such Secretary, Assistant Secretary or Secretaries, Clerks, Messengers, and Officers shall from Time to Time be regulated by the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them.

**X.** And be it further enacted, That no Commissioner to be appointed by His Majesty, nor any Assistant Commissioner, Secretary, or other Office or Person to be appointed by the said Commissioners, under and by virtue of the Provisions of this Act, shall continue to hold his respective Office or exercise any of the Powers given by this Act for a longer Period than Five Years next after the Day of the passing of this Act, and thereafter until the End of the third next Session of Parliament: and from and after the Expiration of the said Period of Five Years, and of the third next Session of Parliament, so much of this Act as enables His Majesty to appoint any Commissioner or Commissioners shall cease to operate or have any Effect whatever.

**IX.** And be it further enacted, That every Commissioner and Assistant Commissioner to be appointed from Time to Time as aforesaid shall, before he shall enter upon the Execution of his Office, take the following Oath before One of the Judges of His Majesty's Courts of King's Bench or Common Pleas, or One of the Barons of the Court of Exchequer: (that is to say,)

' I, A. B. do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute and fulfil all the Powers and Duties of a Commissioner [or Assistant Commissioner, as the Case may be,] under an Act passed in the Fifth Year of the Reign of King William the Fourth, intituled [here set forth the Title of this Act].'

And the Appointment of every such Commissioner and Assistant Commissioner, together with the Time when and the Judge or Baron before whom he shall have taken the Oath aforesaid, shall be forthwith published in the London Gazette; and a Notification of such Appointment and of the taking of such Oath shall from Time to Time be sent, under the Hand and Seal of the said Commissioners, to the Clerk of the Peace of every County in England and Wales, who shall and is hereby required as soon as conveniently may be to cause the same to be advertised once in some Newspaper published or circulated in such County; and such Notification as aforesaid shall be kept and preserved by such Clerk of the Peace with the Records of such County.

**XIII.** And be it further enacted, That it shall be lawful for the said Commissioners to delegate to their Assistant Commissioners, or to any of them, such of the Powers and Authorities hereby given to the said Commissioners (except the Powers to make General Rules) as the said Commissioners shall think fit; and the Powers and Authorities so delegated, and the Delegation thereof, shall be notified in such Manner, and such Powers and Authorities shall be exercised at such Places, for such Periods, and under such Circumstances, and subject to such Regulations as the said Commissioners shall direct; and the said Commissioners may at any Time revoke, recall, alter, or vary all or any of the Powers and Authorities, which shall be so delegated as aforesaid, and notwithstanding the Delegation thereof, may act as if no such Delegation had been made, and the said Assistant Commissioners may and are hereby empowered to administer before three such Persons as they may think necessary for the Purpose of being examined upon Oath (which Oath such Assistant Commissioners are hereby empowered to administer) upon any Question or Matter relating to the Fear or their Relief, or for the Purpose of producing and verifying upon Oath any Books, Contracts, Agreements, Accounts, and Writings, or Copies of the same, in anywise relating to such Question or Matter, and not relating to or involving any Question of Title to any Lands, Tenements, or Hereditaments not being the Property of any Parish or Union, as such Assistant Commissioners may think fit, but so that no such Person shall be required, in obedience to any such Summons, to go or travel more than Ten Miles from the Place of his Abode: provided nevertheless, that in lieu of requiring such Oath as aforesaid the said Assistant Commissioners may, if they think fit, require such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined; and all Summons and Orders made by any such Assistant Commissioner in pursuance or exercise of such Delegated Powers and Authorities shall be obeyed, performed, and carried into effect by all Persons as if such Summons or Order had been the Summons or Order of the said Commissioners, and the Breach, Nonobedience, or Nonperformance thereof shall be punishable in like Manner.

**XIII.** And be it further enacted, That if any Person, upon any Examination under the Authority of this Act, shall wilfully and corruptly give false Evidence, he shall be deemed guilty of Perjury, and if any Person shall make or subscribe a false Declaration, he shall, on being convicted thereof, suffer the Pains and Penalties of Perjury, and if any Person shall wilfully refuse to attend in obedience to any Summons of any Commissioner or Assistant Commissioner, or to give Evidence, or shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, and Writings, or Copies of the same, which may be so required, or shall wilfully refuse to attend before the said Commissioners

Commissioners or Assistant Commissioners, every Person so offending shall be deemed guilty of a Misdemeanour.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners, in any Case where they see fit, to order and allow such Expenses of Witnesses, and of or attending the Production of any Books, Contracts, Agreements, Accounts, or Writings, or Copies thereof, to or before the said Commissioners or Assistant Commissioners, as such Commissioners may deem reasonable, to be paid as follows; that is to say, out of the Poor Rates of the respective Parish or Union which in the Opinion of the said Commissioners shall be interested or concerned in such Attendance or Production respectively in all Cases in which such Witnesses shall sue for or travel more than Ten Miles from the respective Parish or Union which shall be interested or concerned as aforesaid, and in all other Cases the Expenses so ordered or allowed shall be decreed as Part of the incidental Expenses attending the Execution of this Act, and be paid accordingly.

XV. And be it further enacted, That from and after the passing of this Act the Administration of Relief to the Poor throughout England and Wales, according to the existing Laws, or such Laws as shall be in Force at the Time being, shall be subject to the Direction and Control of the said Commissioners; and for executing the Powers given to them by this Act the said Commissioners shall and are hereby authorized and required, from Time to Time as they shall see Occasion, to make and issue all such Rules, Orders, and Regulations for the Management of the Poor, for the Government of Workhouses and the Education of the Children therein, and for the Management of Parish poor Children under the Provisions of an Act made and passed in the Seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for the better Regulation of Parish poor Children of the several Parishes therein mentioned within the Bills of Mortality*, and the superintending, inspecting, and regulating of the Houses wherein such poor Children are kept and maintained, and for the apprenticing the Children of poor Persons, and for the Guidance and Control of all Guardians, Vestries, and Parish Officers, so far as relates to the Management or Relief of the Poor, and the keeping, examining, auditing, and allowing of Accounts, and making and entering into Contracts in all Matters relating to such Management or Relief, or to any Expensidues for the Relief of the Poor, and for carrying this Act into execution in all other respects, as they shall think proper; and the said Commissioners may, at their Discretion, from Time to Time suspend, alter, or rescind such Rules, Orders, and Regulations, or any of them: Provided always, that nothing in this Act contained shall be construed as enabling the said Commissioners or any of them to interfere in any individual Case for the Purpose of ordering Relief.

XVI. And be it further enacted, That no General Rule of the said Commissioners shall operate or take effect until the Expiration of Forty Days after the same, or a Copy thereof, shall have been sent, signed and sealed by the said Commissioners, to One of His Majesty's Principal Secretaries of State; and if at any Time after any such General Rule shall have been so sent to such Principal Secretary of State His Majesty, with the Advice of His Privy Council, shall disallow the same or any Part thereof, such General Rule, or the Part thereof so disallowed, shall not come into operation; if such Disallowance be notified to the said Commissioners at any Time during the said Period of Forty Days, but if such Disallowance be made at any Time after that Period, such Disallowance shall, by One of His Majesty's Principal Secretaries of State, be notified to the said Commissioners, and from and after such Disallowance shall have been so notified then such General Rule, so far as the same shall have been so disallowed, shall cease to operate, subject however and without Prejudice to all Acts and Transmissions under or in virtue of the same previously to such Disallowance having been so notified.

XVII. And be it further enacted, That all General Rules for the Time being in force at the Commencement of every Session of Parliament, and which shall not previously have been submitted to Parliament, shall from Time to Time, within One Week after the Commencement of every such Session, be laid by One of His Majesty's Principal Secretaries of State before both Houses of Parliament.

XVIII. And be it further enacted, That a written or printed Copy of every Rule, Order, or Regulation of the said Commissioners shall, before the same shall come into operation in any Parish or Union, be sent by the said Commissioners, by the Post, or in such Manner to the Commissioners shall think fit, sealed or stamped with their Seal, addressed to the Overseers of such Parish, the Guardians of such Union or their Clerk, and to the Clerk to the Justices of the Petty Sessions held for the Division in which such Parish or Union shall be situate; and such Overseers, Guardians, or their Clerk, and Clerks to the Justices aforesaid, are hereby required to keep and preserve, neatly and give Publicity to, such Rules, Orders, and Regulations, in such Manner as the said Commissioners shall direct, and also to allow every Owner of Property, or his Agent, or any Rate-payer, in every such Parish or Union, to inspect the same at all reasonable Times, free of any Charge for such Inspection, and to furnish Copies of the same, being paid for such Copies at and after the Rate of Three-pence for every Folio of Seventy-two Words, and to allow Copies or Extracts thereof to be taken on being paid for so doing after the Rate of Three Halfpence for every Folio of Seventy-two Words; and in case any such Overseer, Guardian, Clerk, or Clerk to the Justices, to whom such Rules, Orders, or Regulations, or Copies thereof, shall be sent as aforesaid, shall neglect to keep and preserve, neatly and give Publicity to the same in the Manner prescribed or directed by the said Commissioners, or shall refuse such Inspection, or to furnish or allow such Copies thereof to be taken as aforesaid, every Person so offending shall for every such Offence be subject and liable to a Penalty not exceeding the Sum of Ten Pounds nor less than Five Pounds, to be recoverable by the said Commissioners at any Justice of the Peace; and the same shall be recovered: Provided also, that if any such Rule shall after the same shall have been

Reasonable Expenses of Witnesses to be paid, and by whom.

Administration of Relief to the Poor to be under Control of the Comissioners, who are to make Rules and Regulations for the Management of the Poor, and Administration of the Laws for their Relief, &c.

Commissioners may suspend or alter Rules, &c.

General Rules to be submitted in Succession of Five to Days before coming into operation if disallowed by King in Council during the 40 Days, not to come into operation. If disallowed afterwards.

General Rules to be laid before Parliament.

Rules, Orders, &c. to be sent to Overseers, &c. before they shall come into operation.

Penalty on Overseers, &c. neglecting to give Publicity to Rules, &c. as directed by Commissioners.

Penalty on Overseers, &c. neglecting to give Publicity to Rules, &c.



Consent of a Majority of the Rate-payers and Owners of Property entitled to vote in manner hereinafter prescribed, in any Parish, such last-mentioned Majority to be ascertained in manner provided in and by this Act, to order and direct the Overseers or Guardians of any Parish or Union not having a Workhouse or Workhouses to build a Workhouse or Workhouses, and to purchase or hire Land for the Purpose of building the same thereon, or to purchase or hire a Workhouse or Workhouses, or any Building or Buildings for the Purpose of being used as or converted into a Workhouse or Workhouses; and, with the like Consent, to order and direct the Overseers or Guardians of any Parish or Union having a Workhouse or Workhouses, or any Buildings capable of being converted into a Workhouse or Workhouses, to enlarge or alter the same in such Manner as the said Commissioners shall deem most proper for carrying the Provisions of this Act into execution, or to build, hire, or purchase any additional Workhouse or Workhouses, or any Building or Buildings for the Purpose of being used as or converted into a Workhouse or Workhouses, or to purchase or hire any Land for building such additional Workhouse or Workhouses thereon, of such Size and Description, and according to such Plan, and in such Manner as the said Commissioners shall deem most proper for carrying the Provisions of this Act into execution; and the Overseers and Guardians to whom any such Order shall be directed are hereby authorized and required, to assess, raise, and levy such Sum or Sums of Money as may be necessary for the Purpose specified in such Order, by such Powers, Ways, and Means as are now by Law given to or vested in Churchwardens and Overseers or Guardians of the Poor for purchasing or hiring Land, or for building, hiring, and maintaining Workhouses for the Use of the Poor in their respective Parishes or Unions, or to borrow Money for such Purpose under the Provisions of this or any other Act or Acts.

XXIV. And be it further enacted, That for the better and more effectually securing the Repayment of any Sum or Sums of Money which may be borrowed for the Purpose aforesaid, with Interest, it shall be lawful for the said Overseers or Guardians to charge the future Poor Rates of such Parish or Union with the Amount of such Sum or Sums of Money: Provided always, that the Principal Sum or Sums to be raised for such Purpose, whether raised within the Year or borrowed, shall in no Case exceed the average annual Amount of the Rates raised for the Relief of the Poor in such Parish or Union for Three Years ending at the Easter next preceeding the raising of such Money; and that any Loan or Money borrowed for any of the Purposes aforesaid shall be repaid by annual instalments of not less than One Tenth of the Sum borrowed, with Interest on the same, in any One Year.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, without requiring any such Consent as aforesaid, by any Writing under the Hands and Seal of the said Commissioners, to order and direct the Overseers or Guardians of any Parish or Union having a Workhouse or Workhouses, or any Building capable of being converted into a Workhouse or Workhouses, to enlarge or alter the same, according to such Plan and in such Manner as the said Commissioners shall deem most proper for carrying the Provisions of this Act into execution; and the Overseers or Guardians to whom any such Order shall be directed are hereby authorized and required to assess, raise, and levy such Sum or Sums of Money as may be necessary for the Purpose specified in such Order, by such Powers, Ways, and Means as are now by Law given to or vested in Churchwardens and Overseers or Guardians of the Poor for altering, enlarging, and maintaining Workhouses for the Use of the Poor in their respective Parishes or Unions: Provided always, that the Principal Sum or Sums to be raised for such Purpose, and charged upon any Parish, shall not exceed in the whole the Sum of Fifty Pounds, nor in any such Case exceed One Tenth of the average annual Amount of the Rates raised for the Relief of the Poor in such Parish for the Three Years ending at the Easter next preceeding the raising of such Money.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioners, by Order under their Hands and Seal, to declare so many Parishes as they may think fit to be united for the Administration of the Laws for the Relief of the Poor, and such Parishes shall thereupon be deemed a Union for such Purpose, and the parishes or Workhouses of such Parishes shall be for their common Use; and the said Commissioners may issue such Rules, Orders, and Regulations as they shall deem requisite for the Classification of such of the Poor of such united Parishes in such Workhouse or Workhouses as may be referred in any such Workhouse, and such Poor may be received, maintained, and employed in any such Workhouse or Workhouses as if the same belonged exclusively to the Parish in which such Poor shall be chargeable; but notwithstanding such Union and Classification, each of the said Parishes shall be separately chargeable with and liable to defray the Expence of an own Poor, whether referred to or not of any such Workhouse.

XXVII. And be it further enacted, That in any Cases which may be formed under this Act it shall be lawful for any Two of His Majesty's Justices of the Peace usually acting for the District wherein such Union may be situated, at their own and proper Discretion, to direct by Order under their Hands and Seals, that Relief shall be given to any infirm Person who shall from Old Age or Infirmary of Body be wholly unable to work, without requiring that such Person shall reside in any Workhouse: Provided always, that One of such Justices shall certify in such Order of his own Knowledge, that such Person is wholly unable to work, as aforesaid, and provided further, that such Person shall be lawfully entitled to Relief in such Union, and shall desire to receive the same out of a Workhouse.

XXVIII. And be it further enacted, That when any Union of Parishes for the Administration of the Laws for the Relief of the Poor shall be proposed or established, or any such Union shall be established under this Act, it shall be lawful for the said Commissioners, and they are hereby required from Time to

both, build, altered, or enlarged, with Consent, &c.

Sum to be raised for Purpose of building Workhouses to be charged on Poor Rates; not to exceed One Year's Amount of Poor Rates.

Power to order Workhouses to be altered or enlarged, without Consent, &c.

Sum to be raised for such Purpose not to exceed One Tenth of One Year's Rates, or 50

Parishes may be united by Commissioners.

Each Parish chargeable for its own Poor.

Justices may give outdoor Relief to aged infirm Persons wholly unable to work.

When a Union of Parishes shall be proposed, Commissioners

to inquire the  
Expence of  
Fuel belonging  
to each Parish  
for Three Years  
preceding.

Time, by such Means and in such Manner as they may think fit, to inquire into and ascertain the Expence incurred by each Parish proposed to form Part of such Union for the Relief of the Poor belonging to such Parish, whether such Relief shall have been given in or out of any Workhouse, for the Three Years ending on the Twenty-fifth Day of March next preceeding such Inquiry, and thereupon the said Commissioners shall proceed to calculate and ascertain the annual average Expence of each Parish for that Period; and the several Parishes included or proposed to be included in such Union shall from the Time of effecting the same contribute and be assessed to a common Fund for purchasing, building, hiring, or providing, altering, or enlarging any Workhouse or other Place for the Reception and Relief of the Poor of such Parishes, or for the Purchase or renting of any Lands or Tenements, under and by virtue of the Provisions of this Act, or of any such Union, and for the future upholding and maintaining of such Workhouses or Places aforesaid, and the Payment or Allowance of the Officers of such Union, and the providing of Utensils and Materials for setting the Poor on work therein, and for any other Expence to be incurred for the common Use or Benefit or on the common Account of such Parishes, in the like Proportions as on the said annual Average of the said Three Years each Relief had cost each such Parish separately, until such Average shall be varied or altered as hereinafter provided: Provided always, and the said Commissioners are hereby authorized, if they shall so think fit, but not otherwise, from Time to Time, either upon the Application of the Guardians of such Union or of the Overseers of any Parish forming Part of the same, or without such Application, to cause a like Inquiry and Calculation to be made and Average ascertained for the Three Years ending on the Twenty-fifth Day of March next preceeding such Inquiry; and from and after the ascertaining of any such Average, or of any succeeding Average, the respective Parishes of such Union shall contribute and be assessed to the common Fund thereof, for the Purpose, aforesaid, in the Proportions which the Expence of such Parishes shall be found to have borne to each other during such Period upon the Average which shall have been so last ascertained, until a like Inquiry shall be again made, and a new Average and Proportion ascertained for the future Assessment of such Parishes.

Power for  
taking future  
Averages.

The like Provi-  
sion be taken  
effected under  
Local Acts of  
Incorporation.  
22 G. 3. c. 45.

XXIX. And whereas in divers Unions formed under the said recited Act made and passed in the Twenty-second Year of the Reign of His late Majesty King George the Third, intitled *An Act for the better Relief and Employment of the Poor*, or under Local Acts of Incorporation, the whole of the Expence, as well of upholding the united Workhouses thereof as of maintaining and relieving the Poor of the respective Parishes of such Unions, is assessed upon such Parishes in the respective Proportions fixed at the Period when such Unions were formed, and in others a Part of such Expence is so levied, and a Part subjected to Variations at stated Periods: And whereas some of the Parishes of such Unions have contributed and still continue to contribute, as their fixed Proportion of the general Fund, a Sum much larger and others a Sum much less than the actual Expence incurred for the Relief of the Poor belonging to them respectively: For Remedy thereof to be enacted, That it shall be lawful for the said Commissioners, as soon as conveniently may be after the passing of this Act, to cause an Inquiry to be made and an Account rendered, or far as it may be practicable to render the same, by the Visitors, Directors, Acting Guardians, or other Officers of such Parishes, or Unions respectively, of the Expence incurred for the Relief of the Poor belonging to each Parish within any such Union, whether such Poor shall have been relieved in or out of such Parish respectively, or in or out of any united Workhouse, and whether such Expence has been paid by the general Fund of such Union or the parochial Funds of any of the Parishes thereof, or by any private Donor, or general Subscription in lieu of a Rate among the Rate-payers of any such Parish, and whether passed through the Books or paid under the Control of the Managers or Officers of such Union, or not, for the Period of Three Years ending on the Twenty-fifth Day of March One thousand eight hundred and thirty-four, including therein a due Proportion of the Expence of maintaining the united Workhouses and Establishment of such Union, calculated according to the actual Expence otherwise incurred for the Relief of the Poor belonging to each such Parish; and the average annual Amount of such Expence shall be deemed and taken to have been the annual Expence incurred by such Parish on account of its Poor, notwithstanding such Parish may have contributed a greater or smaller Sum than such annual Average to the general Funds of the Union during such Period; and such annual Average, so ascertained as aforesaid, shall, if the said Commissioners shall see fit, and to such Extent only as they may direct, be deemed and taken as the fixed Proportion to be contributed and paid by such such Parish respectively towards a common Fund for the future hiring, maintaining, and upholding, repairing, altering, or enlarging of any Workhouse, and the renting of any Land used by such Union at the passing of this Act, and for the purchasing, building, hiring, maintaining, upholding, repairing, altering, or enlarging of any new Workhouse or Workhouses, or other Place for the Reception and Relief of the Poor belonging to the Parishes of such Union, and for the renting or Purchase of any Lands or Tenements under or by virtue of the Provisions of this Act, and the Payment or Allowance of any Officers of such Union, and the providing of Utensils or Materials for setting the Poor on work therein, and for any other Expence to be in future incurred for the common Use or Benefit of such Parishes, and in addition to the Cost or Proportion of Cost of the Poor of such Parishes who shall be maintained or relieved in or out of any Workhouse of such Union, for which each such Parish shall in future be charged separately: Any Provision or Engagement in the said recited Act or in any such Local Act to the contrary notwithstanding, shall nevertheless stand, and the said Commissioners are hereby authorized they see fit, but not otherwise, upon the Application of the Guardians of any such last-mentioned Union, or of the Overseers

Power for  
taking future  
Averages.

Overseers of any Parish forming Part of the same, or without such Application, from Time to Time to cause an Inquiry and Calculation to be made, and Average ascertained, for the Three Years ending on the Twenty-fifth Day of March next preceding such Inquiry, of the Expence incurred by each such Parish, as well in respect of its Contribution to such common Fund as of the Cost or Proportion of Cost of its Poor which shall have been maintained or relieved in or out of any Workhouse of such Union during each Period of Three Years; and from and after the ascertaining of such Average or of any succeeding Average the respective Parishes of such Union shall contribute and be assessed to the common Fund thereof, for the Purpose of which such common Fund is herein-before declared to be applicable, in the Proportions which the Expence of such Parishes shall be found to have borne to each other during each Period, upon the Average which shall have been so last ascertained, until a like Inquiry shall be again made, and a new Average and Proportion ascertained for the future Assessment of such Periods to such common Fund: Provided always, that nothing herein contained shall extend to any Parishes already formed or hereafter to be formed into a Union for the Purpose of Settlement or rating, or where the annual Assessment is directed to be indifferently proportioned between the several Parishes composing such Union.

XXX. And for facilitating the Inquiries directed by this Act, be it enacted, That unless and until they shall be proved to the Satisfaction of the said Commissioners to be incorrect, the Returns made to Parliament of the Sums expended for the Relief of the Poor of any Parish for the last Three Years previous to the passing of this Act shall be deemed to be the actual Expence incurred by each such Parish respectively during that Period for the Purposes aforesaid, and an account of the Poor belonging to such Parish respectively, and shall be taken as the Ground on which such Averages shall be calculated and ascertained.

XXXI. And be it further enacted, That from and after the passing of this Act so much of the said recited Act made and passed in the Twenty second Year of the Reign of His late Majesty King George the Third, intitled *An Act for the better Relief and Employment of the Poor*, as provides that no Parish, Township, Hamlet, or Place which shall be situate more than Ten Miles from any Poorhouse or Workhouse to be provided under the Authority of that Act shall be permitted to be united for the Purpose therein mentioned with the Parishes, Townships, Hamlets, and Places which shall establish such Poorhouse or Workhouse as therein mentioned, and as limits the Class or Description of Persons who shall be sent to such Poorhouse or Workhouse; and so much of a certain Act made and passed in the Fifty sixth Year of the Reign of His said late Majesty King George the Third, intitled *An Act to amend certain Provisions in Local Acts for the Maintenance and Management of the Poor*, as respects all Enactments and Provisions contained in any Act or Acts of Parliament since the Commencement of the Reign of His late Majesty King George the First, whereby any Parish, Township, or Hamlet in a greater Distance than Ten Miles from any House of Industry or Workhouse shall theretofore be empowered or authorized to become Contributors to or to take the Benefit of such House of Industry or Workhouse; shall be and the same is hereby repealed.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time, as they may see fit, by Order under their Hands and Seal, to declare any Union, whether formed before or after the passing of this Act, (except when created for the Purpose of Settlement or rating,) to be dissolved, or any Parish or Parishes, specifying the same, to be separated from or added to any such Union, and, as the Case may be, such Union shall thereupon be dissolved, or such Parish or Parishes shall thereupon be separated from or added to such Union accordingly; and the said Commissioners shall in every such Case frame and make such Rules, Orders, and Regulations as they may think fit for adapting the Constitution, Management, and Board of Guardians of every such Union, from or to which there shall be such Separation or Addition as aforesaid, to the altered State of the same, and every such Union shall after any such Alteration be constituted, managed, and governed as if the same had been originally formed in such altered State; and in case any Union shall be wholly or partially dissolved as aforesaid, then the Parishes constituting, or, in case of a partial Dissolution, separated from any such Union, shall thenceforth be subject to be re-united, or united with other Parishes or Unions, or otherwise dealt with according to the Provisions of this Act as the said Commissioners shall think fit: Provided always, that in every such Case the said Commissioners shall and they are hereby required to ascertain the proportionate Value to every Parish of such Union of the Workhouse or other Property held or enjoyed by such Union for the Use of the Poor or Benefit of the Rate-payers therein, and also the proportionate Amount chargeable on every Parish in respect of all the Liabilities of such Union existing at the Time of such Dissolution or Alteration of the same, and the said Commissioners shall thereupon fix the Amount to be received, or paid or secured to be paid, by every Parish affected by such Alteration; and the Sum to be received, if any, by such Parish, shall be paid, or, as the said Commissioners shall direct, be secured to be paid, to the Overseers or Guardians of the same, for the Benefit of such Parish, and in discharge of the Rates thereof and of the Expence attending such Alteration; and the Sum to be so paid or secured to be paid by every such Parish shall be raised, under the Direction of the said Commissioners, by the Overseers or Guardians of such Parish, or charged on the Poor Rates of such Parish, as the said Commissioners may see fit, and shall be paid or secured for the Use and Benefit of the Union from which the same Parish shall have been so separated, or of the Persons or Parishes otherwise entitled thereto, as the Case may be: Provided always, that any such Provision or Alteration shall not be subject to be varied, amended, or any Addition thereto or alteration, shall in any Manner prejudice, vary, or affect the Rights or

Provisions  
Enacted in the  
Evidence of  
annual Expenses  
of Poor in each  
Parish.

Extent of  
the Act, s. 45.  
s. 47, and  
50 of the Act, s. 129.  
Part of a 2.  
containing  
Provisions from  
contributing to  
Workhouse in  
a greater Dis-  
tance than 10  
Miles; and of  
21 G. 3. c. 25.  
s. 100. limiting  
Class of Persons  
to be sent to  
Workhouse.

Power to dis-  
solve, add to,  
or take from  
any Union.

and thereupon  
to make such  
Orders as may  
be adapted to  
be altered State.

Rights and  
Interests of  
Parishes, and  
Classes of Persons,  
to be ascertained  
and secured.

Provision or  
Alteration not  
to affect Rights  
Incidents

of Third Parties, see table placed within the Office of Guardians of Parishes.

Unions formed may be One Parish for Purposes of Settlements.

Interests of Third Parties, unless such Third Parties, by themselves or their Agents, shall consent in Writing to such Dissolution or proposed Alteration or Addition; and that no such Dissolution, Alteration, or Addition shall take place or be made unless a Majority of not less than Two Thirds of the Guardians of such Union shall also concur therein; and in every such Case, when the said Majority of the Guardians of such Union shall so concur in such proposed Alteration, the Terms on which such Concurrence shall have been given, if approved by the said Commissioners, shall be binding and conclusive on the several Parishes of such Union.

XXXIII. And be it further enacted, That in any Union already formed or which may hereafter be formed in pursuance of or under the Provisions of this Act it shall and may be lawful for the Guardians elected by the Parishes forming such Union, by any Writing under the Hands of all such Guardians, to agree, subject to the Approbation of the said Commissioners, for or on behalf of the respective Parishes forming such Union, that for the Purposes of Settlement such Parishes shall be considered as One Parish; and in such Case such Agreement, having been first signed by the said Guardians, shall be signed and sealed by the said Commissioners, and One Part thereof shall be deposited with the said Commissioners, and a Counterpart or Counterparts thereof, agreed by the said Guardians, and signed and sealed by the said Commissioners, deposited with the Clerk of the Peace of the County, Riding, Division, District, or Liberty in which the Parishes of such Union shall be respectively situate; and the said Clerk of the Peace shall and is hereby required, upon the Receipt of such Agreement, or Counterpart or Counterparts thereof, to file the same with the Records of such County, Riding, Division, District, or Liberty; and from and after the depositing of the same as aforesaid the said Agreement shall be ever thereafter be binding on each of such Parishes, and shall not be revoked or annulled; and the Settlement of a poor Person in any one of the Parishes of such Union shall be considered, as between such Parishes, a Settlement in such Union, and the Expence of maintaining, supporting, and relieving every such poor Person, and all other Expences of maintaining, supporting, and relieving the Poor to which any one of such Parishes shall be liable after the depositing of such Agreement, Part or Counterpart as aforesaid, or of maintaining, bringing, or adjudging the Settlement of any poor Person in any of such Parishes, shall form Part of the general Expences and be paid out of the common Funds of such Union. Provided always, that whenever such Agreement is entered into as aforesaid the Rate or Proportion of Contribution in such common Funds to be thereafter paid by each of the Parishes of such Union shall be ascertained and fixed in like Manner as in and by the Act is provided for in Cases where any Unions of Parishes is made or proposed to be made under the Provisions thereof, and shall not be subject to further Variation.

Unions may be One Parish for Purposes of rating, with Consent of Guardians.

Agreement or Counterpart for such rating to be deposited with Clerk of the Peace.

XXXIV. And be it further enacted, That where the Parishes of any Union shall be situate within the same County, Riding, Division, District, or Liberty, under the Jurisdiction of the same Justice of the Peace, it shall and may be lawful for the Guardians elected by the Parishes forming such Union, by any Writing under the Hands of all such Guardians, to agree, with the Approbation of the said Commissioners, for or on behalf of the respective Parishes for which they shall so act as Guardians, that, for the Purposes of raising in common the necessary Funds for the Relief of the Poor of such Union, such Parishes shall be considered One Parish; and in such Case such Agreement, having been first signed by the said Guardians, shall be signed and sealed by the said Commissioners, and One Part thereof deposited with the said Commissioners, and a Counterpart or Counterparts thereof, agreed by the said Guardians, and signed and sealed by the said Commissioners, deposited with the Clerk of the Peace of the County, Riding, Division, District, or Liberty, Counties, District or Districts, in which the said Parishes of such Union shall be situate; and the said Clerk or Clerks of the Peace shall and is and are hereby required, upon the Receipt of such Agreement, Part or Counterpart, to file the same with the Records of such County, Riding, Division, District, or Liberty, or Counties, District or Districts, and from and after the depositing and filing of such last-mentioned Agreement or Counterpart the same shall be for ever binding upon such Parishes, and shall not be revoked or annulled.

Guardians to ascertain and assess Value of Property.

Rates provided in such Assessments to be allowed in Poor Rates.

XXXV. And be it further enacted, That from and after such depositing and filing of the said Agreement, Part, or Counterpart, the said Guardians shall, under such Regulations as the said Commissioners shall in that respect prescribe, proceed to ascertain and assess the Value of the Property in the several Parishes of such Union rateable to the Relief of the Poor, and to cause to be made such Surveys and Valuations of the said Property, or any Part thereof, as may be necessary from Time to Time, to make a fair and just Assessment upon the said united Parishes in respect of such Property as rateable as aforesaid; and all Rates grounded on every such Valuation or Assessment shall be made, allowed, published, and recovered in such and the same Manner as Rates for the Relief of the Poor are now by Law made, allowed, published, and recovered; and the Rates-givers shall have the like Power of Appeal against such last-mentioned Rates as any Persons now have against Rates made for the Relief of the Poor.

In such Cases all Expences for the Poor to be in common.

XXXVI. And be it further enacted, That from and after any such common Rate shall have come into operation the Proportions of Contribution fixed at the Period of making such Parishes, or existing at the Time of such last-mentioned Agreement for a common Rate, shall wholly cease; and all Expences in respect of the Poor of such Union, or chargeable in any way on the Poor Rates of the respective Parishes thereof, shall be deemed and be the common Expences of such Union, and be chargeable upon and paid out of the common or general Fund to be raised upon such Parishes under such Regulations, according to the Valuation or Assessment of the rateable Property of such Parishes as ascertained, confirmed, and allowed by the said Justices from Time to Time in manner herein-before provided:

provided: Provided always, that, the Expense of every such Valuation shall at all Times be a Charge on the common Rate of such Parishes: Provided always, that in case any Parish of any Union, at the Period of entering into such Agreement for the Purposes of Settlement or a common Rate, shall not be represented by a Guardian elected solely by such Parish, such Parish shall not be bound by any such Agreement, unless a Majority of the Owners of Property and Rate-payers in such Parish, entitled to vote in the Manner provided by this Act, shall, by their Votes in Writing, testify their Assent to such Agreement in such Form as the said Commissioners shall prescribe; and in case such Assent shall not be so given, such Parish shall be wholly omitted from such Agreement, and be liable to pay such Proportion only of the common Assessment as it was bound to pay upon the forming of the Union of such Parishes.

XXXVII. And be it further enacted, That from and after the passing of this Act no Union or Incorporation of Parishes shall be formed under the Provisions of the said Act made and passed in the Twenty-second Year of the Reign of His late Majesty King George the Third, without the previous Consent of the said Commissioners, testified under their Hands and Seal.

XXXVIII. And be it further enacted, That where any Parishes shall be united by Order or with the Concurrence of the said Commissioners for the Administration of the Laws for the Relief of the Poor, a Board of Guardians of the Poor for such Unions shall be constituted and chosen, and the Workhouses or Workhouses of such Unions shall be governed, and the Relief of the Poor in such Unions shall be administered, by such Board of Guardians; and the said Guardians shall be elected by the Rate-payers, and by such Owners of Property in the Parishes forming such Union as shall in manner herein-after mentioned require to have their Names entered as entitled to vote in Owners in the Books of such Parishes respectively; and the said Commissioners shall determine the Number and prescribe the Duties of the Guardians to be elected in each Union, and also fix a Qualification without which no Person shall be eligible as such Guardian, such Qualification to consist in being rated to the Poor Rate of some Parish or Parishes in such Union, but so as to require a Qualification exceeding the annual Rental of Forty Pounds, and shall also determine the Number of Guardians which shall be elected for any One or more of such Parishes, having due Regard to the Circumstances of each such Parish: Provided always, that One or more Guardians shall be elected for each Parish included in such Union; and such Guardians, when so elected, shall continue in Office until the Twenty-fifth Day of March next following their Appointments or until others are appointed in their Stead, and on each Twenty-fifth Day of March, or if that Day should fall on a Sunday or Good Friday then on the Day next following, or within Fourteen Days next after the said Twenty-fifth Day of March in every Year, such Guardians shall go out of Office, and the Guardians for the ensuing Year shall be chosen; and in the event of any Vacancy occurring in such Board by the Death, Removal or Resignation, or Refusal or Inqualification to act of any elected Guardian between the Periods of such first and the next and any subsequent annual Election, or in case the full Number of Guardians shall not be duly elected at such subsequent Election of Guardians for the Time being, the other or remaining Members of the said Board shall continue to act until the next Election, or until the Completion of the said Board, as if no such Vacancy had occurred, and as if the Number of such Board were complete; and every Justice of the Peace residing in any such Parish, and acting for the County, Riding, or Division in which the same may be situated, shall be an *ex-officio* Guardian of such union or common Workhouses, and shall, until such Board of Guardians shall be duly elected and constituted as aforesaid, and also, in case of any Irregularity or Delay in any subsequent Election of Guardians, receive and carry into effect the Rules, Orders, and Regulations of the said Commissioners; and after such Board shall be elected and constituted as aforesaid every such Justice shall *ex-officio* be and be entitled, if he think fit, to act as a Member of such Board, in addition to and in like Manner as such elected Guardians: Provided always, that, except where otherwise ordered by the said Commissioners, and also except for the Purpose of consenting to the Dissolution or Alteration of any Union or any Addition thereto, or to the Formation of any Union for the Purposes of Settlement or rating, no *ex-officio* or other Guardian of any such Board as aforesaid shall have Power to act in virtue of such Office except as a Member and at a Meeting of such Board; and no Act of any such Meeting shall be valid unless Three Members shall be present and occur therein: Provided also, that nothing herein contained shall prevent such Owners and Rate-payers from re-electing the same Persons or any or either of them to be Guardians for the Year next ensuing, nor from electing as a Guardian any Person who may already have been chosen as a Guardian of any other Parish.

XXXIX. And be it further enacted, That if the said Commissioners shall, by any Order under their Hands and Seal, direct that the Administration of the Laws for the Relief of the Poor of any single Parish should be governed and administered by a Board of Guardians, then such Board shall be elected and constituted, and authorized and entitled to act, for such single Parish, in like Manner in all respects as is herein-before enacted and provided in respect to a Board of Guardians for united Parishes; and every Justice of the Peace resident therein, and acting for the County, Riding, or Division in which the same is situated, shall be and may act as an *ex-officio* Member of such Board.

XL. And be it enacted, That in all Cases of the Election of Guardians under this Act, or wherever the Consent of the Owners of Property or Rate-payers in any Parish or Union shall be required for any of the Purposes of this Act, except where otherwise expressly provided for in this Act, the Votes of such Owners and Rate-payers shall be given or taken in Writing, collected, and returned, in such Manner as the said Commissioners shall direct: and in every such Board of Guardians, no Person shall be entitled to vote, in respect of any Property in such Parish or Union, shall be entitled to vote, and the

Expense of Valuation.  
Provided Consent of Parishes not appointed by Guardians.

No Union to be formed without Consent of Commissioners.

Constitution and Election of Board of Guardians for Unions.

To be qualified to act.

No Guardian to have Power except as a Member of such Board, unless otherwise directed by the Commissioners. Guardians may be re-elected.

The like for single Parishes.

As Election of Guardians Votes to be taken in Writing, and Owners as well as Occupiers to vote.



22 C. 2. s. 40.

Scale of Voting.

Votes may be given by Proxy.

No Rate-payer to vote unless rated One Year

Electors of Guardians, Vestries, and other Officers under the Act 22 C. 2. s. 40, or any Local Act to be made according to the Provisions of this Act.

Commissioners may make Rules, &amp;c. for the Government of Workhouses, and may give Loans already in force as to be made hereafter.

Owner shall have the same Number and Proportion of Votes respectively as is provided for Inhabitants and other Persons to and by an Act made and passed in the Fifty-eighth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for the Regulation of Parish Vestries*, and as and by an Act to amend the same, made and passed in the Fifty-sixth Year of His said late Majesty; and the Rate-payers under Two hundred Pounds shall each have a single Vote; and the Rate-payers rated at Two hundred Pounds or more, but under Four hundred Pounds, shall each have Two Votes, and the Rate-payers rated at Four hundred Pounds or more, shall each have Three Votes; and the Majority of the Votes of such Owners and Rate-payers which shall be actually collected and returned shall in every such Case be binding on such Parish; and for the Purpose of ascertaining the Number of Votes to which each such Owner shall be entitled, the aggregate Amount of the Assessment for the Time being of any Property belonging to such Owner in such Parish, or to any Person or Persons in respect of the same, to the Poor Rate, shall be decreed to be and be taken as the annual Value of such Property to such Owner; and where any such Owner shall be the *sole* Occupier of any such Property, he shall be entitled to vote as well in respect of his Occupation as of his being such Owner: Provided always, that it shall be lawful for any Owner from Time to Time, by Writing under his Hand, to appoint any Person to vote in his Proxy; and every such Appointment shall remain in force until revoked or recalled by such Owner; but no Owner shall be entitled to vote, either in Person or Proxy, unless he shall, previous to the Day on which he shall obtain to vote, have given a Statement in Writing of his Name and Address, and the Description of the Property in the Parish as Owner whereof, or Proxy for the Owner whereof, he claims to vote, and if such Proxy, the original or an attested Copy of the Writing appointing him such Proxy, to the Overseers of such Parish; and the said Overseers are hereby required to enter in the Rate Books of such Parish, or in some other Book to be from Time to Time provided for that Purpose, the Names and Addresses of the Owners and Proxies who shall send such Statements, and the Assessment of the Rate for the Relief of the Poor of the Property in respect whereof they respectively claim to vote: Provided also, that every Person who shall not vote, or who shall not comply with the Directions to be made by the said Commissioners for the giving, taking, or returning of Votes, shall be counted in the Calculation of Votes, and considered as having had no Vote on the Questions whereon he might have voted: Provided also, that no Person shall be deemed a Rate-payer, or be entitled to vote, or do any other Act, Matter, or Thing as such, under the Provisions of this Act, unless he shall have been rated in the Relief of the Poor for the whole Year immediately preceding his so voting or otherwise acting as such Rate-payer, and shall have paid the Parochial Rates and Assessments made and assessed upon him for the Period of One whole Year, as well as those due from him at the Time of so voting or acting, except such as shall have been made or become due within the six Months immediately preceding such voting or acting: Provided always, that in Cases of Property belonging to any Corporation Aggregate, or to any Joint Stock or other Company, no Member of such Corporation or Proprietor of or interested in such Joint Stock or other Company, shall be entitled to vote as such Owner or proxy thereof, but any Officer of such Corporation, Joint Stock, or other Company, whose Name shall be entered by the Direction of the governing Body of such Corporation or Company, in the Books of the Parish, or the Names hereuntofore directed with respect to the Owners of Property, shall be entitled to vote in respect of such Property in the same Manner as if he were the Owner thereof.

XXI. And be it further enacted, That all Elections of Guardians, Vestries, and other Officers, for the Execution of any of the Powers or Purposes of the said recited Act made and passed in the Twenty-second Year of the Reign of His said late Majesty King George the Third, entitled *An Act for the better Relief and Employment of the Poor*, or of any Local Act of Parliament relating to Poor-laws, Workhouses, or the Relief of the Poor, or any Act in force or to be made respectively, shall hereafter, so far as the said Commissioners shall direct, be made and conducted according to the Provisions of this Act: Provided always, that it shall be lawful for the said Commissioners, if they shall so think fit, from Time to Time, with the Consent of the Majority of the Owners of Property and Rate-payers of any Parish, or of any Union now existing or to be formed under the Provisions of this Act, to offer the Period for which the Guardians to be appointed under the Provisions of this Act for such Parish or Union, or any of them, would under the Provisions of this Act hold Office, for such other Period or Periods as to the said Commissioners, with such Consent as aforesaid, shall seem expedient, and also to make such Alterations in the Number, Mode of Appointment, Renewal, and Period of Service of the Guardians, or any of them, of any Parish, or of any Union now existing or to be formed under the Provisions of this Act, as to the said Commissioners, with such Consent as aforesaid, shall seem expedient.

XXII. And be it further enacted, That the said Commissioners may and are hereby authorized, by Writing under their Hands and Seal, to make Rules, Orders, and Regulations, to be observed and enforced as every Workhouse already established by virtue of the said recited Act made and passed in the Twenty-second Year of the Reign of His said late Majesty King George the Third, intituled *An Act for the better Relief and Employment of the Poor*, or any General or Local Act of Parliament, or hereafter to be established by virtue of such Acts or of any of them, or of this or any other Act of Parliament relating to the Relief of the Poor, for the Government thereof, and the Nature and Amount of the Relief to be given to and the Labour to be exacted, from the Persons relieved, and the ~~throughout the several good Workhouses, and that the same shall be observed and enforced as aforesaid~~ the same, and make any new or other Rules, Orders, and Regulations, to be observed and enforced as aforesaid,





Guardian, Treasurer, Master of a Workhouse, or other Officer to be appointed under the Provisions of this Act.

LII. And whereas a Provision has obtained of giving Relief to Persons or their Families who, at the Time of applying for or receiving such Relief, were wholly or partially in the Employment of Individuals, and the Relief of the able-bodied and their Families in many Places administered in Modes productive of Evil in other respects: And whereas Difficulty may arise in case any immediate and universal Remedy is attempted to be applied in the Manner aforesaid; be it further enacted, That from and after the passing of this Act it shall be lawful for the said Commissioners, by such Rules, Orders, or Regulations as they may think fit, to declare to what Extent and for what Period the Relief to be given to able-bodied Persons or to their Families in any particular Parish or Union may be administered out of the Workhouse of such Parish or Union, by Payments in Money, or with Food or Clothing in Kind, or partly in Kind and partly in Money, and in what Proportions, to what Persons or Class of Persons, at what Times and Places, on what Conditions, and in what Manner such Out-door Relief may be afforded; and all Relief which shall be given by any Overseer, Guardian, or other Person having the Control or Distribution of the Funds of such Parish or Union, contrary to such Orders or Regulations, shall be and the same is hereby declared to be unlawful, and shall be disallowed in the Accounts of the Person giving the same, subject to the Exceptions hereinafter mentioned: Provided always, that in case the Overseers or Guardians of any Parish or Union to which such Orders or Regulations shall be addressed or directed shall, upon Consideration of the special Circumstances of such Parish or Union, or of any Person or Class of Persons therein, be of Opinion that the Application and enforcing of such Orders or Regulations, or of any Part thereof, at the Time or in the Manner prescribed by the said Commissioners, would be inexpedient, it shall be lawful for such Overseers or Guardians to delay the Operation of such Orders or Regulations, or of any Part thereof, for any Period not exceeding the Space of Thirty Days, to be reckoned from the Day of the Receipt of such Orders or Regulations; and such Overseers or Guardians shall, Twenty Days at the least before the Expiration of such Thirty Days, make a Statement and Report of such special Circumstances to the said Commissioners, and all Relief which shall be given by such Overseers or Guardians, before an Answer to such Report shall have been returned by the said Commissioners, if otherwise lawful, shall not be deemed unlawful although the same shall have been given contrary to such Orders or Regulations, or any of them; but in case the said Commissioners shall disapprove of such Delay, or think that for the future such Orders or Regulations ought to come into operation, notwithstanding the special Circumstances alleged by such Overseer or Guardian, it shall be lawful for the said Commissioners, by a peremptory Order, to direct that from and after a Day to be fixed thereby such Orders and Regulations, or such Parts or Modifications thereof as they may think expedient and proper, shall be enforced and observed by such Overseers and Guardians; and if any Allowance be made or Relief given by such Overseers or Guardians after the said last-mentioned Period, contrary to any such last-mentioned Order, the Amount of the Relief or Allowance so given shall be disallowed in the Accounts of the Party giving the same: Provided also, that a quarterly Report of all such Cases as shall occur in any Quarter shall, at the End of every such Quarter, be laid by the said Commissioners before One of His Majesty's Principal Secretaries of State: Provided also, that in case the Overseers or Guardians of any Parish or Union in which such Orders or Regulations shall be in force shall depart from them or any of them in any particular Instance or Instances of Emergency, and shall within Fifteen Days after every such Departure report the same and the Grounds thereof in the said Commissioners, and the said Commissioners shall approve of such Departure, or if the Relief so given shall have been given in Food, temporary Lodging, or Medicine, and shall have been so reported or aforesaid, then and in either of such Cases the Relief granted by such Overseers or Guardians, if otherwise lawful, shall not be unlawful or subject to be disallowed.

LIII. And be it further enacted, That an Act passed in the Thirty-sixth Year of the Reign of His late Majesty King George the Third, intitled *An Act to amend in such of an Act made in the Ninth Year of the Reign of King George the Third, intitled 'An Act for amending the Laws relating to the Settlement, Employment, and Relief of the Poor,' as prevents the distributing occasional Relief to poor Persons in their own Houses, under certain Circumstances and in certain Cases, and so much of an Act made and passed in the Fifty-fifth Year of the Reign of His late Majesty King George the Third, intitled *An Act to prevent poor Persons in Workhouses from embarking certain Property provided for their Use, in other and several such of an Act of the Thirty-sixth Year of His present Majesty as retires Justices of the Peace from ordering Relief to poor Persons in certain Cases for a longer Period than One Month at a Time, and for other Purposes therein mentioned relating to the Poor, as extends the Period for which occasional Relief may be ordered by any Justice or Justices to poor Persons at their own Homes, and so much of the said Act made and passed in the Fifty-ninth Year of the Reign of His late Majesty King George the Third, intitled *An Act to amend the Laws for the Relief of the Poor, as empowers any Justice or Justices to order Relief in certain Cases for a limited Time, or in Cases of urgent Necessity, or in Cases where Parishes are under the Management of Guardians, Governors, or Directors appointed by Special or Local Acts, or in Cases where Parishes have not a Select Vestry, shall be and the same are hereby repealed.***

LIV. And be it further enacted, That from and after the passing of this Act the ordering, giving, and granting of all Relief to the Poor of any Parish or Union, according to the Provisions of any of the said recited Acts, or of any Act passed in the Tenth and Second Years of His Majesty's present

Commissioners to regulate the Relief to able-bodied Persons and their Families out of the Workhouse

Relief contrary to their Regulations to be disallowed

Such Overseers may delay the Operation of such Regulations under special Circumstances, and make Report thereof to Commissioners.

If Commissioners disapprove of Delay, they may fix a Day from which all such Relief shall be disallowed.

Case of Emergency.

Repeal of 56 G. 3. c. 22. 55 G. 3. c. 137. 5. 18. c. 2. and 59 G. 3. c. 19. c. 2. & 3.

No Relief to be in future given, except by Board of Guardians, Act.

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Majesty, intitled *An Act for the better regulating of Parishes, and for the Appointment of Auditors of Accounts in certain Parishes in England and Wales, or of this Act, or of any Local Acts, shall be under the Government and Control of any Guardians of the Poor, or of any Select Vestry, and whether forming Part of any Union or Incorporation or not, (but subject in all Cases to, and saving and excepting the Powers of, the said Commissioners appointed under this Act,) shall appoint and being exclusively to such Guardians of the Poor or Select Vestry, according to the respective Provisions of the Acts under which such Guardians or Select Vestry may have been or shall be appointed; and it shall not be lawful for any Overseer of the Poor to give any further or other Relief or Allowance from the Poor Rate than such or shall be ordered by such Guardians or Select Vestry, except in Cases of sudden and urgent Necessity, in which Cases he is hereby required to give such temporary Relief as such Case shall require, in Articles of absolute Necessity, but not in Money; and whether the Application for Relief be made in the Parish where he shall apply for Relief or not. [Provided always, that in case such Overseer shall refuse or neglect to give such necessary Relief in any such Case of Necessity to poor Persons not entitled nor usually residing in the Parish in which such Overseer belongs, it shall and may be lawful for any Justice of the Peace to order the said Overseer, by Writing under his Hand and Seal, to give such temporary Relief in Articles of absolute Necessity, as the Case shall require, but not in Money; and in case such Overseer shall disobey such Order, he shall, on a Conviction before Two Justices, forfeit any Sum not exceeding Five Pounds which such Justice shall order: Provided always, that any Justice of the Peace shall be empowered to give a similar Order for Medical Relief (only) to any Parishioner, as well as Out-Parishioner, where any Case of sudden and dangerous Illness may require it; and any Overseer shall be liable to the same Penalties as aforesaid for disobeying such Order; but it shall not be lawful for any Justice or Justices to order Relief in any Person or Persons from the Poor Rates of any such Parish, except as herein before provided.*

Any Justice may give Order for Medical Relief in dangerous Illness.

Master of Workhouse and Overseer to keep Register.

L.V. And be it enacted, That from and after the passing of this Act the Master of every Workhouse, or such other paid Officer of the Parish or Union as the said Commissioners may direct, shall, on each Day and in each Town as the said Commissioners shall appoint, take an Account of, and register in a Book to be provided at the Expense of the Parish or Union to which such Workhouse shall belong, and to be kept specially for that Purpose, the Name of every poor Person who shall on each Day be in the Receipt of Relief as or in such Workhouse, together with such Particulars respecting the Family and Settlement of every such poor Person, and his and their Relief and Employment, as the said Commissioners shall think fit; and in like Manner, on each Day in the said Commissioners shall appoint, the Overseer of the Poor of every such Parish shall register in a Book to be provided and kept as aforesaid, the Name of every poor Person then in the Receipt of Relief in such Parish out of the Workhouse, together with such Particulars respecting the Family and Settlement of every such poor Person, and his and their Relief and Employment, as the said Commissioners shall think fit; and after such Account shall have been so taken and registered as aforesaid a similar Register and Account shall be kept by the like Persons respectively of all Persons who shall receive Relief as or in or out of a Workhouse, when and as often as such Relief shall be granted.

Poor Persons liable for Relief to Wife or Children.

L.VI. And be it further enacted, That from and after the passing of this Act all Relief given to or on account of the Wife, or to or on account of any Child or Children under the Age of Sixteen, not being blind or deaf and dumb, shall be considered as given to the Husband of such Wife, or to the Father of such Child or Children, as the Case may be, and any Relief given to or on account of any Child or Children under the Age of Sixteen of any Widow shall be considered as given to such Widow. Provided always, that nothing herein contained shall discharge the Father and Grandfather, Mother and Grandmother, of any poor Child, from their Liability to relieve and maintain such poor Child in pursuance of the Provisions of a certain Act of Parliament passed in the Forty-third Year of the Reign of Her late Majesty Queen Elizabeth, intitled *An Act for the Relief of the Poor*.

44 Ed. 1. 2. Habitual Inebriety in any Person liable for Poor Rates.

L.VII. And be it further enacted, That every Man who from and after the passing of this Act shall marry a Woman having a Child or Children at the Time of such Marriage, whether such Child or Children be legitimate or illegitimate, shall be liable to maintain such Child or Children as a Part of his Family, and shall be chargeable with all Relief, as the Case Price thereof, granted to or on account of such Child or Children until such Child or Children shall respectively attain the Age of Sixteen, or until the Death of the Mother of such Child or Children; and such Child or Children shall, for the Purposes of this Act, be deemed a Part of such Husband's Family accordingly.

Such Relief as Commissioners may direct to be considered as Loans.

L.VIII. And be it further enacted, That from and after the passing of this Act any Relief, or the Cost Price thereof, which shall be given to or on account of any poor Person above the Age of Twenty-two, or to his Wife, or any Part of his Family under the Age of Sixteen, and which the said Commissioners shall by any Rule, Order, or Regulation declare or direct to be given or considered as given by way of Loan, and whether any Receipt for such Relief, or Engagement to repay the same, or the Cost Price thereof, or any Part thereof, shall have been given or not by the Person to or on account of whom the same shall have been so given, shall be considered and the same is hereby declared to be a Loan to such poor Person.

Power to direct that in certain Cases Wages in House or Employer.

L.IX. And be it further enacted, That in all Cases where any Relief shall have been given by way of Loan, or where any Relief, or the Cost Price thereof, shall be treated as a Loan, under the Rules, Orders, and Regulations of the said Commissioners, or the Provisions of this Act, it shall be lawful for any Justice, upon the Application of the Overseer or Guardians of the Parish or Union granting such Relief, and upon Proof of the true Merit, to direct, give to or on account of any such Person, his Wife or Family

Family as aforesaid, and of the same, or any Part thereof, still remaining due, or leave a Bondman, requiring such Person as well as the Master or Employer of such Person, or some Person on his Behalf, to appear before any Two Justices, at a Time and Place to be named in such Warrant, to show Cause why any Wages due, or which may from Time to Time become due, from such Master or Employer, should not be paid over, in whole or in part, to such Overseers or Guardians, and if no sufficient Cause be shown to the contrary, or if such Person, or some one on his Behalf, shall not appear on the Return of such Warrant, then the said Justices shall, by Order under their Hands, direct the Master or Employer for the Time being from whom any Wages shall be due or from Time to Time become due or payable to such poor Person, to pay, either in one Sum or by such weekly or other Installments as the said Justices shall in their Discretion think fit, taking into consideration the Circumstances of such poor Person and his Family, out of such Wages, to such Overseers or Guardians, the Amount of such Relief, or so much thereof as shall from Time to Time be due or unpaid; and the Payment to and Receipt of any such Overseer or Guardian shall be a good Discharge to such Master or Employer for so much of any such Wages as shall be so paid by virtue of any such Order; and if any such Master or Employer shall refuse or neglect to pay to the Overseer or Guardian producing any such Order the Money thereby directed to be paid, according to the Terms of such Order, and at the Periods thereby fixed for such Payment, the same may be levied and recovered, and the Payment thereof from Time to Time enforced against such Master or Employer, in such and the like Manner as Penalties and Forfeitures are recoverable under this Act.

LX. And be it further enacted, That from and after the passing of this Act as much of an Act passed in the Forty-third Year of the Reign of the said late Majesty King George the Third, intitled *An Act for consolidating and amending the several Laws for providing Relief for the Families of Apprentices in England when called out into several Services*, as directs Overseers of the Poor, by Order of some One Justice of the Peace, to pay to the Family of any Person serving or enrolled as a balladom Man, Substituted, hired Man, or Volunteer in the Militia of England, a weekly Allowance, or as aubourne any Justice or Justices in order such Allowance to be paid under the Rules and Conditions in the said recited Act provided, or as in any way discharges such balladom Man, Substituted, hired Man, or Volunteer from the Liability to maintain or repay the Costs of Maintenance of his Family or any Part thereof, or as prevents such Families or any Part thereof from being reasonable to their Place of legal Settlement, or sent to any Workhouse, by reason of their receiving any Allowance or being chargeable, shall be and the same is hereby repealed.

LXI. And be it further enacted, That from and after the Period at which any Rule, Order, or Regulation of the said Commissioners shall come into Operation for the binding of poor Children Apprentices, in addition to such Consent or Consent, Order or Allowance of Justices, as are now required by Law, such Justices or any One Justice are and is hereby authorized and required to examine and ascertain whether the Rules, Orders, or Regulations of the said Commissioners then in force for the binding of poor Children Apprentices have been complied with, and to certify the same at the Foot of every such Contract or Indenture, and of the Counterpart thereof, in such Form and Manner as the said Commissioners by such Rules, Orders, or Regulations may direct, and until so certified as such Contract or Indenture of Apprenticeship shall be valid: Provided nevertheless, that nothing in this Act, or in any Rule, Order, or Regulation of the said Commissioners, shall affect the Jurisdiction of any Justices of the Peace over any Master or Apprentice during the Period of Apprenticeship.

LXII. And be it further enacted, That it shall and may be lawful for the Rate-payers in any Parish, and such of the Owners of Property therein as shall, in manner hereinafter mentioned, have required their Names to be entered in the Rate Books of such Parishes respectively as entitled to vote as Owners, assembled at a Meeting to be duly convened and held for the Purpose, after public Notice of the Time and Place of holding such Meeting, and the Purpose for which the same is intended to be held, shall have been given in like Manner as Notices of Yearly Meetings are published and given, to direct that such Sums or Sums of Money, not exceeding Half the average yearly Rate for the Three preceding Years, as the said Owners and Rate-payers so assembled at such Meeting may think proper, shall be raised or borrowed as a Fund, or in aid of any Fund or Contribution for defraying the Expenses of the Emigration of poor Persons having Settlements in such Parish, and willing to emigrate, to be paid out of or charged upon the Rates raised or to be raised for the Relief of the Poor in such Parish, and to be applied under and according to such Rules, Orders, and Regulations as the said Commissioners shall in their Behalf direct: Provided always, that no such Directions for raising Money for such Purpose as aforesaid shall have any Force or Effect unless and until confirmed by the said Commissioners, and that the Time to be limited for the Repayment of any Sum so charged on such Rates as aforesaid shall in no Case exceed the Period of Five Years from the Time of borrowing the same: Provided also, that all Sums of Money so raised or lent hereto-before mentioned, and advanced by way of Loan, for the Purposes of Emigration, or such Proportion thereof as the said Commissioners shall by any Rule, Order, or Regulation from Time to Time direct, shall be recoverable against any such Person, being above the Age of Twenty-one Years, who or whose Family, or any Part thereof, having consented to emigrate, shall refuse to emigrate after such Expenses shall have been as incurred, or having emigrated shall return, in such and the like Manner as is hereto-before provided with respect to Relief, or the Cost Price of Relief, given or considered to be given by way of Loan to any Person, his Wife or Family.

Made of Proceeding against Masters for the recovery thereof

Repeal of as much of 43 G. 3. c. 47. as respects the Act to be given to Wives and Families of Substituted, hired Men, or Volunteers of Militia

Justices to certify that Rules of Commissioners have been complied with in binding poor Children Apprentices

Justices Power reserved as to terms "Shall" and "Apprentice"

Power to raise and Rate-payers to raise Money as Rate of Rates for Purpose of Emigration.

Overseers may apply in Commissions of Eschequer Bills under Act 23 G. 3. c. 24. for Advances of Money

LXIII. And be it further enacted, That where it shall be lawful, under the Provisions of any of the herein recited Acts, or of any Local Act, or of this Act, to raise or borrow any Sum or Sums of Money for the Purpose of purchasing, building, altering, or enlarging any Workhouse or Workhouses in any Parish or Union, or for purchasing Land whereon to build the same, or for defraying the Expenses of the Emigration of poor Persons having Settlements in any Parish, and being willing to emigrate, it shall be lawful for the Overseers or Guardians of such Parish or Union, with the Consent of the said Commissioners, to be treated under their Herds and Seal, to make Application for an Advance of any Sum necessary for any such Purpose to the Commissioners appointed under an Act made and passed in the Tenth seventh Year of the Reign of His late Majesty King George the Third, intituled An Act to authorize the Issue of Eschequer Bills, and the Advances of Money out of the Consolidated Fund, in a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned, and of any Act or Acts passed for amending or continuing the same: and the said Eschequer Bill Loan Commissioners are hereby empowered to make such Advances, upon any such Application as aforesaid, upon the Security of the Rates for the Relief of the Poor in such Parish or Union, and without requiring any further or other Security than a Charge on such Rates.

Legal of Settlements by Hiring and Service.

LXIV. And be it further enacted, That from and after the passing of this Act no Settlement shall be acquired by Hiring and Service, or by Headwork under the same, or by serving an Office.

No Settlements incomplete under Hiring and Service to be completed.

LXV. And be it further enacted, That no Person under any Contract of Hiring and Service not completed at the Time of the passing of this Act shall acquire, or be deemed or adjudged to have acquired, any Settlement by reason of such Hiring and Service, or of any Headwork under the same.

No Settlement acquired without serving Poor Rate.

LXVI. And be it further enacted, That from and after the passing of this Act no Settlement shall be acquired or completed by occupying a Tenement, unless the Person occupying the same shall have been assessed to the Poor Rate, and shall have paid the same, in respect of such Tenement, for One Year.

nor by being apprenticed in the Sea Service;

LXVII. And be it further enacted, That from and after the passing of this Act no Settlement shall be acquired by being apprenticed in the Sea Service, or to a Householder exercising the Trade of the Sea as a Fisherman or otherwise, nor by any Person now being such an Apprentice in respect of such Apprenticeship.

nor by Persons who longer than the Term shall inhabit within ten Miles thereof.

LXVIII. And be it further enacted, That no Person shall be deemed, adjudged, or taken to retain any Settlement, gained by virtue of any Possession of any Estate or Interest in any Parish, for any longer or further Time than such Person shall inhabit within Ten Miles thereof; and in case such Person shall cease to inhabit within such Distance, and thereafter become chargeable, such Person shall be liable to be removed to the Parish wherein previously to such Inhabitation he may have been legally settled, or in case he may have subsequently to such Inhabitation gained a legal Settlement in some other Parish, then to such other Parish.

Legal of Acts relating to Marriage and Punishment of putative Father, and Punishment of Mother of illegitimate Children.

LXIX. And be it further enacted, That from and after the passing of this Act so much of any Act or Acts of Parliament as enables any single Woman to charge any Person with having gotten her with any Child of which she shall be pregnant, or as renders any Person so charged liable to be apprehended or committed, or required to give Security, on any such Charge, or as enables the Mother of any Bastard Child or Children to charge or affiliate on any such Child or Children on any Person as the reputed or putative Father thereof, or as enables any Overseer or Guardian to charge or make Complaint against any Person as such reputed or putative Father, and to require him to be charged with or contribute to the Expenses attending the Birth, Sustentation, or Maintenance of any such Child or Children, or to be imprisoned or otherwise punished for not contributing thereto, or as in any way renders such reputed or putative Father liable to Prohibition or Contribution as such, or as enables Churchwardens and Overseers, by the Order of any Two Justices of the Peace, confirmed by the Sessions, to take, seize, and dispose of the Goods and Chattels, or to receive the annual Rents or Profits of the Lands of any putative Father of Bastard Children, and so much of any such Act or Acts as renders an unmarried Woman with Child liable as such to be committed, committed, or removed, or as renders the Mother of any Bastard Child as such to be imprisoned or otherwise punished, shall, so far as respects any Child which shall be likely to be born or shall be born a Bastard after the passing of this Act, or the Mother or putative Father of such Child, be and the same is hereby repealed.

Security and Recognizance for Delivery of Bastard Children likely to be born Bastards to be null and void.

LXX. And be it further enacted, That every Security given or Recognizance entered into by any Person or Persons, or his or their Surety, before the passing of this Act, to indemnify any Parish or Place as to any Child or Children likely to be born a Bastard or Bastards, whereof any single Woman shall be pregnant at the Time of the passing of this Act, or to abide and perform such Order or Orders as might have been made touching such Child or Children, pursuant to an Act made and passed in the Eighteenth Year of the Reign of Her said late Majesty Queen Elizabeth, concerning Bastards begotten and born out of lawful Matrimony, shall be and the same are hereby declared null and void; and every Person who shall at the Time of the passing of this Act be in Custody upon the Commitment of any Justice or Justices for not having given such Security or entered into such Recognizance shall be discharged (upon the Application of such Person) by any One of the Winding Justices of the Guild in which such Person shall be in Custody under any such Commitment.

Children in Custody for not giving Indemnity to be discharged.

LXXI. And be it further enacted, That every Child which shall be born a Bastard after the passing of this Act shall have, and enjoy the same Privileges and Immunities of such Parish and Place, as if such Child

Children in Custody for not giving Indemnity to be discharged.

Children in Custody for not giving Indemnity to be discharged.

attain the Age of Sixteen, or shall acquire a Settlement in his own Right, and such Mother, as long as she shall be unmarried or a Widow, shall be bound to maintain such Child as a Part of her Family until such Child shall attain the Age of Sixteen; and all Relief granted to such Child while under the Age of Sixteen shall be considered as granted to such Mother: Provided always, that such Liability of such Mother as aforesaid shall cease on the Marriage of such Child, if a Female.

LXXII. And be it enacted, That when any Child shall hereafter be born a Bastard, and shall by reason of the Inability of the Mother of such Child to provide for its Maintenance become chargeable to any Parish, the Overseers or Guardians of such Parish, or the Guardians of any Union in which such Parish may be situate, may, if they think proper, after diligent Inquiry as to the Father of such Child, apply to the next General Quarter Sessions of the Peace within the Jurisdiction of which such Parish or Union shall be situate, after such Child shall have become chargeable, for an Order upon the Person whom they shall charge with being the putative Father of such Child to reimburse such Parish or Union for its Maintenance and Support; and the Court to which such Application shall be made shall proceed to hear Evidence thereon, and if it shall be satisfied, after hearing both Parties, that the Person so charged is really and in Truth the Father of such Child, it shall make such Order upon such Person in that respect as to such Court shall appear to be just and reasonable under all the Circumstances of the Case: Provided always, that no such Order shall be made unless the Evidence of the Mother of such Bastard Child shall be corroborated in some material Particular by other Testimony to the Satisfaction of such Court: Provided also, that such Order shall in no Case exceed the actual Expence incurred or to be incurred for the Maintenance and Support of such Bastard Child while so chargeable, and shall continue in force only until such Child shall attain the Age of Seven Years, if he shall so long live: Provided also, that no Part of the Money paid by such putative Father in pursuance of such Order shall at any Time be paid to the Mother of such Bastard Child, nor in any way be applied to the Maintenance and Support of such Mother.

LXXIII. And be it enacted, That no such Application shall be heard at such Sessions unless Fourteen Days Notice shall have been given under the Hands of such Overseers or Guardians to the Person intended to be charged with being the Father of such Child of such intended Application; and in case there shall not, previously to such Sessions, have been sufficient Time to give such Notice, the hearing of such Application shall be deferred to the next ensuing General Quarter Sessions: Provided always, that whenever such Application shall be heard, the Costs of the Maintenance of such Bastard Child shall, in case the Court shall think fit to make an Order thereon, be calculated from the Birth of such Bastard Child, if such Birth shall have taken place within Six Calendar Months previous to such Application being heard; but if such Birth shall have taken place more than Six Calendar Months previously to such Application being heard, then from the Day of the Commencement of Six Calendar Months next preceding the hearing of such Application: Provided also, that if upon the hearing of such Application the Court shall not think fit to make any Order thereon, it shall order and direct that the full Costs and Charges incurred by the Person so intended to be charged in resisting such Application shall be paid by such Overseers or Guardians.

LXXIV. And be it enacted, That if such Person as intended to be charged shall not appear by himself or his Attorney at the Time when such Application shall come on to be heard before such Court, according to such Notice, such Court shall nevertheless proceed to hear the same, unless such Overseers or Guardians shall produce an Agreement under the Hand of such Person to abide by such Order as such Court shall make thereon without the hearing of Evidence by such Court: Provided always, that such Court may, notwithstanding such Agreement, require that Evidence shall be given in support of such Application, if it thinks fit, before such Order is made.

LXXV. And be it enacted, That whenever such Overseers or Guardians shall have determined to make such Application as aforesaid it shall be lawful for One Justice of the Peace, at the Request of such Overseers or Guardians, to summon the Person as intended to be charged with being the Father of such Bastard Child to appear before him; and if such Justice shall be satisfied that such Person has any Intention to abscond or keep out of the way, in order to avoid the Consequences of such Application, such Justice may require such Person to enter into a Recognizance to appear and answer thereto, and in case such Person shall refuse or neglect to enter into such Recognizance, may commit such Person to the Goal or House of Correction of the County, Riding, or Division within which such Parish shall be situate, until he shall enter into such Recognizance, or until such Application shall be heard.

LXXVI. And be it enacted, That if at any Time after the Expiration of One Calendar Month after an Order shall have been made in pursuance of such Application it shall appear to One Justice, upon the Oath of any One of such Overseers or Guardians, that the Payments directed to be made by such Order have not been made according thereto and are in arrear, it shall be lawful for such Justice or any other Justice by Warrant under his Hand and Seal to cause such putative Father of such Bastard Child to be brought before Two Justices of the Peace; and in case such putative Father shall refuse or neglect to make Payment of such Sum of Money as shall appear to such Justices to be due from him under such Order, together with the Costs of Apprehension, it shall be lawful for such or any Two Justices to proceed to recover such Sum and Costs by Distress and Sale of the Goods and Chattels of such putative Father, or by attaching the Wages of such putative Father for the Recovery of such Sum and Costs, in the same Manner as Wages may be attached under the Provisions of this Act.

Does bound to maintain the same.

Court of Quarter Sessions, on Application of Overseers, may make an Order upon putative Father of Child for its Support.

Money paid not applicable to Support of Mother.

No Application to be heard without Fourteen Days previous Notice.

If Application be heard, Costs may be calculated from Birth of Bastard Child, if within Six Months.

In the Event of Party charged not appearing, Court may nevertheless proceed to hear the same.

Duty ascertained, if satisfied of Intention to abscond, may be required to enter into a Recognizance for his Appearance.

When Payment not made arrear, putative Father may be proceeded against by Distress or Attachment of Wages.



No Person  
applied in  
Administration  
of Poor Laws  
to Parishes, for  
his own Profit,  
Goods or Dis-  
tresses given  
to Parishes  
in England.

LXXVII. And be it further enacted, That it shall not be lawful for any Person hereafter to be appointed in any Parish or Union in any Office concerned in the Administration of the Laws for the Relief of the Poor, or for any Person who after the Twenty-fifth Day of March One thousand eight hundred and thirty-five shall fill any such Office, to furnish or supply, for his own Profit or on his own Account, any Goods, Materials, or Provisions ordered to be given in Parochial Relief, or to furnish or supply any Goods, Materials, or Provisions for or in respect of the Money ordered to be given in Parochial Relief to any Person in such Parish or Union; and every Person holding such Office shall, on Conviction before any Two Justices of the Peace, be subject to a Penalty of Five Pounds for such Offence, one Half of which Penalty shall be paid to the Indigent, and the other Half in aid of the Poor Rates of such Parish or Union.

Sum payable  
under 45 Edw.  
c. 1. s. 1. by  
Heirs of  
poor Persons,  
from recover-  
able.

LXXVIII. And be it further enacted, That all Sums of Money which shall be assessed by any Justice of the Peace on the Father, Grandfather, Mother, Grandmother, Child, or Children of any poor Person, for the Relief or Maintenance of such poor Person, under or by virtue of the Provisions of a certain Act passed in the Forty-third Year of the Reign of Her late Majesty Queen ANNE, intitled *An Act for the Relief of the Poor*, or of any Act to amend the same, or of this Act, and all Penalties and Forfeitures to which any Person so assessed by such Justice for such Relief or Maintenance shall be liable for any Default in paying the same by virtue of the Provisions of any of the said recited Acts, or of this Act, shall be recoverable against every Person so assessed or charged in like Manner as Penalties and Forfeitures are recoverable under the Provisions of this Act.

No Person to  
be removed till  
after Notice of  
his being  
chargeable has  
been sent to  
the Parish to  
which Order of  
Removal is  
directed.

LXXIX. And be it further enacted, That from and after the first Day of November One thousand eight hundred and thirty-four no poor Person shall be removed or removable, under any Order of Removal from any Parish or Workhouse, by reason of his being chargeable to or relieved therein, until Twenty-two Days after a Notice in Writing of his being so chargeable or relieved, accompanied by a Copy or Counterpart of the Order of Removal of such Person, and by a Copy of the Examination upon which such Order was made, shall have been sent, by Post or otherwise, by the Overseers or Guardians of the Parish obtaining such Order, or any Three or more of such Guardians, to the Overseers or Guardians of the Parish to whom such Order shall be directed: Provided always, that if such Overseers or Guardians as last aforesaid, or any Three or more of such Guardians, shall by Writing under their Hands agree to submit to such Order, and to receive such poor Person, it shall be lawful to remove such poor Person according to the Tenor of such Order, although the said Period of Twenty-one Days may not have elapsed: Provided also, that if Notice of Appeal against such Order of Removal shall be received by the Overseers or Guardians of the Parish from which such poor Person is directed in such Order to be removed within the said Period of Twenty-one Days, it shall not be lawful to remove such poor Person until after the Time for prosecuting such Appeal shall have expired or, in case such Appeal shall be duly prosecuted, until after the final Determination of such Appeal.

Such Person  
may be removed  
of Order when  
relieved to,  
but not in case  
of Appeal.

LXXX. And be it enacted, That the Overseers or Guardians of the Parish giving such Notice of Appeal, or their Attorney, or any other Person authorized by them, shall, until such Appeal shall have been heard and decided, at all proper Times have free Access to such poor Person for the Purpose of examining him touching his Settlement; and in case it shall be necessary for the more effectual Examination of such Person that he should be taken out of the removing Parish, such Overseers or Guardians shall be permitted to remove him therefor for the Time which may be necessary for that Purpose: Provided always, that the Expenses of such Removal, and of his Maintenance during the same, shall be defrayed by the appellant Parish.

In case of  
Appeal the  
Overseers to  
have Access to  
such poor Per-  
son touching  
his Settlement.

LXXXI. And be it further enacted, That after the first Day of November One thousand eight hundred and thirty-four, in every Case where Notice of Appeal against such Order shall be given, the Overseers or Guardians of the Parish appealing against such Order, or any Three or more of such Guardians, shall, with such Notice, or Fourteen Days at least before the first Day of the Session at which such Appeal is intended to be tried, send or deliver to the Overseers of the respondent Parish a Statement in Writing under their Hands of the Grounds of such Appeal; and it shall not be lawful for the Overseers of such appellant Parish to be heard in support of such Appeal unless such Notice and Statement shall have been so given as aforesaid: Provided always, that it shall not be lawful for the respondent or appellant Parish, on the hearing of any Appeal, to go into or give Evidence of any other Grounds of Removal, or of Appeal against any Order of Removal, than these set forth in such respective Order, Examination, or Statement as aforesaid.

Grounds of  
Appeal to be  
set out in Notice.

LXXXII. And be it further enacted, That upon every such Appeal the Court before whom the same shall be brought shall and may, if they think fit, order and direct the Parish against which the same shall be decided to pay to the other such Costs and Charges as may to such Court appear just and reasonable, and shall certify the Amount thereof; and in case the Overseers of the Poor of the Parish liable to pay the same shall, upon Demand, and upon the Production of such Certificate, refuse or neglect to pay the same, the Amount thereof may be recovered from such Overseers in the same Manner as any Penalties or Forfeitures are by this Act recoverable.

Party making  
Petition or  
removal State-  
ment to pay  
Costs.

LXXXIII. And be it further enacted, That if either of the Parties shall have concluded in the Order or Statement sent as herein-before directed any Grounds of Removal or of Appeal which shall in the Opinion of the Justice determining the Appeal be frivolous and vexatious, such Party shall be liable, if the said costs of the said Justice, or any other Costs which may be ordered by the other Party

Party in disputing any such Grounds, such Costs to be recovered in the Manner herein-before directed as to the other Costs incurred by reason of such Appeal.

LXXXIV. And be it further enacted, That the Parish to which any poor Person whose Settlement shall be in question at the Time of granting Relief shall be admitted or finally adjudged to belong, shall be chargeable with and liable to pay the Cost and Expence of the Relief and Maintenance of such poor Person, and such Cost and Expence may be recovered against such Parish in the same Manner as any Penalties or Forfeitures are by this Act recoverable: Provided always, that such Parish, if not the Parish granting such Relief, shall pay to the Parish by which such Relief shall be granted the Cost and Expence of such Relief and Maintenance from such Time only as Notice of such poor Person having become chargeable shall have been sent: by such relieving Parish to the Parish to which such poor Person shall be so admitted or finally adjudged to belong: Provided always, that no Charges or Expences of Relief or Maintenance shall be recoverable under a suspended Order of Removal unless Notice of such Order of Removal, with a Copy of the same, and of the Examination upon which such Order was made, shall have been given within Ten Days of such Order being made to the Overseers of the Poor of the Parish to whom such Order is directed.

LXXXV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, Power Time to Time as they may think fit, to require from all Persons in whom any Freehold, Copyhold, or Leasehold Estate, or any other Property or Funds belonging to any Parish, and held in Trust for or applicable to the Relief of the Poor, or which may be applied in discharge of the Poor Rate of such Parish, shall be seized, or who shall be in the Receipt of the Rents, Profits, or Income of any such Estate, Property, or Funds, a true and detailed Account in Writing of the Place where such Estate may be situate, or in what Mode or on what Security such other Property or Funds may be invested, with such Details of the Rents, Profits, and Income thereof, and of the Appropriation of the same, and of all such other Particulars relating thereto, as the said Commissioners may direct and require; and such Statements or a true Copy thereof shall, under the Regulations of the said Commissioners, be open for the Inspection of the Owners of Property and Rate-payers in such Parish: Provided always, that nothing herein before contained shall apply to any Funds raised from Time to Time by the voluntary Contributions of the Inhabitants of any Parish.

LXXXVI. And be it further enacted, That no Advertisement inserted by or under the Direction of the said Commissioners in the London Gazette or any Newspaper, for the Purpose of carrying into effect any Provisions of this Act, nor any Mortgage, Bond, Indenture, or any Assignment thereof, given by way of Security, in pursuance of the Rules, Orders, or Regulations of the said Commissioners, and conformable thereto, nor any Contract or Agreement, or Appointment of any Officer, made or entered into in pursuance of such Rules, Orders, or Regulations, and conformable thereto, nor any other Instrument made in pursuance of this Act, nor the Appointment of any paid Officer engaged in the Administration of the Laws for the Relief of the Poor, or in the Management or Collection of the Poor Rate, shall be charged or chargeable with any Stamp Duty whatsoever.

LXXXVII. And whereas by an Act passed in the Twenty-second Year of the Reign of King George the Third, intitled *An Act for the better Relief and Employment of the Poor*, the Visitor and Guardian of the Poor of any Parish, Township, or Place which shall adopt the Provisions of the said recited Act, are authorized thereby to borrow Money at Interest, for the Purposes mentioned in the said Act, and to secure such Money by a Charge upon the Poor's Rates of such Parish, Township, or Place, in such Sum not exceeding Fifty Pounds each, in a certain Form contained in the Schedule to the said Act, or to that or to the like Effect, and such Security is directed and allowed to be assigned by Indenture on the Back thereof in a certain Form also contained in the said Schedule, or to that or to the like Effect: And whereas Doubts have arisen touching the Liability of such Securities as aforesaid, and the Assignments or Transfers thereof, to Stamp Duty, and it is expedient to remove the same: be it therefore enacted and declared, That no Bond or other Security in any Time heretofore or to be at any Time hereafter made or entered into in pursuance of the said recited Act, nor any Assignment or Transfer thereof, shall be charged or chargeable with, or be deemed to be or to have been subject or liable to, any Stamp Duty whatsoever: any thing in any Act contained to the contrary hereof notwithstanding.

LXXXVIII. And be it further enacted, That the said Commissioners shall and may receive and send by the General Post, from and to Places within the United Kingdom, all Letters and Packets relating solely and exclusively to the Execution of the Act, free from the Duty of Postage, provided that such Letters and Packets as shall be sent to the said Commissioners be directed in the "Four Law Commissioners" at their Office in London, and that all such Letters and Packets as shall be sent by the said Commissioners shall be in Covers, with the Words "Office of Four Law Commissioners, pursuant to Act of Parliament passed in the Fifth Year of the Reign of His Majesty King William the Fourth," printed on the same, and be signed on the Outside thereof, under such Words, with the Name of such Person as the said Commissioners, with the Consent of the Lords Commissioners of the Treasury, or any Three or more of them, shall authorize and appoint, in his own Handwriting, (such Name to be from Time to Time transmitted to the Secretaries of the General Post Office in London and Dublin,) and be sealed with the Seal of the said Commissioners, and under such other Regulations and Restrictions as the said Lords Commissioners, or any Three or more of them, shall think proper and direct; and the Person so to be authorized is hereby strictly forbidden so to subscribe or seal any Letter or Packet without, ~~expressly declaring, and certifying, and signing, and affixing, and sealing, and directing, and~~

Costs of Relief to be paid by Parish to which poor Person belongs.

Relief under suspended Order not to be recoverable unless Notice of such Order.

Power to call for and publish Accounts of Trust and Charitable Estates.

Advertisements, &c. not liable to Stamp Duty.

Bonds and Securities made pursuant to 22 G. 3. c. 25 and Assignments thereof, exempted from Stamp Duty.

Letters and Packets sent by Commissioners to be free of Postage, if sent conformable hereto.

superior Officer, or which he shall himself have to relate solely and exclusively to the Execution of this Act; and if the Person so to be authorized, or any other Person, shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Enclosure, other than what shall relate to the Execution of this Act, every Person so offending shall forfeit and pay the Sum of One hundred Pounds, and be dismissed from his Office; One Moiety of the said Penalty to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of the Person who shall inform or sue for the same, to be paid for and recovered in any of His Majesty's Courts of Record at Westminster for Offences committed in England, and in any of His Majesty's Courts of Record in Wales for Offences committed in England, and before the Sheriff or Steward Court of the Shire or Stewartry within which the Party offending shall reside, or the Offence shall be committed, for Offences committed in Scotland; and if any Letter, Paper, or Writing, or other Enclosure, shall be sent under Cover to the said Commissioners, the same not relating solely and exclusively to the Execution of this Act, they are hereby strictly required and enjoined to transmit the same forthwith to the Secretary of the Post Office in London, with the Covers under which the same shall be sent, in order that the Contents thereof may be charged with the full Rates of Postage.

LXXXIX. And be it further enacted, That all Payments, Charges, and Allowances made by any Overseer or Guardian, and charged upon the Rates for the Relief of the Poor, contrary to the Provisions of this Act, or in violation with any Rule, Order, or Regulation of the said Commissioners made under the Authority of this Act, shall be and the same are hereby declared to be illegal, any Law, Customs, or Usage to the contrary notwithstanding; and every Justice of the Peace is hereby required to disallow as illegal and unfounded all Payments, Charges, or Allowances contrary to the Provisions of this Act, or to any such Rule, Order, or Regulation of the said Commissioners, which shall be contained in any Account of any Overseer of the Poor or Guardian which shall be presented for the Purpose of being passed or allowed: Provided always, that no Allowance by any Justice shall extend or discharge such Overseer or Guardian from any Penalty or legal Proceeding to which he may have rendered himself liable by having acted contrary to the Rules, Orders, and Regulations of the said Commissioners, or to the Provisions of this Act.

XC. And be it further enacted, That the issuing of any Warrants authorized to be issued by any Commissioner, Assistant Commissioner, or Justice of the Peace, under this Act, at the usual or last known Place of Abode of the Party to whom such Warrants shall be directed, shall in every Case be deemed good and sufficient Service of such Warrants.

XCI. And be it further enacted, That so much of an Act made and passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to repeal the Duties payable in respect of the Spirits distilled in England, and of Licences for distilling, rectifying, or compounding such Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof, and to provide other Regulations for the Collection of the said Duties, and for the Sale of Spirits, and for the merchandizing of such Spirits without Payment of Duty for Exportation*, as provides that if any Master or Officer of any Workhouse shall sell, use, lend, or give away, or knowingly permit, or suffer any Spirits to be sold, used, lent, or given away, in any such Workhouse, or brought into the same, other than and except such Spirits as shall be prescribed or given by the Prescriptions and Direction of a Physician, Surgeon, or Apothecary, and so be supplied in pursuance of such Prescriptions from the Shop of some Apothecary, every such Master or such other Officer shall for every such Offence forfeit One hundred Pounds, and for the Second like Offence lose his Office; and so much of the said last-mentioned Act as provides that no Person shall carry or bring, or attempt to endeavour to carry or bring, any Spirits, except to be used in the way of Medicine, into any Workhouse, under the Pain of being imprisoned for every such Offence for every Time not exceeding Three Months; and also so much of the said last-mentioned Act as provides that every Master and chief Officer of every Workhouse shall procure One or more Copy or Copies of the Clauses in the said Act mentioned to be printed or fairly written and hung up in one of the most public Places in the Workhouse, and renew the same from Time to Time, so that it may be always kept fair and legible, on pain of forfeiting the Sum of Ten Pounds for every wilful Default; or so enable any Justice of the Peace to demand a Sight of such Copy as hung up in some public Place, to convict such Master or Officer of such Default; shall be and the same is hereby repealed.

XCII. And be it further enacted, That if any Person shall carry, bring, or introduce, or attempt or endeavour to carry, bring, or introduce, into any Workhouse now or hereafter to be established, any spirituous or fermented Liqueur without the Order in Writing of the Master of such Workhouse, it shall be lawful for the Master of such Workhouse, or any Officer of the same acting under his Direction, to apprehend or cause to be apprehended such Offender, and to carry him or her before a Justice of the Peace, who is hereby empowered to hear and determine such Offence in a summary Way: and upon Conviction thereof the Party so offending shall forfeit and pay any Sum of Money not exceeding Ten Pounds for every such Offence, or such Justice may direct; and in default of Payment of the Penalty hereby imposed such Justice may and is hereby required to commit such Offender to the Common Goal or House of Correction for the District in which such Workhouse shall be situate for any Space of Time not exceeding Two Calendar Months, unless such Penalty shall be sooner paid.

XCIII. And be it further enacted, That if any Master of a Workhouse shall order any spirituous or fermented Liqueur to be carried, brought, or introduced into any Workhouse, except for the domestic Use of the Master, or any Officer of the said Workhouse, or to be used in the distilling or rectifying or

Letters sent under Cover not relating solely to the Business of the Act to be transmitted to Post Office to be charged.

Payments contrary to this Act void and unlawful.

Service of Warrants.

Repeal of so much of 4 G. 4. c. 14. as provides for the Collection of Spirituous Liquors in Workhouses.

Penalty on Persons introducing spirituous or fermented Liqueur into Workhouses.

Penalty on Masters of Workhouses allowing Use of

under the written Authority, of the Surgeon of such Workhouse, or of any Justice visiting the same, or of the Guardian of such Workhouse, or in conformity with any Rules, Orders, or Regulations of the said Commissioners; or if any such Master or any other Officer of any Workhouse shall carry, bring, or introduce into such Workhouse, or sell, use, lend, or give away therein, or knowingly permit or suffer to be carried, brought, or introduced, or sold, used, lent, or given away therein, any spirituous or fermented Liquor, contrary to the Rules, Orders, and Regulations of the said Commissioners; or shall punish with any corporal Punishment any adult Person in such Workhouse, or confine any such Person for any Offence or Mischaviour for any longer Space of Time than Twenty-four Hours, or such further Space of Time as may be necessary in order to have such Person carried before a Justice of the Peace; or shall in any way abuse or ill-treat, or be guilty of any other Mischaviour, or otherwise misconduct himself towards or with respect to any poor Person in such Workhouse; every such Master or Officer of a Workhouse so offending shall for every such Offence, upon the Complaint of the Overseers or Guardians of the Parish or Union to which such Workhouse shall belong, or of any such poor Person, and upon Conviction of such Offence before any Two Justices, forfeit and pay such Sum of Money, not being more than Twenty Pounds, as such Justices may direct; and in default of Payment of the Penalty lawfully imposed such Justices may and are hereby required to commit such Offender to the Common Goal or House of Correction for the District in which such Workhouse shall be situate for any Space of Time not exceeding Six Calendar Months, unless such Penalty shall be sooner paid. Provided always, that if at the Time when any such Master or Officer of a Workhouse shall be so convicted of any such Offence there shall be due to him any Sum of Money or Salary in respect of his Employment as such Master or Officer of such Workhouse, or upon any Balance of Account from the Overseers or Guardians of the Parish or Union to which such Workhouse shall belong, it shall be lawful for such Justices, upon the Application of such Overseers or Guardians, by Order in Writing under their Hand to direct that such Sum of Money, Salary, or Balance, so far as the same shall extend, or a sufficient Part thereof, shall be retained and applied for the Use of such Parish or Union by such Overseers or Guardians, in Payment or part Payment of any such Penalty; and such Order shall be a good and valid Discharge to such Overseers or Guardians for so much Money as may by such Order be directed to be so retained and applied against the Claim or Demand of the Master or other Officer of such Workhouse in respect of any such Sum of Money, Salary, or Balance.

XCV. And be it further enacted, That the Master of every Workhouse shall cause One or more Copy or Copies of the Two preceding Chapters to be printed or fairly written, and hung up in One of the most public Places of such Workhouse, and renew the same from Time to Time, so that it be always kept fair and legible, on pain of forfeiting the Sum of Ten Pounds for every offence therein.

XCVI. And be it further enacted, That in case any Overseer, Assistant Overseer, Master of a Workhouse, or other Officer of any Parish or Union, shall wilfully disobey the legal and reasonable Orders of such Justices and Guardians in carrying the Rules, Orders, and Regulations of the said Commissioners or Assistant Commissioners, or the Provisions of this Act, into execution, every such Offender shall upon Conviction before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XCVII. Provided always, and be it further enacted, That no Overseer shall be liable to any Prosecution or Penalty for not carrying into execution any illegal Order of such Justices or Guardians, any Law or Statute to the contrary notwithstanding.

XCVIII. And be it further enacted, That if any Overseer, Assistant Overseer, Master of a Workhouse, or other paid Officer, or any other Person employed by or under the Authority of the said Guardians, shall punish, embetter, or wilfully wrong or mistreat any of the Brethren, Goods, or Chattels belonging to any Parish or Union, every such Offender shall, besides and in addition to such Penalised Proceeds as such Person so offending shall, independently of this Act, be liable to, upon Conviction before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, and also Treble the Amount or Value of such Money, Goods, or Chattels so punished, embettered, wasted, or wronged; and every Person so convicted shall be for ever thereafter incapable of serving any Office under the Provisions of this or any other Act in relation to the Relief of the Poor.

XCVIII. And be it further enacted, That in case any Person shall wilfully neglect or disobey any of the Rules, Orders, or Regulations of the said Commissioners or Assistant Commissioners, or be guilty of any Contrivance of the said Commissioners sitting as a Board, such Person shall, upon Conviction before any Two Justices, forfeit and pay for the first Offence any Sum not exceeding Five Pounds, for the second Offence any Sum not exceeding Twenty Pounds or less than Five Pounds, and in the event of such Person being convicted a Third Time, such Third and every subsequent Offence shall be deemed a Misdemeanour, and such Offender shall be liable to be indicted for the same Offence, and shall on Conviction pay such Fine, not being less than Twenty Pounds, and suffer such Imprisonment, with or without hard Labour, as may be awarded against him by the Court by or before which he shall be tried and convicted.

XCVI. And be it further enacted, That all Penalties and Forfeitures by this Act inflicted or authorized to be imposed for any Offence against the same shall, upon Proof and Conviction of the Offence respectively before any Two Justices, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justices are in every Case hereby fully authorized to administer) or upon Oath made by the Jurors, or by the Oath of the Party himself, or by the Oath of any credible Witness or Witnesses, (which Oath such Justices are in every Case hereby fully authorized to administer), or upon the Information, Summons, and Conviction, by Duress and Sale of the Goods and Chattels of the

spirituous Liquor, or of any other such Person, or manufacturing interest.

Power to Justices to order Imprisonment, &c. to be imposed and applied in a fine Payment of Penalties.

Masters to hang up Copies of Two preceding Chapters in Workhouse.

Penalties on Overseers and other Officers disobeying Orders.

No Offence to be ground for prosecution excepting illegal Orders.

Penalty on Overseers, &c. punishing, &c. Goods, &c. and Treble the Value of Goods punished.

Penalty on Persons wilfully disobeying Rules, Orders, and Regulations.

Forfeitures, Costs, and Charges may be levied by Distress and Sale.

Offender or Person liable or ordered to pay the same respectively, by Warrant under the Hands of the Justices before whom the Party may have been convicted, or, on Proof of such Conviction, by a Warrant under the Hands of any Two Justices acting for the County, Riding, or Division (which Warrant such Justices are hereby empowered and required to grant); and the Overplus (if any), after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices as aforesaid to order the Offender or Offenders as convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices as aforesaid, for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices as aforesaid are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justices as aforesaid, as the Case may be, and they are hereby authorized and required, by Warrant or Warrants under their Hands, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Riding, or Place where the Offender shall be or reside, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Penalties and Forfeitures, when so levied, shall be paid to or for the Use of the Parish or Union where such Offence shall have been committed, to be applied in aid of the Poor Rate of such Parish or Union.

In what Manner to be applied.

Owners, Bail-payers, &c. may be compelled to give Security.

Justices may proceed by Summons for the Recovery of Penalties.

C. And be it further enacted, That no Owner of Property, Bail-payer, or Inhabitant of any Parish or Union shall be deemed an incompetent Witness in any Proceeding for the Recovery of any Penalty or Forfeiture inflicted or imposed for any Offence against this Act; notwithstanding such Penalty or Forfeiture, when recovered, shall be applicable in aid of the Poor Rate of such Parish or Union.

CL. And be it further enacted, That in all Cases in which any Penalty or Forfeiture is recoverable before the Justices of the Peace under this Act it shall and may be lawful for any Commissioner or Assistant Commissioner, or any Justice, to whom Complaint in Writing shall be made of any such Offence, to summon the Party complained against to appear before any Two Justices, and on such Summons the said Two Justices may hear and determine the Matter of such Complaint, and on Proof of the Offence convict the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and proceed to recover the same.

Redemption recoverable for special Damages, but Distress not lawful for Want of Term in the Proceedings.

Plaintiff not to recover for Irregularity of Tender of Amends in such.

CLL. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Default or Want of Form in any Proceedings relating thereto, nor shall the Party detaining be deemed a Trespasser on either account of any Irregularity which shall afterwards happen in making the Distress, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case. Provided always, that no Plaintiff shall recover in any Action for any Irregularity, Trespass, or wrongful Proceedings, if Tender of sufficient Amends shall be made, by or on behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action shall have been brought; and in case no such Tender shall have been made it shall and may be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit, wheresoever such Proceedings or Orders and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Appeal to the Quarter Sessions against Order of Justices within Four Calendar Months after Commencement of Cause of Complaint, &c.

Fourteen Days Notice in Writing to be given, &c. and Return to be entered into.

CLL. Provided also, and be it further enacted, That if any Person or Persons shall feel himself, herself, or themselves aggrieved by any Order or Conviction of any Justice or Justices, where such Person or Persons shall be convicted in any Penalty or Penalties exceeding Five Shillings, or if any Person shall feel himself aggrieved by any Order made under the Provisions of this Act on such Person as the parties Father of any Banned Child, it shall be lawful for such Person or Persons to appeal to any General or Quarter Sessions of the Peace to be held in and for the County, Riding, or Division in which such Order shall have been made or Conviction taken place within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month next after such Cause of Complaint, then such Appeal shall be made to the next following Sessions, either of which Court of Sessions is hereby empowered to hear and finally determine the Matter of the said Appeal, and to make such Order thereon as to them shall seem meet; which Order shall be final and conclusive as and upon all Parties; provided that the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their intention of appearing as aforesaid, and of the Matter or Cause thereof, to the Respondent or Respondents, and within Five Days after such Notice shall enter into a Recognizance before some Justice of the Peace, with sufficient Sureties, conditioned to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace, which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and such Justices, upon hearing and finally determining such Matter of Appeal shall distinctly, according to their Discretion,

tion, award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination in or concerning the Provision shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

CIV. And be it further enacted, That no Action or Suit shall be commenced against any Commissioner, Assistant Commissioner, or any other Person for any Thing done in pursuance of or under the Authority of this Act until Twenty-one Days Notice has been given thereof in Writing to the Party or Person against whom such Action is intended to be brought, nor after sufficient Satisfaction or Tender thereof shall have been made to the Party aggrieved, nor after Three Calendar Months next after the Act committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence, at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become Nonsuit, or suffer a Discontinuance of such Action, or if upon any Demurrer in such Action, Judgment shall be given for the Defendant therein, then and in any of the Cases aforesaid such Defendant shall have Costs, Charges, and Expenses as between Attorney and Client, and shall have such Remedy for recovering the same as any Defendant may have for his or her Costs in any other Case by Law.

CV. And be it further enacted, That no Rule, Order, or Regulation of the said Commissioners or Assistant Commissioners, or any of them, shall be removed or removable by Writ of Certiorari into any Court of Record, except His Majesty's Court of King's Bench at Westminster; and that every Rule, Order, or Regulation which shall be removed by Writ of Certiorari into the said Court of King's Bench shall nevertheless, unless and until the same shall be declared illegal by that Court, continue in full force and virtue, and be obeyed, performed, and enforced, in such and the same Manner, and by such and the same Ways and Means, as if the same had not been so removed.

CVI. And be it further enacted, That no Application shall be made for any Writ of Certiorari for the Removal of any such Rule, Order, or Regulation, except to the Judges when sitting in the said Court, nor unless Notice in Writing shall have been left at the Office of the said Commissioners at least Ten Days previous to such Application being made, and in which Notice shall be set forth the Name and Description of the Party by or on behalf of whom and the Day on which it is intended to make such Application, together with a Statement of the Grounds thereof; and thereupon it shall be lawful for the said Commissioners to show Cause in the first Instance against such Application, and the Court may, if it shall so think fit, forthwith proceed to hear and determine the same upon the Grounds set forth in such Notice.

CVII. And be it further enacted, That provision to any Writ of Certiorari being issued the Party or Parties applying for the same shall enter into a Recognizance, with sufficient Sureties, before One of His Majesty's Justices of the Court of King's Bench, or before a Justice of the Peace of the County or Place in which such Person shall reside, in the Sum of Fifty Pounds, with Condition to prosecute the same, at his or their Costs and Charges, with Effect, without any wilful or affected Delay, and in default thereof, or in the event of such Rule, Order, or Regulation being deemed legal, to pay the said Commissioners their full Costs, Charges, and Expenses, to be used according to the Course of the said Court of King's Bench; and if the said Rule, Order, or Regulation, so removed by the said Writ of Certiorari into the said Court of King's Bench, shall be declared illegal by the said Court, the Commissioners appointed in such Cases, within Ten Days after Demand made of the Person or Persons who ought to pay the said Costs, upon Oath made of the making such Demand and Refusal of Payment thereof, may recover the same in the same Manner as any Penalties and Forfeitures are recoverable under this Act.

CVIII. And be it further enacted, That if upon the Hearing of the Application the Court shall order a Writ of Certiorari to issue for bringing up any such Rule, Order, or Regulation, and the same, being brought into Court, shall be quashed as illegal, the said Commissioners shall forthwith notify the Judges of the Court to all Courts, Places, or Places to which such Rule, Order, or Regulation shall have been directed, and the same shall from the Time of receiving such Notice respectively be deemed and taken to be null and void to all Intents and Purposes whatsoever: Provided that such Judgment shall not have the Effect of annulling any Contracts made in pursuance or upon the Authority of any such Rule, Order, or Regulation which at the Receipt of such Notice respectively shall have been executed by either of the contracting Parties: Provided also, that no Person shall be liable to be prosecuted, either by Indictment or by Civil Action, for or in respect of any Act done by him before the Receipt of such Notice, under the Authority and in pursuance of such Rule, Order, or Regulation.

CIX. And be it further enacted, That in the Construction of this Act the Word "Auditor" shall be construed to mean and include every Person, other than Justices of the Peace acting in virtue of their Office, appointed or appointed to be the collector, accounter, approver, disputer, distributor, or any Guardian, Overseer, or Vestryman relating to the Receipt or Expediture of the Poor Rate; the

Execution of  
Orders.

Defendant may plead the General Issue.

Costs

Rules, &c. to be removable by Certiorari into Court of King's Bench; and to continue in full force and virtue until declared illegal

As in the Application for Writ of Certiorari.

Commissioners may show Cause.

Recognizance to be entered into.

If Rules be declared legal, Commissioners to be entitled to Costs.

If Rules be quashed, the same to be null and void.

Provision for annulling Contracts.

No Person to be prosecuted until Receipt of Notice.

Interpretation Clause.

Words "General Rule" shall be construed to mean any Rule relating to the Management of the Poor or to the Execution of this Act which shall at the Time of issuing the same be addressed by the said Commissioners to more than One Union, or to more Parishes or Places than One not forming a Union, or not to be formed into or added to a Union under or by virtue of such Rule; the Word "Guardian" shall be construed to mean and include any Visitor, Governor, Director, Manager, Acting Guardian, Vestryman, or other Officer in a Parish or Union, appointed or entitled to act as a Manager of the Poor, and a) the Discharge or ordering of the Relief to the Poor from the Poor Rate, under any General or Local Act of Parliament; the Words "Justice or Justices of the Peace" shall be construed to include Justices of the Peace of any County, Division of a County, Riding, Borough, Liberty, Division of a Liberty, Precinct, County of a City, County of a Town, Cinque Port, or Town Corporation, unless where otherwise provided by this Act; the Word "Oath" shall be construed to include the Affirmation of a Quaker, Separatist, or Moravian; the Words "Orders and Regulations" shall be construed to mean and include any Rule, Order, Regulation, or Bye Law relating to the Management or Relief of the Poor, or the Execution of this Act, which at the Time of issuing the same shall be addressed, directed, or applied to any One Parish or Union, or to any Number of Parishes which have been or by virtue of any Order shall be constituted a Union or added to a Union; the Word "Officer" shall be construed to extend to any Clergyman, Schoolmaster, Person duly licensed to practice as a Medical Man, Vestry Clerk, Treasurer, Collector, Assistant Overseer, Governor, Master or Mistress of a Workhouse, or any other Person who shall be employed in any Parish or Union in carrying this Act or the Laws for the Relief of the Poor into execution, and whether performing One or more of the above mentioned Functions; the Word "Owner" shall be construed to mean and include Owners of the Poor, Churchwardens, so far as they are authorized or required by Law to act in the Management or Relief of the Poor, or in the Collection or Distribution of the Poor Rate, Assistant Overseer, or any other subordinate Officer, whether paid or unpaid, in any Parish or Union, who shall be employed therein in carrying this Act or the Laws for the Relief of the Poor into execution; the Word "Owner" shall be construed to include any Person for the Time being in the actual Occupation of any Property entitling to the Relief of the Poor, and not let to him at Rack Rent, or any Person receiving the Rack Rent of any such Property, either on his own Account or as Mortgagee or other Incumbrancer in possession; and the Words "Rack Rent" shall be construed to mean any Rent which shall not be less than Two Thirds of the full improved net annual Value of any Property; the Word "Parish" shall be construed to include any Parish, City, Borough, Town, Township, Liberty, Precinct, Vill, Village, Hamlet, Tithing, Chapelry, or any other Place, or Division or District of a Place, maintaining its own Poor, whether parished or extra-parished; the Word "Person" shall be construed to include any Body Politic, Corporate, or Collegiate, Aggregate or Sole, as well as any Individual; the Word "Poor" shall be construed to include any Pauper or poor or indigent Person applying for or receiving Relief from the Poor Rate in England or Wales, or chargeable thereto; the Words "Poor Law," or "Laws for the Relief of the Poor," shall be construed to include every Act of Parliament for the Time being in force for the Relief or Management of the Poor, or relating to the Execution of the same, or the Administration of such Relief; the Words "Poor Rate" shall be construed to include any Rate, Rate in Aid, Mule, Cess, Assessment, Collection, Levy, Tax, Subscription, or Contribution raised, assessed, imposed, levied, collected, or disbursed for the Relief of the Poor in any Parish or Union; that the Words "General Quarter Sessions" shall extend to and be construed to include General or Quarter Sessions, or Adjournment thereof, for any County, Division of a County, Riding, Borough, Liberty, Division of a Liberty, Precinct, County of a City, City, County of a Town, Cinque Port, or Town Corporation, unless where otherwise provided by this Act; the Word "Union" shall be construed to include any Number of Parishes united for any Purpose whatever under the Provisions of this Act, or incorporated under the said Act made and passed in the Twenty-second Year of His late Majesty King George the Third, entitled *An Act for the better Relief and Employment of the Poor, or incorporated for the Relief or Maintenance of the Poor under any Local Act*; the Words "wasted Workhouse" shall be construed to mean and include any Workhouse of a Union; the Word "Veury" shall be construed to mean any open, customary, or Select Veury, or any Meeting of inhabitants convened by any Notary such as would have been required for the establishing of a Meeting in Veury, at which Meeting any Business relating to the Poor or the Poor Rate shall be transacted or taken into consideration, so far as such Business is concerned; the Word "Workhouse" shall be construed to include any House in which the Poor of any Parish or Union shall be lodged and maintained, or any House or Building purchased, erected, hired, or used at the Expence of the Poor Rate, by any Parish, Veury, Guardian, or Overseer, for the Reception, Employment, Classification, or Relief of any poor Person therein at the Expence of such Parish, and whenever in this Act, in describing any Person or Party, Matter or Thing, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include and shall be applied to several Persons or Parties as well as one Person or Party, and Females as well as Males, and several Matters or Things as well as one Matter or Thing, respectively, unless there be something in the Subject or Context repugnant to such Construction.

CX. And let it farther enacted, That this Act may be altered, amended, or repealed in this present Session of Parliament.

## C A P. LXXVII.

An Act for repealing the Duties on Starch, Stone Bottles, Sweets or Made Wines, Mead or Metchglin, and on Scotchboard made from Wood. [14th August 1834.]

WHEREAS by an Act passed in the Forty-third Year of the Reign of His Majesty King George the Third, for repealing the Duties of Excise payable in Great Britain and granting other Duties in lieu thereof, certain Duties of Excise were granted and imposed on all Starch of what Kind soever made in Great Britain, and certain Drawbacks were made payable on the Exportation of Starch: And whereas by certain other Acts the same Duties are imposed on all Starch or Hair Powder of what Kind soever imported from Ireland into Great Britain, and the like Drawbacks are granted on all Starch removed from Great Britain into Ireland, and certain Allowances are made on all Starch made in Great Britain or made in Ireland and imported into Great Britain, which shall be consumed in Great Britain in preparing and finishing any Manufacture from Flax or Cotton for Sale or in finishing new Linn in the Piece for Sale: And whereas by an Act passed in Fifty-seventh Year of the Reign of His Majesty King George the Third, for repealing the Duties of Excise on Stone Bottles, and charging other Duties in lieu thereof, certain Duties of Excise were granted and imposed on Stone Bottles not exceeding Two Quarts Measure, made in Great Britain or made in Ireland and imported from thence, and on Stone Bottles imported from any other Place beyond the Seas into Great Britain; and certain Drawbacks were made payable on the Exportation of Stone Bottles: And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, to provide for the future Assumption of the Duties of Excise upon Sweets or Made Wines, upon Mead or Metchglin, upon Cider and Perry, in Great Britain and Ireland, and to continue the Duty of Excise on Sweets or Made Wines in Great Britain until the Fifth Day of January One thousand eight hundred and twenty-six, certain Duties of Excise were granted and imposed on all Liqueur which should be made in any Part of the United Kingdom of Great Britain and Ireland for Sale, by Infusion, Fermentation, or otherwise, from Fruit or Sugar, or from Fruit and Sugar mixed with other Ingredients or Materials whatsoever, commonly called Brandy or Made Wines, and on Mead and Metchglin made in any Part of the United Kingdom of Great Britain and Ireland: And whereas by the said Act passed in the Forty-third Year of the Reign of His Majesty King George the Third, for repealing the Duties of Excise payable in Great Britain, and granting other Duties in lieu thereof, certain Duties of Excise were granted and imposed on Scotchboard made in Great Britain, and certain Drawbacks were made payable on the Exportation of Scotchboard; and by an Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, to amend the Duties and Drawbacks on Hides, Skins, Leather, Parchment, Paper and Paper-hangings, manufactured in Ireland, to the Duties and Drawbacks payable in Great Britain, and to equalize the Measures and Weights whereby the Duties of Excise and Customs should be payable throughout the United Kingdom, the like Duties and Drawbacks were granted and imposed and made payable on Scotchboard made in Ireland, and on the Exportation of Scotchboard: And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, for repealing the several Duties payable on Excise Licences in Great Britain and Ireland, and imposing other Duties in lieu thereof, and for amending the Laws for granting Excise Licences, certain Duties of Excise were imposed on Licences thereby required to be taken out by Makers of Starch, Sweets, and Scotchboard: And whereas it is expedient that all the said Duties, Drawbacks, and Allowances on Starch, and the said Duties and Drawbacks on Stone Bottles, and the said Duties on Sweets or Made Wines, and on Mead or Metchglin, and the Duties and Drawbacks on Scotchboard made from Wood, should cease and determine: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of October One thousand eight hundred and thirty-four all and singular the Duties and Allowances of Excise now payable on Starch made in Great Britain, and all Duties on Licences required to be taken out by any Maker of Starch in Great Britain and Ireland, and all Drawbacks of Excise on Starch exported to Foreign Parts or removed from Great Britain into Ireland, shall be repealed, cease, and determine, and be no longer paid or payable: Provided always, That any of the said Duties which shall have been charged or been incurred, or any Arrear thereof, and any Fine, Penalty, or Forfeiture which shall have been incurred before the said Tenth Day of October One thousand eight hundred and thirty-four, and all Allowances on any Starch which shall have been employed or consumed on or before the said Tenth Day of October One thousand eight hundred and thirty-four in preparing or finishing any Manufacture from Flax or Cotton for Sale, or in finishing new Linn in the Piece for Sale, and the Payment of any Drawback which shall be payable in respect of the Exportation or Removal of any Starch on or before the said Tenth Day of October One thousand eight hundred and thirty-four, shall and may be used for, levied, recovered, and paid as if this Act had not been passed.

II. And, for preventing Injury to the Revenue by Persons removing large Quantities of Starch to Ireland on Drawback, and bringing back the same to Great Britain after the Duties on Starch shall cease and determine; be it further enacted, That from and after the said Tenth Day of October One thousand eight hundred and thirty-four, until the Tenth Day of November following, no more than thirty five all Starch which shall be removed from Ireland into Great Britain shall be accompanied by a Certificate

1834. c. 77.

17 G 2. c. 17.

14 G. 4. c. 23.

11 G. 4. c. 67.

14 G. 4. c. 25.

14 G. 4. c. 23.

From 30 Oct  
1834, Duties,  
Allowances, and  
Drawbacks on  
Starch to cease  
and determine  
Provided for  
Arrears.

Regulations for  
removing Starch  
from Ireland  
until 10th Sept  
1835.



a Certificate granted and signed by the Maker thereof, which Certificate shall set forth and specify the Quantity and Description of the Starch and the Packages in which the same shall be contained, and that the said Starch was *bona fide* made in *England* by such Maker at his Starch Manufactory, the Situation whereof shall also be stated, and the Port accompanying such Starch on the Removal thereof, or to whom the same shall be consigned in *Great Britain*, or his Agent, at the Port of Arrival, shall produce such Certificate to the proper Officers of Customs and Excise at such Port, and shall also make and sign a Declaration on such Certificate that to the best of his Knowledge and Belief the Starch therein specified was really made in *England* and is not nor in any Part of a *British* Starch which had been removed to *England* or *Dona-Back*; and if before the said Tenth Day of *April* One thousand eight hundred and thirty-five any Starch shall be found on board any Vessel in *England* for Removal to *Great Britain*, or shall be brought into any Port or Place in *Great Britain*, unaccompanied by such Certificate, or if on Arrival of the same in *Great Britain* the Person accompanying the same, or the Consignee thereof, or his Agent, shall not deliver such Certificate, or shall not make such Declaration as aforesaid, all such Starch shall be forfeited; and if any Maker of Starch in *England* shall give any false Certificate, or if any Person shall forge or counterfeit any such Certificate, or shall make any false Declaration, every Maker or Person so offending shall forfeit One hundred Pounds, and all Starch in respect of which any such false Certificate shall be produced, or Declaration be made, shall be forfeited.

III. And be it further enacted, That every Person who shall be entitled to any Allowance of the Duties on Starch used, employed, or consumed in *Great Britain* in the preparing and finishing any Manufactures from Flax or Cotton for Sale, or in whitening new Linnen in the *Peace* for Sale, shall, in addition to the other Particulars by Law required on claiming such Allowance, make Oath or solemn Affirmation that all the Starch in respect of which such Allowance shall be claimed was really and truly used and consumed on or before the said Tenth Day of *October* One thousand eight hundred and thirty-four, and that in the best of his Knowledge and Belief the full Duties of Excise payable on or before the said Tenth Day of *October* One thousand eight hundred and thirty-four had been charged and paid on the said Starch, and no such Allowance shall be admitted or paid in respect of which such Oath or Affirmation shall not be made; and every Person swearing or affirming falsely shall be subject and liable to the *Pains* and Penalties of Perjury.

IV. And whereas it is expedient that Provision should be made for allowing the Makers of Starch to make, *Duty-free*, before the Tenth Day of *October* One thousand eight hundred and thirty-four, Starch not to be sold or consumed, (except as herein after is provided with respect to Makers of *Starch Blue*;) until after the said Tenth Day of *October*, when the said Duties are to cease and determine; be it therefore enacted, That every Maker of Starch who shall intend to make or store any Starch *Duty-free*, not to be sold or sent into Consumption (except as aforesaid) until after the said Tenth Day of *October* One thousand eight hundred and thirty-four, shall give Notice in Writing of such his Intention to the Officer of Excise before storing any Starch, and in such Notice shall specify some separate and secure Room, Cellar, or Store, to be approved of by the Commissioners of Excise or their Officers, for the keeping therein of all such Starch as shall be stored *Duty-free*; and such Maker may, when giving Notice for the Removal from the Store of any Starch which may be in the Store at the passing of this Act, give Notice in Writing to the proper Officer, specifying in such Notice how much of such Starch is to be taken out for immediate Consumption and Payment of Duty and how much thereof is to be stored *Duty-free*, and the Officer of Excise having received such Notice shall attend and take an Account of the Quantity so specified as to be *Duty-paid*, and charge the Duty on the same in the ordinary and usual Manner, and such Officer shall also take an Account by counting the Pieces or weight, or by both counting and weighing, of the Quantity of Starch specified in the Notice as to be stored *Duty-free*; and such Officer having taken such Account shall forthwith cancel or obliterate as such Manner as the Commissioners of Excise shall direct all the Stamps on the several and respective Pieces of Starch so intended to be stored *Duty-free*; and such Account having been taken, and the said Stamps having been cancelled or obliterated, all such Starch shall be forthwith deposited and stored in the separate Room, Cellar, or Store approved by the Commissioners of Excise or their Officers, under the Locks and Keys of the Officers of Excise, and otherwise secured in such Manner as the Commissioners of Excise shall direct; and as often as any other Starch shall be made the Maker thereof shall, when giving Notice of his Intention to paper the same, likewise give Notice in Writing to the proper Officer of Excise of how much of such Starch is intended for immediate Consumption and to be charged with Duty, and how much thereof is to be stored *Duty-free*, and the Officer of Excise attending to give such Starch papered shall stamp so much thereof as shall be intended according to such Notice for immediate Consumption and to be *Duty-paid*, and shall omit to stamp the Residue thereof which shall be intended to be stored *Duty-free*; and the Starch so stamped shall be taken account of and charged with Duty in the usual and ordinary Manner, and the Starch not stamped shall be taken account of in the Manner herein-before provided, and shall, when so taken account of, be intended to be stored *Duty-free*; and all Starch so stored without Payment of Duty shall be kept as stored and secured, and shall not be sold or sent into Consumption, or any Part thereof be removed or delivered to the Maker thereof, until the Eleventh Day of *October* One thousand eight hundred and thirty-four (except as herein-after provided with respect to Makers of *Starch Blue*;) and on the Tenth Day of *October* One thousand eight hundred and thirty-four the proper Officer of Excise shall take an Account of all the said Starch which shall have been so stored and secured *Duty-free* as aforesaid; and if upon

Persons claiming Allowance of Duties on Starch used in Manufactures to make Cloth that the Starch was used before 10th October 1834.

Starch not intended to be sent into Consumption until after 10th October 1834 may be made and stored *Duty-free*.

such Account the whole Quantity of Starch shall be found in the Stock of the Maker who shall have made the same stored and secured as aforesaid, and the Officers of Excise shall be satisfied that it is the same Starch which was made and stored Duty-free, and that no Part thereof has been sold into Consumption (except to a Maker of Stone Blue as herein-after provided), nor any Addition been made thereto or Alteration therein, all the said Starch shall be delivered Duty-free to the Maker thereof.

V. And be it enacted, That if any Starch which shall be so stored under the Regulations aforesaid as not to be sent into Consumption until after the said Tenth Day of October One thousand eight hundred and thirty-four shall not at any Time previous thereto be so stored and secured as such separate and secure Rooms, Cellars, or Store as aforesaid, or if any such Maker of Starch shall open or procure to be opened any such Rooms, Cellars, or Store, or injure any of the Locks or Fastenings thereof, or remove or cause or procure to be removed any Starch from or out of the same, or shall sell or send out any such Starch so stored Duty-free (except to a Maker of Stone Blue as herein-after provided), that it is to say, on the said Tenth Day of October One thousand eight hundred and thirty-four, or at any Time previous thereto, the Officers of Excise shall not find all such Starch as stored and secured and unopened (except by any Quantity sent out to a Maker of Stone Blue as aforesaid), or if any such Maker of Starch shall use or procure any Art or Device to deceive any Officer of Excise in taking an Account of such Starch, or to remove any such Starch, or to evade any Part of the Duties on Starch with which previous to the said Tenth Day of October he might or would be chargeable, then the Commissioners of Excise are hereby authorized and required to demand and collect the Duties of Excise (according to any Account which they may have of the same) on all the Starch made by each Maker of Starch previous to the said Tenth Day of October One thousand eight hundred and thirty-four, and the said Makers shall be liable to the Payment of all such Duties; and the same shall and may in default of Payment be levied, collected, and enforced under the Laws, Provisions, and Regulations, Penalties, and Forfeitures now in force for collecting and securing the Duties of Excise.

VI. And whereas by the Laws now in force Makers of Stone Blue are compelled to use Starch in the Manufacture of Stone Blue, and it is therefore expedient to allow such Makers to obtain Starch for the making of Stone Blue Duty-free before the said Tenth Day of October One thousand eight hundred and thirty-four; be it therefore enacted, That every Maker of Stone Blue who shall be desirous of receiving Starch Duty-free shall enter into a Bond to His Majesty in the Penalty of Three hundred Pounds, conditional that all such Starch so to be received by him shall be sent and consumed in the making of Stone Blue, and shall not be sold or disposed of or used in any other Manner; and it shall be lawful for any Maker of Starch who shall have stored any Starch Duty-free as aforesaid to give Notice in Writing to the Officer of Excise that he is desirous of delivering a Quantity of Starch to a Maker of Stone Blue, describing in such Notice the Name and Manufactory of such Maker of such Stone Blue, and the Quantity of Starch to be delivered; and the Officer of Excise to whom such Notice shall be delivered, being satisfied that the Maker of Stone Blue thence named has given such Bond as aforesaid, shall attend at the Same, and having examined the several Receipts of Starch specified in such Notice shall deliver out the same, and the Maker of Starch at whose Request such Starch shall have been delivered out shall produce to the Officer of Excise under whose Survey he shall be the Receipt of the Maker of Stone Blue; and in case all the Starch so delivered and received shall not be used and consumed in the Manufacture of Stone Blue the Bond of such Maker of Stone Blue shall be put in Suit, unless the Commissioners of Excise shall see Cause to forbear and to forgo Proceedings thereon.

VII. And be it further enacted, That from and after the passing of this Act all the Laws, Enactments, Provisions, Rules, and Regulations of Excise relating to Stone Blue or of Half-Penny shall, except as to any Penalty or Forfeiture incurred before the passing of this Act, be and the same are hereby repealed.

VIII. And be it further enacted, That from and after the passing of this Act all the Duties and Drawbacks of Excise on Stone Bottles shall cease and determine and be no longer paid or payable, save and except as to any Arrear of the said Duties which shall become due, or any Penalty or Forfeiture in respect thereof which shall have been incurred, or the Payment of any Drawback which shall become payable in respect of any Stone Bottles exported before the passing of this Act.

IX. And be it further enacted, That from and after the Tenth Day of October One thousand eight hundred and thirty-four all the Duties and Drawbacks of Excise on Spirits or Made Wines, and on Mead or Methylin, and on Scotchboard made from Wood, and all Duties upon Licences required to be taken out by any Maker of Spirits or Made Wines, Methylin or Mead, or of Scotchboard made from Wood, and all Drawbacks of Excise on any of the said Commodities, shall be repealed, cease, and determine; and be no longer paid or payable, save and except as to any Arrear of the said Duties, or any or either of them, which shall have become due, or any Penalty or Forfeiture in respect of any or either of the said Duties respectively which shall have been incurred, before the said Tenth Day of October One thousand eight hundred and thirty-four, or the Payment of any Drawback which shall become payable in respect of any of the said Commodities removed or exported before the said Tenth Day of October One thousand eight hundred and thirty-four.

X. Provided always, That nothing herein contained shall extend or be deemed or construed to extend to repeal or affect any Duty on Licences to be taken out by Retailers of Spirits or Made Wines or Mead or Methylin, but all such Licences shall continue to be taken out in the same Manner as if this Act had not been passed: and the University of Southampton Library Distribution Unit

Having Starch stored Duty-free shall not be sent into Consumption prior to the said Tenth Day of October One thousand eight hundred and thirty-four (except to a Maker of Stone Blue); or the Regulations shall not be complied with, the Maker to be charged with the Duty on the Starch made by him.

Taxing Makers of Stone Blue to receive Starch Duty-free before the said Tenth Day of October One thousand eight hundred and thirty-four.

Laws relating to Makers of Stone Blue and their Receipts repealed.

Duties and Drawbacks on Stone Bottles to cease.

Duties and Drawbacks on Spirits, Mead or Methylin, and Scotchboard made from Wood, to cease.

Licences on the makers of Spirits not to be affected.

Persons selling Swets or the like in any less Quantity than 15 Gallons to be deemed Retailers.

All may be done by the Statute.

XI. And for declaring who shall be deemed a Retailer of Swets after the said Tenth Day of October One thousand eight hundred and thirty-four, when the said Duties on Swets are to cease and determine, be it further enacted, That every Person who shall sell or send out any Liquor made by Infusion, Fermentation, or otherwise, from Fruit or Sugar, or from Fruit or Sugar mixed with other Materials, commonly called Swets or Made Wines, or any Mead or Metheglin, in any less Quantity than in a whole Cask containing Fifteen Gallons, shall be deemed and taken to be a Retailer of Swets, and shall take out a Licence accordingly.

XII. And be it further enacted, That this Act may be amended, repealed, or altered by any Act or Acts to be passed in the present Session of Parliament.

#### C A P. LXXXVIII.

An Act for the Amendment of the Proceedings and Practice of the High Court of Chancery in Ireland.

[14th August 1834.]

W<sup>HEREAS</sup> it is expedient that the Laws relating to entering Appearances and taking Bills pro confesso in the High Court of Chancery in Ireland should be amended, and that the Costs and Expenses of Proceedings in the said Court should be diminished, and that increased Facilities should be afforded for the Dispatch of Business therein: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Defendant to any Suit instituted in the said Court shall be duly served in Ireland with Process of Subpoena to appear and answer in such Suit, and shall refuse or neglect to appear thereto, an Appearance shall and may, after the Expiration of Eight Days, exclusive of Sundays and Holidays, from the due Service of such Subpoena, be entered for such Defendant, at the Instance of the Plaintiff, in such Manner and Form as the Court, by any General Order or Orders to be made in pursuance of this Act, shall direct; and that thereupon such further Proceedings may be had in the Cause as if the Defendant had actually appeared.

II. And whereas it is expedient, for the further diminishing the Expense of Suits in the said Court, that an Alteration should be made in the Practice of the said Court by abolishing Petitions or Returns after provided; be it therefore enacted, That from and after the Commencement of this Act the Rule Books of the said Court shall be deemed open in the Registrar's Office of the said Court upon all Days of the Year except Sundays and Holidays, and accordingly that all Side Bar Rules and Rules of Court shall be entered in the said Rule Books upon all Days of the Year, except Sundays and Holidays, without Petition, in like Manner as the same are now respectively entered in the said Books during the Sittings of the Court, or in such Form and Manner as the said Court by any General Order or Orders to be made in pursuance of this Act shall direct.

III. And be it further enacted, That from and after the Commencement of this Act the Motion Books of the said Court shall be deemed open in the Registrar's Office of the said Court during the Sittings of the Court, and accordingly that all Orders to be made in open Court in Causes including Motions to vacate Recognizances, or in Causes and Matters, shall hereafter during the Sittings of the Court be made and entered without Petition, except in such Cases as from their Nature or by Statutory Enactments require a Petition to be preferred, or unless the Court shall, for special Reason in any particular Case, require a Petition to be preferred.

IV. And be it further enacted, That any Person shall be at Liberty to take an Office Copy of so much only of any Decree, Order, Report, or Exemption as he may require, and that, unless the Court shall otherwise specially direct, no Records shall be introduced in any Decree or Order of the said Court, but the Findings, Petitions, Notice, Report, Evidence, Affidavits, Exhibits, or other Matters or Documents on which such Decree or Order shall be founded shall merely be referred to; and it shall be lawful for the Lord Chancellor, if he shall think fit, with the Advice and Assent of the Master of the Rolls, to make and issue such Rules and Regulations as to the Form of such Decrees and Orders as he may deem necessary or proper for the proper drawing up of such Decrees and Orders, and carrying into effect the Provisions of this Act in regard thereto.

V. And be it further enacted, That where any Decree or Order of the said Court shall direct any Sale, Mortgage, or other Disposition of Lands, or any other Property whatsoever, to be had before any Master, or any other Officer of the said Court, it shall and may be lawful for such Master or other Officer of the said Court to proceed and sell, and such Master and other Officer is hereby required to proceed and sell, in pursuance of such Decree or Order, the Subject Matter thereby directed to be sold, upon Production of the attested Copy of such Decree or Order signed by the Registrar, and without in any way requiring an Enrolment or Authentication of such Decree or Order to be produced to warrant the Sale, Mortgage, or other Disposition by the Decree or Order directed.

VI. And be it further enacted, That in all Cases the Service of an attested Copy of any Decree or Order of the said Court shall be a sufficient Service thereof to warrant an Attachment and all subsequent Proceedings for not complying with such Decree or Order; and that it shall and may be lawful for the Court to proceed by Attachment or otherwise, as it shall deem proper, upon the Service of such attested Copy, without requiring an Exemplification of such Decree or Order to be served as a Warrant for new Attachment, or subsequent Proceedings for not complying with such Decree or Order.

If a Defendant has been served with Process, a bill may be entered after 8 Days an Appearance may be entered and Proceedings may be had.

Rule Books of the Court to be open upon all Days except Sundays and Holidays.

Motion Books to be open during the Sittings of the Court, and Orders may be made without Petition.

Decrees and Orders of the Court.

Rules as to the Form of Decrees and Orders of the Court.

Service of an attested Copy of a Decree or Order to be a sufficient Service thereof to warrant an Attachment.

VII. And be it further enacted, That the Court may, on Petition, appoint a Receiver of the Real and Personal Estate of a Minor or Minors without a Bill being filed for that Purpose; and that in all Cases in which a Receiver shall be appointed on Petition, it shall and may be lawful for the Court to make all such Orders as may be necessary from Time to Time for the Recovery of the Rents or for the setting of the Lands and Premises over which such Receiver shall be appointed, as fully and effectually as if such Receiver had been appointed under a Bill filed.

The Court may appoint a Receiver of Estates of Minors.

VIII. And be it further enacted, That when any Person who has been or shall be directed by any Decree or Order of the said Court to execute any Deed or other Instrument, or make a Surrender or Transfer, or to levy a Fine, or suffer a Recovery, if it shall appear upon Affidavit or Affidavits to be made to the Satisfaction of the Court that such Person refuses, declines, or neglects to execute same, it shall and may be lawful for the Court, after the Expiration of Ten Days from the Service of the Decree or Order personally, and Tender of such Deed or Instrument for Execution, to make an Order, upon Motion in open Court, that one of the Masters in Ordinary of the said Court shall execute such Deed or other Instrument, or make such Surrender or Transfer, or levy such Fine, or suffer such Recovery, to the Use of such Person, and do all Acts necessary to give Validity and Operation to such Deed and Recovery, and to lead or declare the Uses thereof; and the Execution of the said Deed or other Instrument, or the Surrender or Transfer, made by the said Master, and the Fine or Recovery levied or suffered by him, shall in all respects have the same Force and Validity as if the same had been made or executed, levied or suffered by the Party himself.

If any Person neglects to execute any Deed or Transfer, the Court may order a Master in Ordinary to execute the same.

IX. And be it further enacted, That from and after the Commencement of this Act it shall and may be lawful for the Deputy Keeper of the Rolls for the Time being, and also for the Clerk of the Clerk of the Inrolments for the Time being, and the Persons who shall hereafter be appointed from Time to Time to the said Offices respectively, and they are hereby respectively fully authorized, empowered, and required, to administer the Oaths, and take the Affirmations and Attestations of Honour, which may be required by the Practice of the said Court, to all Pleadings to be filed or lodged in the Rolls Office of the said Court, and also to administer the proper and necessary Oaths and Affirmations to the Masters in Ordinary of the said Court, and the several Clerks and Examiners of the said Masters, one now authorized to administer the same, any thing contained in an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to amend an Act of the Fourth Year of His present Majesty's Reign, for the better Administration of Justice in the Court of Chancery in Ireland*, in the contrary notwithstanding; and that the said Masters in Ordinary, and their Clerks or Examiners, shall no longer administer the said Oaths or take the said Affirmations or Attestations of Honour, without Prejudice to their Rights and Jurisdictions to administer Oaths and take Affirmations and Attestations of Honour to all Documents or Proceedings not herein specified: Provided always, that the Deputy Keeper of the Rolls, or Clerk of the Inrolments in the Absence of the Deputy Keeper of the Rolls, shall not be required, except under special Order of the Court, to go out of his Office to administer the said Oaths or take the said Affirmations or Attestations of Honour pursuant to this Act; and provided also, that whenever notice of the said Offices shall be required by any Order of the Court to attend out of the said Office for the Purpose aforesaid, the Charge for every such Attendance of the Deputy Keeper of the Rolls or Clerk of the Inrolments, as the Case may be, together with the Rate of his travelling Expenses, if any, shall be expressed in such Order of the Court; and that it shall and may be lawful for the said Deputy Keeper of the Rolls or the Clerk of the Inrolments respectively to receive such Sum for his Attendance, and also such Rate of travelling Expenses, as shall be expressed in such Order of the Court, and as other or greater Sum.

The Deputy Keeper of the Rolls or Clerk of the Inrolments may administer Oaths and take Affirmations.

§ 6 & c. 30

Masters in Ordinary and their Clerks are to administer Oaths.

Persons for the Deputy Keeper of the Rolls and Clerk of the Inrolments.

Persons attending before them to be subject to Penalties for Perjury.

X. And be it further enacted, That all Persons swearing to, affirming, or attesting the said Documents or any of them before the said Deputy Keeper of the Rolls, or before the said Clerk of the Inrolments, as the Case may be, shall be liable to all such Penalties, Forfeitures, and Consequences for any wilful and corrupt False Swearing or Perjury contained therein, as if the same had been sworn, affirmed, or attested before the said Court of Chancery, or all or any of the Masters in Ordinary thereof.

Stamp Duties imposed by 4 G. 4. c. 72. in consequence to be collected.

XI. And be it further enacted, That all and every the Stamp Duties imposed and enacted by the Act made in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to amend an Act of the Fourth Year of His present Majesty's Reign, for the better Administration of Justice in the Court of Chancery and in the Equity Side of the Court of Exchequer in Ireland*, and the Schedule thereto annexed, shall continue and be collected and enforced as to the said Documents and every of them as fully and effectually as if the said last-mentioned Act were re-enacted and expressly applied to the said Documents and each of them when transacted in Part of the Business of the Deputy Keeper of the Rolls, or Clerk of the Inrolments, as the Case may be.

XII. And be it further enacted, That the said Masters in Ordinary of the said Court shall have Authority to hear and determine and make Orders upon all such Motions relating to the Conduct of Suits in their respective Offices as the Lord Chancellor with the Advice and Assistance of the Master of the Rolls, by any General Order or Orders, shall direct; and that it shall and may be lawful for the said Masters to order and direct that the Costs of all or any of the Parties upon any Proceedings before them shall be Costs in the Cause or Matter, or to be forthwith paid by and to such Person or Persons of whose and of whom payment, or to be made (as shall be directed by Order of the Court) shall be made as they shall think reasonable, and to be paid by such Person or Persons or out of such Fund as they

Masters in Ordinary are authorized to hear Motions relating to the Conduct of Suits, and to direct the Payment of Costs.

shall therein put, and the said Master shall cause all such Orders to be drawn up in a short Form, and when signed shall cause the same to be entered in Books to be kept for that Purpose respectively in their respective Offices; and all such Orders, if not reversed or varied, shall be as binding as an Order of the Court itself, and the Costs occasioned thereby shall be recovered in like Manner as Costs directed to be paid by the Court itself.

Depositions.  
General Orders.

XIII. And be it further enacted, That hereforth all Depositions of Witnesses examined in the said Court shall be taken in the First Person, and in no other Form, and that it shall and may be lawful for the Lord Chancellor, by and with the Advice and Assistance of the Master of the Rolls, to make and issue such General Orders as he shall think fit for establishing or altering any Writ or Writs of Process, or any Hearing or Course of Proceeding in Suits now pending or hereafter to be commenced in the said Court, and that it shall and may be lawful for the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, and he is hereby required, forthwith to make and issue such General Orders as he shall think fit for carrying the Provisions of this Act into execution; and also such other Rules and Orders, not being inconsistent with the Enactments and Provisions of this Act, as he, with the Advice and Assistance of the Master of the Rolls, shall think fit and proper for supplying, establishing, and settling the Course of Practice of the said Court and of its several Offices.

General Orders  
may be varied.

XIV. And be it further enacted, That the Lord Chancellor, by and with the Advice and Assistance of the Master of the Rolls, shall be and he is hereby authorized and empowered, by any General Order or Orders to be made and issued by him from Time to Time, to amend, alter, or vary any General Order or Orders, which may have been so as aforesaid made and issued, and to make any new General Order or Orders, for the Purposes herein before mentioned, or any of them.

Hours of Business  
in the several  
Offices.

XV. And be it further enacted, That the several Offices of the said Court of Chancery shall be and continue open for the Dispatch of Business upon each Days of the Year and during such Hours in the Day, and that the Officers and Clerks belonging thereto respectively shall attend in each Office in the Discharge of their several Duties during such Times and for each Number of Hours in each Day, as the Lord Chancellor with the Advice and Assistance of the Master of the Rolls, shall by any General Order or Orders to be issued from Time to Time direct; and that the Officers and Clerks in the said respective Offices shall give their personal Attendance in their respective Offices in the Discharge of their several Duties during the Times they shall as so aforesaid be directed to attend, unless otherwise engaged in the Business of their respective Offices, or unless prevented by Sickness or other unavoidable Cause: Provided always, that where any Office can be legally executed by Deputy, nothing herein contained, or in any Order to be made in pursuance thereof, shall be construed to compel the Principal to attend in Person.

Masters in Ordinary  
to receive  
certifics Petitions  
before annually to  
the Lord Chan-  
cellor.

XVI. And be it further enacted, That each of the said Masters in Ordinary of the High Court of Chancery shall, within the First Year Days of Michaelmas Term in each and every Year, present or cause to be presented to the Lord Chancellor a Report in Writing, under the Hand of such Master, setting the Days on which he shall have attended at his Office, for and during Twelve Months preceding such Return, in the Performance of his Duty, specifying the Number of Hours occupied in each of such Day's Attendance as aforesaid, and further, that each such Master shall annex to such his Report a List or Schedule, to be signed by him in like Manner, of the several Causes, Petitions, or Matters of every Description then pending in his Office, shewing the then State and Stage of the same respectively, designating each Cause, Petition, or Matter by the Name or Names of the Party or Parties thereto, or some of them, with the Name or Names of each Solicitor engaged therein, and also the State of the Account of each Receiver, Committee of a Lunatic, or Guardian of an Infant, whose accounts are passed in his Office, and the Balance (if any) remaining in the Hands of such Receivers, Committees, and Guardians respectively; and the Report and List or Schedule shall be lawful for the said Lord Chancellor to make and issue such Order for filing or depositing and otherwise giving Publicity and Access to such List or Schedule as he in his Discretion shall think fit.

Persons can  
compel to pay  
for the copies  
Copy of a Paper  
when required  
only a Part of it.

XVII. And be it further enacted, That no Person shall be compelled or required to take or pay for any Copy of any Paper or Document being in any Office of the said Court; and that every Person shall be at Liberty to take out and pay for only so much or such Part of any Paper or Document being in any Office of the said Court as such Person may require, without being in any Case compelled to take out or pay for the Entire of the Paper or Document being in the Office.

Papers given to  
the Lord Chan-  
cellor may be  
returned by the  
Lord Keeper.

XVIII. And be it further enacted, That the Powers and Authorities given by this Act to the Lord High Chancellor of Ireland shall and may be exercised in like Manner and are hereby given to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of Ireland respectively for the Time being.

§ 10 2. (1.)

XIX. And whereas by an Act passed in the Parliament of Ireland, in the Twenty-third and Twenty-fourth Years of the Reign of the late Majesty King George the Third, entitled *An Act for the better securing the Moneys and Effects of the Sutors of the Court of Chancery and the Court of Exchequer by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order, or other Voucher for the Payment or Delivery of such Money or Effects, or other Purposes, it was enacted, that all the Moneys and Cash that shall be paid into and deposited in the said Bank on account of the Sutors of the said Court of Chancery, or by Order of the said Court, shall be accounted and taken to be One common or general Fund, and to be issued and payable in the Court of Chancery in Ireland, and that the said Court of Chancery in Ireland should be authorized to draw out of the said Fund a very large Sum of Money belonging to the Sutors of the Court of Chancery in Ireland lying in*

the said Bank unproductive to the Sutors of the said Court: And whereas it is expedient that a Part of the said Money belonging to the Sutors of the said Court should be reserved, productive for the Purposes herein-after mentioned, he it therefore enacted, That out of the Cash belonging to the Sutors of the said Court of Chancery which now lies in the Bank of Ireland unproductive to the Sutors a Sum of Two hundred thousand Pounds shall and may, by any Order or Orders of the said Court, be invested in One entire Sum, or in Parcels, in such Government or Parliamentary Securities as to and by such Order or Orders shall be directed, and be placed to an Account to be intitled "An Account of the Compensation and Fee Fund of the Sutors of the Court of Chancery in Ireland," to the Intent that the Interest and annual Profits arising from the Money so to be placed out as aforesaid may be applied for the Purposes herein-after mentioned, and it shall be lawful for the said Court, from Time to Time, by any Order or Orders to be made for the Purpose, so change the Security or Securities on which the said Money shall be invested.

XX. And be it further enacted, That the Interest and annual Profits arising from the Securities in which the said Sum of Two hundred thousand Pounds shall be invested shall from Time to Time be received by the Governor and Company of the Bank of Ireland, and placed on the Credit of the Accountant General of the said Court, in an Account to be opened and called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Sutors of the Court of Chancery in Ireland;" the same to be issued and applied pursuant to the Directions of this Act.

XXI. And be it further enacted, That if at any Time the Whole or any Part of the said Sum of Two hundred thousand Pounds shall be wanted to answer any of the Demands of the Sutors of the said Court of Chancery, then and in such Case the Court may and shall direct the same or any Part thereof to be called in, or the Securities on which the same shall be placed to be disposed of, in order that the Sutors of the said Court may at all Times be paid their respective Demands out of the clear and general Cash belonging to such Sutors.

XXII. And be it further enacted, That the surplus Interest and Produce of the Money carried to the said Account called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Sutors of the Court of Chancery in Ireland," beyond what shall be sufficient to answer the Purposes of Compensation under this Act, and also the Interest produced from the Securities purchased with such surplus Interest and Produce, shall from Time to Time, by the Order or Orders of the said Court, be invested in the Purchase of Government or Parliamentary Securities, and carried to the Account called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Sutors of the Court of Chancery in Ireland;" the same to constitute Part of said Fund to be issued and applied pursuant to and according to the Directions of this Act.

XXIII. And whereas the Six Clerks of the said Court are entitled to sell their respective Offices, and all the present Six Clerks, save John Stevens, have purchased their said respective Offices for large Sums of Money, since the passing of an Act in the Fourth Year of the Reign of King George the Fourth, intituled *An Act for the better Administration of Justice in the Court of Chancery in Ireland*, and have paid into His Majesty's Exchequer in Ireland, to the Use of the Public, One Fifth Part of the said Purchase Money: And whereas it is alleged that the Income and Emoluments of the respective Six Clerks, and of certain other Officers of the said Court, have been diminished in consequence of certain Orders, bearing Date the Thirty-first Day of January One thousand eight hundred and thirty four, and will be further diminished by the Operations of this Act, and of the general Orders to be made in pursuance thereof, for which the said Six Clerks and other Officers claim to have Compensation made: And whereas it is reasonable and just that the Six Clerks of the said Court, being Purchasers of and entitled to sell at pleasure their respective Offices, should receive for any Diminution of annual Income, and also for any Depreciation of Purchase Value of their Offices, full and adequate Compensation; and also that such of the other Officers of the said Court as the Lord High Treasurer or the Commissioners of His Majesty's Treasury as herein after provided shall think entitled thereto should also receive Compensation for lawful Fees and Emoluments diminished or taken away from the said Six Clerks and other Officers by the Operation of the said General Orders of the Thirty-first Day of January One thousand eight hundred and thirty four, and of this Act, and any General Order or Orders to be made in pursuance thereof, be it therefore enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, by Warrant or Warrants under their Hands, to order and direct that such Compensation shall be made to the said Six Clerks respectively, and to such other Officers who now hold Office in or belonging to the said Court, and whose lawful Fees and Emoluments have been or shall be diminished by the Operation of the said Orders of the Thirty-first Day of January One thousand eight hundred and thirty four, or by this Act, or any General Order or Orders to be made in pursuance thereof, as to the said Lord High Treasurer or the said Commissioners of His Majesty's Treasury in their Discretion shall seem just and reasonable: Provided always, that an Account or Accounts of all such Compositions shall, within Fourteen Days next after the same shall be so granted, be laid upon the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following; and provided also, that such Warrant or Warrants for Compensation shall not be valid until after the Expiration of Three Weeks from the Time the Account or Accounts of Compensation shall be laid before Parliament.

Part of the Money paid in to be applied for a Discharge from Fund.

Produce of the Fund to be placed to the Account of the Accountant General in the Bank of Ireland.

Court of Chancery may direct the same to be called in.

Surplus of Interest to be invested in Government Securities.

Levels of the Treasury may make Compensation to Six Clerks and other Officers.

Commissioners  
to settle Amount  
of Compensa-  
tion.

XXIV. And whereas for the better enabling the Lord High Treasurer or the Commissioners of His Majesty's Treasury to form a correct Judgment of the Nature and Amount of the Compensation which it may be reasonable and proper to make to the Officers who shall claim Compensation for Fees and Emoluments taken away or diminished as aforesaid; be it enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, if he or they shall think fit, to refer all and every the Accounts and Claims for Compensation to the Examination and Consideration of as many Persons to be Commissioners for carrying this Act into execution and effect as may to him or them appear fit and necessary, and every Three or more of the Commissioners to be so appointed shall be competent to act in the Execution thereof.

Lords of the  
Treasury and  
Commissioners  
to require Issue  
Book.

XXV. And be it further enacted, That the Lord High Treasurer and the Commissioners of His Majesty's Treasury, or any Three or more of them, and also the Commissioners or any Three or more of them to be appointed under this Act, shall be authorized to inquire and examine as well into all Acts, Matters, and Things for which any Fee or Emolument has been received or claimed, and the Legality thereof, as well as the Amount of the Fees or Emoluments contained in any Account to be furnished under this Act, and of all Disbursements and Allowances made in respect of Business performed in the Offices respectively, and of all Changes affecting the same, and to require Proof to be made upon Oath, either personally or in Writing, of any Matter, and to examine any such Officer or other Person upon Oath as to any Matters into which the Lord High Treasurer or the said Commissioners may think proper or necessary to inquire, which Oath may be administered either by the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, or by the Commissioners to be appointed under this Act, or any Three of them, or by a Judge or Master in Ordinary of the said Court; and also to cause the Production for his or their Inspection and Examination of all Books, Papers, and other Documents which he or they shall deem requisite for the Purposes of this Act; and also that it shall be lawful for him or them to consult the Lord Chancellor or the Master of the Rolls upon the Legality, Propriety, and Reasonableness of any Fees or Matters connected therewith; and the Lord Chancellor or Master of the Rolls shall and is hereby required to give his Advice and Opinions thereon, in Writing, or orally as the same may reasonably be done.

Commissioners  
of Treasury may  
refer Accounts  
to Masters in  
Ordinary.

XXVI. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury, if he or they shall deem it proper so to do, to refer all or any Accounts to be furnished under this Act to any One or more of the Masters in Ordinary of the said Court, who shall by all the Ways and Means herein-before provided inquire into and examine the same, and shall duly settle and certify in Writing to the Lord High Treasurer or the Commissioners of His Majesty's Treasury the net and gross Amount of the Fees and Emoluments and the Disbursements of every Kind to which such Accounts relate.

Officers claim-  
ing Compensation  
to make a  
Return of the  
Profits of their  
Office.

XXVII. And be it further enacted, That every Officer of the said Court who shall claim Compensation under this Act shall within Three Calendar Months next after the Commencement of this Act make or cause to be made out and rendered to the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or, if so required, to the Commissioners to be appointed under this Act, an Account in Writing of the gross and net Emoluments, and also of the Disbursements of his Office in such of the Three Years next preceding the First Day of November One thousand eight hundred and thirty-three, and also an Account of all lawful Fees, Salary, Compensation, Emoluments, or Allowances of whatever Nature he shall have been received during the said Three Years by the said Officer, or by his Use, or which upon any Account or in any Way shall have become due in respect of such Office or the Duties thereof, and shall also set forth a Particular of the several and respective Acts, Matters, and Things in respect of which any Fee or Emolument shall have been received, charged, or allowed, and also a Particular of all Allowances and Disbursements made thereout, and Charges affecting the same, in each of the said Three Years, with such further Particulars of Receipt and Disbursements as the Lord High Treasurer or any Three or more of the Commissioners of His Majesty's Treasury, or of the Commissioners to be appointed under this Act shall direct, the said Accounts to be verified on Oath, to be sworn before One of the Masters of the said Court, which Oath the said Master is hereby authorized and required to administer; and the Lord High Treasurer or the said Commissioners as aforesaid shall ascertain by all proper Ways and Means as aforesaid the gross and net annual Value, according to a fair Average of the said Three Years, of the said lawful Fees and Emoluments, and also the Disbursements of each Office as aforesaid.

Officers may  
make an annual  
Return of their  
Profits of their  
Office.

XXVIII. And be it further enacted, That it shall be lawful for every Officer claiming Compensation as herein before mentioned, on the First Day of May Term One thousand eight hundred and thirty-six, and on every succeeding First Day of May Term, and for One Month thereafter in each Year respectively, so long as the said Officer shall hold his Office, to make or cause to be made out, and render to the Lord High Treasurer or the Commissioners of His Majesty's Treasury, an Account in Writing, to be verified in like Manner, of the gross and net Emoluments of the said Office, and of the Disbursements thereof, in such Form and with such Particulars of Receipt and otherwise as the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, shall require; and also an Account of all such lawful Fees, Salary, Compensation, Emoluments, and Allowances, of whatever Nature, as shall have been received by the said Officer, or by his Use, or which upon any Account or in any Way shall have become due in respect of such Office, or the Duty thereof.

and the several and respective Acts, Matters, and Things in respect of which the same shall have been received or claimed, and a Particular of all Allowances and Disbursements made thereof, and Charges affecting the same, in and for the Year next preceding the First Day of *Roboy Term* in each succeeding Year, as herein-before required; and the Lord High Treasurer or the said Commissioners as aforesaid shall ascertain as they shall think proper the gross and net Income of such Office, and also the Disbursements thereof, for and during the Year for which such Account shall be rendered, and the Amount of Compensation to which he or they shall deem such Officer entitled for and during the said Year.

XXXI. And be it further enacted, That every Officer and other Person who shall swear fiducially to any Matter respecting which an Oath, either personally or in Writing, is hereby required or authorized to be made, and shall be convicted of so doing wilfully and corruptly, shall be deemed guilty of wilful and corrupt Perjury, and shall suffer the Pain and Penalty of that Offence.

XXX. And be it further enacted, That when the said Commissioners to be appointed under this Act shall have ascertained the gross and net Value of the Fees and Emoluments of such Offices and Employments, or any of them, computed as aforesaid, together with the Particulars of the Disbursements, Allowances, and Charges constituting the Difference between such gross and net annual Value, they shall from Time to Time certify the same under their Hands in the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, who shall lay Copies of the same, as also of all His Certificates made by the Lord High Treasurer or the Commissioners of the Treasury under this Act, before both Houses of Parliament.

XXXL And be it further enacted, That the several and respective Sums as and for Compensation which the Lord High Treasurer or the Commissioners of His Majesty's Treasury shall, by Warrant or Warrants as aforesaid, order and direct to be paid to any Officer of the said Court shall be paid and payable to the Officer or Officers named in such Warrant or Warrants out of the Account called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Sutors of the Court of Chancery in Ireland," in so far as the same well extend; and in case the said Sutors Fund shall be inadequate to the Payment of the whole Amount of Compensation to be given under this Act, the Amount of the Compensation beyond what can be satisfied out of the said Sutors Fund shall be charged upon and paid out of the Consolidated Fund of the United Kingdom, without any Fee or Deduction whatsoever, to the Officer or Officers named in the Warrant or Warrants of the Lord High Treasurer or the Commissioners of His Majesty's Treasury as aforesaid.

XXXII. And be it further enacted, That no Payment or Transfer of any Sum or Sums of Money to be made under or by virtue of this Act, or any of the Provisions thereof, shall be subject or liable to the Payment of Duties of Stamps; and provided also, that every Order to be made for the Transfer, Investment, or Payment of any Money under this Act or any of the Provisions thereof shall be free of and discharged from the Payment of any Fee whatsoever to any Officer of the said Court.

XXXIII. And be it further enacted, That in case any Officer of the said Court entitled to Compensation under this Act shall die or resign or be dismissed from his Office or Employment before the Termination of any Year, the Executors or Administrators of the Person so dying, or the Person himself so resigning or dismissed, shall render such Account as aforesaid for such Part of the Year during which the Person so dying or resigning or dismissed shall have held such Office or Employment, and shall be entitled to claim and receive such Sum proportioned to that Part of the Year during which such Person shall have held his said Office as the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury for the Time being shall deem just and proper.

XXXIV. And whereas it is alleged that the Purchase Value of the Office of Six Clerk in the said Court will be diminished by the Operation of this Act and the General Orders to be made in pursuance thereof; be it therefore enacted, That if any Six Clerk shall after the Commencement of this Act sell his said Office, it shall be lawful for him at any Time within Six Calendar Months after such Sale to apply to the said Lord High Treasurer or the Commissioners of His Majesty's Treasury for Compensation for such Resignation of Value, and in such Case it shall and may be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or such Commissioners as shall be appointed by them under this Act, to examine into such Application and Claim by all and every or such Means as herein-before provided as he or they shall think proper, and thereupon it shall be lawful for the said Lord High Treasurer and the Commissioners of His Majesty's Treasury, or any Three of them, to order and direct that such annual or other Compensation shall be made to the Six Clerks claiming the same as he or they in their Discretion shall upon full Inquiry deem just and reasonable; and all such Compensation, whether annual or in gross, shall be charged upon and paid and payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland without any Fee or Deduction whatsoever.

XXXV. And be it further enacted, That nothing herein contained shall be construed to prevent any Person now holding any Office or Employment, or that shall hereafter hold any Office or Employment in the said Court, from being dismissed therefrom, so if this Act had not been made, or to give him any greater or other Interest in such Office or Employment than he might have lawfully claimed or exercised if this Act had not been made.

XXXVI. And be it further enacted, That no Person who after the passing of this Act shall be appointed to any Office or Employment in or belonging to the said Court shall be deemed entitled to prefer any Claim for any Allowance, Salary, or other Sum, or for any other Right or Privilege of any Kind whatsoever

Officers receiving fiducially property of Property.

Commissioners to certify Value of Offices to Lords of the Treasury.

If Fund not sufficient, the Remainder to be paid out of the Consolidated Fund.

Payments not to be liable to Duties of Stamps.

If Officer dies pending Inquiry his Executors to make Returns.

Six Clerks selling their Office may receive Compensation for the Diminution of Value.

Act not to prevent Dismissal of Officers.

Officers hereafter appointed not to be entitled to Compensation.



ever which shall be made by lawful Authority in the Constitution, Process, Practice, Proceedings, or other Proceedings, or in the Constitution, Duties, or Emoluments, of any of the Offices or Employments in the said Courts.

XXVII. And be it further enacted, That this Act, and the several Provisions therein contained, shall commence and take effect from the First Day of *Whitsun* Term One thousand eight hundred and thirty-five.

XXVIII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A P. LXXIX.

[14th August 1834.]

An Act to amend the Law relating to Insolvent Debtors in *India*.

**W**HEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to provide for the Relief of Insolvent Debtors in the East Indies* until the First Day of March One thousand eight hundred and thirty-three; and by another Act passed in the Second Year of the Reign of His present Majesty King William the Fourth the said Act was amended in force until the First Day of March One thousand eight hundred and thirty-six: And whereas, in and by the said Act to provide for the Relief of Insolvent Debtors in the East Indies, certain Provisions were enacted as to a Commission of Bankruptcy issuing against any such Insolvent Debtor as therein mentioned, and as to the Proceedings consequent thereon: and amongst other Things it was enacted, that a Certificate obtained under such Commission as therein provided should have the same Force and Effect in all Places situate without the Limits of the East India Company's Charter as if the same had been duly agreed in the usual Way after such Bankrupt had duly surrendered and passed his last Examination: and it was also by the said Act amongst other Things provided and enacted, that whenever it shall be made to appear to the Satisfaction of any Court for Relief of Insolvent Debtors, upon the Application of any Insolvent, his Assignee or Assignees, or any of his or her Creditors, that the Estate of such Insolvent Debtor which shall have come to the Hands of the Assignee or Assignees shall have produced sufficient to pay and discharge Three Fourths of the Amount of the Debts which shall have been established in such Court, or that Creditors to the Amount of more than One Half in Number and Value of the Debts which shall have been so established shall signify their Consent in Writing thereto, it shall be lawful for such Court to inquire into the Conduct of the said Insolvent, and if it shall appear to such Court that the said Insolvent has acted fairly and honestly towards his or her Creditors, such Court shall be fully authorized and empowered thereupon to order that the said Insolvent shall be for ever discharged from all Liability whatsoever for or in respect of such Debts so established as aforesaid, and such Court shall, in the Order to be drawn up, specify and set forth the Names of such Creditors; and after any such Order shall have been so made no further Proceedings shall be had in the Matter of the Petition before the Court, unless upon Appeal made to the Supreme Court of Judicature of the Presidency where such Court for the Relief of Insolvent Debtors shall be holden as thereby authorized, and it was by the said-entitled Act also provided, that no such Order as last aforesaid shall prevent any Creditors who shall not have been resident within the Limits of the Charter of the said United Company at any Time between the filing of such Petition and the making of such Order as last mentioned, and who shall not have taken Part in any of the Proceedings under the said Petition, from bringing any Suit or Action in the East Indies for the Purpose of obtaining Execution against the Goods, Estate, or Effects of such Insolvent for any unsatisfied Claim of such Creditors, nor from bringing any Suit or Action for such Claim in any Court of the United Kingdom, against *Goods Bought and Sold*, or elsewhere without the Limits of the said United Company's Charter, against such Insolvent, in the same Manner and with the like Consequences and Effects as if such Order as last mentioned had not been made: And whereas it is expedient to amend and add to the Provisions of the said Acts, so as to give to Insolvent Debtors, being Traders, who shall have acted fairly and honestly towards their Creditors, an additional and more complete Discharge, and also to render more effectual the Means of obtaining such Discharge, and as the same Ties to pressure to such Insolvent Debtors such Relief as is already afforded by the said-entitled Acts: And whereas under the Provisions of the Act passed in the First and Second Years of His present Majesty King William the Fourth intitled *An Act to establish a Court in Bankruptcy*, a Fiat is issued in Bankruptcy in lieu of a Commission of Bankrupt in every Case where the Lord Chancellor by virtue of any former Act had heretofore Power to issue a Commission of Bankrupt: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Person who now is or who shall hereafter become an Insolvent Debtor within the Intent and Meaning of the said Act of the Ninth Year of the Reign of His Majesty King George the Fourth, either upon Petition filed, or by Adjudication on an Act of Insolvency as therein provided, and who at the Time of such Petition being filed or Adjudication made as aforesaid shall have been or shall be a Person who, by an Act passed in the Sixth Year of the Reign of His late Majesty, intitled *An Act to amend the Laws relating to Bankrupts*, or by any Act hereafter to be passed, would be deemed a Trader liable to become Bankrupt, shall be at Liberty, at any Time not earlier than Three Months from the making of such Assignment as in the said Act, intitled *An Act for the Relief of Insolvent Debtors in the East Indies*, distinctly and expressly to give and assign to his Creditors in Writing (intituled (as the

Commence-  
ment of Act.An Act to be  
altered this  
Session.R G L c 78  
W G L c 81

1833-4 c 30.

Any Insolvent  
within the  
Meaning of the  
Act of 6 G. 4  
may petition the  
Court for his  
Discharge after  
Three Months.  
18 G. 4 c 10.

18 G. 4 c 78.

Case may be), to apply by Petition for his Discharge to any one of the said Courts or the *East India* for the Relief of Insolvent Debtors, in the said last-mentioned Act mentioned, as shall hereafter be already Jurisdiction over the Matter of his Insolvency, and the Principal Officers of such Court shall cause a Notice of such Petition to be forthwith inserted in the Gazette of the Presidency within which such Court shall be holden; and the Chief Secretary of the Government of such Presidency shall, without Delay, transmit to the Court of Directors of the said United Company, by different Ships, Two at least of every such Gazette which shall contain such Notice as aforesaid, which shall, without Delay, cause such Notice to be inserted in the *London Gazette*; and all Creditors of the said Insolvent, either alone or as a Partner with any other Person or Persons, and within the Limits of the said Charter of the said United Company, or elsewhere, who shall not, within Fourteen Calendar Months from the filing of such Petition for a Discharge as aforesaid, have given Notice to the said Court of his Demands from such Insolvent having his Discharge, shall be taken to have assented thereto; and therefore, and at the Expiration of the said Fourteen Calendar Months from the filing of such Petition for Discharge as aforesaid, if it shall appear to such Court that the said Insolvent has acted fairly and honestly towards his Creditors, and unless Creditors to the Amount of One Sixth in Number and Value of the Debts (but shall have been established in such Court shall have given Notice of their Demands as aforesaid, or unless a Fiat in Bankruptcy (not being a Fiat issued under the Provisions of the said recited Act \*) to provide for the Relief of Insolvent Debtors in the *East India*;) shall have been issued in England against such Insolvent within the Time hereinafter provided, such Court shall be authorized and empowered to order the Discharge of the said Insolvent from Liability for Debts, Claims, and Demands of and against such Insolvent; and such Order shall operate (save as herein-after provided) as a Release and Discharge from all Debts, Claims, and Demands for which such Insolvent was liable at the Time of his Petition for Relief being filed, or of any such Act of Insolvency mentioned as aforesaid (as the Case may be), and whether within the Limits of the Charter of the said United Company, or elsewhere, and whether such Debts, Claims, and Demands shall or shall not have been established in such Court as aforesaid: Provided nevertheless, that such Order shall not operate as a Release or Discharge of any Person who was Partner with such Insolvent, or jointly bound or liable with him.

II. Provided always, and be it further enacted, That in case any Fiat in Bankruptcy shall be issued in England against any such Insolvent Trader as aforesaid, under the Provisions of the said Act, intimated *An Act to provide for the Relief of Insolvent Debtors in the East India*, or under the Provisions of any other Act passed or to be hereafter passed respecting Insolvent Debtors in the *East India*, then and in such Case such Order for Discharge as aforesaid shall not operate as a Discharge of the Debt, Claim, and Demand of any Creditor who shall not have been resident within the Limits of the Charter of the said United Company at any Time between the filing of such Petition and the making of such Order as last mentioned, nor shall any such Creditor be debarred from bringing any Suit or Action for such Debt, Claim, or Demand in any Court of the United Kingdom of Great Britain and Ireland, or elsewhere without the Limits of the said United Company's Charter, against such Insolvent, in the same Manner and with the like Consequences and Effects as if such Order as last mentioned had not been made.

III. Provided, nevertheless, and be it further enacted, That in such last-mentioned Case, upon any Application made to the Commissioner acting in such Fiat as aforesaid, to sign the Certificate of such Insolvent, and after the same shall have been signed by the requisite Number of Creditors under the Provisions of the said Act, intimated *An Act to provide for the Relief of Insolvent Debtors in the East India*, or any other Act passed or hereafter to be passed respecting Insolvent Debtors in the *East India*, then if it shall be made to appear to such Commissioner that such Order for a Discharge has been made by the Court in the *East India* as aforesaid, and if such Commissioner shall sign such Certificate, he shall also certify in Writing upon such Certificate that such Insolvent has obtained such Order for Discharge in the *East India* as aforesaid, and thereupon such Certificate shall have the same Force and Effect, as well within as without the Limits aforesaid, as a Certificate duly obtained under the said Act of the Sixth Year of the Reign of His Majesty King George the Fourth, intimated *An Act to amend the Laws relating to Bankrupts*, or to any other Act passed or to be hereafter passed respecting Bankrupts.

IV. And be it enacted, That any such Insolvent Trader who shall not be made a Bankrupt under the Provisions of the said Act for the Relief of Insolvent Debtors in the *East India*, or of any other Act passed or hereafter to be passed respecting Insolvent Debtors in the *East India*, if he shall, after such Order for his Discharge shall have been made as aforesaid, be arrested, or have any Action brought against him for any Debt, Claim, or Demand for which he was so liable as aforesaid, either within the Limits of the Charter of the said United Company or elsewhere, shall be discharged upon Common Bail, and may plead in general that the Cause of Action accrued before he became insolvent, and may give this Bail and the special Matter in Evidence, and such Order as aforesaid, duly sealed with the Seal of the said Court, shall be sufficient Evidence in all Courts and Places whatsoever of all the Proceedings precedent to such Order being made, and of the same being duly obtained; and if any such Insolvent Trader shall be taken in Execution or detained or Prison for such Debt, Claim, or Demand, where Judgment has been obtained before such Order of the Court for his Discharge as aforesaid, it shall be lawful for any Judge of the Court wherein such Judgment has been obtained, or such Insolvent's private or public Attorney, or his Clerk, or any other Person authorized by any Bench, Judge, or Court by virtue of such Execution to discharge such Insolvent without executing any Process, and such

Notice of such Petition as to be inserted in the Gazette of the Presidency and in the *London Gazette*.

Creditors who shall not demand within 14 Months to be deemed to assent.

Court may give such Discharge, unless a Fiat in Bankruptcy issue under the General Bankrupt Act.

Order of Court to discharge all Debt, both in India and elsewhere.

Not not to discharge Partners.

If any Fiat of Bankruptcy shall be issued under the Acts for Relief of Insolvent Debtors in India, then the Discharge to be granted in India.

Not on the Order for Discharge being proved to the Commissioner, not on his signing the Bankrupt's Certificate, such Certificate is to be a general Discharge from all Debts.

§ 4. c. 10.

In case there is no Bankruptcy, the Order of Discharge is to have effect everywhere.

If there be a  
Bankruptcy.  
Discharge to be  
obtained in  
India.

If Certificate  
obtained it may  
be pleaded in  
India.

If a Fiat under  
the Bankrupt  
Act within  
Eight Months  
after Petition for  
Discharge, the  
Court to make  
an Order.

But no Fiat to  
issue against a  
Trader who is  
absent before  
the Insolvency  
Court, after the  
Eight Months  
from the Peti-  
tion for Dis-  
charge.

Relief of  
Debtors in India  
to be regulated  
to Court of  
Trustees in  
England, and  
to be open to  
Inspection of  
Creditors.

such Officer shall be hereby indemnified for so doing; and any such Insolvent Trader who shall be a Bankrupt under the Provisions of the said last-mentioned Act, and who shall be created within the Limits of the Charter of the said Company, shall be so discharged, and may so plead, and shall have otherwise such Relief, within the said Limits, as herein before mentioned; and if he shall also obtain such Certificate as herein-before provided, he may be at liberty to avail himself either of such Certificate, or of such Order of Discharge as aforesaid, for the Purpose of his Discharge within the Limits aforesaid.

V. And be it further enacted, That in case any Fiat in Bankruptcy (other than a Fiat under the Provisions of the said Act, intituled *as aforesaid* for the Relief of Insolvent Debtors in the East Indies, or any other Act relating to the Insolvent Debtors in the East Indies,) be issued against any such Insolvent Trader within the Period of Eight Calendar Months from the Time of such Petition for Relief being filed, or of such Adjudication of Insolvency being made, as the Case may be, and such Insolvent Trader shall be duly adjudged a Bankrupt under such Fiat, then and in such Case such Court as aforesaid shall not be authorised and empowered to make any such Order for Discharge as aforesaid.

VI. And be it further enacted, That after the Expiration of such Eight Calendar Months as aforesaid no Fiat shall issue against any such Insolvent, upon any petitioning Creditor's Debt due before the filing of such Petition for Relief, or such Adjudication of Insolvency (as the Case may be), and in case any Fiat shall issue against such Insolvent Trader as aforesaid, upon a petitioning Creditor's Debt incurred subsequently to such filing of the Petition for Relief or to such Adjudication of Insolvency as aforesaid, such Fiat shall not in any Manner affect, invalidate, or interfere with the Proceedings under the Insolvency previously existing in the East Indies, nor shall the Assignees under such Fiat acquire any Right or Title to take possession of, demand, sue for, or recover any Property or Interest, Real or Personal, whatsoever situated, which belonged to such Insolvent at the Time of such Petition for Relief being filed, or of such Adjudication of Insolvency as aforesaid, but the Assignees or Assignees appointed by such Court for the Relief of Insolvent Debtors shall have the sole and exclusive Right and Title therein; and all Debts, Claims, and Demands due and payable to such Insolvent at the Time of such Petition for Relief being filed, or of such Adjudication of Insolvency as aforesaid, shall be established under such Insolvency, and shall not be possible under such last-mentioned Fiat.

VII. And whereas by the said recited Act of the Ninth Year of the Hono of His late Majesty King George the Fourth it is enacted, that all such Insolvent Debtors as therein mentioned shall, within the Time also therein mentioned, deliver into the Court a Schedule containing a full and true Account of their Debts, Estates, and Effects as therein mentioned, and which Schedule is thereby directed to be forthwith filed in the said Court: And whereas it is expedient that the Creditors of such Insolvent Debtors residing out of the Limits of the said Company's Charter should have the Means of inspecting such Schedules with equal Facility with Creditors at such Insolvent Debtors residing within the Limits of the said Charter; be it therefore further enacted, That the principal Officer of the said respective Courts for the Relief of Insolvent Debtors shall, without Delay, transmit to the Court of Directors of the said Company, by different Ships, Two or more Copies of each such Schedule, and the said Court shall retain the same, and permit any Person or Persons being a Creditor or Creditors of any such Insolvent Debtor to inspect and examine at all reasonable Times such Schedules, and shall, upon the Request and at the reasonable Costs and Charges of any such Creditor or Creditors (such Costs and Charges to be regulated by the said Court), provide for him or them a Copy or Copies of any such Schedule.

#### C A P. LXXX.

An Act to provide for the Repayment to the Governor and Company of the Bank of England of One Fourth Part of the Debt due from the Public to the said Company, in pursuance of an Act passed in the last Session of Parliament. [11th August 1834.]

28th W. 4. 20.

WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act for giving to the Corporation of the Governor and Company of the Bank of England certain Privileges, for a limited Period, under certain Conditions*: And whereas it was therein enacted, that One Fourth Part of the Debt of Fourteen millions six hundred and eighty-six thousand eight hundred Pounds, then due from the Public to the Governor and Company of the Bank of England, should be repaid to the said Governor and Company: And whereas the said Governor and Company have agreed to accept Three Pounds per Centum per Annum Reduced Annuities for the Liquidation of the said One Fourth Part of such Debt: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately after the passing of this Act there shall be written in and placed to the Credit of the said Governor and Company of the Bank of England, in the Books of the said Bank, by the Accountant General for the Time being of the said Governor and Company, the Sum of Four millions and eighty thousand Pounds Reduced Three Pounds per Centum per Annum Annuity, which said Sum of Four millions and eighty thousand Pounds shall be added to and consolidated with, and shall be derived and taken as Part of and be subject to all the Conditions attending, the Reduced Three Pounds per Centum per Annum Annuity remaining at the Yearly Public Expence of the said Bank, as Part of the Public Debt of the United Kingdom of Great Britain and Ireland, and shall be irreducible and trans-  
ferable

4,800,000. Re-  
duced 3 per  
Cent. to be  
placed to the  
Credit of the  
Bank of Eng-  
land, and to  
form Part of the  
Public Debt of  
the United  
Kingdom.

feasible and reformable accordingly, and the Dividends arising upon the said Sum of Four millions and eighty thousand Pounds Reduced Three Pounds per Centum per Annum Annually shall be chargeable and the same are hereby charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland, the first half-yearly Payment whereof shall be made upon the Tenth Day of October One thousand eight hundred and thirty-four; and the Lord High Treasurer or Commissioners of the Treasury of the United Kingdom of Great Britain and Ireland, or any Three or more of them, at the Time being, shall cause to be paid to the said Governor and Company Interest at the Rate of Three Pounds per Centum per Annum upon the Sum of Three millions six hundred seventy-one thousand seven hundred Pounds, being One Fourth Part of the said Debt, from the First Day of August last year up to the Day upon which the said Sum of Four millions and eighty thousand Pounds Reduced Annually shall be written into the Books of the said Governor and Company; and the said Governor and Company shall continue a Corporation until Redemption of the said Four millions and eighty thousand Pounds Reduced Annually by Parliament.

Treasury to pay the said Interest on £ 4,871,200, from 1 Aug. 1834 till the 4,000,000, shall be written on their Books. Bank to continue a Corporation 1834.

## C A P. LXXXI.

An Act to amend an Act of the Third Year of King George the Fourth, for regulating Turnpike Roads in England, so far as the same relates to the Weights to be carried upon Waggoners with Springs. [15th August 1834.]

WHEREAS by an Act passed in the Third Year of the Reign of King George the Fourth, intitled 'An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England, it is amongst other Things enacted, that for regulating the Weights to be allowed to Waggoners, Wains, Carts, and other Carriages, the Weights therein particularly specified and regulated according to the Width and Number of the Wheels of such Carriages shall be allowed to every Waggon, Wain, Cart, or other such Carriage; and it is also by the said Act enacted, that to every Carriage or other Four-wheeled Carriage used for the Conveyance of Goods, and built and constructed with Springs, shall be allowed the Weights following; (that is to say,) for every such Carriage Three Tons and Fifteen Hundred Weight in Winter, and Four Tons Five Hundred Weight in Summer: And whereas Doubts have arisen whether the said last-recited Provision extends to Waggoners, Wains, and other such wheeled Carriages when built and constructed with Springs, although such Waggoners, Wains, and other Four-wheeled Carriages, if not on Springs, would be comprehended within the said last-recited Provision: Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said last-recited Provision shall not be deemed or construed to extend to Waggoners, Wains, or other Four-wheeled Carriages having the Fellies of the Wheels thereof of the Breadth of not less than Four Inches and a Half at the Bottom or Sides thereof, notwithstanding the same may be built and constructed with Springs; any thing in the said recited Act or any other Act to the contrary notwithstanding.

204 v. 106.

11.

111

Sec. 15 of recited Act not to extend to Waggoners, Wains, &c. having Fellies of Wheels of not less than 4½ Inches in Breadth

## C A P. LXXXII.

An Act to amend and extend an Act of the Second Year of His present Majesty, to effectuate the Service of Process issuing from the Courts of Chancery and Exchequer in England and Ireland. [15th August 1834.]

WHEREAS by an Act passed in the Second Year of the Reign of His present Majesty, intitled 'An Act to effectuate the Service of Process issuing from the Courts of Chancery and Exchequer in England and Ireland respectively, certain Provisions have been made for rendering more effectual the Process of the said Courts respectively in the Cases therein mentioned: And whereas it is expedient to amend and extend the said Act in the Manner herein after provided: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions contained in the said Act relating to Suits instituted in the said Courts respectively concerning Lands, Tenements, or Hereditaments situate in England or Wales or in Ireland respectively, shall be extended and applied to all Suits instituted in the said Courts respectively concerning any Charge, Lien, Judgment, or Incumbrance thereon, or concerning any Money vested in any Government or other Public Stock, or Public Shares in Public Companies or Concerns, or concerning the Dividends or Profits thereof; and the Provisions in the said Act authorizing the said Courts respectively to direct that the Service in any Part of the United Kingdom of Great Britain or Ireland, or the Isle of Man, respectively, of any Subpoena or Subpoena, Letter Mesne or Letters Mesne, and of all subsequent Process to be had thereon, upon any Defendant or Defendants in such Suit, then residing in such Parts of the United Kingdom or the Isle of Man in which he, she, or they should be so served, should be deemed good Service if or be made upon such Defendant or Defendants, upon such Terms, and in such Manner, and at such Time as to such Courts respectively should seem reasonable, and that thereafter it should and might be lawful for such Courts respectively to proceed upon such Service as fully and effectually as if the same had been duly made within the Jurisdiction of such Courts respectively; and that any and every one heretofore extended in any Defendant or Defendants in any such Suit or Suits of heretofore mentioned, who shall appear by Affidavit to be resident in

270 v. 230.

Provisions of recited Act relating to Suits concerning Lands extended to Suits concerning any Charge or Lien on Lands

any Place, specifying the name, out of the United Kingdom of Great Britain and Ireland; and that he shall and may be lawful for the said Courts respectively, on Motion in open Court of any of the Complainants in any such Suit, founded upon an Affidavit or Affidavits, and such other Documents as may be applicable for the Purpose of ascertaining the Residence of the Party, and the Particulars material to identify such Party and his Residence, and also specifying the Means whereby such Service may be authenticated, and especially whether there are any British Officers, Civil or Military, appointed by or serving under His Majesty, residing at or near such Place, to order that Service of a Subpoena to appear and answer upon the Party in the Matter hereby directed, or in case where the said Courts respectively shall deem fit, upon the Receiver, Steward, or other Person receiving or remitting the Rents of the Lands or Premises, if any, in the Suit mentioned, returnable at such Time as the said Courts respectively shall direct, shall be deemed good Service of such Party, and afterwards, upon an Affidavit of such Service had, to order an Appearance to be entered for such Party in such Manner and at such Time as the said Courts respectively shall direct, and that thereupon it shall and may be lawful for such Courts respectively to proceed upon such Service so made as aforesaid as fully and effectually as if the same had been duly made within the Jurisdiction of such Courts respectively.

II. And be it further enacted, That where it shall appear upon Affidavit, to be made to the Satisfaction of the said Courts respectively, that any Defendant in any such Suit as herein-before mentioned cannot by reasonable Diligence be personally served with the Subpoena to appear and answer, or that upon Inquiry at his usual Place of Abode he could not be found so as to be served with such Process, and that there is just ground for believing that such Defendant secretes or withdraws himself so as to avoid being served with the Process of such Courts, then and in all such Cases it shall and may be lawful for the Court to order that the Service of the Subpoena to appear and answer shall be substituted in such Manner as the Court shall think reasonable and direct by such Order.

### C A P. LXXXIII.

An Act to amend an Act passed in the Third Year of His present Majesty, intitled *An Act for shortening the Time required in Claims of Modus Decimandi, or Exemption from or Discharge of Tithes.* [15th August 1834.]

WHEREAS by an Act passed in the Third Year of the Reign of His present Majesty, intitled *An Act for shortening the Time required in Claims of Modus Decimandi, or Exemption from or Discharge of Tithes*, certain Provisions were made relating the Period within which in Cases of Claims of a Modus Decimandi the Payment or Render of such Modus, and in Cases of Claims of or to any Exemption from or Discharge of Tithes by Composition Real or otherwise, the Enjoyment of the Land without Payment or Render of Tithes or Money, or other Matter in lieu thereof, should be shown to have taken place: And whereas it was by the said Act further enacted, that nothing therein contained should be prejudicial or available to or for any Plaintiff or Defendant in any Suit or Action relative to any of the Matters therein mentioned, then commenced, or which might be thereafter commenced during the then Session of Parliament, or within One Year from the End thereof: And whereas since the passing of the said Act a great Number of Suits have been instituted for the Recovery of Tithes, under the Apprehension on the Part of the Plaintiffs that they would be precluded by the said Act from recovering the Tithes to which they claim to be entitled unless they prosecuted their Claims within the Period limited by the said Act: And whereas it is deemed advisable to enable the Defendants in such Suits to raise all further Proceedings therein to be suspended until the End of the next Session of Parliament, upon the Terms hereinafter expressed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of the said Act it shall and may be lawful for the Defendant or Defendants in any Action or Suit which may have been commenced or instituted since the passing of the said intitled Act for the Recovery of Tithes, or for invalidating Claims of a Modus Decimandi, or an Exemption from or Discharge of Tithes, for Land in respect whereof no Tithes, nor any Composition in lieu thereof, shall have been actually rendered or paid within the Space of Sixty Years previous to the passing of this Act, with the Consent of the Plaintiff or Plaintiffs in such Action or Suit, to pay the Amount of the Costs and Expences (to be taxed as between Party and Party) which may have been incurred by or on the Part of the Plaintiff or Plaintiffs in such Action or Suit into the Bank of England, in the Name and with the Privy of the Accountant General of the Court of Chancery or of the Court of Exchequer, or of the proper Officer of the Court in which such Action or Suit shall have been brought, to the Credit or on account of such Action or Suit, and in every Case where such Costs and Expences shall be so paid into Court, all further Proceedings in such Action or Suit (except as hereinafter provided) shall be stayed and suspended until the End of the next Session of Parliament.

II. And be it further enacted, That from and after the End of the next Session of Parliament it shall and may be lawful for the Plaintiff or Plaintiffs in any Action or Suit, in which the Defendant or Defendants shall have caused the Proceedings to be stayed or suspended under the Provision herein-before contained to give Notice to the Defendant or Defendants of his, her, or their Intention to proceed in such Action or Suit and to proceed therewith accordingly; and then and in every such Case the Defendant, or Defendants, shall, immediately after such Notice shall have been given, be entitled to receive

Service of Subpoena in Cases where the Defendant cannot be found.

1834 A.C. 100.

Proceedings stayed on the Bankers paying Court's Court.

Plaintiff may give Notice to Defendant of his Intention to proceed, in which Case the Defendant may have his Costs out of Court.

receive out of Court the Sum or Sums which such Defendants or Defendants shall have previously paid into Court on account of the Costs of the Plaintiff or Plaintiffs.

III. Provided always, and be it further enacted, That it shall and may be lawful for the Plaintiff or Plaintiffs in any Action or Suit in which the Defendant or Defendants shall have paid into Court the Costs of such Plaintiff or Plaintiffs under the Provision herein-before contained, to take the Sum or Sums which may have been so paid for such Costs out of Court, for his, her, or their own Use, and then and in every such Case all further Proceedings in such Action or Suit shall be for ever abandoned and relinquished.

IV. And be it further enacted, That it shall and may be lawful for the Successors, Heirs, Executors, Administrators, or Assigns of any Plaintiff or Plaintiffs, whose Action or Suit may be so stayed or suspended as aforesaid, to revive and proceed with such Action or Suit after the End of the next Session of Parliament, or to take such Costs as aforesaid out of Court, and cause all further Proceedings to be abandoned and relinquished, in the same Manner in every respect as the original Plaintiff or Plaintiffs might or could have done.

V. Provided always, and be it enacted, That notwithstanding the Provision herein-before contained it shall and may be lawful for any Party to any Action or Suit so suspended, upon producing sufficient Proof to the Satisfaction of a Judge of the Court in which such Action or Suit shall have been commenced that there is Danger of some material Evidence in support of the Right or Claim of such Party being lost in consequence of such Suspension, to proceed in such Action or Suit to the Extent of proving such Fact or Facts the Evidence respecting which shall be so shown as aforesaid to be in Danger of being lost through such Suspension.

VI. Provided always, and be it enacted, That nothing in this Act contained shall prevent the Prosecution of any Suit in Law or Equity for the Recovery of any Things claimed or demanded previous to the passing of the said recited Act, or for the Recovery of the Value thereof.

C A P. LXXXIV.

An Act to apply a Sum of Money out of the Consolidated Fund and the Surplus of Grants to the Service of the Year One thousand eight hundred and thirty-four, and to appropriate the Supplies granted in this Session of Parliament. [18th August 1834.]

- I. There shall be applied, for the Service of the Year 1834, £4,250,000 out of the Consolidated Fund.
- II. The Treasury may cause £4,250,000 of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1.
- III. The Clause, &c. in that Act extended to this.
- IV. Exchequer Bills to bear interest not exceeding 3½d. per Cent. per Annum.
- V. And to be placed as so much Cash in the Exchequer.
- VI. The Money raised to be applied by the Treasury to Services voted in this Session.
- VII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.
- VIII. The Bank may advance not exceeding £4,250,000 on the Credit of this Act.
- IX. There shall be issued and applied towards the Supply £505,163 11s. 3½d. being the Surplus of Ways and Means for the Years 1833 to 1834.
- X. Moneys coming into the Exchequer by c. 2. s. 11. & 12. act.—£14,000,000 by Exchequer Bills under c. 2. act.—£14,264,700 by Exchequer Bills under c. 28. act.—and also the said £4,250,000 and £505,163 11s. 3½d. shall be applied as hereafter expressed.
- XI. There shall be issued and applied,

|            |   |   |  |                          |
|------------|---|---|--|--------------------------|
| £4,074,000 | 0 | 0 | For Naval Services, &c.  | } To<br>31st March 1835. |
| 638,761    | 0 | 0 | For Wages of 27,000 Seamen and Marines, and to the Ordinary and Yard Craft   |                          |
| 386,361    | 0 | 0 | For their Victuals   |                          |
| 164,441    | 0 | 0 | For Salaries, &c. of Officers and Contingent Expenses of the Admiralty Office  |                          |
| 21,780     | 0 | 0 | For ditto of the Navy Pay Office   |                          |
| 30,883     | 0 | 0 | For ditto of the Societies Departments of the Navy   |                          |
| 110,158    | 0 | 0 | For ditto of Naval Establishments at Home  |                          |
| 52,575     | 0 | 0 | For ditto of Naval Establishments Abroad   |                          |
| 348,012    | 0 | 0 | For Wages of Artificers and Labourers in His Majesty's Naval Establishments at Home  |                          |
| 25,512     | 0 | 0 | For ditto in Naval Establishments Abroad   |                          |
| 421,000    | 0 | 0 | For Naval Stores for building and repairing and Purchase of Ships, and Purchase of Steam Machinery, and repairing Decks, Wharfs, &c. |                          |
| 74,000     | 0 | 0 | For new Works in the Dock Yards  |                          |
| 25,541     | 0 | 0 | For Medicines and Medical Stores   |                          |
| 36,124     | 0 | 0 | For Naval Miscellaneous Services   |                          |
| 547,350    | 0 | 0 | For Half Pay of Navy and Marines   |                          |
| 200,000    | 0 | 0 | For Military Pensions  |                          |

If Plaintiff pays the Costs, all Proceedings to be discontinued.

Executors, Heirs, &c. may act in case of Death.

Judges may, upon sufficient Cause shown, permit Actions to be proceeded with.

As in previous Clauses.

|        |           |    |    |  |   |
|--------|-----------|----|----|--|---|
|        | £150,238  | 0  | 0  | For Civil Pensions and Allowances  | } To<br>31st March 1835.                        |
|        | 160,113   | 0  | 0  | For Freight of Ships for Troops and Stores on account of Army and Ordnance   |   |
|        | 118,560   | 0  | 0  | For conveying Convicts to New South Wales  |   |
|        | 100,000   | 0  | 0  | For Pay due to Warrant and Petty Officers and to Seamen and Marines  |   |
| 4 XII. | 6,497,092 | 17 | 10 | For Land Forces and other Services after mentioned, viz.   |   |
|        | 5,056,873 | 18 | 11 | For Forces in the United Kingdom and Stations Abroad (except India)  |   |
|        | 120,948   | 18 | 6  | For General Staff Officers and Officers of Hospitals in the United Kingdom and on Foreign Stations (except India), and the Garrison of the Citrus Ports and Tower of London          |   |
|        | 20,313    | 4  | 5  | For Allowances to principal Officers of Public Departments in the United Kingdom, their Deputies and Clerks, and necessary Expenses  |   |
|        | 6,977     | 8  | 3  | For the Royal Military Asylum  |   |
|        | 85,179    | 0  | 0  | For Volunteer Corps in Great Britain   |   |
|        | 16,367    | 12 | 10 | For Rewards for distinguished Military Services and Allowances to Garrison Officers in the United Kingdom and on Foreign Stations  |   |
|        | 114,000   | 0  | 0  | For Pay of General Officers not being Colonels of Regiments  | } From<br>1st April 1834 to<br>31st March 1835. |
|        | 82,000    | 0  | 0  | For Full Pay for reduced and retired Officers  |   |
|        | 607,000   | 0  | 0  | For Half Pay and Allowances to reduced and retired Officers  |   |
|        | 41,840    | 0  | 0  | For Half Pay and reduced Allowances to Officers of Disbanded Foreign Corps, Pensions to wounded Foreign Officers, and Allowances to Widows and Children of deceased Foreign Officers |   |
|        | 147,000   | 0  | 0  | For Pensions to Widows of Officers   |   |
|        | 164,000   | 0  | 0  | For Compassionate List, Allowances of His Majesty's Bounty, and Pensions to wounded Officers   |   |
|        | 1,527,848 | 7  | 2  | For Clinics and Dispensaries Hospitals   |   |
|        | 47,000    | 0  | 0  | For Superintendants in Prisons formerly belonging to Public Departments  |   |
|        | 271,502   | 7  | 1  | For the Commissariat Department  |   |
|        | 51,118    | 0  | 2  | For Half Pay, Pensions, and Allowances in Commissariat Department  |   |
|        | 250,220   | 14 | 8  | For Disembodied Militia, and Pensions, &c. to the Regular and Local Militia  |   |
| XIII.  | 1,166,014 | 0  | 0  | For Ordnance Services for the Year 1834-5.   |   |
|        | 70,362    | 0  | 0  | For Salaries to the Master General and principal Officers and Clerks at the Tower, Pall Mall, and Dublin.  |   |
|        | 5,178     | 0  | 0  | For Salaries to the Departments at Winchester.   |   |
|        | 15,297    | 0  | 0  | For Salaries to the Ordnance Establishments at Home.   |   |
|        | 25,956    | 0  | 0  | For ditto Abroad and in Ireland.   |   |
|        | 80,194    | 0  | 0  | For duties of Barrack Masters and Sergeants.   |   |
|        | 5,000     | 0  | 0  | For Master Gunners in Great Britain, Germany, Jersey, and Ireland.   |   |
|        | 75,411    | 0  | 0  | For the Engineers, Sappers, and Miners, and Establishments for their Instruction.  |   |
|        | 278,227   | 0  | 0  | For the Royal Artillery.   |   |
|        | 35,571    | 0  | 0  | For Horse Artillery and Riding Horse Troop for United Kingdom.   |   |
|        | 602       | 0  | 0  | For Director General of Artillery and Field Train Department.  |   |
|        | 10,168    | 0  | 0  | For the Medical Establishment of the Military Department of the Ordnance.  |   |
|        | 50,798    | 0  | 0  | For Superintendance of Works and Repairs.  |   |
|        | 26,745    | 0  | 0  | For the Extraneous on account of Works and Repairs and Storekeepers Expenditure, after deducting £126,000 for Rent, &c. and £100,000 voted last Year.                                |   |
|        | 18,076    | 0  | 0  | For Superintendance of building and Repair of Barracks.  |   |
|        | 74,494    | 0  | 0  | For Extraneous of the Ordnance Office, after deducting £21,000 for Rent of Custom, &c. and £10,000 voted last Year.  |   |
|        | 61,094    | 0  | 0  | For Barrack Masters Department.  |   |
|        | 126,898   | 0  | 0  | For Military, Civil, and Barrack Contingencies.  |   |
|        | 46,000    | 0  | 0  | For the Ordnance and Military Store Branch.  |   |
|        | 26,690    | 0  | 0  | For Stores for Foreign Works and Repairs for the Year ending 31st March 1835.  |   |

|       |            |    |   |   |  |
|-------|------------|----|---|---|--|
|       | 469,314    | 0  | 0 | For Ordnance Services not provided for in 1833-4.   |  |
|       | 1,747      | 0  | 0 | For Fees on Ordnance Estimates.   |  |
|       | 168,468    | 0  | 0 | For Superannuated, retired, and Half Pay Officers, and Pensions to Widows and Children of deceased Officers, and Allowances, &c. to retired Civil Officers of the Ordnance and Barrack Departments, and Widows Pensions, for the Year 1834-5. |  |
| XIV.  | 27,739,690 | 0  | 0 | To pay off Exchequer Bills charged on the Aids of 1833 and 1834.  |  |
| XV.   | 623,030    | 0  | 0 | To pay off Exchequer Bills issued for Public Works, &c.   |  |
| XVI.  | 1,940      | 0  | 0 | For the Civil Establishment of the Bahamas Islands to the 31st March 1835.  |  |
|       | 4,349      | 13 | 4 | For ditto of Bermuda.   |  |
|       | 3,199      | 0  | 0 | For ditto of Prince Edward's Island.  |  |
|       | 19,981     | 13 | 6 | For ditto of Settlements in Western Africa.   |  |
|       | 14,870     | 18 | 6 | For Ecclesiastical Establishments in North America.   |  |
|       | 5,906      | 5  | 0 | For Settlements in Western Australia.   |  |
|       | 99,000     | 0  | 0 | For the Indian Department in Canada.  |  |
| XVII. | 17,017     | 0  | 0 | For the British Museum to Christmas 1834.   |  |
|       | 23,500     | 0  | 0 | To Barristers for revising Lists of Voters.   |  |
|       | 11,580     | 0  | 0 | For the Purchase of Pictures for the National Gallery in 1834.  |  |
|       | 43,731     | 0  | 0 | For Public Buildings and Works, and Furniture, &c. for Public Offices, hereinafter charged upon the Civil List.   |  |
|       | 30,000     | 0  | 0 | For Works, &c. at Kingston Harbour.   |  |
|       | 5,718      | 0  | 0 | To complete the Works at Devonshire Harbour.  |  |
|       | 5,023      | 0  | 0 | For Haystack and Liverpool Roads and Haystack and Mouth Harbours for One Year, from 5th April 1834.   |  |
|       | 8,000      | 0  | 0 | For new Buildings of the British Museum to 31st March 1835.   |  |
|       | 37,000     | 0  | 0 | For Works, &c. at Windsor Castle.   |  |
|       | 15,000     | 0  | 0 | For Expenses of erecting National Gallery to 31st March 1835.   |  |
|       | 17,000     | 0  | 0 | For Repairs at Westminster Hall.  |  |
|       | 6,700      | 0  | 0 | For erecting Revenue Buildings at Bristol for 1834.   |  |
|       | 44,500     | 0  | 0 | For the Officers of the Houses of Parliament for 1834.  |  |
|       | 25,000     | 0  | 0 | For Expenses of the Houses of Parliament in 1834.   |  |
|       | 61,000     | 0  | 0 | For Deficiency of Fee Paid in the Treasury  |  |
|       | 10,508     | 0  | 0 | For ditto at the Home Office  |  |
|       | 15,337     | 0  | 0 | For ditto at the Foreign Office   |  |
|       | 6,737      | 0  | 0 | For ditto at the Colonial Office  |  |
|       | 18,038     | 0  | 0 | For ditto at the Privy Council Office   |  |
|       | 2,000      | 0  | 0 | For Salary to the Lord Privy Seal   |  |
|       | 7,333      | 0  | 0 | For contingent Expenses at the Treasury   |  |
|       | 5,648      | 0  | 0 | For ditto in the Home Department  |  |
|       | 30,000     | 0  | 0 | For ditto in the Foreign Department   |  |
|       | 7,100      | 0  | 0 | For ditto in the Colonial Department  |  |
|       | 9,938      | 0  | 0 | For ditto in the Privy Council  |  |
|       | 5,700      | 0  | 0 | For Messengers and Officers at the Treasury and Exchequer   |  |
|       | 2,006      | 0  | 0 | For Professors in Oxford and Cambridge  |  |
|       | 12,500     | 0  | 0 | For Salaries and Expenses of Insolvent Debtors Court  |  |
|       | 1,568      | 0  | 0 | For Superintendance of Africa   |  |
|       | 15,913     | 0  | 0 | For the Postoffice at St. Paul's  |  |
|       | 380        | 0  | 0 | For Deficiency of Fees in the Registry of Slaves for Half a Year ending the 30th September 1834.  |  |
|       | 4,868      | 0  | 0 | For the State Paper Office, and Offices for the Custody of Records, to 31st March 1835.   |  |
|       | 500        | 0  | 0 | For Commissioners of Common Law Inquiry to the Termination of the Commission.   |  |
|       | 10,200     | 0  | 0 | For Commissioners for preventing the Traffic in Slaves  |  |
|       | 8,709      | 0  | 0 | For Salaries of Factory Inspectors under 5 & 6 R. 4. c. 103   |  |
|       | 28,831     | 0  | 0 | For retired Allowances to Persons formerly in Public Offices or in the Public Service   |  |
|       | 10,330     | 0  | 0 | For Youths and Common Emigrants, Dead Naval Officers, St. Domingo Soldiers, American Loyalists, &c.   |  |
|       | 1,323      | 0  | 0 | For the Vaccine Establishment for 1834.   |  |
|       | 5,000      | 0  | 0 | For the Refuge for the Destitute ditto.   |  |
|       | 5,177      | 5  | 2 | For confining and maintaining Criminal Lunatics   |  |
|       | 4,000      | 0  | 0 | For Protestant Dissenting Ministers, French Refugees, Clergy and Laity, &c.   |  |
|       | 37,000     | 0  | 0 | For Foreign and other Secret Services   |  |

To  
31st March 1835

To  
31st March 1835.

To  
31st March 1835.



|        |          |  |  |                        |
|--------|----------|--|--|------------------------|
|        | £ 52,000 | 0 0  | For printing Acts and other Papers for the Houses of Parliament  |                        |
|        | 181,918  | 0 0  | For Stationery, printing, and binding for Public Departments in the United Kingdom and the Colonies, and for Paper for printing for Parliament in the Session 1835 |                        |
|        | 10,000   | 0 0  | For Expenses of Gold Coinage   | To<br>31st March 1835. |
|        | 8,000    | 0 0  | For Prosecutions relating to the Coin  |                        |
|        | 11,000   | 0 0  | For Law Charges  |                        |
|        | 75,862   | 0 0  | For Convicts at Home and in Bermuda  |                        |
|        | 20,000   | 0 0  | For the Support of captured Negroes, &c.   |                        |
|        | 180,000  | 0 0  | For Convicts in New South Wales and For Diemen's Land  |                        |
|        | 50,000   | 0 0  | For Expenses of Record Commission  |                        |
|        | 5,000    | 0 0  | For Parliamentary Papers on Turbator Road Acts in 1834   |                        |
|        | 20,000   | 0 0  | For the Erection of Schoolhouses in England  |                        |
|        | 180,000  | 0 0  | For Civil Contingencies  |                        |
|        | 20,000   | 0 0  | For the Bridges and Arches Canals  |                        |
|        | 10,587   | 0 0  | For Salaries to Governors, &c. in the West India Colonies  | To<br>31st March 1835. |
|        | 30,000   | 0 0  | For Salaries of Special Justices under 3 & 4 W. 4. c. 75.  |                        |
|        | 1,437    | 15 0   | For Salaries for Agents for Emigration   |                        |
|        | 60,000   | 0 0  | For Gratuity to Officers, Seamen, &c. present at the Battle of Navarino.   |                        |
|        | 5,000    | 0 0  | For a Grant to Capt. Ross.   |                        |
|        | 85,495   | 0 0  | For Salaries and Expenses of Consuls, &c. at Consols to 31st March 1835.   |                        |
|        | 84,000   | 0 0  | For Miscellaneous Charges for Scotland.  |                        |
|        | 5,500    | 0 0  | For Egyptian Antiquities now the Property of Mr. A. Smea.  |                        |
|        | 50,000   | 0 0  | For erecting Schoolhouses in Scotland and Model Schools in England to 31st March 1835.   |                        |
|        | 125,284  | 6 6  | For Amount due to the East India Company under 23 Geo. 3. c. 47.   |                        |
|        | 90,000   | 0 0  | For Civil and Military Establishments in St. Helena to 23d April 1835.   |                        |
|        | 24,000   | 0 0  | For Commissioners for inquiring into Municipal Corporations in Great Britain and Ireland for 1834.   |                        |
|        | 10,000   | 0 0  | For relieving the distressed Poor in this Country.   |                        |
|        | 12,750   | 0 0  | For Baptist and Wesleyan Missionary Societies.   |                        |
|        | 90,000   | 0 0  | For Steam Navigation to India.   |                        |
|        | 1,210    | 5 0  | For the Purchase of Fossil Organic Remains for the British Museum.   |                        |
|        | 7,000    | 0 0  | For Prison Buildings at Dartmoor.  |                        |
| XVIII. | 20,000   | 0 0  | For Advancement of Education in Ireland  | To<br>31st March 1835. |
|        | 18,919   | 0 0  | For the Foundling Hospital in Dublin   |                        |
| 20,000 | 0 0      | For the House of Industry in Dublin, the Lunatic Department, and Hospitals attached        |  |                        |
| 400    | 0 0      | For the African Marine Society   |  |                        |
| 1,000  | 0 0      | For the Female Orphan House in Dublin  |  |                        |
| 2,000  | 0 0      | For the Westminster Lock Hospital  |  |                        |
| 1,200  | 0 0      | For the Lyng's Hospital  |  |                        |
| 1,500  | 0 0      | For Dr. Storer's Hospital  |  |                        |
| 2,500  | 0 0      | For the Fever Hospital and House of Recovery, Cork Street, Dublin                          |  |                        |
| 200    | 0 0      | For the Hospital for Incurables  |  |                        |
| 8,078  | 0 0      | For Roman Catholic College   |  |                        |
| 5,000  | 0 0      | For the Royal Dublin Society   |  |                        |
| 500    | 0 0      | For the Royal Irish Academy  |  |                        |
| 500    | 0 0      | For the Royal Hibernian Academy  |  |                        |
| 5,500  | 0 0      | For <i>Be-Yaht</i> Anatomical Institution  |  |                        |
| 15,000 | 0 0      | For Advancement of Education in Ireland  |  |                        |
| 78,000 | 0 0      | For Criminal Prosecutions in Ireland   |  |                        |
| XIX.   | 700      | 0 0  | For Board of Charitable Bequests in Ireland  |                        |
|        | 12,000   | 0 0  | For Board of Works   |                        |
| 22,000 | 0 0      | For Secretaries to Lord Lieutenant, of the Privy Council Office, &c.                       |  |                        |
| 12,288 | 0 0      | For Household of the Lord Lieutenant and other Officers formerly charged on the Civil List |  |                        |
| 6,827  | 0 0      | For the Office of Vice Treasurer and Teller of the Exchequer                               |  |                        |
| 25,100 | 0 0      | For Dances of Ministers  |  |                        |
| 60,000 | 0 0      | For Criminal Prosecutions  |  |                        |

|         |   |   |  |                          |
|---------|---|---|--|--------------------------|
| £ 7,000 | 0 | 0 | For the Dublin Police  | } To<br>31st March 1834. |
| 5,968   | 0 | 0 | For Public Works   |                          |
| 5,478   | 0 | 0 | For Dumbury Harbour  |                          |
| 3,000   | 0 | 0 | For Townland Survey of Ireland                                   |                          |
| 4,190   | 0 | 0 | For publishing Proclamations and Statutes to 31st December 1834. |                          |
| 3,500   | 0 | 0 | For Compensation to Sir A. B. King for 1834.                     |                          |
| 13,000  | 0 | 0 | For Roads in Galway.   |                          |

§ XX. Supplies to be applied only for the Purposes aforesaid.

XXI. Rules to be observed in the Application of the Sum appropriated to Half Pay. This Act not to prevent receiving Half Pay under any Act relating to the General or Local Militia, the Yeomanry, or Volunteers.

XXII. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament.

XXIII. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXIV. Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required by 3 & 4 W. 4. c. 96, indemnified.

XXV. Half Pay allowed to the Officers of the Mote Fencibles.

XXVI. Half Pay Allowances to Chaplains of Regiments not being in Possession of Ecclesiastical Benefices derived from the Crown.

XXVII. The Surplus of the Sum appropriated for Half Pay by 3 & 4 W. 4. c. 96, authorized to be disposed of to retired or meritorious Officers, or their Widows or Children, as His Majesty shall direct.

XXVIII. Widows and Persons claiming Pensions or Allowances to take the required Oath. By whom such Oath is to be administered.

### C A P. LXXXV.

An Act to amend an Act passed in the First Year of His present Majesty, to permit the general Sale of Beer and Cider by Retail in England. [15th August 1834.]

WHEREAS much Evil has arisen from the Management and Conduct of Houses in which Beer and Cider is sold by Retail under the Provisions of an Act passed in the First Year of the Reign of His present Majesty, intitled *An Act to permit the general Sale of Beer and Cider by Retail in England*, and it is expedient to amend the Provisions of the said Act in certain Particulars: he is therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act it shall be lawful for the Commissioners of Excise, or other Persons duly authorized, to grant Licences for the Sale of Beer, Ale, Porter, Cider, or Perry, under the Provisions of the said recited Act, to any Person applying for the same, but that such Licence shall not authorize the Person obtaining it to sell Beer or Cider to be drunk or consumed in the House or on the Premises specified in the same Licence, unless the same be granted upon the Certificates hereinafter required.

II. And be it further enacted, That every Person applying for a Licence to sell Beer or Cider by Retail, intending the same to be drunk in the House or on the Premises, shall, in addition to the Application setting forth the Particulars required by the said recited Act, usually produce to and deposit with the Commissioners of Excise, Collector, Supervisor, or other Person authorized to grant such Licence within the Parish, Township, or Place in which the Person so applying intends to sell Beer or Cider by Retail, a Certificate signed by Six Persons residing in and being and declaring themselves to be Inhabitants of such Parish, Township, or Place, and respectively rated therein to the Poor at not less than Six Pounds, or occupying a House therein rated to the Poor at not less than Six Pounds, none of whom shall be Malsters, Common Brewers, or Persons licensed to sell Spirituous Liquors or Beer or Cider by Retail, nor Owners or Possessors of any House or Houses licensed to sell such Liquors or Beer or Cider by Retail, stating that the Person applying for the Licence is of good Character, and that at the Foot of such Certificate One of the Overseers of the Parish, Township, or Place shall certify (if the Fact be so) that such Six Persons are Inhabitants respectively rated as aforesaid; and such Certificate and Licence shall respectively be in the Form of the Schedule annexed to this Act: Provided always, that in any Parish, Township, or District maintaining its own Poor in which there are not Ten Inhabitants rated to the Relief of the Poor to the Amount of Six Pounds each, or not occupying Houses respectively rated to the Poor at Six Pounds each, (not being Malsters, Common Brewers, or Persons licensed to sell Spirituous Liquors or Beer or Cider by Retail,) the Certificate of the Majority of such Parish, Township, or District maintaining its own Poor, or are rated to the Amount of Six Pounds each, shall be deemed to be a sufficient Certificate for the Purposes of this Act.

III. And be it enacted, That if any Overseer of any Parish, Township, or Place shall, after Application made to him by or on behalf of the Person applying for the Licence required by this Act, refuse or neglect to certify (if the Fact be so) that the Person who has signed such Certificate are

1 W. 4. c. 94.  
Licences to be granted for Sale of Beer, but not to authorize Consumption thereof in the Premises, or to be granted upon Certificates.

Every Person applying for a Licence to sell Beer to be drunk on the Premises to deposit with the Commissioners of Excise a Certificate of good Character signed by the rated Inhabitants of the Parish, or certified by One of the Overseers.

If not Ten rated Inhabitants in the Place the Certificate of the Majority of the Parish.

Penalty on Overseers for failing to certify as required.

Inhabitants raised respectively as aforesaid, he shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be recovered before any Justice of the Peace acting for the County in which such Parish, Township, or Place shall be situate, on Complaint of the Person by whom the Application shall have been made, unless such Offender of the Poor shall show to the Satisfaction of such Justice reasonable Cause for such Neglect or Offence.

IV. And be it further enacted, That if any Person licensed to sell Beer or Cider not to be consumed upon the Premises shall, with intent to evade the Provisions of this Act, take or carry, or authorize or employ or permit or suffer any Person to take or carry, any Beer or Cider out of or from the House or Premises of such licensed Person for the Purpose of being sold on his Account, or for his Benefits or Profit drunk or consumed in any other House, or in any Tent, Shed, or other Building of any Kind whatever belonging to such licensed Person, or hired, used, or occupied by him, such Beer or Cider shall be deemed and taken to have been drunk or consumed upon the Premises, and the Person selling the same shall be subject to the like Forfeitures and Penalties as if such Beer or Cider had been actually drunk or consumed in any House or upon any Premises licensed only for the Sale thereof as aforesaid.

V. And be it further enacted, That the Provisions in respect of billeting Soldiers in Victualling Houses contained in any Act of Parliament for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall extend only to such Persons licensed under this and the said recited Act as shall be licensed to sell Beer or Cider to be drunk and consumed in the House or on the Premises, and shall not extend or be deemed or construed to extend to such Persons as shall be licensed to sell Beer or Cider not to be consumed on the Premises; any thing in the said recited Act or this Act to the contrary notwithstanding.

VI. And be it further enacted, That it shall be lawful for the Justices of the Peace of every County, Riding, Division, Franchise, Liberty, City, Town, and Place, or Petty Sessions assembled, and they are hereby required, to fix once a Year, within Thirty Days after the passing of this Act in this Year, and in every future Year, in the Counties of Middlesex and Surrey within the first Ten Days of the Month of March, and in every other County on some Day between the Twentieth Day of August and the Fourteenth Day of September inclusive, the Hours at which Houses and Premises licensed to sell Beer under this Act shall be opened and closed: Provided always, that any Person thinking himself aggrieved by any such Order to be so made may appeal to the Justices of the Peace or Quarter Sessions assembled at any Time within Four Calendar Months after the making of such Order, giving to the Justices by whom such Order shall have been made Fourteen Days Notice of his intention to appeal, and the Decision of the said Justices as assembled in Quarter Sessions shall be final and conclusive: Provided also, that the Hour so to be fixed for opening any such House shall not be in any Case be earlier than Five of the Clock in the Morning, nor for closing the same later than Eleven of the Clock at Night, or before One o'Clock in the Afternoon on *Sundays, Good Fridays, Christmas Days, or any Day appointed for a Public Fast or Thanksgiving*; and the Hours so fixed from Time to Time by such Justices, with reference to the Districts and Places within their respective Jurisdictions, shall be deemed and taken to be the Hours to be observed and complied with under this Act as fully as if the same had been specially appointed by this Act.

VII. And be it further enacted, That it shall be lawful for all Constables and Officers of Police, and they are hereby authorized and empowered, to enter into all Houses which are or shall be licensed to sell Beer or Spirituous Liquors to be consumed upon the Premises when and so often as such Constables and Officers shall think proper; and if any Person having such License as aforesaid, or any Servant or other Person in his Employ or by his Direction, shall refuse to admit or shall not admit such Constable or Officer of Police into such House or upon such Premises, such Person having such License shall for the First Offence forfeit and pay any Sum not exceeding Five Pounds, together with the Costs of the Conviction, or be recovered within Twenty Days next after that on which such Offence was committed before One or more Justices of the Peace; and it shall be lawful for any Two or more Justices before whom any such Person shall be convicted of such Offence for the Second Time to adjudge (if they shall so think fit) that such Offender shall be disqualified from selling Beer, Ale, Porter, Cider, or Perry by Retail for the Space of Two Years next after such Conviction, or for such shorter Space of Time as they may think proper.

VIII. And be it further enacted, That if any Person shall, in any Certificate required by this Act certify any Matter as true, knowing the same to be false, or shall make use of any Certificate for the Purpose of this Act, knowing such Certificate to be forged, or the Matters certified therein to be false, every such Person shall, on Conviction of such Offence before Two or more Justices of the Peace, forfeit and pay the Sum of Twenty Pounds; and every Licensee for the Sale of Beer or Cider by Retail which shall be granted to any Person who shall have made use of any such Certificate in order to obtain the same, such Person knowing such Certificate to be forged, or the Matters certified therein to be false, shall be void to all intents and Purposes; and any Person who shall have made use of such Certificate shall for ever hereafter be disqualified from obtaining a License to sell Beer or Cider by Retail under the Provisions of the said recited Act or this Act.

IX. And be it further enacted, That no License for the Sale of Beer or Cider by Retail to be consumed or drunk in the House or on the Premises shall be granted, except upon the Certificate hereby required, *Provided always, that in all Cases persons licensed to sell Beer or Cider by Retail* shall be subject to the same Forfeitures and Penalties as if such Beer or Cider had been actually drunk or consumed in any House or upon any Premises licensed only for the Sale thereof as aforesaid.

X. And be it further enacted, That no License for the Sale of Beer or Cider by Retail to be consumed or drunk in the House or on the Premises shall be granted, except upon the Certificate hereby required, *Provided always, that in all Cases persons licensed to sell Beer or Cider by Retail* shall be subject to the same Forfeitures and Penalties as if such Beer or Cider had been actually drunk or consumed in any House or upon any Premises licensed only for the Sale thereof as aforesaid.

Providing that in a neighbouring House or in any other House with intent to evade the Provisions of the Act, to be deemed delinquent on the Premises.

To what Persons Provisions the following Soldiers under Military Acts shall extend.

Justices of the Peace to regulate the Times of opening and closing Houses.

Appeal.

Provision as to the Hours to be fixed for opening and closing Houses.

Empowering Constables, &c. to visit licensed Houses.

Penalty for making or using false Certificates.

Licensee obtained on false Certificate to be void.

No License for Retail to be granted on the Premises to be granted.

may be signed and given by Inhabitants rated to the Poor at Six Pounds in any adjoining Parish or Parishes.

X. And he is enacted, That in case any Complaints shall be laid before Two Justices of the Peace against any Person licensed for any Office against the Tenor of his License, or against this Act or the said recited Act, it shall be lawful for the said Justices (if they shall think fit) to require such Person to produce his License before them for their Examination; and if such Person shall wilfully neglect or refuse so to do he shall forfeit and pay for such Offence such Sum, not exceeding Five Pounds, as the said Justices shall think proper; and such Person shall and may be convicted, proceeded against, and dealt with for such Offence in all respects in the same Manner, mode, and manner, as is directed by the said recited Act with regard to Persons guilty of a First Offence against the said Act; and the Penalty imposed for such Offence shall be applied in the same Manner as a Penalty for a First Offence against the said Act is thereby directed to be applied.

XI. And he is enacted, That all the Powers, Regulations, Proceedings, Forms, Penalties, Forfeitures, and Provisions contained in the said recited Act with reference to Persons licensed under the said Act, and to the Offences committed by such Persons against the said Act, or against the Tenor of any License granted under the said Act, and also with reference to the Sureties of such Persons, and to Persons doing the Things thereby prohibited without the License required by the said Act, shall (except where they are altered by this Act or any Statute thereto) be deemed and taken to be applicable to all Persons licensed under this Act, and to all Offences committed by such Persons of the same Description as the Offences mentioned in the said Act, and to the Sureties of all such Persons in respect of such Offences, and to all Persons doing, without the License required by this Act, Things of the same Description as the Things prohibited without the License required by the said Act, as fully and effectually as if all the said Powers, Regulations, Proceedings, Forms, Penalties, Forfeitures, and Provisions had been repeated and re-enacted in this Act with reference to Persons licensed under this Act, and to the Sureties of such Persons, and to Persons acting without the License required by this Act; and also that all the Powers, Regulations, and Provisions in the said Act contained, authorizing any Party convicted to appear to the General Session or Quarter Sessions of the Peace against any Conviction under the said Act, shall also extend and apply to any Convictions under this Act.

XII. And he is enacted, That all the Provisions of the said recited Act shall be deemed and taken to be in full Force, save and except where the same are altered by this Act; and that so much of the said Act as relates to the Interpretation of certain Words therein mentioned shall be applied to the Interpretation of the same Words where used in this Act.

XIII. And he is further enacted, That from and after the passing of this Act the Duties payable on Excise Licenses for the selling of Beer by Retail under the Provisions of the said recited Act shall cease and determine, and that in lieu of such Duties there shall be levied, collected, and paid upon the Licenses hereby authorized to be granted the Duties following: (That is to say,)

For and upon every License to be taken out by any Person for the selling by Retail of Beer not to be drunk or consumed in or upon the House or Premises where sold, the annual Sum of One Pound One Shilling:

For and upon every License to be taken out by any Person for the selling by Retail of Beer to be drunk or consumed in or upon the House or Premises where sold, the annual Sum of Three Pounds Three Shillings.

XIV. And he is further enacted, That the said last-mentioned Duties shall be under the Management of the Commissioners of Excise, and shall be raised, levied, collected, and recovered, and accounted for and paid in the same Manner, and by the same Means, and under the same Regulations, and Provisions, Rules, Penalties, and Forfeitures as are prescribed in the said recited Act with respect to the Duties hereby repealed; all which said Regulations and Provisions, Rules, Penalties, and Forfeitures, shall apply to the Duties hereby imposed, and shall be enforced in respect of the same as fully and effectually as if repeated and re-enacted in this Act.

XV. Provided always, and he is further enacted, That nothing herein contained shall effect, or be deemed or construed to affect, the Amount of Duty payable according to the Provisions of the said recited Act as Licenses to retail Cider and Perry; but in every such License shall be specified whether the same is granted for the Sale of Cider and Perry by Retail to be drunk or consumed in or upon the House or Premises where sold, or for the Retail of Cider and Perry to be drunk and consumed in or upon the House and Premises where sold.

XVI. And he is further enacted, That no License to be granted under the said recited Act and this Act for the Sale of Beer or Cider shall authorize any Person to take out or hold any License for the Sale of Wine, Spirits, or Sweets or Made Wines, or Mead or Metheglin; and if any Person licensed under the said recited Act and this Act to sell Beer or Cider shall permit or suffer any Wine or Spirits, Sweets or Made Wines, Mead or Metheglin, to be brought into his House or Premises to be drunk or consumed there, or shall suffer any Wine, Spirits, Sweets, Mead or Metheglin, to be drunk or consumed in his House or Premises by any Person whatsoever, such Person shall, over and above any Excise Penalty or Penalties to which he may be subject, forfeit Twenty Pounds, to be recovered, levied, assigned, and applied in the same Manner as other Penalties (not being Excise Penalties) are by this Act to be recovered, levied, assigned, and applied.

XVII. And he is further enacted, That every Person not being duly licensed to sell Beer, Cider, and Perry in the Kingdom of Great-Britain, or Victoria Regis, who shall sell any Beer, Cider, or

any other Confection.

Retainers committible to produce their Licenses on Regulation of Two Magistrates.

The Powers, Provisions, and Penalties of 1 W. 4. c. 84. to apply to Persons licensed under this Act, and to their Sureties. &c.

Recited Act to continue in Force, except as hereby altered.

Duties on Beer Licenses under the 1 W. 4. c. 84. repealed, and new Duties granted in lieu thereof.

Such Duties to be under the Excise, and recoverable under recited Act.

Not to alter Duty on Licenses to retail Cider and Perry.

Licenses not to authorize Persons to hold Licenses for sale of Wine.

Penalty for permitting Wine, &c. to be consumed on the Premises.

Penalty on unlicensed Persons selling Beer and

Color by Retail to be drunk of the Premises, &c. To be drunk on the Premises, &c.

or Perry by Retail not to be drunk or consumed in or upon the House or Premises where sold, without having an Excise Retail License in force authorizing him so to do, shall forfeit Ten Pounds; and every Person not being duly licensed to sell Beer, Cider, and Perry on the Keeper of a common Inn, Ale-house, or Victualling House, who shall sell any Beer, Cider, or Perry by Retail to be drunk or consumed in or upon the House or Premises where sold, without having an Excise Retail License in force authorizing him so to do, whether such Person shall or shall not be licensed to sell Beer to be drunk or consumed of the Premises where sold, shall forfeit Twenty Pounds; which said Penalties shall be sued for and recovered, mitigated and applied by the same Means and under the same Provisions as any other Penalty may be sued for and recovered, mitigated and applied, under any Law or Laws of Excise.

The Board over the Door to state "Not to be drunk on the Premises," or "To be drunk on the Premises."

XVIII. And he it further enacted, That every Person who shall be licensed to sell Beer or Cider or Perry by Retail, under the Authority of the said recited Act and this Act, shall, on the Board by the said Act required to be placed over the Door of every Person licensed under the same, past or future to be painted and kept thereon, after the Words "Licensed to sell Beer or Cider by Retail," the additional Words "Not to be drunk on the Premises," or "To be drunk on the Premises," as the Case may be, on pain of forfeiting the Penalty by the said Act imposed for not having such Board affixed and continued over the Door.

What is a retailing of Beer, Cider, or Perry.

XIX. And whereas Doubts are entertained as to what is a selling of Beer or Cider or Perry by Retail? he it therefore enacted, That every Sale of any Beer, or of any Cider or Perry, in any less Quantity than Four Gallons and a Half, shall be deemed and taken to be a selling by Retail.

Persons licensed to sell Beer or Cider under this Act liable to Penalties for selling Spirits or Wine without Licences.

XX. And whereas Doubts have been entertained whether Persons licensed to sell Beer or Cider under the said Act of the First Year of His Majesty's Kings, who shall sell Spirits or Wine, or Sweets or Made Wines, or Mead or Metheglin, without being licensed so to do, are liable to the Penalties imposed by the Laws of Excise for selling Spirits or Wine, or Sweets or Made Wines, or Mead or Metheglin, without Licence? he it therefore declared and enacted, That all Persons licensed under the said recited Act and this Act, selling Wine or Spirit, or any Sweets or Made Wines, or Mead or Metheglin shall be liable to and shall incur all the Penalties imposed by the Laws of Excise for selling Spirits or Wine, Sweets or Made Wines, Mead or Metheglin, without Licence.

Certificates not to be required for Houses in certain Cities, Towns or Villages.

XXI. Provided always, and he it further enacted, That such Certificate shall not be required as to any House situated within the Cities of London and Westminster, or within any Parish or Place within the Bills of Mortality, nor within any City or Town Corporate, nor within the Distance of One Mile from the Place used at the last Election as the Place of Election or Polling Place of any Town returning a Member or Members to Parliament, provided that the Population to be determined according to the last Parliamentary Census that shall have been taken in such City, Town Corporate, or Town returning a Member or Members to Parliament, shall exceed Five thousand: Provided always, that no License for the Sale of Beer, Ale, Porter, Cider, or Perry by Retail on the Premises in the Cities of London and Westminster, or in any Parish or Place within the Bills of Mortality, or in any such City or Town Corporate, or Town returning a Member or Members to Parliament as herein-before mentioned, shall be granted from and after the Fifth Day of April One thousand eight hundred and thirty-six, unless the House or Premises required to be specified as the House or Premises in which Beer or Cider is intended to be sold shall be of the Value of Ten Pounds per Annum.

Service of Summons or Orders.

XXII. Provided always, and he it further enacted, That no Summons or Order issued by any Justice of the Peace or other Magistrate shall be deemed to be legally served unless it shall be served by some Constable, Special Constable, Police or other Peace Officer.

Commencement of Act.

XXIII. And he it enacted, That this Act shall commence and take effect from and after the Tenth Day of October in the present Year.

### SCHEDULE to which the foregoing Act refers.

#### Form of Certificate.

WE, the undersigned, being Inhabitants of the Parish (or Township, as the Case may be,) of \_\_\_\_\_ and respectively rated to the Poor at not less than Six Pounds per Annum, and none of us being Malicious, Common Brawlers, or Persons licensed to sell Spirituous Liquors, or being licensed to sell Beer or Cider by Retail, do hereby certify, That A. B., dwelling in \_\_\_\_\_ Street (do hereby specify the Street, Lane, &c.) in the said Parish (or Township, &c.) is a Person of good Character.

[Here insert the Day of signing the Certificate.]

(Signed)

E. P.

G. H.

J. K.

L. M.

N. O.

P. Q.

[Here state the Residence of each of the Persons signing.]

I do hereby certify, That all the above-mentioned Persons whose Names are subscribed to this Certificate are Inhabitants of the Parish (or Township, &c.) of \_\_\_\_\_ and rated to Six Pounds

*Form of Licence.*

WE, the undersigned, being of the Commissioners of Excise [or I, the undersigned, being a Person authorized and employed by the Commissioners of Excise to grant Licences for selling Beer, Ale, and Porter [or Cider and Perry, as the Case may require,] by Retail, or being a Collector or Supervisor of Excise for the Collection of District of \_\_\_\_\_] do hereby authorize and empower A. B., now being a Householder, and dwelling in a House in \_\_\_\_\_ [Are specify Street, &c.] in the Parish [or Township, &c.] of \_\_\_\_\_ within the Limits of the Chief Office of Excise [or within the Limits of the said Collection or District], to sell Beer, Ale, and Porter [or Cider and Perry] by Retail, in order that it may be consumed in the said Dwelling House of the said A. B. and in the Premises thereto belonging, the said A. B. having duly entered into a Bond with D. S. of \_\_\_\_\_ and E. S. of \_\_\_\_\_ as his [or her] Surety [or Sureties], and having deposited a Certificate, signed by Six Persons, videlicet, [Are set out the Names and Residences of the Persons signing the Certificate,] and by C. D. the Overseer of the said Parish [or Township, &c.], according to the Statute in such Case made; provided and upon Condition that the said A. B. do not sell any Beer, Ale, or Porter made otherwise than from Malt and Hops [omit this Words in Licence to retail Cider and Perry], nor mix or cause to be mixed any Drugs or other pernicious Ingredients in any Beer, Ale, or Porter [or in any Cider or Perry], nor fraudulently dilute, decrease, or adulterate any Beer, Ale, or Porter [or any Cider or Perry], nor sell any Beer, Ale, or Porter [or any Cider or Perry] knowing the same to have been fraudulently diluted, deteriorated, or adulterated, nor use, in selling any Beer, Ale, or Porter [or any Cider or Perry], any Measures which are not of the legal Standard, or wilfully or knowingly permit any Drunkenness, or any violent or quarrelsome or other disorderly Conduct in his [or her] House or Premises, nor knowingly suffer any unlawful Games or any gaming whatsoever therein, nor knowingly permit or suffer Persons of notoriously bad Character to assemble and meet together therein, nor do maintain good Order and Rule therein, nor have or keep his [or her] House or Premises open for the Sale of Beer, Ale, or Porter [or Cider or Perry], nor sell any Beer, Ale, or Porter [or Cider or Perry], nor suffer the same to be drunk or consumed in or at such House or Premises at any Time which, by any Order of the Justices of the Peace made in pursuance of an Act passed in the Fifth Year of His present Majesty's Reiga, entitled *An Act to amend an Act passed in the First Year of His present Majesty, to prevent the general Sale of Beer and Cider by Retail* in England, shall be declared to be unlawful, or at any Time before the Hour of One in the Afternoon, or between the Hours of Three and Five of the Clock in the Afternoon, or after the Hour of Ten of the Clock in the Evening, on any Sunday, Good Friday, Christmas Day, or any Day appointed for a Public Fast or Thanksgiving; and [in Cases where the Licence shall be granted for Beer or Cider to be consumed on the Premises,] all Provisions for billeting Officers and Soldiers in Victualling Houses contained in any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, are to extend and apply to the House and Premises mentioned in this Licence; and this Licence shall continue in force from the \_\_\_\_\_ Day of \_\_\_\_\_ next until the \_\_\_\_\_ Day of \_\_\_\_\_ then next ensuing, and no longer; provided and upon Condition that the said A. B. shall not in the meantime become a Sheriff's Officer or Officer for executing the Process of any Court of Justice, nor shall the said A. B. in the meantime cease to be rated to the Relief of the Poor in respect of the said House and Premises; and this Licence shall cease and determine and shall become void in case any of the Conditions or Regulations contained therein shall be transgressed, or shall not be observed by the said A. B. Given under our Hand and Seal [or my Hand and Seal] this \_\_\_\_\_ Day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_ at \_\_\_\_\_

## C A P. LXXXVI.

An Act to explain certain Provisions in an Act of the Third and Fourth Years of His present Majesty, to provide for the Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs. [18th August 1834.]

WHEREAS by an Act passed in the Third and Fourth Years of His present Majesty's Reiga, intitled *An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs*, it was, inter alia, provided, that the Burghs or Towns of Paisley, Greenock, Leith, and Edinburgh should be divided into Wards or Districts, which, together with the Number of Councillors to be chosen by each such Ward or District, should be fixed and ascertained by the Commissioners named and appointed by His Majesty to inquire into and report upon the Condition of the several Burghs and Towns of Scotland; in pursuance of which Enactment the Subdivisions of the said Burghs or Towns into Wards or Districts, and the Number of Councillors to be annually elected in each of the said Wards or Districts, was duly reported by the said Commissioners to His Majesty's Privy Council, and thenceforth published by His Majesty, bearing Date the Sixteenth Day of October One thousand eight hundred and thirty-three: And whereas by the said Act it was further enacted, that upon the First Tuesday of November One thousand eight hundred and thirty-four, and upon the same Day in every succeeding Year, the Elections should, in like Manner, be made in the said Burghs or Towns of Paisley, Greenock, Leith, and Edinburgh, in their several Wards or

S. 1 W. 4. 177.

• Districts, assemble and elect, in manner therein-before prescribed in relation to the First Election  
 • under the said Act, One Third Part, or as nearly as may be One Third Part of the Council of each  
 • such Burgh or Town in the Place of the Third thereof who should so therein after directed go  
 • successively out of Office, the Wards or Districts into which the Burghs or Towns divided into Wards or  
 • Districts are divided then electing such Number of Councillors as by the said Royal Commissioners  
 • such Wards or Districts should be directed to elect at each annual Election subsequent to the  
 • First Election: And whereas it was thereby further enacted, that upon the said First Tuesday of  
 • November in the Year One thousand eight hundred and thirty-four, and in every succeeding Year,  
 • One Third, or a Number as near as may be to One Third of the whole Council of each such Burgh  
 • shall go out of Office, and in the said Year One thousand eight hundred and thirty-four the Third  
 • who should go out should consist of the Councillors who had the smallest Number of Votes at the  
 • Election of Councillors in the Year One thousand eight hundred and thirty-three; and in the suc-  
 • ceeding Year One thousand eight hundred and thirty-five the Third of the Councillors first elected  
 • under the said Act who should go out should consist of the Councillors who at such First Election  
 • under the said Act had the next smallest Number of Votes (the Majority of the Council always  
 • determining, when the Votes for any such Person should have been equal, who should be the  
 • Person to retire); and thereafter the Third of the Councillors so successively going out of Office  
 • should always consist of the Councillors who had been longest in Office, provided always, that  
 • any Councillors so going out of Office should be capable of being immediately re-elected: And  
 • whereas Doubts have been entertained as to the true Meaning and legal Effect of the above lan-  
 • guage recited in the said Act, and it is fit that all Honour of Debate and Litigation therein arising  
 • should be removed: Be it therefore enacted by the King's most Excellent Majesty, by and with the  
 • Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament  
 • assembled, and by the Authority of the same, That at the Second Election of Councillors to take place  
 • on the first Tuesday of November after the passing of this Act, in each of the Wards or Districts, in  
 • Terms of the said recited Act and the said Royal Proclamation, there shall go out of Office an equal  
 • Number of Councillors with those then to be elected, which Councillors so going out shall be those  
 • who at the First Election in such Wards or Districts respectively had the smallest Number of Votes; and  
 • that at the Third Election of Councillors, to take place on the first Tuesday of November One  
 • thousand eight hundred and thirty-five, in each of such Wards or Districts, in Terms of the said  
 • recited Act and Royal Proclamation, there shall go out of Office an equal Number of Councillors  
 • with those then to be elected, which Councillors so going out shall be those who in such Wards or  
 • Districts respectively had the next smallest Number of Votes at the said First Election.

Regulation in re  
 Councillors  
 going out of  
 Office at the  
 Second and  
 Third Election  
 of Councillors.

#### C A P. LXXXVII.

An Act to explain certain Provisions of an Act of the Third and Fourth Years of the Reign of  
 His present Majesty, to alter and amend the Laws for the Election of the Magistrates and  
 Council of the Royal Burghs in Scotland. [15th August 1834.]

341 W. 4. c. 70.

• WHEREAS by an Act passed in the Third and Fourth Years of His present Majesty's Reign,  
 • intitled *An Act to alter and amend the Laws for the Election of the Magistrates and Councils in*  
 • *the Royal Burghs, Scotland*, it was, inter alia, provided, that certain Royal Burghs contained in the  
 • Schedule marked (C) thereto annexed should be divided into Wards or Districts, which, together  
 • with the Number of Councillors to be chosen by each such Ward or District, should be fixed and  
 • ascertained by the Commissioners named and appointed by His Majesty to inquire into and report  
 • upon the Condition of the several Burghs and Towns of Scotland: And whereas, in pursuance of the  
 • said Enactment, the Subdivision of the said Royal Burghs into Wards or Districts, and the Number  
 • of Councillors to be successively elected in each of such Wards or Districts, was duly reported by the  
 • said Commissioners to His Majesty's Privy Council, and thereafter published by Royal Proclamation,  
 • bearing Date the Sixteenth Day of October One thousand eight hundred and thirty-three, in Terms  
 • of the aforesaid Act: And whereas by the said recited Act it was further enacted, that upon the First  
 • Tuesday of November in the Year One thousand eight hundred and thirty-four, and in every succeeding  
 • Year the Electors in such Burghs, whether the Burghs contained in the said Schedule (C), in their  
 • several Wards or Districts, should assemble and elect One Third Part, or as nearly as might be One  
 • Third Part of the Council of each Burgh in the Place of the Third thereof who should, in there-  
 • after directed, go successively out of Office, the Wards or Districts into which the Burghs contained in  
 • the said Schedule (C) are divided then electing such Number of Councillors as by the said Royal  
 • Commissioners such Wards or Districts should be directed to elect at each annual Election subsequent  
 • to the First Election: And whereas it was thereby further enacted, that upon the said First Tuesday  
 • of November in the Year One thousand eight hundred and thirty-four, and in every succeeding Year,  
 • One Third, or a Number as near as might be to One Third of the whole Council of each such Burgh,  
 • should go out of Office, and in the said Year One thousand eight hundred and thirty-four the Third  
 • who should go out should consist of the Councillors who had the smallest Number of Votes at the  
 • Election of Councillors in the Year One thousand eight hundred and thirty-three; and in the  
 • succeeding Year One thousand eight hundred and thirty-five the Third of the Councillors first elected  
 • under the said Act who should go out should consist of the Councillors who at such First Election  
 • under the said Act had the next smallest Number of Votes (the Majority of the Council always  
 • determining,

\* determining, where the Votes for any such Person should have been equal, who should be the Persons to retire; and thereafter the Third of the Councilors so recently going out of Office should always consist of the Councilors who had been longest in Office; provided always, that any Councilors so going out of Office should be capable of being immediately re-elected: And whereas Deaths have been entertained as to the true Meaning and legal Effect of the above last-recited Provisions of the said Act, and it is fit that all Hazard of Dispute and Litigation thereon arising should be removed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at the Second Election of Councilors, to take place on the First Tuesday of November next after the passing of this Act, in each of the Wards or Districts, in Terms of the said recited Act and the said Royal Proclamation, there shall go out of Office an equal Number of Councilors with those then to be elected, which Councilors so going out shall be those who at the First Election in such Wards or Districts respectively had the smallest Number of Votes; and that at the Third Election of Councilors, to take place on the First Tuesday of November One thousand eight hundred and thirty-five, in each of such Wards or Districts, in Terms of the said recited Act and Royal Proclamation, there shall go out of Office an equal Number of Councilors with those then to be elected, which Councilors so going out shall be those who in such Wards or Districts respectively had the next smallest Number of Votes at the said First Election.

Regulation as to Councilors going out of Office at the Second and Third Elections of Councilors.

## C A P. LXXXVIII.

An Act for the more effectual Registration of Persons entitled to vote in the Election of Members to serve in Parliament in Scotland. [15th August 1834.]

\* WHEREAS an Act was passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to amend the Representation of the People in Scotland*: And whereas a Right is given by the said recited Act to any Party dissatisfied with the Judgments of a Sheriff at the annual Requisitions and Corrections to appeal to the Sheriffs or any Three of them liable in Attendance at the Assizes Circuits of the Court of Justice; and such Sheriffs are thereby appointed to remain at or return to the Circuit Town after the Autumnal Circuit in each Year, and there hold their Court between the Fifteenth and Twenty-fifth Days of September in each Year, and to determine all such Appeals on or before the Twentieth Day of October thereafter: And whereas such Right of Appeal is liable to be defeated by such Circuit Courts not being terminated in such Time as to enable the Sheriffs to hold such Court of Appeal as thereby directed, and it is expedient that the said Act should in this respect be amended: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Sheriffs appointed by the said recited Act to judge in such Appeals shall hold their Courts as therein directed, without relation to the holding or Duration of the Circuit Court of Justice; and in the Event of the Incapacity or Absence of any of the said Sheriffs it shall be lawful to any Judge or Judges appointed to the Autumnal Circuits in the District in which such Vacancy occurs, and such Judge or Judges are hereby required, on the Motion of any Appellant or Respondent in an Appeal in such District, to nominate some other Sheriff or Advocate of Three Years standing to attend and officiate in the Stead of the Sheriff incapacitated or absent.

282 W. 40 27

Sheriffs Courts for Appeals in Requisitions to be held without Reference to Duration of Circuit Court of Justice.

II. And be it enacted, That the Provisions of the said recited Act, in so far as inconsistent with this Act, shall be and the same are hereby repealed, but the said Act shall in all other respects remain in full Force and Effect.

III. And be it enacted, That this Act may be varied, amended, or repealed by any Act or Acts to be passed in the present Session of Parliament.

Recited Act to remain in force, except Act.

Act may be altered this Session.

## C A P. LXXXIX.

An Act to amend the Laws relating to the Customs.

[15th August 1834.]

\* WHEREAS by an Act passed in the last Session of Parliament, intitled *An Act to repeal the several Laws relating to the Customs, certain Acts or Parts of Acts were repealed*: And whereas several other Acts were passed in the said Session for consolidating the Laws of the Customs, and it has been found necessary to make certain Alterations and Amendments therein: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation for all the Purposes mentioned therein.

282 W. 4 200.

II. And be it further enacted, That instead of any Oath required to be made under any Act relating to the Customs in the United Kingdom or in the British Possessions Abroad, or in Trade or Navigation, except such Oath as are required to be made by an Act passed in the last Session of Parliament, intitled *An Act for the Management of the Customs*, a Declaration in Writing shall be made; and in all Cases where any such Declaration are made, or where Declarations are made for the Confirmation of the Commissioners of the Customs, they shall be and they shall continue to be deemed to be such Declarations

Regulation  
Confirmation of Act.

Declarations substituted for Oaths in certain Cases.  
282 W. 4 211



*Regulation.*  
 —  
*State, and State and Chalk, in Sily mineral found, in be dissolved Ballast.*  
 No Abatement of Duty for Ballast.  
 —  
 No Abatement for Damage of Drugs.  
 —  
 Silk from Douglon to Dover.  
 —  
 Restrictions upon the Importation of Tobacco of certain Descriptions altered.  
 —  
 Packages for the Importation of Spirits.  
 —  
 24th W. & C. 25.  
 Spirits to be imported in Vessels of British Tonnage.  
 —  
 4 W. & C. 12.  
 Taxes/Expenses incurred by the Commissioners of Stamp-duty on hard Labour to be paid out of Consolidated Exchequer.  
 —  
 Receipts.  
 —  
 24th W. & C. 24.  
 Duties on the Importation and Agreement to be by only.

Declaration shall be entered in any Particular, the Person making the same shall, over and above any other Penalty to which he or they may become liable, forfeit the Sum of One hundred Pounds.

III. And be it further enacted, That State, and State and Chalk, unless on board any Ship bound to Foreign Parts, shall be deemed to be Ballast, and that every such Ship having on board State, and State and Chalk, only, or either of them, shall be deemed to be a Ship departing to Ballast, and if on the Return of any such Ship any State, or State and Chalk, shall be remaining on board, the same shall be deemed to be the Ballast of such Ship.

IV. And whereas by the said last-mentioned Act the Commissioners of His Majesty's Customs are empowered and required to allow the Sale of any Property liable to the Payment of Duty saved from Sea, free from the Payment of all Duties, to the Amount of any Sum awarded, paid, or agreed to be paid in respect of such Salvage, or to the Amount of such other Sum as to the said Commissioners shall seem just and reasonable for the same, and it is expedient to amend the same; be it therefore enacted, That from and after the passing of this Act so much of the said recited Act as is herein-before mentioned shall be and the same is hereby repealed.

V. And whereas by the said last-mentioned Act it is enacted, that in respect of certain Goods enumerated in a List contained in the said Act no Abatement of the Duties of Importation shall be made on account of Damage sustained during the Voyage, and it is expedient to disallow such Abatement in respect of certain Drugs also; be it therefore enacted, That such Abatement in respect of the Drugs herein-after mentioned shall be unlawful and disallowed in like Manner as it would be unlawful and disallowed if such Drugs had been included in the said List; (that is to say,) Castor-oil, Coculus Indicus, Guaiacum Gummi, Jalap, Ipecacuanha, Nux Vomica, Opium, Rhubarb, Sassa-parilla, and Senna.

VI. And whereas by the said Act Manufactures of Silk, being the Manufactures of Europe, are prohibited to be imported into Dover, except from Calais; be it therefore enacted, That it shall be lawful to import such Manufactures into Dover from *Boulogne* in the same Manner as such Manufactures can be imported into Dover from Calais under the Provisions of the said Act.

VII. And whereas by the said last-mentioned Act certain Restrictions are laid down in respect of the Packages in which Tobacco may be imported into the United Kingdom; be it enacted, That the said Restrictions shall not extend to any Tobacco the Produce of and imported direct from Mexico, or from the Continent of South America, or from the Islands of Saint Domingo and Cuba, in Packages of not less than Eighty Pounds Weight each.

VIII. And whereas by the said last-mentioned Act the Importation of Rum of and from the British Plantations, if in Casks, is restricted to Casks containing not less than Twenty Gallons, and the Importation of all other Spirits, not being perfumed or medicinal Spirits, if in Casks, is restricted to Casks containing not less than Forty Gallons, and it is expedient to prevent the Evasion of such Restrictions by Persons using Cases, Vessels, or other Packages not being strictly Casks, but suitable for the Purposes of Casks; be it therefore enacted, That the said Restrictions shall be construed to apply to all Cases, Vessels, or Packages whatsoever capable of containing Liquids, and not being Glass Bottles, in like Manner as the same now apply to Casks; and that such Cases, Vessels, or Packages shall be, for the Purposes of such Restrictions, taken and deemed to be Casks within the Meaning of the said Act.

IX. And whereas a certain other Act was passed in the said last Session of Parliament, intituled *An Act for the Prevention of Smuggling*, and it is expedient to amend the same as herein-after mentioned; be it therefore enacted, That nothing in the said last-mentioned Act contained shall extend to render any Vessel of not less than Seventy Tons Burthen liable to Forfeiture on account of any Spirits in Glass Bottles, or to render any Vessel of not less than One hundred and twenty Tons Burthen liable to Forfeiture on account of any Tobacco the Produce of and coming direct from Mexico or the Continent of South America, or from the Islands of Saint Domingo and Cuba, in Packages of not less than Eighty Pounds Weight each, such Spirits and Tobacco being really Part of the Cargo of such Ship, and included in the Manifest thereof.

X. And whereas by an Act passed in this Session of Parliament, intituled *An Act to amend in respect to such of an Act of the last Session of Parliament for the Prevention of Smuggling as authorizes Magistrates to detain Persons committed of certain Offences to serve His Majesty in His Naval Service, and to alter and amend the said Act*, certain Provisions, for the Offences therein mentioned, are, upon Conviction, to be imprisoned in any House of Correction for certain Periods, and there kept to hard Labour. And whereas it is expedient that the actual Expence incurred by such Imprisonments should be defrayed out of the Consolidated Customs; be it therefore enacted, That the actual Expences incurred by any County, City, Borough, Liberty, Division, Franchise, or Town Corporation, in consequence of the Commitment of any Person to hard Labour under the before-mentioned Act, or any other Act relating to the Customs, shall be repaid out of the Consolidated Customs, by Warrant of the Lords Commissioners of His Majesty's Treasury, or any Two or more of them, in such Manner and to such Amount as they shall think fit to direct.

XI. And whereas an Act was passed in the last Session of Parliament, intituled *An Act for the Encouragement of British Shipping and Navigation*; And whereas it is expedient to amend the same in manner hereafter provided; be it enacted, That for the greater Encouragement of Navigation no higher Duty of Stamps than Two Shillings shall be charged upon the Indenture of any Apprentice bound to serve at Sea in the Merchant Service, any upon any Memorandum or Agreement made Printed and deposited by the University of Southampton Library Digitisation Unit between

between the Master and Mariners of any Ship or Vessel for Wages or Services on any Voyage in such Ship or Vessel, any thing in any other Act to the contrary notwithstanding; and that all such Indentures, Memorandums, or Agreements made between the Twenty-sixth Day of August last and the passing of this Act, whereupon the Duty of Two Shillings only shall have been charged and paid, shall be valid and effectual to all Intents and Purposes whatsoever; any thing to any Act to the contrary notwithstanding.

XII. And whereas an Act was passed in the last Session of Parliament, intituled *An Act for granting a Duty of Customs*, and it is expedient to amend the same in manner herein-after mentioned; be it therefore enacted, That if any Mahogany which had been imported direct from the Bay of Honduras in a Ship cleared out from the Port of Bahia into a free warehousing Port in any of the British Possessions in America, and there warehoused as having been so cleared and imported, shall be exported from the Warehouse, and reimported direct into the United Kingdom, such Mahogany shall be subject in the United Kingdom to the same Duty as it would have been subject to if it had been imported direct from the Bay of Honduras in a British Ship cleared out from the Port of Bahia, provided it shall appear in the proper Clearance of the Ship importing the same into the United Kingdom that such Mahogany had been so warehoused and exported from the Warehouse as aforesaid.

XIII. And be it further enacted, That Spirits or Strong Waters imported into the United Kingdom, mixed with any Ingredients, and although thereby coming under some other Denomination, shall nevertheless be deemed to be Spirits or Strong Waters within the Meaning of the said last-mentioned Act, and be subject to Duty as such.

XIV. And be it further enacted, That for any Barilla used in the Process of bleaching of Linens a Repayment of the Duties which have been paid on the Importation of such Barilla shall be made to the Person so using the same, under such Regulations as the Commissioners of His Majesty's Customs shall direct.

XV. And be it further enacted, That instead of the Duties imposed by the said last-mentioned Act, and set forth in a Table therein annexed, denominated "A Table of Duties of Customs leviable," the several Duties set forth in Figures in a Table herein-after contained, and denominated "Table of New Duties, 1834," shall, in respect of such Goods as are mentioned therein, be raised, levied, collected, and paid unto His Majesty in like Manner as if such Duties had been imposed in and by the said Act, and had been set forth in the said Table therein annexed; (that is to say,)

TABLE OF NEW DUTIES, 1834.

|   | d | s | d.         |
|---|---|---|------------|
| Apples, dried   |   |   | the Bushel |
| Books in the Foreign living Languages, being of Editions printed in or since the Year One thousand eight hundred and one, bound or unbound  |   |   | the Cwt.   |
| Bottles of Earth or Stone, viz: empty   |   |   | the Dozen  |
|   |   |   | full       |
| Bronze, viz:  |   |   |            |
| all Works of Art made of Bronze   |   |   | the Cwt.   |
| other Manufactures of Bronze, for every One hundred Pounds of the Value   |   |   | the Cwt.   |
| Cassia Powder or Starch, the Produce of and imported from any British Possession in America   |   |   | the Cwt.   |
| Cassava   |   |   | the Cwt.   |
| Eggs  |   |   | the Cwt.   |
| Grapes, for every One hundred Pounds of the Value   |   |   |            |
| Mats and Matting, for every One hundred Pounds of the Value   |   |   |            |
| imported from any British Possession, for every One hundred Pounds of the Value   |   |   |            |
| Oil, viz:   |   |   |            |
| Animal Oil  |   |   | the Cwt.   |
| Cocoa Nut Oil   |   |   | the Cwt.   |
| Olive Oil   |   |   | the Tun    |
| the Produce of or imported from any Part of the Dominions of the King of the Two Sicilies after Thirty-first of August One thousand eight hundred and thirty-four                                   |   |   | the Tun    |
| imported in a Ship belonging to any of the Subjects of the King of the Two Sicilies after Thirty-first of August One thousand eight hundred and thirty-four   |   |   | the Tun    |
| [Note.—For the Power given to His Majesty in Council to reduce these Duties on Olive Oil, the Produce of or imported from the Dominions of the King of the Two Sicilies, see the Duty of this Act.] |   |   |            |
| Palm Oil  |   |   | the Cwt.   |
| Peacocke Hatch, the Produce of and imported from the British Possessions in America,  |   |   | the Cwt.   |
| Peas, dried, the Produce of and imported from the British Possessions in America, for every One hundred Pounds of the Value   |   |   |            |
| Peas, dried, and imported from the University of Southampton (there being no other Duty on such Peas)   |   |   |            |
| Peas, commonly called French Peas and Prussians   |   |   | the Cwt.   |

Narrative

Duty

24-3 W. - 25  
Hundredweight  
imported in  
Possessions in  
America to be  
collected in the  
same  
Duty on Im-  
portation as if  
imported direct  
from the Bay of  
Honduras

Spirits, although  
mixed, to pay  
Duties as such.

Repayment of Duty  
on Barilla used  
in bleaching.

Table of New  
Duties.

|   |   |
|---|---|
| <p><i>Duties.</i></p> <p><b>Prunes</b> . . . . . the Cwt. 0 7 0</p> <p><b>Raisins</b> . . . . . the Cwt. 0 15 0</p> <p>the Produce of and imported from any British Possession . . . . . the Cwt. 0 7 6</p> <p><b>Real Bices of Brazil</b> taking, imported direct from the Fishery or from a British Possession, the Drown Shere 0 0 1</p> <p><b>Spirits, viz.</b></p> <p>Liquors, the Produce of and imported from the British Possessions in America, viz.</p> <p>not being of greater Strength than the Strength of Proof by Syke's Hydrometer, the Gallon 0 0 0</p> <p>being of greater Strength . . . . . the Gallon 0 15 6</p> | <p>XVI. And whereas in the Table of Duties herein-before contained Duties higher than in other Cases are exacted upon Olive Oil, being the Produce of the Dominions of the King of the Two Sicilies, or being imported from those Dominions, and it may become expedient to reduce the said Duties ' he it therefore enacted, That it shall be lawful for His Majesty, by His Order in Council, to reduce the said Duties to any Sum not being less than the Duty payable upon Olive Oil the Produce of or imported from other Places: Provided always, that during the Continuance of any such Distinction of Duty, before any Olive Oil shall be entered as being the Produce of some Place not within the Dominions of the King of the Two Sicilies, a Certificate shall be produced from the British Consul residing at or near the Place at which such Oil was taken on board the importing Ship, testifying that Proof had been made to his Satisfaction that such Oil was not the Produce of any Place within those Dominions.</p> |
|---|---|

Imports of Olive Oil into the Kingdom of the King of Sicily, may be reduced by an Order in Council.

Importation of Coals in British Ships restricted.

XVII. And be it further enacted, That so much of the said last-mentioned Act as imposes any Duty upon the Exportation in British Ships of Coals, Coles, or Clinders, according to the Weight thereof, shall be and the same is hereby repealed: Provided always, that nothing herein contained shall tend to exempt such Coals from the Duty payable upon the Exportation of Goods according to the Value thereof; and that in lieu of the Duties of Exportation now payable upon any Coals, Coles, or Clinders, when exported in a Foreign Ship, the Duty of Four Shillings the Ton shall in all Cases be payable.

Exemption of Woolen Exports from Duty repealed.

XVIII. And be it further enacted, That so much of the said last-mentioned Act as exempts Woolen Goods, or Woolen and Cotton mixed, or Woolen and Lanes mixed, exported to any Place within the Limits of the East India Company's Charter, from Payment of Duty on Exportation from the United Kingdom, shall be and the same is hereby repealed.

9 G. 4. c. 66. Corn Duties to be collected under same Regulations as other Duties. 8 G. 4. c. 111.

XIX. And whereas by an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to amend the Laws relating to the Importation of Wine*, certain Duties therein imposed upon Corn, Grains, Meal, and Flour, are made payable under the Provisions of an Act passed in the Sixth Year of the said King, intitled *An Act for granting Duties of Customs*, and which Act has been repealed; be it therefore enacted, That the said Duties shall be raised, levied, collected, and paid in such and the same Manner in all respects as the several Duties of Customs mentioned and enumerated in the Table of Duties of Customs heretofore annexed to an Act passed in the last Session of Parliament, intitled *An Act for granting Duties of Customs*, are now raised, levied, collected, and paid.

16 G. 4. c. 52. Warehouses.

XX. And whereas another Act was passed in the said last Session of Parliament, intitled *An Act for the warehousing of Goods*, and it is expedient to amend the said Act in manner hereafter mentioned; be it therefore enacted, That it shall be lawful for the Commissioners of His Majesty's Customs to resist or return the Duties payable or paid on the Whole or any Portion of Wine, Spirits, or other Fluid which shall be lost by any unavoidable Accident in the Warehouse in which the same shall have been deposited under the Provisions of the above-recited Act or any other Act to be passed for the warehousing of Goods; and that the Duties payable upon the following Articles deposited in Warehouses of special Security, (that is to say,) Wine, Currans, Raisins, Figs, Hares, Cherries, and Malmsey, when taken out of Warehouse for Home Use, shall be charged upon the Quantities ascertained by the Measure or Weight of the same actually delivered.

16 G. 4. c. 37. Wine, Spirits, or other Fluid lost by Accident in the Warehouse, Duties to be returned. An Act for Goods in Warehouses of special Security. East India Company may continue to warehouse Goods as heretofore.

XXI. And whereas Doubts have arisen whether the East India Company are authorized as heretofore to receive into their Warehouse, and to manage, after the Twenty-second Day of April One thousand eight hundred and thirty-four, any fresh Goods the Property of other Persons than the said Company; be it therefore enacted and declared, That it is and shall be lawful for the said Company, during the Time necessary to the due closing of their Commercial Business, to continue to receive into their Warehouse and to manage any Goods imported from Places within the Limits of their Charter, in the same Manner as they were authorized to receive and manage such Goods on or immediately before the said Twenty-second Day of April One thousand eight hundred and thirty-four; any Thing in any Act or Acts to the contrary notwithstanding.

Provisions altered.

24 G. 4. c. 23. Spirits and Tobacco may be imported into Germany, &c. from Foreign Ports, and may

XXII. And whereas another Act was passed in the said last Session of Parliament, intitled *An Act to regulate the Trade of the British Possessions Abroad*, by which Brandy, Geneva, or other Spirits, and Tobacco, were permitted to be imported from the United Kingdom into the Islands of Jersey, Guernsey, Alderney, or Sark, or either of them, in Ships of the Burthen of Seventy Tons at least, and it is expedient to extend the like Provisions to Brandy, Geneva, or other Spirits, and Tobacco, imported from Foreign Ports into the said Islands, and exported from the said Islands; be it therefore

enacted, That it shall be lawful for His Majesty, by His Order in Council, to extend the said Provisions to Brandy, Geneva, or other Spirits, and Tobacco, imported from Foreign Ports into the said Islands, and exported from the said Islands; and it is hereby

enacted, That it shall be lawful to import into the Islands of Arica, Guayaquil, Mollendo, or Shark Brandy, Geneva, or other Spirits, and Tobacco, from Foreign Parts, in Packages required by Law, to Ships of the Burthen of Seventy Tons at least, and to export the like Goods from the said Islands in Ships of the like Tonnage.

XXIII. And whereas it is expedient to extend the Powers of Seizure given by the said last-mentioned Act; be it therefore enacted, That all Goods, and all Ships, Vessels, and Boats, and all Carriages and Cattle, liable to Forfeiture under any Act now in force, or hereafter to be made, relating to the Trade of the British Possessions Abroad, or any Act relating to the Customs, or to Trade or Navigation, shall and may be seized and secured by any Officer of the Customs or Navy, or by any Person employed for that Purpose, by or with the Concurrence of the Commissioners of His Majesty's Customs; and every Person who shall in any way hinder, oppose, molest, or obstruct any such Officer or Person so employed as aforesaid in the Execution of his Duty, or any Person acting in his Aid or Assistance, shall forfeit the Sum of Two hundred Pounds.

XXIV. And be it further enacted, That if any Officer or Officers of Customs or any Person duly employed for the Prevention of Smuggling, in any of the British Possessions Abroad, shall make any collusive Seizure, or deliver up, or make any Agreement so deliver up or not to seize, any Vessel, Boat, or Goods liable to Forfeiture under any Law relating to the Customs, or Trade or Navigation, in any of His Majesty's Possessions Abroad, or shall take any Bribe, Gratuity, Recompence, or Reward for the Neglect or Non-performance of his Duty, every such Officer or other Person shall forfeit for every such Offence the Sum of Five hundred Pounds, and be rendered incapable of serving His Majesty in any Office whatsoever, either Civil or Military; and every Person who shall give, or offer or promise to give, or procure to be given, any Bribe, Recompence, or Reward to, or shall make any collusive Agreement with, any such Officer or Person as aforesaid, in any of His Majesty's Possessions Abroad, to induce him in any way to neglect his Duty, or to do, conceal, or connive at any Act contrary any of the Provisions of any such Act of Parliament relating to the Customs, Trade, or Navigation Abroad may be seized, shall forfeit the Sum of Two hundred Pounds.

XXV. And be it further enacted, That all Vessels, Boats, Goods, and other Things which shall have been or shall be hereafter seized as forfeited on or near any of the British Possessions Abroad, under any Law relating to the Customs, or to Trade or Navigation, shall be detained and be taken in to be condemned, and may be dealt with in the Manner directed by Law in respect to Vessels, Boats, Goods, and other Things seized and condemned for Breach of any such Law, unless the Person from whom such Vessels, Boats, Goods, and other Things shall have been seized, or the Owner of them, or some Person authorized by him, shall, within the Calendar Month from the Day of seizing the same, give Notice in Writing to the Person or Persons among the same, or to the Collector, Comptroller, or other Chief Officer of Customs, at the nearest Port, that he claims the Vessel, Boat, Goods, or other Things, or intends to claim them.

XXVI. And be it further enacted, That every Act, Matter, or Thing required by any Law at any Time in force to be done or performed by, to, or with the Collector and Comptroller of Customs in any of His Majesty's Possessions Abroad, shall and may be done or performed at such Parts or Places where there is no Comptroller of Customs by, to, or with the Collector or other principal Officer of Customs; and every such Act, Matter, or Thing so done or performed by, to, or with such Collector or other principal Officer of Customs shall be as valid and effectual as Law as if the same had been done and performed by, to, or with any Collector and Comptroller of Customs under any Law now in force or hereafter to be made.

XXVII. And whereas by an Act passed in the Second and Third Year of the Reign of His present Majesty, intituled *An Act to continue certain Acts relating to the Island of Newfoundland*, and to provide for the Appropriation of all Duties which may hereafter be raised within the said Island, Provision was made for the Appropriation of the net Proceeds of all Duties levied within the said Colony by any Act of Parliament then or hereafter to be in force there, and for the Deduction five and out of such net Proceeds in each and every Year of a Sum not exceeding Six thousand five hundred and fifty Pounds, to be applied in the Manner, for the Purpose, and under the Authority therein mentioned; and whereas Doubts may arise whether the Provisions aforesaid, or some of them, were not repealed or straggled by some or one of the Acts so passed as aforesaid in the last Session of Parliament; be it therefore, for the Removal of such Doubts, declared and enacted, That nothing in any Act passed in the last Session of Parliament contained did or doth repeal, abrogate, annul, or alter the said recited Act passed as aforesaid in the Second and Third Year of His Majesty's Reign, or any Part thereof, or any of the Provisions therein contained, but that from and out of the net Proceeds of all Duties levied from Year to Year within the said Colony of Newfoundland, by any Act of the last Session of Parliament, or any Act thereafter passed or to be passed, such Deduction shall be annually made as in the said Act passed in the Second and Third Year of His Majesty's Reign is contained, and that the Sum of Money so from Year to Year to be deducted shall be applied from Time to Time in such Manner and for such Purpose and under such Authority as in the said Act so passed in the Second and Third Year of His Majesty's Reign is particularly mentioned and set forth.

XXVIII. And whereas Steam Vessels, according to their Register Tonnage, afford greater Accommodations for Passengers on short Voyages than Sailing Vessels: be it therefore enacted, That for the Purpose of an Act passed in the Fourth Year of His late Majesty's Reign, intituled *An Act to amend the Laws relating to the Register Tonnage of British Great British and Foreign Steam Vessels* which is in the

to appear  
within a Year  
after the date

Power of Sell  
may be otherwise  
employed in the  
service of His  
Majesty, &c.

Officers making  
collusive Seiz-  
ures, and Per-  
sons offering  
Bribes to them,  
subject to  
Penalties.

Seized Goods, if  
not claimed for a  
Month, to be  
sold, and the  
proceeds to be  
applied as  
aforesaid.

In Places where  
there is no  
Comptroller of  
Customs, Acts  
done by Collec-  
tor or principal  
Officer shall be  
as valid.

25th of 4. 2. 18  
not repealed by  
any Act passed in  
the last Session  
of Parliament.

Passenger

Tonnage of  
Steam Vessels  
used for Passen-  
gers to and from  
Ireland.

## Passages.

Certain Orders  
in Council dis-  
charged to be in  
force

Register Tonnage of One hundred and forty Tons, or upwards, shall be deemed to be a Vessel of Two hundred Tons at least.

XXX. And whereas in and by the several Acts repealed as aforesaid by the said first-mentioned Act of the Third and Fourth Year of His Majesty's Reign, or in and by some of them, His Majesty, with the Advice of His Privy Council, was authorized to make Orders for the various Purposes in such Acts respectively in that Behalf mentioned: And whereas in pursuance and exercise of the Powers in the said repealed Acts or some of them as aforesaid His Majesty and His late Majesty King George the Fourth did, by the Advice of Their respective Privy Councils, make divers Orders, which Orders in Council, or some of them, were at First at or immediately before the Time at which the said revoked Act of the Third and Fourth Year of His Majesty's Reign took effect and came into operation: And whereas Doubts may arise whether in consequence of the Repeal of the several Acts aforesaid the said Orders in Council have not ceased to be binding and in Force: And whereas it is expedient that such Doubts as aforesaid should be removed: Be it therefore enacted and declared, That all Orders made by His Majesty or by His late Majesty King George the Fourth, with the Advice of Their respective Privy Councils, in pursuance of any of the Acts so repealed as aforesaid, so far as the same or any of them were or was in force at or immediately before the Time when the said Act of the Third and Fourth Year of His Majesty's Reign came into operation, did, notwithstanding that Act, continue in full Force as though the said Act had not been made, and shall hereafter continue in full Force, unless and until the same or any of them shall be either in whole or in part rescinded and revoked by His Majesty, with the Advice of His Privy Council.

Stamp in Place  
Not in a bill

XXX. And be it further enacted, That all Bonds given to prevent the Relanding of Plate in respect of which any Drawback shall be allowed upon the Exportation thereof shall be liable only to the same Duties of Stamp as any Bonds given for or in respect of the Duties of Customs, or for preventing Frauds or Evasions thereof, are or shall be liable to under any Act for the Time being in force for granting Duties of Stamps.

## C A P. XC.

An Act to amend an Act made in the Third and Fourth Year of the Reign of His present Majesty, intitled *An Act to alter and amend the Laws relating to the Temporalities of the Church of Ireland*.

[14th August 1834.]

14 & W. 4. c. 25.

WHEREAS an Act was passed in the last Session of Parliament, intitled *An Act to alter and amend the Laws relating to the Temporalities of the Church in Ireland*: And whereas it is expedient to amend the said Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, and His Majesty's Privy Council there, in the Case of the Deanery of *Lincoln* now vacant, when they shall so think fit, at any Time after the passing of this Act, and in the Case of any and every other Ecclesiastical Dignity or Office under the Rank of an Archbishoprick or Bishoprick, the Person holding which shall not have actual Care of Souls within any Parish appertained thereto, and also in the Case of any and every Rectory whereof the King shall be Patron, or the Right of Presentation or Collation whereunto shall be in any Archbishop, Bishop, or other Ordinary, or in any Ecclesiastical Corporation, and the Rector whereof shall not have actual Care of Souls therein, whatsoever after the passing of this Act any such Dignity, Office, or Rectory shall become void in any Manner whatsoever, upon the Recommendation of the Ecclesiastical Commissioners for Ireland, signified by any Instrument under their Corporate Seal, if the said Lord Lieutenant or other Chief Governor or Governors and Council shall so think fit, to order and direct that the Appointment to such Dignity, Office, or Rectory shall be suspended until such Lord Lieutenant or other Chief Governor or Governors and Council shall think fit otherwise to direct: and in the meantime, and for and during such Period as such Dignity, Office, or Rectory shall remain vacant, all and every the Tithes, Glebes, Lands, Rents, Profits, and Emoluments whatsoever belonging or appertaining thereto, and all Avenues of such Tithes, Rents, Profits, and Emoluments which may have accrued since the same may have become void as aforesaid, shall be voted in and received by the said Ecclesiastical Commissioners, to be by them applied towards the like Purposes as the other Moneys and Funds accruing or to vest in them under the Provisions of the said Act; and the said Ecclesiastical Commissioners shall have all and every the like Remedies for the Recovery of such Tithes, Glebes, Rents, Lands, Profits, and Emoluments, and all Avenues thereof, as any Person filling such Dignity, Office, or Rectory might or would have, and shall be for all such Issues and Purposes in the Place and Stead of such Person: Provided always, that in the Case of any such Suspension as aforesaid it shall and may be lawful for the Chapter of any Diocese or Cathedral Church, or Members thereof, to nominate and appoint some fit and proper Person to perform and exercise all such Acts and Duties in relation to the Property of any such Chapter or Cathedral Church or otherwise as might or ought to have been or be performed or exercised by any Successor in such Dignity or Office as suspended if such Successor had been appointed; and such Person so nominated and appointed shall have all such Powers and Authorities, and be subject to all such Liabilities, in relation to the Performance of such Acts and Powers, Spiritual or other Duties, as any such Successor, if duly appointed, would have had or been subject to; and all the Acts of the Person so appointed shall be of equal Force and Validity as the Acts of any

The Appoint-  
ment to Epi-  
scopal Dignities  
shall be made  
by the Lord  
Lieutenant and  
Council, or the  
Recommendation  
of the Ecclesiastical  
Commissioners.

It. Provided always, and be it further enacted, That if in any Case it shall seem expedient to the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, and His Majesty's Privy Council there, to remove any such Suspension, and to give Authority for the Appointment to any Office, Dignity, or Rectory, subject to the Severance thereof of all and every the Tithes, Glebes, Lands, Rents, Profits, and Emoluments whatsoever appertaining thereto, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, and His Majesty's Privy Council there, to remove such Suspension accordingly, on the Condition here's-before contained.

III. Provided also, and be it further enacted, That whenever any Right of Presentation, Nomination, or Appointment to any Vicarage or Perpetual or other Curacy shall be annexed or incident to any Office, Dignity, or Rectory, the Appointment to which shall be so suspended, then and in every such Case such Right of Presentation, Nomination, or Appointment shall, upon every Avoidance of such Vicarage or Perpetual Curacy which shall happen during such Suspension, belong to and be exercised by the same Person or Persons, or Body or Bodies Corporate, by whom the Right of Appointment to such Office, Dignity, or Rectory might have been exercised in case the same had not been suspended.

IV. And whereas it is by the said recited Act, amongst other things, enacted, that it shall and may be lawful for the said Commissioners to settle and adjudge the Proportions of Crown Rents, Port Corn Rents, Pennons, Procurations, Synodials, and the Salaries of the Schoolmasters of the Dioceses and Schools, which the Incumbents of any Parish or Parishes divided or suggested pursuant to the Provisions of the said recited Act are respectively to pay: And whereas it is expedient that the said Provisions should be extended to other Charges affecting such Parishes, be it therefore enacted, That all Duties, Taxes, and Assessments which are imposed upon or voted in the said Commissions by virtue of the said recited Act and of this Act, or of either of these, touching or concerning the Settlement or Adjudication of the Proportions of such Crown Rents, Port Corn Rents, Pennons, Procurations, Synodials, and Salaries as to be paid as aforesaid, shall extend and be applicable to the Settlement and Adjudication of the Proportions of all other Charges whatsoever charged upon or payable out of such divided or suggested Parishes to be paid by the several Incumbents thereof respectively after such Division or Apportionment; and such last-mentioned Proportions shall be adjusted and registered in such Manner as is and by the said Act is directed, and shall be binding and conclusive upon the said several Incumbents of such divided or suggested Parish or Parishes respectively, and their respective Successors, any Law or Custom to the contrary notwithstanding.

V. And whereas the Provisions of the said Act for the Disappropriation of Parishes, or the Tithes or Portions of Tithes and Glebes thereof, from the Dignities to which the same may be united or appropriated, are limited to Cases in which there are Vicars or Curates discharging the Duties of such Parishes; and it is expedient to remove such Limitation, be it therefore enacted, That where there shall not be any Vicar or Curate in any Parish which, or the Tithes or any Portions of the Tithes and Glebes whereof, may be appropriated or united to any Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Curacy, it shall and may be lawful for the said Lord Lieutenant or other Chief Governor or Governors and Council, if they shall so think fit, by and with the Consent and Approbation of the Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prebendary, or Curate thereof, or whatsoever such Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Curacy shall be void, to disappropriate, devolve, and direct such Parish, and all Tithes, Portions of Tithes, or Glebes thereunto belonging, from and out of such Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Curacy, and, if they shall so think fit, to order and direct that such Parish, Tithes or Portions of Tithes, or Glebes, as aforesaid, shall then thereafter be united and annexed to any neighbouring Rectory, Vicarage, or Perpetual Curacy, as herein-after mentioned; or shall be and become free over a separate Benefice and Parish. Provided nevertheless, that in the Rectory, Vicarage, or Perpetual Curacy to which such disappropriated Parish, Tithes or Portions of Tithes or Glebes may be united, or in the separate Benefice and Parish into which the said disappropriated Parish, Tithes or Portions of Tithes, or Glebes may be annexed, Divine Service shall be constantly and duly celebrated; and if the same shall be made a separate Benefice and Parish, then and in such Case it shall and may be lawful for the King's Majesty, or other Person or Persons, or Body or Bodies Corporate, having the Right of Nomination, Appointment, or Presentation to such Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Curacy, from Time to Time in present, collate, nominate, and appoint a Clerk to be the Incumbent of such Parish; and such Clerk who duly presented, instituted, or collated, and inducted, and his Successors, shall be and become Rectors Publici and Corporati, and shall be perpetually endowed with all the Tithes, Portions of Tithes, and Glebes so belonging to such Parish, and so disappropriated, dissolved, and devolved as aforesaid, and shall have the usual Cure of Souls of and within the said Parish.

VI. And be it enacted, That where under this or any other Act any Parish in which there shall be any Perpetual Curate endowed shall be disappropriated or dissolved from any Ecclesiastical Dignity or Benefice, such Curate shall immediately upon such Disappropriation or Dissolution, and by virtue thereof, be and become Rector or Vicar, as the Case may be, of the Parish so disappropriated or dissolved; and such Perpetual Curacy shall merge in the said Rectory or Vicarage.

VII. And be it further enacted, That in any Case in which the said Lord Lieutenant or other Chief Governor or Governors of Ireland and Council shall have Power and Authority under the Provisions of the said recited Act of this Act and shall think fit, to disappropriate, devolve, and direct any

Archbishoprick and Priory Curacies were to receive Suspension.

Partage of suspended Dignity, how to be exercised.

Charges upon suspended Benefices, how to be regulated.

The Tithes, &c. of Parishes in which there may be no Vicar or Curate may be disappropriated from the Dignity, &c. to which they are annexed, in like Manner as the Tithes of Parishes in which there shall be such Vicar or Curate.

Perpetual Curate of any dissolved Parish to become Rector.

Lord Lieutenant may collate in any adjoining or neighbouring Rectory.

Parish any Rectory, Vicarage, Tithe, or Portions of Tithe, and Glebe, or Part or Parts thereof, from and out of any Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, it shall and may be lawful for each Lord Lieutenant or other Chief Governor or Governors and Council, if they shall so think fit, to unite and annex to any adjoining or neighbouring Rectory, Vicarage, or Perpetual Curacy as aforesaid, such Rectory, Vicarage, Tithe, or Glebe, or any Part or Parts or Portions thereof respectively, which shall so have been disappropriated, disannexed, or divided as aforesaid, together with the annual Care of Souls within such Rectory or Vicarage, or such Part or Parts thereof as shall be so united or annexed respectively, or within such Place or Places respectively whereof the Tithe or Glebe shall be so united and annexed; and in such Case the said Lord Lieutenant or other Chief Governor or Governors and Council shall direct and regulate the Rations or Tithes in which the Right of Presentation or Nomination to such adjoining or neighbouring Rectory, Vicarage, or Perpetual Curacy shall upon any and every future Avoidance thereof belong to or be exercised by and between the King's Majesty, His Heirs and Successors, and by and between any other Person or Persons, or Corporation or Corporations, in like Manner as the said Lord Lieutenant or other Chief Governor or Governors and Council are authorized and empowered to do in case any Rectory, Vicarage, Tithe or Portions of Tithe, or Glebe or Portions thereof, has or have been or shall be united to any Vicarage or Perpetual Curacy pursuant to the Provisions of the said recited Act.

The Provisions of 16 & 17, c. 12, s. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

VIII. And whereas by the said Act it is made lawful for the Lord Lieutenant or other Chief Governor or Governors of Justice, with the Privy Council there, in case of Vacancy, or with the Consent therein mentioned, to disappropriate, disannex, and divert any Rectory, Vicarage, Tithe or Portions of Tithe, or Glebe, from any Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Canonry, and to unite the same to the Vicarage, Perpetual or other Curacies of such Parishes respectively, so as to form a distinct Parish or Benefice: be it enacted, That the said Provision shall extend to Parishes in Towns where Ministers Money is paid, whether there be any Tithe or Glebe belonging thereto or not, and that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Justice, with the Privy Council there, in case of a Vacancy, or with the Consent of the Dignitary, Prebendary, Canon, or other Ecclesiastical Person having the Cure of Souls in any such Parish in Right of or Appointment to his said Dignity, Prebend, or Canonry, to disannex, disappropriate, and separate such Parish, and the Cure of Souls therein, and the Emoluments belonging thereto, whether consisting of Glebe, Tithe, Ministers Money, or other Payments, from the said Dignity, Prebend, or Canonry, so as to constitute such Parish for ever a separate and distinct Benefice, to be presented to when vacant in the like Manner as the said Dignity, Prebend, or Canonry to which it was attached before such Separation.

Parish appropriated and benefice term, no title, filed up until the Calendar Month after Notice to Commissioners

IX. Provided always, and be it further enacted, That whereasever after the passing of this Act any Deanery, Archdeaconry, Dignity, Prebend, or Canonry to which any Rectory, Vicarage, Tithe, or Glebe, or any Part or Parts, Portions or Portions thereof respectively, or Ministers Money, or other Payment or Emolument is aforesaid, shall be appropriated or united, and not being in the Gift or Disposition of His Majesty, shall become void, and whereasever after the passing of this Act any Benefice whereof the Patronage or Right of Presentation or Collation shall be in any Archbishop, Bishop, or other Dignitary, and in which Benefice Divine Worship shall not have been celebrated for the Three Years next preceding the First Day of February One thousand eight hundred and thirty-three, shall become void, then and in either of such Cases it shall and may be lawful to fill up such Vacancy or to appoint any Successor or Successors in such Deanery, Archdeaconry, Dignity, Prebend, or Canonry or Benefice, until the Expiration of One Calendar Month after Notice as aforesaid shall have been given to the said Ecclesiastical Commissioners by the Corporation or Person having the Patronage or Right of Appointment or Election thereunto, of such Vacancy or Avoidance having occurred; and any Election, Appointment, Presentation, Collation, Institution, or Induction which shall be made contrary to the true Intent and Meaning of the said recited Act or of this Act shall be null and void to all Intents and Purposes whatsoever; and it shall and may be lawful for the said Lord Lieutenant and Council, and for the said Ecclesiastical Commissioners respectively, to exercise all Powers with which they are respectively invested, in relation to such Deanery, Archdeaconry, Dignity, Prebend, or Canonry or Benefice, by the said recited Act or this Act, in such Manner as if the same were absolutely void: Provided always, that the Certificate of the Ordinary that Divine Service has not been celebrated in any such Benefice for Three Years next preceding the First Day of February One thousand eight hundred and thirty-three shall be conclusive Evidence of such Fact for all the Purposes of this Act and of the said recited Act.

Lord Lieutenant and Council may appropriate Charges on Diversion from which Disappropriations may be made

X. And be it further enacted, That it shall and may be lawful to and for the said Lord Lieutenant or other Chief Governor or Governors and Council, whenever they shall, by virtue of the Powers in that behalf to them vested, have disappropriated the Temporalities or any Part of the Temporalities of any Dignity, or shall have divided old Parishes, or separated any Parish or Part of a Parish heretofore united, to make such Order as to them shall seem expedient for the Entanglement or Payment of any Charge or Charges of any Part thereof to which such Dignity or Parish or Benefice, or the Person or Persons according to the same, are or may by Law be liable, and to direct in whose, and by whom, and out of what Funds, and in what Sums and Proportions, and at what Time or Times, such Charges or any Part of the same as are to be payable are thereafter to be paid, and by what Means and Proceedings and by and against whom the same are thereafter to be repaid.

XI. And be it further enacted, That in case the Lord Lieutenant or other Chief Executive or Governors of Ireland shall, pursuant to the Provisions of the said recited Act and of this Act, or of either of them, have disappropriated, dissipated, or diverted from any Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Canonry any Rectors, Vicarage, Tithe, or Portion of Tithe, or Glebe, or Part or Parts thereof, and in case the Person or the Representatives of the Person upon whose Removal or Death any such Disappropriation, Dissipation, or Diversion shall have been made, shall, by virtue of any Law or Statute, be entitled to receive from the next Successor of such Person in such Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Canonry any Sum or Sums of Money on account of any Purchase of or Addition to Glebes, or of any Buildings or Improvements, or of Money paid by such Person to his immediate Predecessor on such Accounts respectively, then and in every such Case it shall and may be lawful for such Lord Lieutenant or other Chief Executive or Governors and Privy Council to order and direct that such Sum or Sums of Money shall be charged and chargeable in such Shares and Proportions as they shall think just and reasonable upon the several Parishes, Tithes or Portions of Tithes, or Glebes, or Part or Parts thereof respectively thereto respectively annexed and appropriated to such Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Canonry; and such Shares and Proportions shall be paid and payable by the several Incumbents of such Parishes respectively, or by the Person or Persons (whosoever it be entitled to such Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof respectively, to such Person and at such Times and in such Manner as the Whole of such Sum or Sums of Money would have been payable by virtue of any Law or Statute in force in Ireland in case such Disappropriation, Dissipation, or Diversion had not taken place: Provided always, that it shall and may be lawful for every such Incumbent or other Person, or his Representative, having paid any such Share or Proportion in manner aforesaid, to receive and recover from his next and immediate Successor such Part of such Share and Proportion at such Time and by such Ways and Means as if such Share or Proportion had been paid by law by his next and immediate Predecessor by virtue of any Law or Statute in force in Ireland.

XII. And whereas it is by the said recited Act provided, that the said Ecclesiastical Commissioners shall within a certain Period pay to the Executors or Administrators of Doctor Richard Bourke, late Bishop of Waterford, all and every such Sum of Money as, pursuant to any Statute or Law in force in Ireland, could or might have been recovered by such Executors or Administrators against the Successor of the said late Bishop on one such Act last not been made; and it is also by the said Act further provided, that the said Commissioners shall at various Periods, from and after the respective Vacancies of the other Bishopricks (save and except the Bishopricks of Down and of Cork and Ross) named in the First Column of the Schedule (B) to the said Act annexed, or the Annations thereof to any Bishoprick in the Second Column of the said Schedule annexed, pay to the Person or his Representatives, as the Case may be, by whose Promotion or Death such Vacancy shall have been occasioned, or who shall become the Bishop of any such united Bishoprick, all such Sums of Money as would have been payable by or recoverable against any Successor in such Bishopricks in such First Column named in case the said Act had not been made; but no Provision is made by the said Act enabling the said Ecclesiastical Commissioners to recover for Dilapidations suffered or committed by the said Doctor Richard Bourke, or other Bishops as aforesaid; be it therefore enacted, That the said Ecclesiastical Commissioners shall and may recover from the Representatives of the said Doctor Richard Bourke, and from the Bishop of each and every Bishoprick in the First Column of the said Schedule named (save and except the Bishopricks of Down and of Cork and Ross aforesaid, being or becoming void or vacant by any other Bishoprick under the Provisions of the said Act, or from the Representatives of such Bishop, all and every such Sum or Sum of Money as the Successor or Successors of such Bishop of Waterford, or other Bishop (if such had been appointed), might or could have recovered under any Law or Statute in force in Ireland from the Representatives of the said Doctor Richard Bourke, or from such other Bishop or his Representatives, for or on account of Dilapidations, in case the said recited Act had not been passed; and that the said Ecclesiastical Commissioners shall have, for ascertaining the Extent of such Dilapidations, and for the Recovery of such Money as may be due on account thereof, all such Remedies as the Successor or Successors of any such Bishop could or might have used if the said recited Act had not been passed; and it shall be lawful for the said Ecclesiastical Commissioners to deduct from and out of any Money which they are or may be liable under the Provisions of the said recited Act to pay to the Representatives of the said Doctor Richard Bourke, or any other such Bishop, his Executors or Administrators, such Sums as are or shall be respectively payable by or recoverable from the Representatives of the said Doctor Richard Bourke, or such other Bishop, his Executors or Administrators, for or on account of such Dilapidations, in like Manner as the Successor or Successors of the said Doctor Richard Bourke, or any other such Bishop, might have deducted the same under any Law or Statute in force in Ireland if the said recited Act had not been passed.

XIII. And be it further enacted, That all such Proceedings as may already have been taken by or on behalf of the said Ecclesiastical Commissioners for the ascertaining or Recovery of any Money on account of Dilapidations in or upon the See House, Offices, Lands, or Improvements of the said Bishoprick of Waterford, or of any other Bishoprick named in the First Column of the Schedule (B) to the said recited Act annexed, which may be or have become vacant or void to any other Bishoprick under the Provisions of the said recited Act, may and shall be lawfully continued and effectual

In case of Disappropriation, Dissipation or Diversion of any such Share or Proportion as they shall think just and reasonable upon the several Parishes, Tithes or Portions of Tithes, or Glebes, or Part or Parts thereof respectively thereto respectively annexed and appropriated to such Archbishoprick, Bishoprick, Deanery, Archdeaconry, Dignity, Prebend, or Canonry; and such Shares and Proportions shall be paid and payable by the several Incumbents of such Parishes respectively, or by the Person or Persons (whosoever it be entitled to such Tithes or Portions of Tithes, and Glebes, or Part or Parts thereof respectively, to such Person and at such Times and in such Manner as the Whole of such Sum or Sums of Money would have been payable by virtue of any Law or Statute in force in Ireland in case such Disappropriation, Dissipation, or Diversion had not taken place.

Each estate of Commissioners may recover Dilapidations from Bishop or the First Column of Schedule (B) annexed to the Act of 1834, s. 4, or from their Representatives, in like Manner as a Successor

Commissioners to have such Remedies for ascertaining and recovering Amount of Dilapidations as Successor would have had.

Proceedings already taken for ascertaining or Recovery of Dilapidations to be valid



effectual to all Intents and Purposes as if the same had been taken by or on behalf of the Immediate Successor or Successors, lawfully appointed and invested, of the Bishop by whom such Disputations may have been commenced or suffered.

XIV. And be it enacted, That when and as the Bishopricks of *Ferry and Leighlin* and of *Cloyne* respectively shall be united to the Bishopricks of *Down* and of *Cork* and *Ross*, the said Ecclesiastical Commissioners shall and may in like Manner, and by all such and the like Means, recover from the Persons or their Representatives by whose Presentation or Death such Vacancies shall have occurred or been occasioned, or who shall become the Bishops of such united Bishops, all such Sums as the Successors in such Bishopricks of *Ferry and Leighlin* and *Cloyne* respectively would have been entitled to recover for Disputations in case this Act had not been made.

XV. And be it further enacted, That whenever pursuant to the Provisions of the said recited Act, and with such Consent as therein required, the See House of any Bishoprick in the First Column of the Schedule (B.) to the said Act annexed shall be or have been chosen to be the See House of any united Bishoprick, such See House, and the Offices, and the Whole or a Part only of the Manors or Demesne Lands thereto belonging, which are set out as a fair Equivalent for the Whole or a Part only of the surrendered Manors and Demesne Lands belonging to the Bishoprick in the Second Column of the Schedule (B.) as the Case may be, shall without any Grant or Conveyance whatsoever be divested out of the said Ecclesiastical Commissioners, and become vested in the Bishop of such united Bishoprick, and annexed thereto, and thereupon continue to be to all Intents and Purposes the See House, Offices, and Manors or Demesne Lands of such united Bishoprick.

XVI. And be it enacted, That all Lands, Tenements, and all Estates, Terms, and Interests therein, whether legal or equitable, and all Benefits and Right of Renewal of or in the same, which at the Time of the passing of the said recited Act were or are now vested in the Trustees and Commissioners of First Fruits in *Ireland*, shall be and the same are hereby absolutely transferred to and vested in the said Ecclesiastical Commissioners and their Successors, in like Manner, and upon and for the like Trusts, Intents, and Purposes, as the same were heretofore vested in the said Trustees and Commissioners of First Fruits.

XVII. And whereas it is by the said Act provided that upon each and every Avoidance happening after the Period in the said Act mentioned of certain Benefices to be selected from and out of the Benefices belonging to each of the Bishopricks mentioned in the First Column of the Schedule (B.) to the said Act annexed, it shall and may be lawful for the Archbishop of *Armagh* and Archbishop of *Dublin* to nominate and present to each such Benefice one of the Fellows or Ex-fellows of the College of the Holy and Undivided Trinity, near *Dublin*, being in Holy Orders; provided always, that in case the said Two Archbishops shall not be able to agree in such Nomination and Appointment, or shall decide upon the Person to be appointed to the said vacant Benefice, the first Turn therein to be enjoyed by the Archbishop of *Armagh*; and if on the Vacancy of any of the said Benefices as aforesaid the said Archbishop shall not present thereto some such Fellow or Ex-fellow within each Period as any Person ought to present to a Benefice in his Gift or Presentation, then and in such Case the Right of Presentation or Collation to such Benefice shall for that Turn devolve to the Bishop of the Diocese and be in all respects subject to the ordinary Law of Lapse; and whereas it is necessary to explain and amend the said herein-before recited Provision, be it therefore enacted and declared to be the Meaning of the said recited Provision, That upon each and every Avoidance of the Benefices selected as aforesaid happening after the Time in the said Act mentioned, it shall and may be lawful for the said Archbishop of *Armagh* and Archbishop of *Dublin* to nominate and present to each such Benefice one of the Fellows or Ex-fellows of the College of the Holy and Undivided Trinity, near *Dublin*, being in Holy Orders; and that if on the Vacancy of any of the said Benefices, so selected as aforesaid, the said Archbishops shall not present thereto some such Fellow or Ex-fellow within each Period as any Person ought to present to a Benefice in his Gift or Presentation, then and in such Case the Right of Presentation or Collation to such Benefice shall for that Turn devolve to the Bishop of the Diocese, and be in all respects subject to the ordinary Law of Lapse.

XVIII. And whereas it is necessary to explain and amend certain Provisions of the said recited Act in respect of the Bishopricks of *Ferry and Leighlin* and *Down*, and of *Cloyne* and *Cork* and *Ross*; be it therefore enacted and declared to be the Meaning of the said recited Act, That the said Ecclesiastical Commissioners shall, by such Instalments, to be made in such Manner and at such Periods from and after the respective Periods when the Bishoprick of *Ferry and Leighlin* shall become united to the Bishoprick of *Down*, and the Bishoprick of *Cloyne* united to that of *Cork* and *Ross*, as any Successors thereto would have been respectively bound or liable if such Successors had been appointed, pay to the Persons or their Representatives by whose Presentation or Death such Vacancies shall have occurred or been occasioned, or who shall become the Bishops respectively of such united Bishopricks, all and every such Sums or Sums of Money as would have been payable by or recoverable against the several Successors in the said Bishoprick of *Ferry and Leighlin* and Bishoprick of *Cloyne* respectively, in case the said Act had not been passed; and that the Bishops of such united Bishopricks of *Ferry and Leighlin* and of *Down* shall be and become liable to the Payment of all such like Sums or Sums of Money as any Successor or Successors in the said Bishoprick of *Down* would have been in case the said Act had not been passed; and the Bishops of such united Dioceses of *Cloyne* and of *Cork* and *Ross* shall be and become liable to the Payment of all such like Sums or Sums of Money as any Successor or Successors in

Commodities may recover for Disputations commenced in *Ferry and Leighlin* and *Cloyne*.

See House of Bishopricks in the First Column of the said Schedule (B.) shall vest in Bishops of united Bishopricks showing or transferred to such united Bishops.

The Title to Lands, &c. now vested in Board of First Fruits shall vest in Ecclesiastical Commissioners.

Meaning of the Clause entitled Accompanying the Archbishop of *Armagh* and *Dublin* to present a Fellow of Trinity College to certain vacancies of Benefices.

as aforesaid Clause providing for the Liability upon the Bishopricks of *Ferry and Leighlin* and *Cloyne*.

the said Bishoprick of Cork and Ross would have been in case the said Act had not been passed: Provided that nothing herein contained shall, in the Event of the new Bishop of Coney and of Cork and of Ross becoming respectively Bishops of such aforesaid Bishopricks, alter or affect the Liabilities to them respectively of their Successors.

XIX. And be it further enacted, That if the new Bishop of Ferns and Leighlin or the new Bishop of Cloyne shall become Bishops respectively of such aforesaid Bishopricks respectively, they shall be entitled to recover as Successors for any Dilapidations; and if they shall pay to the Bishop of Coney, or the Bishop of Cork and Ross, or to his or their respective Representatives, in the Case any be, any Sum or Sums of Money which would have been payable by or recoverable against any Successor in the said Bishopricks, this and in such Case it shall and may be lawful for the Bishop of either of such aforesaid Bishopricks respectively to recover from his next immediate Successor the whole of such Sum of Money so by him paid; and such next immediate Successor, and his Successor or Successors respectively, shall and may recover, such against his Successor, such Proportion of such Sum of Money as would have been recoverable in each Case respectively if such next immediate Successor of the new Bishop of Ferns and Leighlin or of Cloyne had been the next immediate Successor lawfully appointed and inducted of the new Bishop of Coney or of Cork and Ross.

XX. And be it further enacted, That in case any such waste and malicious Injury or Damage or in the said recited Act mentioned shall be committed in or to any Church, Chapel, or other Building used for Religious Worship according to the Usage of the United Church of England and Ireland, it shall and may be lawful for the said Ecclesiastical Commissioners, or any Person or Persons to be by them appointed in that Behalf, by Writing under their Common Seal to sue for and recover Satisfaction and Amends, pursuant to the Provisions of the said recited Act, for such waste and malicious Injury or Damage, either at such Place or Places as is and by the said recited Act for that Purpose provided, or at the Second Assizes to be held after the Commission of such Injury or Damage for the County in which such Church, Chapel, or other Building may be situate; or if in the County of Dublin, at the Second Presenting Term; or if at the City of Dublin, at the Second Quarter Sessions respectively after the Commission of such Injury; and that all Powers and Provisions contained in the said recited Act, applicable to the suing for or Recovery of such Satisfaction at the next Assizes, Presenting Term, or Quarter Sessions respectively, shall extend and be applicable to the suing for and Recovery of such Satisfaction and Amends at such Second Assizes, Presenting Term, or Quarter Sessions respectively.

XXI. And be it further enacted, That in case any Tenant or Lessee, who under the Provisions of the said recited Act is or shall be entitled to apply and agree for, and who shall have applied and agreed for, the Purchase of a perpetual Estate or Interest in any Lands, Tenements, or Hereditaments, shall hold such Lands, Tenements, or Hereditaments by Lease for the Term of Twenty-one Years, whereof less than Twenty Years shall be to come and unexpired, or for the Term of Forty Years, whereof less than Twenty-one Years shall be to come and unexpired, or for Three Lives, and all the Lives named in such Lease shall not be in being, then and in every such Case it shall and may be lawful for every such Tenant or Lessee to tender to the Archbishop, Bishop, or other Sole Ecclesiastical Corporation, under whom he shall hold such Lands, Tenements, or Hereditaments, or to his or their known Agent or Agents, such Sum or Sums as he shall consider to be the true and just Amount of the Renewal Fine or Fines, and Fees customarily paid or payable for or upon the Renewal of such Lease for such Term or Interest as is and by the said recited Act is required; and in case such Archbishop, Bishop, or other Sole Ecclesiastical Corporation shall refuse or neglect within a reasonable Time after such Tender to accept such Sum or Sums of Money and execute such Renewal, then and in every such Case it shall and may be lawful for the said Ecclesiastical Commissioners, and they are hereby authorized and required, at the Request in Writing of such Tenant or Lessee, to ascertain by the issuing of a Commission, or by such other Ways and Means as they shall deem fit and expedient, the Amount of the Renewal Fine, usually or customarily paid or payable on and for the Renewal of such Lease, and the Sum which, according to the usual and accustomed Mode of renewing the same, ought to be paid on the Renewal thereof, up to the Day upon and from which the Rent to be received by the Land or Doers of Conveyance of such Lands and Premises is to begin to accrue due; and such Tenant or Lessee shall, upon Payment to the said Ecclesiastical Commissioners, to and for the Use of such Archbishop, Bishop, or other Sole Ecclesiastical Corporation respectively, of such Sum so ascertained as aforesaid, and of all Rents and Arrears of Rent due upon such Lease, be entitled to have a Conveyance executed of the Fee Simple and Liberties of and in the said Lands, Tenements, and Hereditaments, in like Manner as if such Lease had been fully renewed for such Term of Years or Lives respectively as is and by the said recited Act is required: Provided always, that no Tenant or Lessee holding any Lands or Premises by Lease for the Term of Twenty-one Years or of Forty Years, whereof less than One Year shall have expired, shall be entitled to have any Deeds of Conveyance of such Lands and Premises made or granted to him or her by virtue of the said recited Act and of this Act, or of either of them, unless, in addition to all Rent and Arrears of Rent due upon and reserved by such Lease, he or she shall have paid and satisfied to the Archbishop, Bishop, or other Ecclesiastical Person under whom he or she shall hold the said Lands and Premises, or to the said Ecclesiastical Commissioners, a proportional Part of the Fine or Fines and Fees usually and accustomedly paid and payable for and upon the Renewal of such Lease, up to and for such Day upon and from which the Rent to be received in and by such Deeds of Conveyance is to begin to accrue due.

The Bishops of Ferns and Cloyne may recover for Dilapidations from their Predecessors and for them paid by them from their Successors.

Commissioners for malice Injury to Churches may be appointed either at the next or at the second Assizes after Commission of the Injury.

Tenant not having a fully renewed Lease may tender to Archbishop, Bishop, or the Amount of the Customary Fine, and if refused, Commissioners may ascertain the Amount of Fine which ought to be paid, and upon Payment thereof, Tenant entitled to have a Conveyance.

No Tenant to be entitled to be renewed, unless he pays up his Proportion of Fine for the Period of the Term elapsed from the previous Renewal.

In Case of Inadequate Fines Interest paid for Renewals, Commissioners empowered to ascertain what ought to have been paid according to the Customs of the Diocese.

XXII. And be it enacted, That whosoever upon any Application for the Purchase of the Fee Simple and Inheritance in any Lands under the Provisions of the said recited Act or this Act, or for the Renewal of any Lease, or the making a new Lease or Derivative of any Lands held under the said Ecclesiastical Commissioners, such Commissioners may be authorized and required to ascertain the Amount of any Fine or Fines and Fees theretofore paid or agreed to be paid or customarily paid or payable for Renewal of such Lease, and that such Commissioners shall find that the Fine or Fines and Fees paid during any such Period as in the said Act mentioned, or agreed to be paid or payable for the Renewal of such Lease, have been greatly inadequate as compared with the Fine or Fines and Fees usually paid according to the Customs of the same Diocese or other Spiritual Promotion for or upon the Renewal of Leases or Interests in other Lands within such Diocese or other Spiritual Promotion held by the Tenant and Demisee, and that such Commissioners shall have reasonable Cause to conclude that such Inadequacy arose out of any Favour or Commodity of Interest between the Lessor and Lessee, then and in such Case the Matter shall be referred to Three Arbitrators, to be appointed in manner by the said recited Act provided for the Appointment of Arbitrators to adjust Differences between the said Commissioners and Parties applying for the Purchase of Perpetuities under the said Act; and the Expense of such Arbitration shall be borne by the said Commissioners, or by the other Party, or by both, in such Proportions as such Arbitrators shall direct; and if such Arbitrators shall decide that the Fine or Fines and Fees aforesaid were not greatly inadequate, or that such Inadequacy did not arise out of any Favour or Commodity of Interest between the Lessor and Lessee, the said Commissioners shall proceed to make their Calculation as by the said Act required upon such Fine or Fines and Fees so paid or agreed to be paid or payable, and in all respects as if no Inadequacy had been alleged to exist; but if the said Arbitrators shall decide that such Fine or Fines and Fees were greatly inadequate, and that such Inadequacy arose out of any Favour or Commodity of Interest between the Lessor and Lessee, then and in such Case the said Arbitrators, or any Two of them, shall and are hereby authorized and empowered to inquire and ascertain, by actual Survey and Valuation, or by the Examination of Witnesses upon Oath (which Oath the said Arbitrators are hereby authorized to administer), or by such other Ways and Means as they shall deem fit and expedient, the yearly Value of the Lands, Tenements, and Hereditaments, the Tenant or Lessee whereof shall so have applied for such Renewal or Purchase, and the Fine or Fines and Fees which ought reasonably to have been paid for the Renewal of such Lease or Interest in such Lands in proportion to the yearly Value thereof, according to the Customs of the same Diocese or other Spiritual Promotion, upon the Renewal of Leases or Interests in other Lands and Tenements situate within the same respectively, and hold upon the like Tenant and Demisee; and the Determination of such Arbitrators, as to the Amount of such Fine or Fines and Fees, shall be conclusive and binding upon all Persons whomsoever; and like Fine or Fines and Fees so ascertained shall be deemed and taken to be the full Purposes of the said recited Act and of this Act the Renewal Fine or Fines and Fees respectively theretofore paid, agreed to be paid or payable, or which ought to have been paid upon the Renewal of the said Lease or Interest in such Lands, Tenements, and Hereditaments, the Tenant or Lessee whereof shall so have applied for such Renewal or Purchase as aforesaid.

Commissioners under this Act to have the same Powers as aforesaid Greater Act.

XXIII. And be it further enacted, That every Commission to be issued by the Ecclesiastical Commissioners for the Purposes of this Act shall issue in the same Manner, and shall be subject to the like Rules and Regulations, and shall have and exercise the like Powers, as in and by the said recited Act is provided with respect to Commissions directed to be issued for inquiring into the Value of Ecclesiastical Benefices.

Provision for the Duration of Perpetual Premises, &c. in Lands, &c. held on Lease, repealed.

XXIV. And whereas it is by the said recited Act amongst other Things enacted, that upon such Notification in Writing being given by any such Tenant or Lessee as aforesaid mentioned, that he is ready and willing to purchase the Fee Simple and Inheritance of and in any Lands, Premises, or Hereditaments held by him by virtue of such Lease or Contract as therein mentioned immediately from and under any Archbishop, Bishop, or other Spiritual Promotion or Dignity, pursuant to the Provisions of the said recited Act: it shall and may be lawful for the said Ecclesiastical Commissioners, and they are thereby authorized and required, to ascertain the Amount of the Sum or Sums of Money theretofore paid or agreed to be paid as and for the Fine or Fines and Fees for Renewal of any such Lease or Interest of and in the said Lands and Premises in case of Leases for Lives for and during such Period as shall include the Three last previous Quinquenniums of such Renewal; and it is so and by the said recited Act further enacted, that in the Case of Leases for Lives the said Commissioners under the said recited Act shall compute the yearly Average of the Renewal Fines and Fees in such Manner as to them shall seem just with reference to the average Duration of Lives and beneficial Interest; be it enacted, That from and after the passing of this Act the said recited Provisions, so far as the same relate to the Purchase of Perpetual Estates or Interests in any Lands, Premises, or Hereditaments held by virtue of any Lease or Leases for Lives, be and the same are hereby repealed.

In case Tenant or Lessee shall apply for the Purchase of a Perpetual Estate in Lands, &c. under a Lease for Lives, Value

XXV. And be it further enacted, That in every Case in which any Tenant or Lessee who under the Provisions of the said recited Act shall be entitled to apply and agree and shall have applied for the Purchase of a Perpetual Estate or Interest in any Lands, Premises, or Hereditaments shall hold such Lands, Premises, or Hereditaments under or by virtue of any Lease for Lives, it shall and may be lawful to and for the said Ecclesiastical Commissioners to ascertain by Calculation a Term for Years of equal Value to the subsisting Interest or Term for Lives then in being under such Lease, and thereupon to

Archbishoprick, Bishoprick, or other Spiritual Promotion in which such Lands, Tenements, and Hereditaments shall be situated, the annual Rent or Sum of Money which ought to be paid or payable as and for the Fine or Fines and Fees for Renewal of a Lease of the said Lands, Premises, and Hereditaments held for such a Term of Years aforesaid; which Sum or Sums so ascertained, together with and in addition to the annual Rent or Rents theretofore reserved and payable out of the said Lands and Premises under and by virtue of such Lease for Lives, shall be the Amount of the annual Rent to be reserved and made payable in and by the Deed of Conveyance of the said Lands and Premises, to be executed pursuant to the Provisions of the said recited Act and of this Act or of either of them, subject, however, to such Variation, according to the Price of Wheat or Oats, as is and by the said recited Act and this Act provided; and such Amount or Sums so ascertained shall in all Cases of Leases for Lives be inserted in any Certificate to be given, granted, registered, or enrolled pursuant to the Provisions of the said recited Act, instead of the average Renewal Fine theretofore paid or payable on the several Occasions of renewing any such Lease for Lives.

XXVI. And whereas under and by virtue of the said recited Act it is enacted that it shall and may be lawful for the said Commissioners, out of the said Funds therein mentioned, to defray all such incidental Charges and Expenses as shall become necessary in the Execution of the several Powers and Trusts by the said Act, or any Act thereunto to be passed, reposed in them. And whereas it is expedient that the Sum to be paid for Costs to the Solicitor or Attorney employed by the said Commissioners should be limited in Amount; be it therefore enacted, That no Sum shall be paid by said Commissioners to any Attorney or Solicitor as and for Costs, Charges, or Expenses unless the Amount of such Payment shall first have been approved of by the Lords of the Treasury: Provided always, that no Sum exceeding One thousand Pounds shall be allowed in any One Year by the said Lords of the Treasury as and for the Costs, Charges, or Expenses of any such Attorney or Solicitor, and before any such Sum shall be allowed by the said Lords Commissioners of the Treasury on such Account as aforesaid, the Particulars of all such Costs, Charges, and Expenses shall be laid before them.

XXVII. And be it enacted, That it shall and may be lawful for the said Ecclesiastical Commissioners, with the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury, to bestow and apply out of any Surplus or Balance which may arise in any Year, after the Provision made for the several Objects and Purposes to which the Funds accruing to the said Ecclesiastical Commissioners under the Provisions of the said Act of the last Session of Parliament are primarily applicable, such Sums as they shall think proper for and to such charitable Purposes as the Bishops of the several Bishopricks, the Temporality whereof may now be or hereafter become void in the said Ecclesiastical Commissioners, may have usually subscribed or contributed towards.

XXVIII. And whereas it is expedient that Provision should be made for facilitating the Execution of the Deed or Deeds of Conveyance of Lands and Premises to be purchased pursuant to the said recited Act, where such Lands and Premises are or shall be held under any Archbishop, Bishop, or other Sole Ecclesiastical Corporation; be it therefore enacted, That from and after the passing of this Act, so much of the said recited Act shall be repealed as provides that if such Lands so to be purchased shall, at the Time of such Purchase, belong to or be held under any Archbishop or Bishop, or other Ecclesiastical Person, then and in such Case, on the Production by Tenant or Lessee, as therein mentioned, to the said Archbishop, Bishop, or other Ecclesiastical Person, of such Notice or Certificate, and of such Receipt of the Cashier or Cashiers of the Bank of England as therein mentioned, such Archbishop, Bishop, or other Ecclesiastical Person shall and he and they is and are hereby required and directed to execute, seal, and deliver a Deed of Conveyance of the Fee Simple and Inheritance of the said Lands and Premises to such Tenant or Lessee, when the same shall be tendered for Execution, subject to such annual Rent as therein mentioned; and that if such Archbishop, Bishop, or other Ecclesiastical Person shall, on the Production of such Notice or Certificate and Receipt as aforesaid, refuse or neglect to execute such Deed of Conveyance, when tendered for Execution as aforesaid, for the Space of Two Calendar Months after such Tender shall have been made as aforesaid, then, upon such Proof being made to the said Commissioners by Affidavit to be sworn before such Person as therein mentioned, (which Affidavit they are thereby respectively empowered to administer,) or upon Oath of a credible Witness to be examined by the said Commissioners, it shall and may be lawful for the said Commissioners and they are thereby empowered and required to execute, seal, and deliver the said Deed or Deeds of Conveyance in the Name of and on behalf of the said Archbishop or Bishop or other Ecclesiastical Person so refusing or neglecting to execute the same as aforesaid, and to affix the Corporate Seal of the said Commissioners to such Deed or Deeds, and to certify the Cause of their so executing the same by Writing at the Foot of or on the Back of the said Deed or Deeds; and that such Execution of the said Deed or Deeds by the said Commissioners shall be as valid and effectual to all Intents and Purposes whatsoever as if the said Deed or Deeds had been duly executed by the said Archbishop or Bishop or other Ecclesiastical Person, in pursuance of the said recited Act; and so much and such Parts of the said recited Act is and are hereby repealed accordingly.

XXIX. And be it further enacted, That in case any Lands, Premises, or Hereditaments, purchased or to be purchased pursuant to the Provisions of the said recited Act and of this Act or of either of them, shall at the Time of such Purchase be held under any Archbishop, Bishop, or other Ecclesiastical Person, it shall and may be lawful for the said Ecclesiastical Commissioners, as Producers to them of the Receipt of the Cashier or Cashiers of the Bank of England for the Amount of the Purchase Money so directed and payable in respect of such Lands, Premises, or Hereditaments pursuant to the

to be inserted by Ecclesiastical Commissioners.

Liability Costs to Solicitors employed by Commissioners under this Act.

Commissioners, with Sanction of the Treasury, may contribute towards such charitable Purposes as Bishops are empowered to support. Sums were accustomed to be the amount of 5000 £ a. 25. repaid as requests Tenants to tender to Archbishop Bishop Deed of Conveyance, and if such Archbishop or Bishop neglects to execute the Two Months Commissioners to execute in his Name.

Commissioners empowered to execute Conveyance of Lands in the Name of the Archbishop or Bishop, as, and Deed to be

as valid as if  
executed by  
Archbishop,  
Bishop, &c.

Commissioners  
to certify to  
Archbishop,  
Bishop, &c. the  
Terms of Perpetuities  
One  
Calendar Month  
before Execution  
of Deed.

Sub-tenants em-  
powered to purchase  
Perpetuities in Bishop's  
Lands on Di-  
rect of superior  
Tenants.

Perpetuities by  
Sub-tenants  
subject to Reversion  
charge to superior  
Tenants.

Sub-tenants Ap-  
plication for  
Perpetuities to  
have Precedence  
according to  
Tenancy.

and recited Act and of this Act, to execute, seal, and deliver, in the Name and in behalf of such Archbishop, Bishop, or other Ecclesiastical Person, a Deed of Conveyance of the Fee Simple and Inheritance of the said Lands, Tenements, and Hereditaments, to the Tenant or Lessee thereof, unto and to the Use of such Tenant or Lessee, his Heirs and Assigns, or as he or they shall appoint, subject to such annual Rent as in and by the said recited Act is provided; and the said Ecclesiastical Commissioners shall affix to such Deed or Deeds of Conveyance their Corporate Seal, and shall give to the Post or on the Book of such Deed or Deeds respectively a Certificate or Certificates, which shall be conclusive Evidence of the Truth of the Matter thereby certified, that such Deed or Deeds has or have been executed pursuant to the Provisions of the said recited Act and of this Act; and such Deed or Deeds shall be in like Form, and shall, when so executed, be as valid and effectual to all Intents and Purposes as if the same had been duly executed pursuant to the said recited Act by such Archbishop, Bishop, or other Ecclesiastical Person, in case the said Act had not been passed: Provided always, that the said Ecclesiastical Commissioners shall, One Calendar Month at least before the Execution of such Conveyance, notify, by such Notice in Writing as to and by the said recited Act for that Purpose is directed, to the Archbishop, Bishop, or other Ecclesiastical Person under whom the said Lands and Premises are or shall be held as aforesaid, the Amount of the annual Rent to be thereafter received and payable out of the said Lands and Premises, and of the Purchase Money to be paid for the Conveyance thereof, pursuant to the Provisions of the said recited Act.

XXX. And whereas in many Cases the Lands, Tenements, and Hereditaments held under Leases from Archbishops, Bishops, or other Ecclesiastical Commissioners Sole or Inbred have been subject to Under-tenants, who are entitled, under Covenants or Contracts, to the Renewal of their Leases from Time to Time as often as the first or immediate Tenant thereof shall obtain Renewal of their Leases from any such Archbishop, Bishop, or other Ecclesiastical Commissioner Sole, and by reason of the small Interest of the first or immediate Tenants in such Lands, Tenements, and Hereditaments, or for other Reasons, they may not be desirous to purchase the Fee Simple and Inheritance therein, and it is expedient that in such Cases the Under-tenants thereof should be authorized to purchase the same, subject to the Provisions and Regulations herein-after contained; be it therefore enacted, That it shall and may be lawful to and for any Under-tenant, having any derivative Estate or Interest in any such Lands, Tenements, and Hereditaments by virtue of any Lease containing any such Covenant or Contract for the Renewal thereof as aforesaid, either mediately or immediately through or under the first or immediate Tenant thereof, to apply (in the Manner prescribed by the said Act in reference to first or immediate Tenants) for the Purchase of the Fee Simple and Inheritance of and in the Lands, Tenements, and Hereditaments held by such Under-tenant under any such Lease, giving Notice, nevertheless, in Writing of such Application to the first or immediate Tenant of such Lands, Tenements, and Hereditaments, and to all other Tenants thereof (if any) intervening between such Archbishop, Bishop, or other Ecclesiastical Corporation Sole and the Under-tenant making such Application, or to the known Agent or Receiver, Agents or Receivers of each first and other intervening Tenants; and upon the Receipt of such Notice, or at any Time within Twelve Calendar Months thereafter, it shall be lawful as well for such first or immediate as for any other of such intervening Tenants to apply in like Manner for the Purchase of the Fee Simple and Inheritance of and in the same Lands, Tenements, and Hereditaments, and the first or immediate Tenant of such Lands, Tenements, and Hereditaments is hereby empowered to contract or agree for the Purchase thereof accordingly, in the Manner provided by the said Act, or as near thereto as Circumstances will admit, notwithstanding such Lands, Tenements, and Hereditaments shall not constitute the whole of the Lands, Tenements, and Hereditaments held by him under any Lease from any such Archbishop, Bishop, or other Ecclesiastical Corporation Sole; and in case such first or immediate Tenant shall neglect or omit to make Application in manner by the said Act directed for the Purchase of the Fee Simple and Inheritance of and in such Lands, Tenements, and Hereditaments for the Space of Twelve Calendar Months after such Notice in Writing shall have been given to him, or to his known Agent or Receiver, it shall be lawful for the said Commissioners to treat, contract, or agree with such Under-tenant who may have given such Notice as aforesaid, or with any intervening Tenant who may have made Application within the said Period of Twelve Months, for the absolute Purchase by him of the Fee Simple and Inheritance of and in the same Lands, Tenements, and Hereditaments, upon such and the same Terms and in the same Manner as in the said Act is prescribed for the Purchase of Perpetuities by any first or immediate Tenant, but subject nevertheless (in addition to the Rent thereby directed to be reserved and made payable to the Archbishop, Bishop, or other Ecclesiastical Corporation Sole under whom the same are immediately held) to a perpetual Rent-charge, or as many perpetual Rent-charges as there are Tenants intervening between such Archbishop, Bishop, or other Ecclesiastical Corporation Sole, and the Under-tenant entering into such Contract for Purchase, such Rent-charge or Rent-charges to be ascertained in manner herein-after mentioned, and to be issuing out of the same Lands, Tenements, and Hereditaments, and to be reserved and made payable to such intervening Tenant or Tenants, his or their Heirs and Assigns for ever: Provided always, that in case more than One of such Under-tenants shall make Application for such Purchase, the Application of the Under-tenant holding directly under such first or immediate Tenant shall be preferred to that of the one next below, and so on according to Priority of holding down to the Under-tenant so giving Notice as aforesaid; and the said Commissioners shall convey the said Lands, Tenements, and Hereditaments, as aforesaid to be purchased, to the Under-tenant so purchasing, in the SHARD and other two Registers by the said

Act provided in relation to the Purchase thereby authorized to be made, subject nevertheless to the additional perpetual Rent-charge or Rents-charge herein-before mentioned; and immediately upon the Execution of such Conveyance the Reversion or respective Reversions then vested in such intervening Tenant or Tenants shall, so far only as respects such Lands, Tenements, and Hereditaments, be absolutely merged and extinguished in the Freehold and Inheritance thereby conveyed to such Purchaser, and the said perpetual Rent-charge or Rents-charge, and the Estate or Interest therein, shall be considered as a Substute or Substitutes for the Rent and Reversion so merged and extinguished as aforesaid.

XXXI. Provided always, and be it further enacted, That the Amount of the perpetual Rent-charge so to be reserved and made payable to every such intervening Tenant shall be equal to the net annual Income or Profit Rent for the Time being derived by him from the Lands, Tenements, and Hereditaments so purchased by such Under-tenant as aforesaid, such net annual Income or Profit Rent to be ascertained by deducting the Amount or proportional Amount of the annual Rents, Fees, and other Outgoings and Expenses payable by such intervening Tenant in respect of such Lands, Tenements, and Hereditaments from the Amount or proportional Amount of the annual Rents, Fines, and other Outgoings and Expenses payable to him in respect of such Lands, Tenements, and Hereditaments by the Under-tenant holding the same directly under him; and for the Purpose of ascertaining the said several Particulars the said Commissioners shall have all such Powers and Authorities, and shall take all such Measures, as are respectively given to and directed to be taken by them for the Purpose of ascertaining the several Particulars directed to be required into by the said Act; and every such perpetual Rent-charge shall be payable by equal half yearly Payments on the First Day of May and the First Day of November in each Year, and shall be recoverable by all the Ways and Means used for the Recovery of Rents in England.

XXXII. Provided always, and be it further enacted, That where any such intervening Tenant shall not be absolutely entitled to the Leasehold Interest under the Lease by virtue of which he holds, then and in every such Case, notwithstanding the Reservation of the said perpetual Rent-charge to such intervening Tenant, his Heirs and Assigns for ever, the same shall nevertheless come to such Lien, and upon and for such Terms, Intents, and Purposes, as will best correspond with the Uses, Trusts, Intent, and Purposes which for the Time being shall be subsisting concerning the said Leasehold Interest, or would be subsisting concerning the same if such Leasehold Interest were still in existence, or as near thereto as the Difference in the Nature of the Interests respectively will permit: Provided always, that every such perpetual Rent-charge shall be subject to such of the like Provisions for Apportionment in the Event of a Division of the Lands, Tenements, and Hereditaments for the Time being subject thereto, or to any Part thereof, as are in the said Act provided in relation to the new Rents to be reserved under the said Act, such Apportionment to be applied for and ascertained in the Manner and subject to the Regulations prescribed by the said Act, so far as the same are respectively applicable, or as near thereto as Circumstances will admit.

XXXIII. And for the Prevention of Doubts as to the Consequences of the Purchase of the Fee Simple and Inheritance in Lands, under the Provisions of the said recited Act and this Act, by any immediate or remote Tenant, be it hereby declared and enacted to be the Intent and Meaning of the said Act and this Act, That any such immediate or remote Tenant shall, notwithstanding his Acquisition of the Fee Simple and Inheritance in such Lands, and the Merger of any previously subsisting Term, Estate, or Interest therein, have all such of the like Remedies, by Distress, Re-entry, Action, or otherwise, for the Recovery of the Rents and Duties reserved in any Under-lease by him, theretofore made, which he might or would have had in case he had not so acquired such Fee Simple and Inheritance, and as would have been incident to his Reversion in such previously subsisting Term, Estate, or Interest.

XXXIV. And whereas such Purchase of the Fee Simple and Inheritance of and in such Lands, Tenements, and Hereditaments by any such Under-tenant will be beneficial to the first and all other Tenants thereof intervening between such Archbishop, Bishop, or other Ecclesiastical Corporation Seller and the Under-tenant or Under-tenants making such Purchase; be it therefore enacted, That whenever such Under-tenant of any Lands, Tenements, and Hereditaments shall have contracted for the Purchase of the Fee Simple and Inheritance thereof in manner aforesaid the said Commissioners are hereby required to ascertain whether any and what Proportion of the Purchase Money on any such Purchase ought to be contributed by such first and other intervening Tenants thereof as aforesaid; and when the said Commissioners shall have ascertained the Proportions or respective Proportions of the Purchase Money to be contributed by such first and other intervening Tenants as aforesaid respectively, it shall and may be lawful to and for the Under-tenant so contracting to purchase as aforesaid, his Heirs, Executors, or Administrators, by Notice in Writing to be given to such first and other intervening Tenant or Tenants, or his or their lawful Agent or Receiver, Agents or Receivers, to call upon and require such first and other intervening Tenants or Tenants to contribute his or their said Proportion or respective Proportions of such Purchase Money accordingly; and in case any such first or other intervening Tenant shall refuse or neglect to contribute such his Proportion of the said Purchase Money for the Space of Six Calendar Months after such Notice shall have been given to him or his lawful Agent or Receiver, then and in such Case the said Commissioners shall make a corresponding Deduction from the said perpetual Rent-charge so directed to be reserved to him as aforesaid, such Deduction to be by such said Commissioners put to such first and other intervening Tenant's

Made of annual Income of Rent-charge.

Rents-charge shall relate to more than one Leasehold Interest.

Rents-charge subject to apportionment in case of Division of Lands.

Meaning of Act as to immediate or remote Tenant acquiring the Fee Simple.

Where Sub-tenants purchase, superior Tenants shall contribute towards Purchase Money.

Difference to be referred to Arbitrators.

Purchase Money which he shall be so required to contribute as aforesaid; and the said Commissioners shall cause the Amount of every Rent-charge so reduced to be inserted in or added upon the Conveyance of the said Lands, Tenements, and Hereditaments to such Under-tenant accordingly; and such reduced perpetual Rent-charge shall thenceforth for ever be payable in lieu of the Rent-charge heretofore directed to be reserved to such intervening Tenant respectively, his Heirs or Assigns, as aforesaid: Provided always, that in case any such Tenant or Lessee shall be dissatisfied with the Amount of the Rent-charge or Proportion of the Purchase Money adjudged, payable in manner aforesaid to or by him, the Matter shall be referred to Three Arbitrators, one to be appointed by the Tenant to whom the same is adjudged to be payable, and the other by the Tenant proposing to purchase as aforesaid, and the Third by the Two Arbitrators so appointed as aforesaid, in manner provided in the said Act for the Appointment of Arbitrators to adjust Differences between the said Commissioners and Tenants or Lessees applying for the Purchase of Perpetuities under that Act, and with the like Powers and Authorities, so far as the same are applicable; and the Determination of such Arbitrators as to the Amount of such Rent-charge or Proportion of such Purchase Money shall be conclusive and binding upon all Persons whatsoever, and the Expense of such Arbitration shall be borne by such Party as the Arbitrators shall direct.

Mode of assessing and apportioning annual Payments to be reserved on Purchases.

XXXV. And be it further enacted, That in case the Lands, Tenements, and Hereditaments proposed to be purchased by any such Fee or inheritance Tenant or by any Under-tenant respectively, as the Case may be, shall be and constitute Part only of the Lands, Tenements, and Hereditaments held under Lease from any Archbishop, Bishop, or other Ecclesiastical Corporation Sole, or under any intermediate Lease, it shall and may be lawful and for the said Commissioners to ascertain the annual Payment which ought according to the Provisions of the said Act to have been reserved upon the Conveyance of the Fee Simple and Inheritance in the whole of the Lands held under such Archbishop, Bishop, or other Ecclesiastical Corporation Sole in *Ireland* by such Lease in case the whole of the said Lands had been proposed to be purchased, and having ascertained the Amount thereof the said Ecclesiastical Commissioners shall apportion the Amount of the annual Payment to be reserved to such Archbishop, Bishop, or other Ecclesiastical Corporation Sole for or in respect of the Lands, Tenements, and Hereditaments so proposed to be purchased; and the said Commissioners shall in like Manner ascertain the net annual income derived by each of the intervening Tenants from the Lands, Tenements, and Hereditaments held by him or them respectively under their respective Leases, and shall apportion with reference thereto the Amount of the annual Rent-charge to be reserved to each of such intervening Tenants for or in respect of the Lands, Tenements, and Hereditaments so proposed to be purchased; and the said Commissioners shall in like Manner ascertain and apportion, with reference to the annual Rents reserved and payable under and by virtue of such Leases respectively, the annual Payments to be thenceforth made to such Archbishop, Bishop, or other Ecclesiastical Corporation Sole, and to each intervening Tenant or Tenant respectively, for and in respect of the Residue and Remainder of the Lands, Tenements, and Hereditaments included in the same Leases respectively; and the said Commissioners shall convey the Fee Simple and Inheritance of and in the said Lands, Tenements, and Hereditaments so proposed to be purchased to the Purchaser thereof, subject only to such annual Payment as shall be so appointed to be reserved in respect of the Lands, Tenements, and Hereditaments so proposed to be purchased, (and in the Case of a Purchase by an Under-tenant to the aforesaid perpetual Rent-charge or Rents-charge to the intervening Tenant or Tenants, and to make all such other Apportionments as the Circumstances of the Case shall in their Judgment require; all which Apportionments shall be conclusive and binding on all Parties, and the Payments so apportioned on the Residue and Remainder of the Lands not purchased shall alone be recoverable in lieu of the whole Rents previously reserved by such Lease, and exactly as if such apportioned Rents had been the reserved Rents for and in respect of such Residue and Remainder of the Lands not purchased.

Provision for Lands held under the Commissioners.

XXXVI. And be it further enacted, That the Provisions herein contained applicable to Lands, Tenements, and Hereditaments held under any Archbishop, Bishop, or other Ecclesiastical Corporation Sole in *Ireland* shall extend and be applied to all Lands, Tenements, and Hereditaments now held or hereafter to be held under the Commissioners in the said Act named, by reason of the Suppression of the Fees therein mentioned; and in all Cases in which any Purchase shall be made of Lands, Tenements, and Hereditaments held under the said Commissioners, being Part only of the Lands, Tenements, and Hereditaments included in One Lease, the said Commissioners shall ascertain what Portion of the Fine thencefore payable for the Renewal of such Lease should be paid for or in respect of the Lands not included in such Purchase, and in case any Difference shall arise in regard thereto the same shall be decided by Arbitrators in the Manner in the said Act provided for deciding Questions between the Commissioners and Tenants and Lessees applying for the Purchase of Perpetuities, and the Sum so ascertained shall be thenceforth deemed and taken to be the Amount of Fine payable for Renewal of such Lands, Tenements, and Hereditaments; and the said Commissioners shall thenceforth from Time to Time grant renewed Leases of such Lands, Tenements, and Hereditaments on Payment of the Amount so ascertained in manner in the said Act provided for the entire Lease, subject nevertheless to be varied in such Manner and under the Circumstances in the said Act mentioned: Provided that the Payments to be reserved to the Archbishop, Bishop, or other Ecclesiastical Corporation Sole in *Ireland* shall in all Cases be deemed prior in order of Charge to the Rent-charges hereby authorized to be granted; and where in any Case there shall be more than One Rent-charge reserved for and in respect

Order of Priority of Rent-charges.

veyance to be executed upon any such Purchase the Order and Priority of the same Charges, which shall be according to the Priority of the several Tenants at the Date of such Purchase, and in case at any Time thereafter any of the said Rents-charge shall be in arrear the same shall have Priority and be paid in the Order so aforesaid.

XXXVII. Provided always, and be it enacted, That when and so often as any Tenant or Sub-tenant shall have purchased the Fee and Inheritance of Part of the Lands, Tenements, and Hereditaments included in any Lease from any such Archbishop, Bishop, or other Ecclesiastical Corporation Sole in England, or the said Ecclesiastical Commissioners, or in any intermediate Lease, any Lease to be thereafter granted by any such Archbishop, Bishop, or other Ecclesiastical Corporation Sole, or the said Ecclesiastical Commissioners, or by any intervening Tenant or Tenants, as the Case may be, of the Residue and Remainder of the same Lands, Tenements, and Hereditaments, reserving only the Proportion of the Rent payable for or in respect of such Residue and Remainder, to be accented as aforesaid, shall be as valid in all respects in reference to the Lands included in such Lease as a Lease of the Entirety at the entire Rent would have been, and in all respects have the same Operation, as far as the Lands, Tenements, and Hereditaments comprised therein are concerned, as if a Lease of the Entirety had been made, and all the Statutes applicable to the Renewals of the whole Lease shall apply to such Renewals of the Part only; any Law, Custom, or Statute to the contrary in anywise notwithstanding.

XXXVIII. Provided always, and be it further enacted, That before the Execution of any Conveyance to any Under-tenant or Under-tenants under the Provisions of this Act, he or they shall prove to the Satisfaction of the said Ecclesiastical Commissioners that the Notice or Notices required by this Act have been duly given; and that after the Expiration of One Year from the Completion of any Purchase by any Under-tenant or Under-tenants, under the Provisions of this Act, the same shall not afterwards be impeached or called in question by reason of any such Notice or Notices not having been given as aforesaid, nor by reason of any Imperfection in any such Notice or Notices.

XXXIX. And be it further enacted, That all the Provisions in the said recited Act contained, in relation to the Purchases thereby authorized, and to the Consequences thereof, as well with reference to the Parties immediately interested, and their Rights and Liabilities, as to those having derivative and other Interests, and their Rights and Liabilities, in all other respects whatsoever, shall, so far as the Nature of the Case will admit, extend and be applicable to the Purchases by this Act authorized to be made, and to the Consequences thereof.

XI. And whereas it is by the said recited Act amongst other Things enacted, that the officiating Curate or Minister officiating as Curate of every Parish, Union, Chapelry, or Parochial Curacy in England, and the Dean and Chapter or Chapter of every such Cathedral and Parochial Church or Cathedral used as a Parish Church in England, shall, on or before the First Day of June in each and every Year succeeding the Year One thousand eight hundred and thirty-three, prepare or cause to be prepared such Estimate containing such Items and Particulars as are in the said Act mentioned, and that such Estimate shall be transmitted by such Person or Persons whose Duty it is to prepare the same to the Ordinary of the Diocese on or before the First Day of July in each and every Year succeeding the said Year One thousand eight hundred and thirty-three; and it is by the said recited Act further enacted, that the said Ecclesiastical Commissioners shall pay or cause to be paid on the First Day of September in each Year, for the Maintenance of all and every the Person or Persons who at the passing of the said Act was or were or should thereafter be appointed Clerk or Clerks of such Parish, Union, or Chapelry, or Chapel of Ease as therein mentioned, certain Salaries, or to grant certain Allowances in the said Act mentioned; And whereas it is expedient that the respective Periods for preparing and transmitting such Estimate and for paying such Sums as aforesaid should be left to the Discretion of the said Ecclesiastical Commissioners; Be it therefore enacted, That the said Estimates shall be prepared and transmitted at such convenient Times, and shall be made and calculated for such Period, commencing on such Day and ending on such Day in each Year, as the said Ecclesiastical Commissioners shall from Time to Time think fit to direct and signify by Writing under their Corporate Seal to the Person or Persons whose Duty it may be from Time to Time to prepare and transmit the same, and that such Payments on account of Salaries or Maintenance to Clerks heretofore or hereafter to be appointed shall be made at such convenient Time in each Year as the said Commissioners shall appoint and direct; any thing in the said recited Act contained to the contrary hereof notwithstanding.

XII. And whereas it was by the said recited Act provided, that all Rates or Assessments upon any Parish, Union, Chapelry, or Place, or the Inhabitants thereof, or any of them, for certain Purposes in the said Act mentioned, and all Proceedings for the making, raising, apportioning, or levying the same, should from and after the Commencement of the said Act wholly cease and determine, and that every Rate, Assessment, or Apportionment for any Church Purpose whatsoever should be and be deemed to be by all Courts of Justice totally void as to so much thereof as provides for the Church Purposes, or any of them, in such Act mentioned; and it was also by the said Act provided, that in all Parishes and Places where by virtue of any Law, Statute, or Custom Provision may have been theretofore made by Vestry or other Assessor for the Maintenance of any Curate, Lecturer, Clerk, or other Minister or Assessor in the Celebration of Divine Worship, or Attendant or Sexton, such Provision by Vestry or other Assessor should from and after the passing of the said Act wholly cease and determine, and future Provision for such Church and other Purposes was made by the said Act from and after the

Where Sub-tenants shall purchase Part of Lands, Lease granted at Rent-charge to be valid.

Purchasers made under this Act not to be impeached by reason of Imperfection of Notices

Purchasers made under Provisions of recited Act to extend to this Act.

Church Estimates to be prepared and transmitted at such Times, and extended for such Periods, as the Commissioners shall think fit to direct.

Ecclesiastical Commissioners empowered to provide for the Purpose before-mentioned by Vestry Assessor for Part of the Year 1833.



\* should be made for the Purposes aforesaid for the Period of the Year One thousand eight hundred  
 \* and thirty-three intervening between the Commencement of the said Act and the Easter Week next  
 \* preceding, and also for all such Charges and Expenses incurred previous to the Commencement of  
 \* the said Act as would or ought to have been defrayed by Vestry Assessment in case the said Act had  
 \* not been made; he it therefore enacted, That so much of the said recited Act as disables any Vestry  
 \* called or holden in or for any Parish, Union, Chapelry, or Place, or any Person or Persons, from taking,  
 \* assessing, applying, or levying any Rate or Assessment for any of the Purposes in the said Act men-  
 \* tioned, and so much of the said Act as authorizes and requires the said Ecclesiastical Commissioners to  
 \* issue and pay the Warrants required for the several Matters and Things by such Act directed to be included  
 \* in the Estimates to be annually transmitted to the said Commissioners, or as authorized the said Com-  
 \* missioners to make Provisions for the Maintenance of any Curate, Lecturer, Clerk, or other Minister or  
 \* Assistant in the Celebration of Divine Worship, or Attendant or Sexton, in lieu of any Provision by  
 \* Vestry Assessment or otherwise theretofore made for such Purposes by any Law, Statute, or Custom,  
 \* shall take effect and be deemed to have taken effect from the Commencement of the Easter Week in the  
 \* said Year One thousand eight hundred and thirty-three, and that any such Rate or Assessment made  
 \* in such Week, or at any Time after and previous to the Commencement of the said Act, shall be utterly  
 \* null and void in so far as respects any of the Church Purposes in the said Act mentioned, but so further;  
 \* and that supplementary Estimates for the said Period intervening between Easter Week in the said  
 \* Year One thousand eight hundred and thirty-three and the Commencement of the said Act shall with  
 \* all convenient Speed be prepared, certified, and transmitted to the said Commissioners in manner and  
 \* form by the said Act prescribed in respect of the annual Estimates to be transmitted to the said  
 \* Commissioners.

Copy Proof that  
 Notice of Ap-  
 peal rendered  
 illegal by  
 2 G. 4. c. 70 has  
 been given, Jus-  
 tices may pro-  
 ceed to hear the  
 case without  
 Transmittal  
 having been re-  
 quired into

XIII. And whereas it was by the said recited Act provided, that certain Parts of an Act made in  
 the Parliament of the United Kingdom in the Seventh Year of His late Majesty King George the  
 Fourth, intitled *An Act to consolidate and amend the Laws which regulate the Levy and Application of*  
*Church Rates and Parish Rates, and the Election of Churchwardens, and the Maintenance of Parish*  
*Clerks, in Ireland,* should be and the same were thereby repealed, but Doubts and Difficulties have  
 arisen as to the Mode of obtaining Relief against such Rates and Assessments or have been rendered  
 illegal by such Repeal, by reason of the Incongruities, Notices, and other Formalities made necessary  
 by the said Act of the Seventh Year of His late Majesty King George the Fourth in order to constitute  
 an effectual Appeal against any Assessment or Appointment under the said last-mentioned Act, and it  
 is expedient to obviate all such Doubts and Difficulties, and to facilitate the Trial of every such Appeal  
 upon the Merits; he it therefore enacted, That it shall not be necessary for any Person who shall  
 appeal to the Justices of the Peace at the General or Quarter Sessions of the Peace to enter into any  
 Recognizance whatsoever, either by himself or with any Security or Securities, but that the Justices  
 before whom such Appeal shall come or to be tried shall, upon Proof that a Notice in Writing of such  
 Appeal was given to the Incumbent or Curate, or to both, or One of the Churchwardens and Three  
 Householdors of the Parish, Chapelry, or Union, Six clear Days at the least before such General or  
 Quarter Sessions, proceed to hear and determine such Appeal upon the Merits, and to award Costs not  
 exceeding Five Pounds against either Party as to them shall appear just.

Every Parish-  
 ward, to vote, at  
 Vestry without  
 Declaration.

XIII. And he it further declared and enacted, That at every Vestry to be hereafter at any Time  
 called or holden in any Parish, Union, or Chapelry, for the Purpose of making any Cons. Rate, As-  
 sessment, or Appointment whatsoever, it shall be lawful for every Parishward, of whatever Religious  
 Persuasion he may be, who shall be chargeable to such Cons. Rate, Assessment, or Appointment in  
 such Parish, Union, or Chapelry, to vote at such Vestry respecting every Matter or Business therein  
 brought forward.

Commissioners  
 enabled to accre-  
 dit the Amount  
 of arising  
 Charges on Pa-  
 rishes for which  
 Vestry Asses-  
 ments are now  
 prohibited, and  
 to pay them off.

XIV. And be it enacted, That it shall be lawful for the said Ecclesiastical Commissioners to inquire  
 into and ascertain the Amount of all such Sums as may have been, at or previous to Easter Week in  
 the said Year One thousand eight hundred and thirty-three, charged or chargeable upon any Parish,  
 Union, or Chapelry, for or on account of any Balance of Account, Costs, Damages, or Expenses due to  
 any Churchwarden, or to any Clerk or Sexton for his Maintenance, and also the Amount of any Arrears  
 of Vestry Cons. assessed due and not collected for the Years One thousand eight hundred and thirty-one  
 or One thousand eight hundred and thirty-two with which any Churchwarden may have been charged  
 in his Account, and which he may have paid and cannot recover, and also the Amount of all Sums  
 which any Churchwarden or Person may have paid or for which he may be liable on behalf of any  
 Parish, Union, or Chapelry, for any Purpose now executed, and for which a Vestry Assessment may  
 have been made in the Year One thousand eight hundred and thirty-one or One thousand eight hundred  
 and thirty-two or One thousand eight hundred and thirty-three, not exceeding the Arrears due upon  
 such Assessment; and the said Commissioners, having satisfied themselves of the Amount of all such  
 Sums as aforesaid, shall, in such Manner and to such Extent, and subject to such Regulations as they  
 in their Discretion shall think just and necessary, pay the said Sums to the Person respectively en-  
 titled thereto.

Commissioners  
 of Parishes  
 in Ireland may  
 lend the Eccle-  
 siastical Com-  
 missioners a

XV. And whereas it is necessary, in order to enable the said Ecclesiastical Commissioners to pro-  
 vide for the Purposes heretofore defrayed by Vestry Assessment according to the Provisions of the  
 said recited Act and this Act, that such Commissioners should be empowered to borrow a Sum of  
 Money by way of Mortgage or Loan on the Credit of the Funds accruing to them under the Provisions  
 of the said Act; he it therefore enacted, That it shall be lawful for the said Commissioners  
 acting

being under and in execution of an Act made in the Second and Third Years of the Reign of His present Majesty, intitled *An Act for the Extension and Promotion of Public Works in Ireland*, by and with the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury, to lend and advance to the said Ecclesiastical Commissioners such Sums or Sums of Money not exceeding in the whole One hundred thousand Pounds, as they shall think proper, to be repaid to the said Commissioners for the Extension and Promotion of Public Works in Ireland in such Manner and at such Times, with Interest for the same, and after such Rate, not exceeding Four Pounds per Centum per Annum on the Sum or Sums so advanced, as the said Commissioners of the Treasury shall direct and require; and all Sums so lent and advanced shall, with the Interest from Time to Time accruing due thereon, be and the same are hereby charged upon all and every the Rents, Issues, and Profits of all Lands, Tenements, or Hereditaments, and the annual Tax and the Proceeds thereof, and all and every Sum or Sums of Money, or Securities for Money, voted in or which shall accrue to the said Ecclesiastical Commissioners and their Successors under and by virtue of the said Act, and all Interest, Dividends, Profits, and Proceeds thereof; and the said Ecclesiastical Commissioners are hereby authorized and required to pay such Sums of Money, and such Interest from Time to Time accruing due thereon, when and as the same shall become due and payable respectively, pursuant to the Order and Direction of the said Commissioners of the Treasury, from and out of the Produce of the said Rents, Issues, and Profits, and the said Tax, and the other Funds voted in or accruing to such Ecclesiastical Commissioners under the said Act, prior and in preference to any other Application thereof.

XLVI. And be it enacted, That the said recited Act of the last Session of Parliament for altering and amending the Laws relating to the Temporalities of the Church in Ireland shall continue in full Force and Effect, save and except so far as the same is expressly repealed or altered by this present Act; and that the said recited Act and this Act shall be construed together as One Act to all Intents and Purposes whatsoever.

XLVII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in the present Session of Parliament.

## C A P. XCL

An Act to continue for One Year, and from thence to the End of the then next Session of Parliament, the several Acts for regulating the Turnpike Roads which will expire during the present or before the End of the next Session of Parliament, and to amend the several Acts regulating the Post Roads, in Ireland. [15th August 1834.]

WHEREAS it is expedient that the several Acts for making, amending, and repairing the Turnpike Roads in Ireland which will expire during the present Session or before the End of the next Session of Parliament should be continued for a limited Time: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Act and Acts of Parliament for making, amending, and repairing any Turnpike Roads in Ireland which will expire during the present Session or before the End of the next Session of Parliament shall be and the same is and are hereby continued for One Year from the passing of this Act, and until the End of the then next Session of Parliament.

II. And whereas by an Act of the last Session of Parliament, intitled *An Act to amend the Laws relating to Grand Jurors in Ireland*, it was provided that a certain Number of Cess-payers should be associated with the Justices of the Peace at certain Meetings of Special Sessions and Adjournments thereof to be holden at the Times and for the Purposes in the said Act mentioned, and Doubts have arisen as to the Competence of such Justices to proceed in the Business of such Sessions or Adjournments in default of the Attendance of such Cess-payers; for Removal of such Doubts, be it hereby enacted and declared, That the Justice or Justices attending at such Special Sessions or any Adjournment thereof shall, in default of the Attendance of such Cess-payers, have full Power and Authority to do all such Matters and Things as it is by the said Act provided shall or may be done at such Special Sessions or Adjournment thereof respectively.

III. And whereas Doubts have arisen upon the Construction of the said recited Act in respect of the Office or Appointment of Supervisors of Roads in Ireland, and by reason thereof certain Supervisors have continued to act, and certain Grand Jurors have appointed Persons to be Supervisors of Roads, and it is expedient to remove such Doubts and to prevent the Inconveniences resulting therefrom: be it therefore enacted, That it shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town where any such Supervisors shall have acted or been appointed as aforesaid, to make Provisions of such Sum or Sums of Money as shall be necessary to reimburse and defray all Sums advanced and laid out by such Supervisor, and for the Payment of any Deputy or Deputies of such Supervisor, provided that an Affidavit made and signed before some Justice of the Peace by such Supervisor shall be laid before the Grand Jury, stating that the Work has been properly executed, together with an Affidavit made and signed in like Manner by the Deputy employed in such Work, stating that the Money has been fairly and honestly expended, and is a reasonable Charge to the best of his Knowledge and Belief, with the Particulars of the Expenditure: Provided always, that on and after the first Day of January in the Year One thousand eight hundred and thirty-fourth

From the  
enrolling  
100/2000.

The recited Act  
to continue in  
full Force may  
as altered by  
this Act, and  
both to be con-  
strued together.

An Act may be  
altered.

Continuation of  
Acts.

In default of  
the Attendance  
of Cess-payers  
at Special Ses-  
sions under  
25 & 26 G. 4 c. 13  
the Justice may  
proceed with  
the Business.

Grand Jury con-  
tinued to  
make Provisions  
of Sums  
necessary to re-  
imburse Super-  
visor, &c. under  
certain Condi-  
tions.

Powers, Duties, and Authorities belonging to the said Office of Supervisor of Roads shall wholly cease and determine, and the said Office shall be and is hereby on and from that Day abolished.

IV. And whereas, under and by virtue of certain Acts now in force in Ireland, the Commissioners acting under and in execution of an Act passed in the First and Second Years of the Reign of His present Majesty, intitled *An Act for the Extension and Promotion of Public Works in Ireland*, are authorized and required, upon the Application of His Majesty's Postmaster General for the Time being, to cause Surveys, Maps, Plans, and Estimates of the several Lines of Post Roads in Ireland to be prepared when and as such Postmaster General shall certify to the said Commissioners that the same is necessary or advisable, and such Commissioners are required to cause such Surveys, Maps, Plans, and Estimates, when so prepared, to be laid before the respective Grand Juries at the next Assize or Presenting Term of each and every County, County of a Town or City, through any Part of which any Line of Road referred to in such Surveys or Maps may pass or be carried; and if such Grand Juries shall so think fit, they are authorized to present the Roads, and the Alterations thereof pointed out and recommended in any such Survey, and all Sums necessary for laying out, forming, travelling, fencing, and repairing the same, and for the other Purposes connected therewith: And whereas it is expedient that Provision should be made for the more speedy and effectual Repair of Roads in Ireland upon which His Majesty's Mails are carried; be it therefore enacted, That it shall be lawful for the said Commissioners, upon the Application of the said Postmaster General for the Time being, setting forth and describing the Line of any such Road, or the Portion of any such Road, not being a Turnpike Road, which may stand in need of Repair, by and with the Consent of the Lord Lieutenant or other Chief Governor or Governors of Ireland, to cause such Road, or such Portion thereof as shall be described in such Application, and any or every Bridge, Arch, or Tye, Gallie, and Wall thereon, to be put forthwith into good and sufficient Repair accordingly under the Superintendance of the County Surveyor; and that upon the Application of the said Commissioners, setting forth what Sums will be requisite and necessary from Time to Time for the Purposes aforesaid, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to direct, by his or their Warrant or Warrants, that the Sum or Sums of Money so required by the said Commissioners shall be advanced and paid to the said Commissioners out of the Produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to be applied under the Direction of the said Commissioners to wester aforesaid.

V. And be it further enacted, That whenever any such Road or Bridge, or any Portion thereof, shall be put in good and sufficient Repair, under the Direction of the said Commissioners, by virtue of the Provisions of that Act, the Secretary to the said Commissioners shall deliver or cause to be delivered to the Secretary of the Grand Jury of any and every County within which any such Road or Bridge, or any Portion thereof, shall be made respectively, a Certificate of the Amount of Money which shall have been so expended upon the Repair of any such Road or Bridge, or any Portion thereof, and the other Expenses aforesaid, within any and every such County respectively, together with an Account of the Items of such Expenditure, attested by the said County Surveyor; and every such Certificate and Account shall at the next or some succeeding Assize be laid before the Grand Jury of any and every such County respectively; and thereupon it shall and may be lawful to and for the Grand Jury of any and every such County respectively, and any and every such Grand Jury are hereby authorized and required, to make Presentment of the Amount of such Expenses as stated in such Certificate to be raised of such County at large; and it shall not be lawful for the Court at any Assize to fix any Presentment for raising any other Money than such Presentment for such Expenses as first made and allowed; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any and every such County respectively, such Treasurer shall pay over the same respectively to the Collector of Excise for the District in which such Road or Bridge, or Portion thereof, shall be respectively situate, to be by him accounted for as any other Public Money which may come into his Hands.

VI. Provided always, and be it enacted, That where any Bridge which shall be repaired as aforesaid shall be situate partly in one County and partly in another, the Expense of repairing such Bridge shall be borne and defrayed equally between the several Counties, and the Certificates and Presentments by this Act required shall be made and raised accordingly.

VII. And be it enacted, That this Act, in so much as respects the Repair of Roads on the Application of His Majesty's Postmaster General, shall be and remain in force for the Term of One Year from the passing thereof, and until the End of the then next Session of Parliament.

## C A P. XCII.

An Act for the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance, in Ireland. [18th August 1834.]

BE it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in the Construction of this Act the Word "Lands" shall extend to Ad-  
 vancements, Rectories, Messuages, Lands, Tenements, Tithes, Rents, and Hereditaments of any Tenure, and whether corporeal or incorporeal, and any undivided Share thereof; and the Word "Estate" shall extend to any Estate in Equity as well as at Law, and that the Word "Estate" shall extend to any Interest, Charge, Right,  
 Title,

F. an Act under  
 of Public Works  
 sup. an Applica-  
 tion of Public  
 Works to Govern-  
 ment, and such  
 Lord Lieutenants,  
 &c. &c. This  
 Statute is in  
 force.

Article of  
 New Compendium  
 of the History of  
 the Grand Jury  
 of the County,  
 who shall raise  
 the same by  
 Presentment.

Expense of re-  
 pairing Bridges  
 between Coun-  
 ties to be borne  
 equally.  
 Certificate of  
 Act.

Meaning of ex-  
 pressive Words and  
 Expressions  
 = Lands,  
 = Estate.

Title, Lien, or Incumbrance is, upon, to, or affecting Lands, either at Law or in Equity, whether present or vested, or future or contingent, and shall also extend to any Interest, Charge, Lien, or Incumbrance in, upon, or affecting Money subject to be invested in the Purchase of Lands; and the Expression "Base Fee" shall mean exclusively that Estate in Fee Simple into which an Estate Tail is converted where the lands in Tail are barred, but Persons claiming Estates by way of Remainder or otherwise are not barred; and the Expression "Estate Tail," in addition to its usual Meaning, shall mean a Base Fee into which an Estate Tail shall have been converted; and the Expression "actual Tenant in Tail" shall mean exclusively the Tenant of an Estate Tail which shall not have been barred, and such Tenant shall be deemed an actual Tenant in Tail, although the Estate Tail may have been divested or turned to a Right; and the Expression "Tenant in Tail" shall mean, not only an actual Tenant in Tail, but also a Person who, where an Estate Tail shall have been barred and converted into a Base Fee, would have been Tenant of such Estate Tail if the same had not been barred; and the Expression "Tenant in Tail entitled to a Base Fee" shall mean a Person entitled to a Base Fee, or to the ultimate beneficial Interest in a Base Fee, and who if the Base Fee had not been created would have been actual Tenant in Tail; and the Expression "Money subject to be invested in the Purchase of Lands" shall exclude Money whether raised or to be raised, and whether the Amount thereof be or be not accumulated, and shall extend to Stocks and Funds, and Real and other Securities, the Produce of which is directed to be invested in the Purchase of Lands, and the Lands to be purchased with such Money or Produce shall extend to Lands of any Tenure in England or elsewhere out of Ireland where such Lands or any of these are within the Scope or Meaning of the Trust or Power directing or authorizing the Purchase; and the Word "Person" shall extend to a Body Politic, Corporate, or Collegiate, as well as an Individual; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and every Assumption, expressly made or hereafter to be made, whether by Deed, Will, Private Act of Parliament, or otherwise, by which Lands are or shall be granted or agreed or directed to be granted, shall be deemed a Settlement; and every Appointment made in exercise of any Power contained in any Settlement, or of any other Power arising out of the Power contained in any Settlement, shall be considered as Part of such Settlement, and the Estate created by such Appointment shall be considered as having been created by such Settlement; and where any such Settlement is or shall be made by Will, the Time of the Death of the Testator shall be considered the Time when such Settlement was made; Provided always, that these Words and Expressions occurring in this Clause to which more than One Meaning is to be attached shall not have the different Meanings given to them by this Clause in those Cases in which there is any thing in the Subject or Context repugnant to such Construction.

II. And be it further enacted, That after the Thirty-first Day of October One thousand eight hundred and thirty-four no Fine shall be levied or Common Recovery suffered of Lands of any Tenure in England, except where Parties intending to levy a Fine or suffer a Common Recovery shall before the Thirty-first Day of October One thousand eight hundred and thirty-four have sent out a Writ of Dedimus or any other Writ to the regular Proceedings of such Fine or Recovery; and any Fine or Common Recovery which shall be levied or suffered contrary to this Provision shall be absolutely void.

III. And be it further enacted, That in case any Person shall, after the Thirty-first Day of October One thousand eight hundred and thirty-four, be liable to levy a Fine or suffer a Common Recovery of Lands of any Tenure, in England, or to procure some other Person to levy a Fine or suffer a Common Recovery of Lands of any Tenure, under a Covenant or Agreement already entered into, or hereafter to be entered into before the First Day of November One thousand eight hundred and thirty-four, then and in such Case, if all the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, the Person liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery, shall after the Thirty-first Day of October One thousand eight hundred and thirty-four be subject and liable under such Covenant or Agreement to make or to procure to be made such a Disposition under this Act as will affect all the Purposes intended to be effected by such Fine or Recovery; but if some only of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, then the Person so liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery as aforesaid, shall after the Thirty-first Day of October One thousand eight hundred and thirty-four be subject and liable under such Covenant or Agreement to make or to procure to be made such a Disposition under this Act as will effect such of the Purposes intended to be effected by such Fine or Recovery as can be effected by a Disposition under this Act; and in those Cases where the Purposes intended to be effected by such Fine or Recovery, or any of them, cannot be effected by any Disposition under this Act, then the Person so liable to levy such Fine or suffer such Recovery, or to procure some other Person to levy such Fine or suffer such Recovery as aforesaid, shall after the Thirty-first Day of October One thousand eight hundred and thirty-four be liable under such Covenant or Agreement to execute or to procure to be executed some Deed whereby the Person intended to levy such Fine or suffer such Recovery shall declare his Deeds that such Deed shall have the same Operation and Effect as such Fine or Recovery would have had if the same had been actually levied or suffered; and the Deed by which such Declaration shall be made shall, if made of the Full and Sufficient Effect to be directed by such Deed or Recovery and shall be a

" Base Fee."  
" Estate Tail."  
" Actual Tenant in Tail."  
" Tenant in Tail."  
" Tenant in Tail entitled to a Base Fee."  
" Money."

" Person."  
Number and Gender.

Settlement.

No Fine or Recovery to be levied or suffered after the 31st of October 1834.

Persons liable after the 31st of October 1834 to levy Fines or suffer Recoveries under Covenants, to effect the Purposes intended by means of the Act, but if a Fine or Recovery cannot be so effected, the Person liable to levy Fines or suffer Recoveries shall execute a Deed, which shall have the same Operation as the Fine or Recovery.

Disposition under this Act, have the same Operation and Effect in every respect as such Fine or Recovery would have had if the same had been actually levied or suffered; but if some only of the Purposes intended to be effected by such Fine or Recovery can be effected by a Disposition under this Act, then the Deed by which such Declaration shall be made shall, as far as the Purposes intended to be effected by such Fine or Recovery cannot be effected by a Disposition under this Act, have the same Operation and Effect in every respect as such Fine or Recovery would have had if the same had been actually levied or suffered.

This rendered  
without Amend-  
ment.

IV. And be it further enacted, That if it shall be apparent, from the Deed declaring the Uses of any Fine already levied or hereafter to be levied, that there is in the Indentures, Record, or any of the Proceedings of such Fine any Error in the Name of the Concessor or Concessor of such Fine, or any Misdescription or Omission of Lands intended to have been passed by such Fine, then and in every such Case the Fine, without any Assessment of the Indentures, Record, or Proceedings in which such Error, Misdescription, or Omission shall have occurred, shall be as good and valid as the same would have been, and shall be held to have passed all the Lands intended to have been passed thereby, in the same Manner as it would have done if there had been no such Error, Misdescription, or Omission.

Recovery made  
valid without  
Assessment.

V. And be it further enacted, That if it shall be apparent, from the Deed making the Tenant to the Writ of Entry or other Writ for suffering a Common Recovery already suffered or hereafter to be suffered, that there is in the Exemplification, Record, or any of the Proceedings of such Recovery any Error in the Name of the Tenant, Demandant, or Vouchee in such Recovery, or any Misdescription or Omission of Lands intended to have been passed by such Recovery, then and in every such Case the Recovery, without any Amendment of the Exemplification, Record, or Proceedings in which such Error, Misdescription, or Omission shall have occurred, shall be as good and valid as the same would have been, and shall be held to have passed all the Lands intended to have been passed thereby, in the same Manner as it would have done if there had been no such Error, Misdescription, or Omission.

Saving Jurisdic-  
tion in Cases  
not provided for.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall lessen or take away the Jurisdiction of any Court to amend any Fine or Common Recovery, or any Proceeding therein, in Cases not provided for by this Act.

Recovery made  
valid in certain  
Cases where  
Bargain and  
Sale is not duly  
executed.

VII. And be it further enacted, That no Common Recovery, already suffered or hereafter to be suffered, shall be invalid in consequence of the Neglect to enrol in due Time a Bargain and Sale purporting to make the Tenant to the Writ of Entry or other Writ for suffering such Recovery, provided such Recovery would have been valid if the Bargain and Sale purporting to make the Tenant to the Writ had been duly enrolled.

Recovery in-  
valid in con-  
sequence of those  
not being proper  
Tenants in the  
Writ of Entry  
made valid in  
certain Cases

VIII. And be it further enacted, That no Common Recovery, already suffered or hereafter to be suffered, shall be invalid in consequence of any Person in whom an Estate at Law was outstanding having omitted to make the Tenant to the Writ of Entry or other Writ for suffering such Recovery, provided the Person who was the Owner of or had Power to dispose of an Estate in Possession, not being less than an Estate for a Life or Lives or the Whole of the Rents and Profits of the Lands in which such Estate at Law was outstanding, or the ultimate Executor of such Rents and Profits after Payment of any Charges thereon, and whether any Surplus after Payment of such Charges shall actually remain or not, shall, within the Time limited for making the Tenant to the Writ for suffering such Recovery, have conveyed or disposed of such Estate in Possession to the Tenant to such Writ; and an Estate shall be deemed to be an Estate in Possession, notwithstanding there shall be subsisting prior thereto any Lease for Lives or Years, absolute or determinable, upon which a Rent is reserved, or any Term of Years upon which no Rent is reserved.

Certain Cases in  
which Fines and  
Recoveries shall  
not be made valid  
by this Act.

IX. Provided always, and be it further enacted, That where any Fine or Common Recovery shall before the passing of this Act have been wholly reserved, such Fine or Recovery shall not be rendered valid by this Act; and where any Fine or Common Recovery shall before the passing of this Act have been reversed as to some only of the Parties thereto, or as to some only of the Lands therein comprised, such Fine or Recovery shall not be rendered valid by this Act so far as the same shall have been reversed; and where any Person who would have been barred by any Fine or Common Recovery if valid had before the passing of this Act have had any Dealings with the Lands comprised in such Fine or Recovery on the Faith of the same being invalid, such Fine or Recovery shall not be rendered valid by this Act; and this Act shall not render valid any Fine or Common Recovery as to Lands of which any Person shall at the Time of the passing of this Act be in possession in respect of any Estate which the Fine or Common Recovery if valid would have barred, nor any Fine or Common Recovery which before the passing of this Act any Court of competent Jurisdiction shall have refused to award; nor shall this Act prejudice or affect any Proceedings at Law or in Equity pending at the Time of the passing of this Act in which the Validity of such Fine or Recovery shall be in question between the Party claiming under such Fine or Recovery and the Party claiming adversely thereto; and such Fine or Recovery, if the Result of such Proceedings shall be to invalidate the same, shall not be rendered valid by this Act; and if such Proceedings shall arise or become defective in consequence of the Death of the Party claiming under or adversely to such Fine or Recovery, any Person who but for this Act would have a Right of Action or Suit by reason of the Invalidity of such Fine or Recovery shall retain such Right, so that he commence Proceedings within Six Calendar Months after the Death of such Party.

As to the En-  
rollment of Fines  
and Recoveries

X. And be it further enacted, That after the passing of this Act no Person or Persons shall be bound to enrol in the Records of all Fines and Common Recoveries levied and suffered in the Majesty's Court

Court of Common Pleas in Dublin, and all the Proceedings thereof, shall be deposited in such Places and kept by such Persons as the said Court of Common Pleas shall from Time to Time order or direct; and in the meantime the said Records and Proceedings shall remain in the same Place where they are now deposited, and be kept by the Person who would have continued entitled to the Custody thereof if this Act had not been passed; and while the said Records and Proceedings shall be kept by such Person, Searches may be made, and Extracts and Copies obtained, as heretofore, and on paying the accustomed Fees; and when any of the Records and Proceedings shall by the Order of the said Court be kept by any other Person, then, so far as relates to the Records and Proceedings in the Custody of such other Person, Searches may be made, and Extracts or Copies obtained, at such Times and on paying such Fees as shall from Time to Time be ordered by the said Court; and the Extracts and Copies so obtained shall be as available in Evidence as they would have been if obtained from the Person whose Duty it would have been to have made and delivered out the same if this Act had not been passed.

XI. And he it further enacted, That all Warrants of Lands which after the Thirty-first Day of October One thousand eight hundred and thirty-four shall be made or entered into by any Tenant in Tail thereof shall be absolutely void against the Issue in Tail, and all Persons whose Estates are to take effect after the Determination or in Defiance of the Estate Tail.

XII. And he it further enacted, That after the Thirty-first Day of October One thousand eight hundred and thirty-four every actual Tenant in Tail, whether in Possession, Remainder, Contingency, or otherwise, shall have full Power to dispose of, for an Estate in Fee Simple absolute, or for any less Estate, the Lands entailed, as against all Persons claiming the Lands entailed by force of any Estate Tail which shall be vested in or might be claimed by, or which but for some previous Act would have been vested in or might have been claimed by, the Person making the Disposition, at the Time of his making the same, and also as against all Persons whose Estates are to take effect after the Determination or in Defiance of any such Estate Tail, including the King's most Excellent Majesty, His Heirs and Successors, as regards the Title to His Majesty to any Reversion or Remainder created or reserved by any Settlement or Will, and which Reversion or Remainder shall have come or shall hereafter come to the Crown in consequence of the Attainder of any Person to whom the forfeited Reversion or Remainder was previously to such Forfeiture limited by any Settlement or Will, but not in any other Case, or where the Title to the Crown shall have accrued by any other Means; saving always the Rights of all Persons in respect of Estates prior to the Estate Tail in respect of which such Disposition shall be made, and the Rights of all other Persons, except those against whom such Disposition is by this Act authorized to be made.

XIII. Provided always, and he it further enacted, That where, under any Settlement made before the passing of this Act, any Woman shall be Tenant in Tail of Lands within the Provisions of an Act passed in the Tenth Year of the Reign of His Majesty King Charles the First, intituled *An Act for the Expulsion of the Strangers of Finca*, the Power of Disposition herein-before contained as to such Lands shall not be exercised by her, except with such Assent as if this Act had not been passed would under the Provisions of the said Act of King Charles the First have rendered valid a Fine or Common Recovery levied or suffered by her of such Lands.

XIV. Provided always, and he it further enacted, That, except as to Lands comprised in any Settlement made before the passing of this Act, the said Act of the Tenth Year of the Reign of His Majesty King Charles the First shall be and the same is hereby repealed.

XV. Provided always, and he it further enacted, That the Power of Disposition herein-before contained shall not extend to Tenants in Tail after Possibility of Issue extinct.

XVI. And he it further enacted, That after the Thirty-first Day of October One thousand eight hundred and thirty-four, in every Case in which an Estate Tail in any Lands shall have been barred and converted into a Base Fee, either before or on or after that Day, the Person who if such Estate Tail had not been barred would have been actual Tenant in Tail of the same Lands shall have full Power to dispose of such Lands as against all Persons whose Estates are to take effect after the Determination or in Defiance of the Base Fee into which the Estate Tail shall have been converted, so as to enlarge the Base Fee into a Fee Simple absolute, including the King's most Excellent Majesty, His Heirs and Successors, as regards the Title to His Majesty to any Reversion or Remainder created or reserved by any Settlement or Will, and which Reversion or Remainder shall have come or shall hereafter come to the Crown in consequence of the Attainder of any Person to whom the forfeited Reversion or Remainder was previously to such Forfeiture limited by any Settlement or Will, but not in any other Case, or where the Title to the Crown shall have accrued by any other Means; saving always the Rights of all Persons in respect of Estates prior to the Estate Tail which shall have been converted into a Base Fee, and the Rights of all other Persons, except those against whom such Disposition is by this Act authorized to be made: Provided always, that nothing in this Act contained shall authorize any Tenant in Tail or other Person to defeat or bar any Estate or Interest which may at the Time of passing this Act have been granted to any Person or Persons by His Majesty or any of His Predecessors, in any Reversion or Remainder which may have come to the Crown by Attainder or otherwise.

XVII. Provided always, and he it further enacted, That nothing in this Act contained shall enable any Person to dispose of any Lands entailed in respect of any exponent Interest or Possibility which he may have or might have had in such Estate Tail, therein contained, in any Manner, but

in the Court of Common Pleas in Dublin after the 31<sup>st</sup> of October 1834

Estates Tail, and Estates appurtenant thereto, no longer heretofore subject to the Statute in Force, after the 31<sup>st</sup> of October 1834, to dispose of Lands entailed in Fee Simple, or for a less Estate, saving the Rights of certain Persons.

Power of Disposition not to be exercised by Women Tenants in Tail or previous wife under 10 Car. 1 except with Assent.

10 Car. 1. c. 5. repealed, except, &c.

Power of the position limited. Power, after the 31<sup>st</sup> of October 1834, to enlarge Base Fees; saving the Rights of certain Persons.

Proviso.

Notwithstanding Act in Fee Simple.

Extent of the  
Encise created  
by a Tenant in  
Tail by way of  
Mortgage, or for  
any other limited  
Purpose.

XVIII. Provided always, and be it further enacted, That if a Tenant in Tail of Lands shall make a Disposition of the same under this Act by way of Mortgage, or for any other limited Purpose, then and in such Case such Disposition shall, to the Extent of the Encise thereby created, be an absolute Bar in Equity as well as at Law to all Persons as against whom such Disposition is by this Act authorized to be made, notwithstanding any Intention to the contrary may be expressed or implied in the Deed by which the Disposition may be effected: Provided always, that if the Estate created by such Disposition shall be only an Estate pour autre vie, or for Years absolute or determinable, or if, by a Disposition under this Act by a Tenant in Tail of Lands, as Interest, Charge, Lien, or Incumbrance shall be created, without a Term of Years absolute or determinable, or any greater Estate, for securing or raising the same, then such Disposition shall in Equity be a Bar only so far as may be necessary to give full Effect to the Mortgage, or to such other limited Purpose, or to such Interest, Lien, Charge, or Incumbrance, notwithstanding any Intention to the contrary may be expressed or implied in the Deed by which the Disposition may be effected.

The Owner of  
the first existing  
Estate under a  
Settlement,  
prior to an  
Estate Tail  
under the same  
Settlement, to  
be the Protector  
of the Settle-  
ment.

XIX. And be it further enacted, That if at the Time when there shall be a Tenant in Tail of Lands under a Settlement there shall be subsisting in the same Lands or any of them under the same Settlement any Estate for Years determinable on the dropping of a Life or Lives, or any greater Estate, (not being an Estate for Years,) prior to the Estate Tail, then the Person who shall be the Owner of the prior Estate, or the first of such prior Estates if more than One, then subsisting under the same Settlement, or who would have been so if no absolute Disposition thereof had been made, (the first of such prior Estates, if more than One, being for all the Purposes of this Act deemed the prior Estate,) shall be the Protector of the Settlement so far as regards the Lands in which such prior Estate shall be subsisting, and shall for all the Purposes of this Act be deemed the Owner of such prior Estate, although the same may have been charged or incumbered, either by the Owner thereof or by the Settler, or otherwise howsoever, and although the whole of the Rents and Profits be exhausted, or required for the Payment of the Charges and Incumbrances on such prior Estate, and although such prior Estate may have been absolutely disposed of by the Owner thereof, or by or in consequence of the Bankruptcy or Insolvency of such Owner, or by any other Act or Default of such Owner; and that an Estate by the Curtesy, in respect of the Estate Tail, or of any prior Estate created by the same Settlement, shall be deemed a prior Estate under the same Settlement within the Meaning of this Clause; and that an Estate by way of reversion, Use or Trust or to or for the Settler shall be deemed an Estate under the same Settlement within the Meaning of this Clause.

Each of Two or  
more Owners of  
a prior Estate to  
be the sole Pro-  
tector as to his  
Share.

XX. Provided always, and be it further enacted, That where Two or more Persons shall be Owners, under a Settlement within the Meaning of this Act, of a prior Estate, the sole Owner of which Estate, if there had been only One, would in respect thereof have been the Protector of such Settlement, each of such Persons, in respect of such undivided Share as he could dispose of, shall for all the Purposes of this Act be deemed the Owner of a prior Estate, and shall, in exclusion of the other or others of them, be the sole Protector of such Settlement in the Extent of such undivided Share.

When a married  
Woman alone  
shall be the Pro-  
tector, and where  
she and her  
Husband to-  
gether shall be  
Protector.

XXI. Provided always, and be it further enacted, That where a married Woman would if single be the Protector of a Settlement in respect of a prior Estate which is not thereby settled or agreed or directed to be settled in her separate Use, she and her Husband together shall in respect of such Estate be the Protector of such Settlement, and shall be deemed One Owner; but if such prior Estate shall by such Settlement have been settled or agreed or directed to be settled to her separate Use, then and in such Case she alone shall in respect of such Estate be the Protector of such Settlement.

Persons em-  
powered to dis-  
pose of Lands  
not being vested  
Estate.

XXII. And be it further enacted, That from and after the Thirty first Day of October One thousand eight hundred and thirty-four it shall be lawful for any Person, either before or after he shall become entitled in any Messuage, or as executor, Heir of a living Person, or as next of Kin of the Body of a living Person, to an Estate in Lands, not being a vested Estate, and whether he be or be not ascertained as the Person or One of the Persons in whom the same may become vested, to dispose of such Lands for the Whole or any Part of such Estate therein by any Assentance, whether Deed, Will, or any other Instrument by which he could have made such Disposition if such Estate were a vested Estate in Possession: Provided nevertheless, that no such Disposition shall be valid or have any Effect where the Person making the same shall not at the Time of the Disposition have become entitled to such Estate, unless the Deed, Will, or other Instrument by virtue of which he may become entitled be made and in operation at the Time of his Disposition.

As to Estates  
confirmed or re-  
stored by Settle-  
ment.

XXIII. Provided always, and be it further enacted, That, except in the Case of a Lease herein-after provided for, where an Estate shall be limited by a Settlement by way of Confirmation, or where the Settlement shall merely have the Effect of restoring an Estate, in either of those Cases such Estate shall for the Purposes of this Act, as far as regards the Protector of the Settlement, be deemed an Estate subsisting under such Settlement.

As to Leases of  
Rent reserved by  
Settlement.

XXIV. Provided always, and be it further enacted, That where a Lease at a Rent shall be created or confirmed by a Settlement, the Person in whose Favour such Lease shall be created or confirmed shall not in respect thereof be the Protector of such Settlement.

No Tenant in  
Descent, Heir,  
Executor, &c.,  
to be Protector,  
except in the  
Case of a bare  
Trustee.

XXV. Provided always, and be it further enacted, That no Woman in respect of her Dowry, and (except in the Case herein-after provided for of a bare Trustee under a Settlement made before the Thirty-first Day of October One thousand eight hundred and thirty-four) no bare Trustee, Heir, Executor, Administrator, or Assignee, in respect of any Estate taken by him as such bare Trustee, Heir, Executor, Administrator, or Assignee, shall be the Protector of a Settlement.

XXVI. Provided always, and be it further enacted, That where under any Settlement there shall be more than One Estate prior to an Estate Tail, and the Person who shall be the Owner within the Meaning of this Act of any such prior Estate in respect of which but for the Two last preceding Clauses or either of them he would have been the Protector of the Settlement shall by virtue of such Clauses or either of them be excluded from being the Protector, then and in such Case the Person (if any) who if such Estate did not exist would be the Protector of the Settlement shall be such Protector.

XXVII. Provided always, and be it further enacted, That where already, or before the Thirty-first Day of October One thousand eight hundred and thirty-four, an Estate under a Settlement shall have been disposed of either absolutely or otherwise, and either for valuable Consideration or not, the Person who so respect of such Estate would if this Act had not been passed have been the proper Person to have made the Tenant to the Writ of Entry or other Writ for suffering a Common Recovery of the Lands entailed by such Settlements shall, during the Continuance of the Estate which conferred the Right to make the Tenant to such Writ of Entry or other Writ, be the Protector of such Settlements.

XXVIII. Provided always, and be it further enacted, That where any Person having, either already, or before the Thirty-first Day of October One thousand eight hundred and thirty-four, either for valuable Consideration or not, disposed of, either absolutely or otherwise, a Remainder or Reversion in Fee in any Lands, or created any Estate out of such Remainder or Reversion, would under this Act if this Clause had not been inserted have been the Protector of the Settlement by which the Lands were entailed in which such Remainder or Reversion may be subsisting, and thereby be enabled to encroach in the barring of such Remainder or Reversion, which he could not have done if he had not become such Protector, then and in every such Case the Person who if this Act had not been passed would have been the proper Person to have made the Tenant to the Writ of Entry or other Writ for suffering a Common Recovery of such Lands shall, during the Continuance of the Estate which conferred the Right to make the Tenant to such Writ of Entry or other Writ, be the Protector of such Settlements.

XXIX. Provided always, and be it further enacted, That where under any Settlement of Lands made before the passing of this Act the Person who if this Act had not been passed would have been the proper Person to make the Tenant to the Writ of Entry or other Writ for suffering a Common Recovery of such Lands for the Purpose of barring any Estate Tail or other Estate under such Settlement shall be a bare Trustee, such Trustee shall, during the Continuance of the Estate conferring on him the Right to make the Tenant to such Writ of Entry or other Writ, be the Protector of such Settlement.

XXX. Provided always, and be it further enacted, That it shall be lawful for any Settlor entailing Lands to appoint, by the Settlements by which the Lands shall be entailed, any Number of Persons in one, not exceeding Three, and not being Aliens, to be Protector of the Settlement in lieu of the Person who would have been the Protector if this Clause had not been inserted, and either for the Whole or any Part of the Period for which such Person might have continued Protector, and by means of a Power to be inserted in such Settlement to perpetuate during the Whole or any Part of such Period the Protectorship of the Settlement as any One Person or Number of Persons in one, and not being an Alien or Aliens, whom the Deed of the Power shall think proper by Deed to appoint Protector of the Settlement, in the Place of any One Person or Number of Persons who shall die, or shall by Deed relinquish his or their Office of Protector; and the Person or Persons so appointed shall, in case of there being no other Person than Protector of the Settlements, be the Protector, and shall, in case of there being any other Person than Protector of the Settlements, be Protector jointly with such other Person. Provided nevertheless, that by virtue or means of any such Appointment the Number of the Persons to compose the Protector shall never exceed Three: Provided further, nevertheless, that every Deed by which a Protector shall be appointed under a Power as a Settlement, and every Deed by which a Protector shall relinquish his Office, shall be void, unless enrolled in His Majesty's High Court of Chancery in Ireland within Six Calendar Months after the happening thereof: Provided further, nevertheless, that the Person who but for this Clause would have been sole Protector of the Settlement may be one of the Persons to be appointed Protector under this Clause, if the Settlor shall think fit, and shall, unless otherwise directed by the Settlor, act as sole Protector, if the other Persons constituting the Protector shall have consented to be so by Death, or by Relinquishment of the Office by Deed, and no other Person shall have been appointed in their Place.

XXXI. Provided always, and be it further enacted, That if any Person, Protector of a Settlement, shall be insane, idiot, or of unsound Mind, and whether he shall have been found such by Esquireton or not, then the Lord High Chancellor of Ireland, or the Lord Keeper, or the Lords Commissioners for the Custody of the Great Seal of Ireland, for the Time being, or other the Person or Persons for the Time being intrusted by the King's Sign Manual with the Care and Management of the Custody of the Person and Estates of Persons found insane, idiot, and of unsound Mind, shall be the Protector of such Settlement in lieu of the Person who shall be such Lunatic or Idiot, or of unsound Mind as aforesaid; or if any Person, Protector of a Settlement, shall be convicted of Treason or Felony, or if any Person, not being the Owner of a prior Estate under a Settlement, shall be Protector of such Settlement, and shall be an Infane, or if it shall be necessary whether such last-mentioned Person be living or dead, then His Majesty's High Court of Chancery in Ireland shall be the Protector of such Settlement in lieu of the Person who shall be such Lunatic, or Idiot, or of unsound Mind, or convicted of Treason or Felony, or if any Person entailing Lands shall in the Settlements by which the Lands shall be entailed declare that the Person

Who shall be the Trustee under the Owner of the prior Estate shall by the Two last Clauses be excluded.

Where, in the Disposition of an Estate before the 31st October 1834, the Person to make the Tenant to the Writ of Entry in a Recovery shall be the Protector

Where, in the Disposition of a Recovery before the 31st October 1834, the Person to make the Tenant to the Writ of Entry in a Recovery shall be the Protector

Where a bare Trustee under a Settlement shall be the Protector

Power to any Settlor to appoint the Protector.

In Case of Lunacy, the Lord Chancellor, the Lord Keeper, or Lords Commissioners, or other Persons intrusted with the Custody of the Person, or in Case of Treason or Felony, or, the Court of Chancery, to be the Protector



who as Owner of a prior Estate under such Settlement would be entitled to be Protector of the Settlement, shall not be such Protector, and shall not appoint any Person to be Protector in his Stead, then the said Court of Chancery shall, as to the Lands in which such prior Estate shall be subsisting, be the Protector of the Settlement during the Continuance of such Estate; or if in any other Case where there shall be subsisting under a Settlement an Estate prior to an Estate Tail under the same Settlement, and such prior Estate shall be sufficient to qualify the Owner thereof to be Protector of the Settlement, and there shall happen at any Time to be no Protector of the Settlement as to the Lands in which the prior Estate shall be subsisting, the said Court of Chancery shall, while there shall be no such Protector, and the prior Estate shall be subsisting, be the Protector of the Settlement as to such Lands.

Where there is a Protector, his Consent requisite to enable an actual Tenant in Tail to make a larger Estate than a Base Fee.

XXXII. Provided always, and be it further enacted, That if at the Time when any Person, actual Tenant in Tail of Lands under a Settlement, but not entitled to the Remainder or Reversion in Fee immediately expectant on the Determination of his Estate Tail, shall be desirous of making under this Act a Disposition of the Lands entailed, there shall be a Protector of such Settlement, then and in every such Case the Consent of such Protector shall be requisite to enable such actual Tenant in Tail to dispose of the Lands entailed in the full Extent to which he is herein-before authorized to dispose of the same; but such actual Tenant in Tail may without such Consent make a Disposition under this Act of the Lands entailed, which shall be good against all Persons who by force of any Estate Tail which shall be vested in or might be claimed by, or which but for some previous Act or Default would have been vested in or might have been claimed by, the Person making the Disposition at the Time of his making the same, shall claim the Lands entailed.

Where a Base Fee, and a Protector, his Consent requisite to the exercising of a Power of Disposition.

XXXIII. Provided always, and be it further enacted, That where an Estate Tail shall have been converted into a Base Fee, in such Case, so long as there shall be a Protector of the Settlement by which the Estate Tail was created, the Consent of such Protector shall be requisite to enable the Person who would have been Tenant of the Estate Tail if the same had not been barred to exercise, as to the Lands in respect of which there shall be such Protector, the Power of Disposition herein-before enacted.

The Protector to be subject to the Control in the Exercise of his Power of consenting.

XXXIV. And be it further enacted, That any Deceit, Shift, or Connivance by which it shall be attempted to control the Protector of a Settlement in giving his Consent, or to prevent him in any way from using his absolute Discretion in regard to his Consent, and also any Agreement entered into by the Protector of a Settlement to withhold his Consent, shall be void; and that the Protector of a Settlement shall not be deemed to be a Trustee in respect of his Power of Consent; and a Court of Equity shall not control or interfere to restrain the Exercise of his Power or Consent, nor treat his giving Consent as a Breach of Trust.

Common Rules of Equity not to apply between the Protector and a Tenant in Tail under the same.

XXXV. Provided always, and be it further enacted, That the Rules of Equity in relation to Dealings and Transactions between the Donee of a Power and any Object of the Power in whose Favour the same may be exercised shall not be held to apply to Dealings and Transactions between the Protector of a Settlement and a Tenant in Tail under the same Settlement, upon the Occasion of the Protector giving his Consent to a Disposition by a Tenant in Tail under this Act.

A voidable Estate by a Tenant in Tail, in favour of a Purchaser, confirmed by a subsequent Disposition of such Tenant in Tail under this Act, but not against a Purchaser without Notice.

XXXVI. Provided always, and be it further enacted, That when a Tenant in Tail of Lands under a Settlement shall have already created or shall hereafter create in such Lands or any of them a voidable Estate in favour of a Purchaser for valuable Consideration, and shall afterwards under this Act, by any Assurance other than a Lease not requiring Investment, make a Disposition of the Lands in which such voidable Estate shall be created, or any of them, such Disposition, whatever its Object may be, and whatever may be the Extent of the Estate intended to be thereby created, shall, if made by the Tenant in Tail with the Consent of the Protector (if any) of the Settlement, or by the Tenant in Tail alone if there shall be no such Protector, have the Effect of confirming such voidable Estate in the Lands thereby disposed of to its full Extent as against all Persons except those whose Rights are saved by this Act; but if at the Time of making the Disposition there shall be a Protector of the Settlement, and such Protector shall not consent to the Disposition, and the Tenant in Tail shall not without such Consent be capable under this Act of confirming the voidable Estate to its full Extent, then and in such Case such Disposition shall have the Effect of confirming such voidable Estate so far as such Tenant in Tail would then be capable under this Act of confirming the same without such Consent: Provided always, that if such Disposition shall be made to a Purchaser for valuable Consideration, who shall not have express Notice of the voidable Estate, and if the Deed or Instrument creating such voidable Estate shall not have been registered previous to such Disposition, then and in such Case the voidable Estate shall not be confirmed as against such Purchaser and the Persons claiming under him.

Base Fees, when merged with the Intermediate Reversions, merged, instead of being merged.

XXXVII. And be it further enacted, That if a Base Fee in any Lands, and the Remainder or Reversion in Fee in the same Lands, shall at the Time of the passing of this Act, or at any Time afterwards, be united in the same Person, and at any Time after the passing of this Act there shall be no intermediate Estate between the Base Fee and the Remainder or Reversion, then and in such Case the Base Fee shall not merge, but shall be *ipso facto* enlarged into as large an Estate as the Tenant in Tail, with the Consent of the Protector, if any, might have created by any Disposition under this Act if such Remainder or Reversion had been vested in any other Person.

Tenant in Tail to make a Disposition by Deed, or if entailed in Fee, but not by Will or Con-

XXXVIII. And be it further enacted, That every Disposition of Lands under this Act by a Tenant in Tail thereof shall be effected by some one of the Assurances (not being a Will) by which such Tenant in Tail could have made the Disposition if his Estate were an Estate at Law in Fee Simple absolute in Fee, and that no Disposition by a Tenant in Tail shall be good or enforced by Deed; and that no Disposition by a

Tenant in Tail, vesting only in Contract, either express or implied, or otherwise, and whether supported by a valuable or meritorious Consideration or not, shall be of any Force or in Equity under this Act, notwithstanding such Disposition shall be made or evidenced by Deed; and if the Tenant in Tail making the Disposition shall be a married Woman, the Concurrence of her Husband shall be necessary to give effect to the issue; and any Deed which may be executed by her for effecting the Disposition shall be acknowledged by her as herein after directed.

XXXIX. Provided always, and be it further enacted, That no Assurance by which any Disposition of Lands shall be effected under this Act by a Tenant in Tail thereof (except a Lease for any Term not exceeding Twenty-one Years, to commence from the Date of such Lease, or from any Time not exceeding Twelve Calendar Months from the Date of such Lease, where a Rent shall be thereby reserved which at the Time of granting such Lease shall be a Rack Rent, or not less than Five Sixth Parts of a Rack Rent,) shall have any Operation under this Act unless it be enrolled in His Majesty's High Court of Chancery in Ireland within Six Calendar Months after the Execution thereof; and if the Assurance by which any Disposition of Lands shall be effected under this Act shall be a Bargain and Sale, such Assurance, although not enrolled within the Time prescribed by the Act passed in the Tenth Year of the Reign of His Majesty King Charles the First, intituled *An Act agreeing on Order for Uses, Wills, and Testaments*, shall, if enrolled in the said Court of Chancery within the Time prescribed by this Clause, be as good and valid as the same would have been if the same had been enrolled in the said Court within the Time prescribed by the said Act of the Tenth Year of the Reign of King Charles the First.

XL. And be it further enacted, That the Consent of the Protector of a Settlement to the Disposition under this Act of a Tenant in Tail shall be given either by the assent Assurance by which the Disposition shall be effected, or by a Deed distinct from the Assurance, and to be executed either on or at any Time before the Day on which the Assurance shall be made, otherwise the Consent shall be void.

XLI. And be it further enacted, That if the Protector of a Settlement shall, by a distinct Deed, give his Consent to the Disposition of a Tenant in Tail, it shall be considered that such Protector has given an absolute and unqualified Consent, unless in such Deed he shall refer to the particular Assurance by which the Disposition shall be effected, and shall confine his Consent to the Disposition thereby made.

XLII. And be it further enacted, That it shall not be lawful for the Protector of a Settlement, who under this Act shall have given his Consent to the Disposition of a Tenant in Tail, to revoke such Consent.

XLIII. And be it further enacted, That any married Woman, being either alone or jointly with her Husband Protector of a Settlement, may, under this Act, in the same Manner as if she were a Female Sole, give her Consent to the Disposition of a Tenant in Tail.

XLIV. Provided always, and be it further enacted, That the Consent of a Protector to the Disposition of a Tenant in Tail shall, if given by a Deed distinct from the Assurance by which the Disposition shall be effected by the Tenant in Tail, be void, unless such Deed be enrolled in His Majesty's High Court of Chancery either at or before the Time when the Assurance shall be enrolled.

XLV. And be it further enacted, That in Cases of Dispositions of Lands under this Act by Tenants in Tail thereof, and also in Cases of Consents by Protectors of Settlements to Dispositions of Lands under this Act by Tenants in Tail thereof, the Jurisdiction of Courts of Equity shall be altogether excluded, either on the Behalf of a Person claiming for a valuable or meritorious Consideration or not, in regard to the specific Performance of Contracts and the supplying of Defects in the Execution either by the Powers of Disposition given by this Act to Tenants in Tail, or of the Powers of Consent given by this Act to Protectors of Settlements and the supplying under any Circumstances of the Want of Execution of such Powers of Disposition and Consent respectively, and in regard to giving effect in any other Manner to any Act or Deed by a Tenant in Tail or Protector of a Settlement when as a Court of Law would not be an effectual Disposition or Consent under this Act; and that no Dispositions of Lands under this Act by a Tenant in Tail thereof in Equity, and no Consents by a Protector of a Settlement to a Disposition of Lands under this Act by a Tenant in Tail thereof in Equity, shall be of any Force, unless such Disposition or Consent would in case of an Estate Tail at Law be an effectual Disposition or Consent under this Act in a Court of Law.

XLVI. Provided always, and be it further enacted, That in every Case in which the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, or other the Person or Persons intrusted with the Care and Commitment of the Custody of the Person and Estates of Persons found lunatic, idiot, and of unsound Mind, or His Majesty's High Court of Chancery in Ireland, shall be the Protector of a Settlement, such Lord High Chancellor, Lord Keeper or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), while Protector of such Settlement, shall, on the Motion or Petition in a necessary Way by a Tenant in Tail under such Settlement, have full Power to consent to a Disposition under this Act by such Tenant in Tail, and the Disposition to be made by such Tenant in Tail upon such Motion or Petition as aforesaid shall be such as shall be approved of by such Lord High Chancellor, Lord Keeper or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be); and it shall be lawful for such Lord High Chancellor, Lord Keeper or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), to make such Order in the Matter of such Disposition as shall be thought fit.

test; and if a married Woman, with her Husband's Concurrence.

Every Assurance by a Tenant in Tail, except a Lease not exceeding 21 Years or a Rack Rent, or not less than Five Sixths of a Rack Rent, to be inoperative unless enrolled in Chancery within Six Months.

Consent of the Protector in Law given.

If given by distinct Deed, to be absolute and unqualified, unless he refer to the Assurance.

Protector not to revoke his Consent.

A married Woman Protector to consent as a Female Sole.

Consent of a Protector by distinct Deed void, unless enrolled with or before the Assurance.

Courts of Equity excluded from giving relief by Dispositions by Tenants in Tail, or Consents of Protectors of Settlements, when as Courts of Law would not be effectual.

Lord Chancellor, Lord Keeper or Lords Commissioners, or other the Person or Persons intrusted with the Care and Commitment of the Custody of the Person and Estates of Persons found lunatic, idiot, and of unsound Mind, or His Majesty's High Court of Chancery in Ireland, shall be the Protector of a Settlement, such Lord High Chancellor, Lord Keeper or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), while Protector of such Settlement, shall, on the Motion or Petition in a necessary Way by a Tenant in Tail under such Settlement, have full Power to consent to a Disposition under this Act by such Tenant in Tail, and the Disposition to be made by such Tenant in Tail upon such Motion or Petition as aforesaid shall be such as shall be approved of by such Lord High Chancellor, Lord Keeper or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be); and it shall be lawful for such Lord High Chancellor, Lord Keeper or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), to make such Order in the Matter of such Disposition as shall be thought fit.

Chancellor, Lord Keeper or Lords Commissioners, or Person or Persons so intrusted as aforesaid, or the said Court of Chancery (as the Case may be), shall, in lieu of any such Person as aforesaid, be the Protector of a Settlement, and there shall be any other Person Protector of the same Settlement jointly with such Person as aforesaid, then and in every such Case the Disposition by the Tenant in Tail, though approved of as aforesaid, shall not be valid, unless such other Person being Protector as aforesaid shall consent thereto in the Manner in which the Consent of the Protector is by this Act required to be given.

Order of the  
Lord Chancellor,  
in fit to be  
Looked on  
Consent.

XLVII. Provided always, and be it further enacted, That in every Case in which the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal in Ireland, or other the Person or Persons intrusted with the Care and Commitment of the Custody of the Persons and Estates of Persons found insane, idiot, and of unsound Mind, or His Majesty's High Court of Chancery in Ireland, shall be the Protector of a Settlement, no Document or Instrument, as Evidence of the Consent of such Protector to the Disposition of a Tenant in Tail under such Settlement, shall be requisite, beyond the Order or Abstinence to which the Disposition shall have been made.

Report of the  
Trustees Act,  
11 & 12 Geo. 3. c. 5.  
as to its relation  
to Estates Tail,  
but not in extent  
to a Bankrupt  
under a Com-  
mission issued  
on or before the  
21st Oct. 1834.

XLVIII. And be it further enacted, That after the Thirty-first Day of October One thousand eight hundred and thirty-four so much of an Act passed in the Eleventh and Twelfth Years of the Reign of His Majesty King George the Third, intituled *An Act to prevent Frauds committed by Bankrupts*, as empowers the Commissioners named in our Commission of Bankrupt issued against a Tenant in Tail to make Sale of any Lands, Tenements, and Hereditaments whereof such Bankrupt shall be seized of any Estate Tail in Possession, Reversion, or Remainder, and whereof no Reversion or Remainder is in the Crown, the Gift or Provision of the Crown, shall be and the same is hereby repealed: Provided always, that such Repeal shall not extend to the Lands, whatever the Tenure may be, of any Person adjudged a Bankrupt under any Commission of Bankrupt which hath been or shall be issued before the Thirty-first Day of October One thousand eight hundred and thirty-four.

The Commis-  
sioners, in the  
Case of an actual  
Tenant in Tail  
becoming bank-  
rupt after the  
21st October  
1834, by Deed  
to dispose of the  
Lands of the  
Bankrupt in a  
Purchase.

XLIX. And be it further enacted, That any Commissioner acting in the Execution of any Commission which after the Thirty-first Day of October One thousand eight hundred and thirty-four shall be issued in pursuance of the said Act passed in the Eleventh and Twelfth Years of the Reign of King George the Third, under which any Person shall be adjudged a Bankrupt, who at the Time of issuing such Commission, or at any Time afterwards before he shall have obtained his Certificate, shall be an actual Tenant in Tail of Lands of any Tenure, shall by Deed dispose of such Lands to a Purchaser for valuable Consideration, for the Benefit of the Creditors of such actual Tenant in Tail, and shall create by any such Disposition as large an Estate in the Lands disposed of as the actual Tenant in Tail, if he had not become bankrupt, could have done under this Act at the Time of such Disposition: Provided always, that if at the Time of the Disposition of such Lands or any of them, by such Commissioner or aforesaid, there shall be a Protector of the Settlement by which the Estate of such actual Tenant in Tail in the Lands disposed of by such Commissioner was created, and the Consent of such Protector would have been requisite to have enabled the actual Tenant in Tail, if he had not become bankrupt, to have disposed of such Lands to the full Extent to which if there had been no such Protector he could under this Act have disposed of the same, and such Protector shall not consent to the Disposition, then and in such Case the Estate created in such Lands, or any of them, by the Disposition of such Commissioner, shall be so large an Estate as the actual Tenant in Tail, if he had not become bankrupt, could at the Time of such Disposition have created under this Act in such Lands without the Consent of the Protector.

in case of a  
Tenant in Tail  
entitled to a  
Base Fee by  
becoming bank-  
rupt, and of  
there being no  
Protector.

L. And be it further enacted, That any Commissioner acting in the Execution of any such Commission as aforesaid, under which any Person shall be adjudged a Bankrupt who, at the Time of issuing such Commission or at any Time afterwards before he shall have obtained his Certificate, shall be a Tenant in Tail entitled to a Base Fee in Lands of any Tenure, shall by Deed dispose of such Lands to a Purchaser for valuable Consideration for the Benefit of the Creditors of the Person so entitled as aforesaid, provided at the Time of the Disposition there be no Protector of the Settlement by which the Estate Tail converted into the Base Fee was created, and by such Disposition the Base Fee shall be enlarged into so large an Estate as the same could at the Time of such Disposition have been enlarged into under this Act by the Person so entitled if he had not become bankrupt.

A. in the Con-  
sent of the Pro-  
tector in case of  
Bankruptcy.

LI. And be it further enacted, That the Commissioner acting in the Execution of any such Commission as aforesaid under which a Person being, or before obtaining his Certificate becoming, an actual Tenant in Tail of Lands of any Tenure, or a Tenant in Tail entitled to a Base Fee in Lands of any Tenure, shall be adjudged a Bankrupt, shall, if there shall be a Protector of the Settlement by which the Estate Tail of such actual Tenant in Tail, or the Estate Tail converted into a Base Fee (as the Case may be), was created, stand in the Place of such actual Tenant in Tail, or Tenant in Tail so entitled as aforesaid, so far as regards the Consent of such Protector: and the Disposition of such Lands or any of them by such Commissioner as aforesaid, if made with the Consent of such Protector, shall, whether such Commissioner may have made under this Act a prior Disposition of the same Lands without the Consent of such Protector or not, or whether a lease Sale or Conveyance of the same Lands shall have been made or not, under the said Act of the Eleventh and Twelfth Years of King George the Third, or any Acts hereafter to be passed concerning Bankrupts, have the same Effect as such Disposition would have had of such actual Tenant in Tail, or Tenant in Tail so entitled as aforesaid, had not he become bankrupt, and such Disposition, had he not become bankrupt, would have been made with the Consent of such Protector: and all the provisions Clauses in our Act, as regards the Consent of the Protector as

the Disposition of a Tenant in Tail of Lands not held by Copy of Court Roll, and in regard to the Time and Manner of giving such Consent, and in regard to the Intestment of the Deed of Consent, where such Deed shall be distinct from the Assurance by which the Disposition of the Commissionee shall be effected, shall, except so far as the same may be varied by the Clause next hereon after contained, apply to every Consent that may be given by virtue of this present Clause.

LII. And be it further enacted, That every Deed by which any Commissionee acting in the Execution of any such Commission as aforesaid shall, under this Act, dispose of Lands, shall be void unless introlled in His Majesty's High Court of Chancery in Ireland within Six Calendar Months after the Execution thereof.

LIII. And be it further enacted, That if any Commissionee acting in the Execution of any such Commission as aforesaid shall, under this Act, dispose of any Lands of any Tenant of which the Bankrupt shall be actual Tenant in Tail, and in consequence of there being a Protector of the Settlement by which the Estate of such actual Tenant in Tail was created, and of his not giving his Consent, only a Base Fee shall by such Disposition be created in such Lands; and if at any Time afterwards during the Continuance of the Base Fee there shall cease to be a Protector of such Settlement, then and in such Case, and immediately thereupon, such Base Fee shall be enlarged into the same Estate into which the same could have been enlarged under this Act if at the Time of the Disposition by such Commissionee as aforesaid there had been no such Protector.

LIV. And be it further enacted, That if a Tenant in Tail entitled to a Base Fee in Lands of any Tenant shall be adjudged a Bankrupt at the Time when there shall be a Protector of the Settlement by which the Estate Tail converted into the Base Fee was created, and if such Lands shall be sold or conveyed under the said Act of the Eleventh and Twelfth Years of King George the Third, or any other Act hereafter to be passed concerning Bankrupts, and if at any Time afterwards during the Continuance of the Base Fee in such Lands there shall cease to be a Protector of such Settlement, then and in such Case, and immediately thereupon, the Base Fee in such Lands shall be enlarged into the same Estate into which the same could have been enlarged under this Act if at the Time of the Adjudication of such Bankruptcy there had been no such Protector, and the Commissionee acting in the Execution of the Commission under which the Tenant in Tail as entitled shall have been adjudged a Bankrupt had disposed of such Lands under this Act.

LV. Provided always, and be it further enacted, That where an actual Tenant in Tail of Lands of any Tenant, or a Tenant in Tail entitled to a Base Fee in Lands of any Tenant, shall have already created or shall hereafter create in such Lands, or any of them, a voidable Estate in favour of a Purchaser for valuable Consideration, and such actual Tenant in Tail, or Tenant in Tail so entitled as aforesaid, shall be adjudged a Bankrupt under any such Commission as aforesaid, and the Commissionee acting in the Execution of such Commission shall make any Disposition under this Act of the Lands in which such voidable Estate shall be created, or any of them, then and in such Case, if there shall be no Protector of the Settlement by which the Estate Tail of the actual Tenant in Tail, or the Estate Tail converted into a Base Fee, as the Case may be, was created, or being such Protector he shall consent to the Disposition by such Commissionee as aforesaid, whether such Commissionee may have made under this Act a previous Disposition of such Lands, or not, or whether a prior Sale or Conveyance of the same Lands shall have been made or not under the said Act of the Eleventh and Twelfth Years of King George the Third, or any other Acts hereafter to be passed concerning Bankrupts, the Disposition by such Commissionee shall have the Effect of confirming such voidable Estate in the Lands thereby disposed of to its full Extent as against all Persons, except those whose Rights are saved by this Act; and if at the Time of the Disposition by such Commissionee, in the Case of an actual Tenant in Tail, there shall be a Protector, and such Protector shall not consent to the Disposition by such Commissionee, and such actual Tenant in Tail, if he had not been adjudged a Bankrupt, would not without such Consent have been capable under this Act of confirming the voidable Estate in its full Extent, then and in such Case such Disposition shall have the Effect of confirming such voidable Estate so far as such actual Tenant in Tail, if he had not been adjudged a Bankrupt, could at the Time of such Disposition have been capable under this Act of confirming the same without such Consent; and if at any Time after the Disposition of such Lands by such Commissionee, and while only a Base Fee shall be subsisting in such Lands, there shall cease to be a Protector of such Settlement, and such Protector shall not have consented to the Disposition by such Commissionee, then and in such Case such voidable Estate, so far as the same may not have been previously confirmed, shall be confirmed in its full Extent as against all Persons except those whose Rights are saved by this Act: Provided always, that if the Disposition by any such Commissionee as aforesaid shall be made to a Purchaser for valuable Consideration, who shall not have express Notice of the voidable Estate, and if the Deed or Instrument making such voidable Estate shall not have been registered previous to such Disposition, then and in such Case the voidable Estate shall not be confirmed against such Purchaser and the Persons claiming under him.

LVI. And be it further enacted, That all Acts and Deeds done and executed by a Tenant in Tail of Lands of any Tenant who shall be adjudged a Bankrupt under any such Commission as aforesaid, and which shall affect such Lands or any of them, and which, if he had been seized of or entitled to such Lands in Fee Simple absolute, would have been void against the Assignees of the Bankrupt's Estate, and all Persons claiming under them, shall be void against any Disposition which may be made of such Lands under this Act by such Commissionee as aforesaid.

As to the Intestment of the Deed of Disposition of Lands.

Subsequent Enlargement of Base Fee created by the Disposition of the Commissionee.

Enlargement of Base Fee introlled in the Sale or Conveyance of the same under the Bankrupts Act.

A voidable Estate created in favour of a Purchaser by an actual Tenant in Tail becoming bankrupt, or by a Tenant in Tail entitled to a Base Fee becoming bankrupt, confirmed by the Disposition of the Commissionee, if no Protector, or being such with his Consent, or in his consent to be a Protector; but not against a Purchaser without Notice.

Acts of a Bankrupt Tenant in Tail void against any Disposition under this Act by the Commissionee.



Six Calendar Months after the Execution thereof, and not in His Majesty's High Court of Chancery in Ireland.

LXII. And be it further enacted, That after the Thirty-first Day of October One thousand eight hundred and thirty-four an Act passed in the Fifty-eighth Year of the Reign of His Majesty King George the Third, intitled *An Act for Relief of Persons entitled to Entailed Estates to be purchased with Trust Money in that Part of the United Kingdom called Ireland*, and also an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for relieving an Act passed in the Thirty-sixth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled 'An Act for the Relief of Persons entitled to entailed Estates to be purchased with Trust Money, and for making further Provision in that behalf'*, shall be and the same are hereby repealed, except as to such Proceedings under the Acts hereby repealed as shall have been commenced before the First Day of November One thousand eight hundred and thirty-four, and which may be continued under the Authority and according to the Provisions of the Acts hereby repealed.

LXIII. And be it further enacted, That Lands to be sold, whether Freehold or Leasehold, or of any other Tenure, where the Money arising from the Sale thereof shall be subject to be invested in the Purchase of Lands to be settled, so that any Person, if the Lands were purchased, would have an Estate Tail therein, and also Money subject to be invested in the Purchase of Lands to be settled, so that any Person, if the Lands were purchased, would have an Estate Tail therein, shall for all the Purposes of this Act be treated as the Lands to be purchased, and be considered subject to the same Estates as the Lands to be purchased would, if purchased, have been actually subject to; and all the previous Clauses in this Act, so far as Circumstances will admit, shall in the Case of the Lands to be sold as aforesaid, being either Freehold or Leasehold, or of any other Tenure, apply to such Lands in the same Manner as if the Lands to be purchased with the Money to arise from the Sale thereof were directed to be Freehold, and were actually purchased and settled, and shall, in the Case of Money subject to be invested in the Purchase of Lands to be settled as aforesaid, apply to such Money in the same Manner as if such Money were directed to be laid out in the Purchase of Freehold Lands, and such Lands were actually purchased and settled; and except that in every Case where under this Clause a Disposition shall be to be made of Leasehold Lands for Years, absolute or determinable, so circumstanced as aforesaid, or of Money so circumstanced as aforesaid, such Leasehold Lands or Money shall, as to the Person in whose Favour or for whose Benefit the Disposition is to be made, be treated as Personal Estate; and except in case of Bankruptcy the Assent by which the Disposition of such Leasehold Lands or Money shall be effected shall be an Assent by Deed, which shall have no Operation under this Act, unless enrolled in His Majesty's High Court of Chancery within Six Calendar Months after the Execution thereof; and in every Case of Bankruptcy the Disposition of such Leasehold Lands or Money shall be made by the Commissioner, and completed by Instrument in the same Manner as heretofore required in regard to Lands.

LXIV. And be it further enacted, That, so far as regards any Person adjudged a Bankrupt under any such Commission as aforesaid, the Provisions of the Clause lastly herein-before contained shall, for the Benefit of the Creditors of the Bankrupt, apply to Lands in England to be sold, whether Freehold or Leasehold or of any other Tenure, where the Money arising from the Sale thereof shall be subject to be invested in the Purchase of Lands to be settled so that the Bankrupt, if the Lands were purchased, would have an Estate Tail therein, and also to Money under the Control of any Court of Equity in England, or of or to which any Individuals as Trustees may be possessed or entitled in England, and which shall be subject to be invested in the Purchase of Lands to be settled so that the Bankrupt, if the Lands were purchased, would have an Estate Tail therein, as fully and effectually as if this Act had throughout extended to England: Provided always, that every Deed to be executed by any Commissioner or Protector, as purchaser of this Clause, in regard to Lands in England to be so sold as aforesaid, shall be enrolled in His Majesty's High Court of Chancery in England within Six Calendar Months after the Execution thereof; but every Deed to be executed by any Commissioner or Protector in pursuance of this Clause, in regard to Money subject to be invested in the Purchase of Lands to be so settled as aforesaid, shall be enrolled in His Majesty's High Court of Chancery in Ireland within Six Calendar Months after the Execution thereof, and not in His Majesty's High Court of Chancery in England.

LXV. And be it further enacted, That any Rule or Practice requiring Deeds to be acknowledged before Inrolment shall not apply to any Deed by this Act required to be enrolled in His Majesty's High Court of Chancery in Ireland.

LXVI. And be it further enacted, That every Deed required to be enrolled in His Majesty's High Court of Chancery in Ireland, by which Lands, or Money subject to be invested in the Purchase of Lands, shall be disposed of under this Act, shall, when enrolled as required by this Act, operate and take effect in the same Manner as it would have done if the Inrolment thereof had not been required, except that every such Deed shall be void against any Person claiming the Lands or Money thereby disposed of, or any Part thereof, for valuable Consideration, under any subsequent Deed duly enrolled under this Act, if such subsequent Deed shall be first enrolled.

LXVII. And be it further enacted, That it shall be lawful for His Majesty's High Court of Chancery in Ireland, as in Deeds to be enrolled in Ireland under this Act, from Time to Time to make such Orders as the Court shall think fit touching the Amount of the Fees and Charges to be paid for the Inrolment of such Deeds, and to be paid for Searches for such Deeds in the Office of the Registrar, and

Repeal of the Statute 56 G. 3 c. 42, except as to Proceedings commenced before 1st November 1834.

The previous Clauses, with certain Variations, to apply to Lands of any Tenure to be sold, where the Purchase Money is subject to be invested in the Purchase of Lands to be settled, and where Money subject to be invested in the Purchase of Lands to be settled, and where Money subject to be invested in the Purchase of Lands to be settled.

Lands of any Tenure in England to be sold, where the Purchase Money is subject to be invested in the Purchase of Lands to be settled, and Money under the Control of a Court of Equity, to be subject to this Act in Case of Bankruptcy.

As to Deeds being acknowledged before Inrolment. Every Deed to be enrolled, by which Lands or Money shall be disposed of under this Act, in order to take effect, as if Inrolment was required. The Court of Chancery to regulate the Fees to be paid for Inrolment.

A married Woman, with her Husband's Consent, in Dis-  
posal of Lands, and Money sub-  
ject to be retained in the  
Purchase of  
Lands, and in  
release and ex-  
tinguishment Powers,  
as a Joint Sale

The Powers of  
Disposition  
given to a mar-  
ried Woman by  
this Act not to  
interfere with  
any other  
Powers.

Every Deed by  
a married Woman,  
not executed by her as  
Feme Sole, to be  
acknowledged.

The Judge, be-  
fore receiving  
such Acknow-  
ledgment, to ex-  
amine her apart  
from her Hus-  
band.

As to the Ap-  
pointment of  
perpetual Commis-  
sioners for  
each County or  
Place, and the  
making out and  
keeping of the  
Lists of the  
Commissioners,  
and the Delivery  
of Copies.

Powers of perpe-  
tual Commis-  
sioners not con-  
fined to any  
particular Place.  
If several Places,  
by a married  
Woman be pur-  
chased from  
under the Ack-  
nowledgment,  
Commissioners  
to be appointed.

When a married  
Woman shall  
acknowledge a

to be paid for Copies of the Instruments of Deeds under this Act, where such Copies are examined with the Instruments, and signed by the proper Officers having the Custody of such Instruments.

LXVIII. And be it further enacted, That after the Thirty-first Day of October One thousand eight hundred and thirty-four it shall be lawful for every married Woman, in every Case except that of being Tenant in Tail, for which Provisions is already made by this Act, by Deed to dispose of Lands of any Tenure, and Money subject to be invested in the Purchase of Lands, and also to dispose of, declare, release, surrender, or extinguish any Estate which she alone, or she and her Husband in her Right, may have in any Lands of any Tenure, or in any such Money as aforesaid, and also to release or extinguish any Power which may be vested in or limited or reserved to her in regard to any Lands of any Tenure, or any such Money as aforesaid, or in regard to any Estate in any Lands of any Tenure, or in any such Money as aforesaid, as fully and effectually as she could do if she were a Feme Sole; save and except that no such Disposition, Release, Surrender, or Extinguishment shall be valid and effectual unless the Husband concur in the Deed by which the same shall be effected, save unless the Deed be acknowledged by her as herein-after directed.

LXIX. Provided always, and be it further enacted, That the Powers of Disposition given to a married Woman by this Act shall not interfere with any Power which, independently of this Act, may be vested in or limited or reserved to her, so as to prevent her from exercising such Power in any Case, except so far as by any Disposition made by her under this Act she may be prevented from so doing in consequence of such Power having been suspended or extinguished by such Disposition; but such Powers of Disposition shall not enable a married Woman to dispose of Lands, or any Estate therein, where the Settlement or other Instrument under which she may be entitled to the same shall contain a valid Restriction against the Anticipation thereof by such married Woman.

LXX. And be it further enacted, That every Deed to be executed by a married Woman for any of the Purposes of this Act, except such as may be executed by her in the Character of Protector for the sole Purpose of giving her Consent to the Disposition of a Tenant in Tail, shall, upon her executing the same, or afterwards, be produced and acknowledged by her as her Act and Deed before a Judge of one of the Superior Courts at Dublin, or a Master in Chancery, or before Two of the perpetual Commissioners, or Two special Commissioners, to be respectively appointed as herein-after provided.

LXXI. And be it further enacted, That such Judge, Master in Chancery, or Commissioners as aforesaid, before he or they shall receive the Acknowledgment by any married Woman of any Deed by which any Disposition, Release, Surrender, or Extinguishment shall be made by her under this Act, shall examine her apart from her Husband touching her Knowledge of such Deed, and shall ascertain whether she freely and voluntarily consents to such Deed, and unless she freely and voluntarily consents to such Deed shall not permit her to acknowledge the same; and in such Case such Deed shall, so far as respects to the Execution thereof by such married Woman, be void.

LXXII. And be it further enacted, That for the Purpose of providing convenient Means of taking Acknowledgments by married Women of the Deeds to be executed by them as aforesaid, the Lord Chief Justice of the Court of Common Pleas in Dublin shall from Time to Time appoint such proper Person as he shall think fit, for every County, Riding, Division, or Place for which there may be a Clerk of the Peace, to be perpetual Commissioners for taking such Acknowledgments; and such Commissioners shall be removable by and at the Pleasure of the said Lord Chief Justice; and Lists of the Names of such Commissioners for the Time being, with the Names of their Places of Residence, and the Counties, Ridings, Divisions, or Places for which they shall be respectively appointed to act, shall from Time to Time be made out and be kept by the Officer of the Court of Common Pleas in Dublin, with whose the Ceremonies of the Acknowledgments by married Women are to be lodged as hereinafter mentioned; and such Officer shall from Time to Time transmit, without Fee or Reward, to the Clerk of the Peace for each County, Riding, Division, or Place, or his Deputy, a Copy of the List to be so from Time to Time made out for that County, Riding, Division, or Place; and such Officer shall deliver a Copy, signed by him, of the List for the Time being for any County, Riding, Division, or Place, to any Person applying for the same; and the Clerk of the Peace for each County, Riding, Division, or Place, or his Deputy, shall deliver a Copy, signed by him, of the List last transmitted to him as aforesaid, to any Person applying for the same.

LXXIII. Provided always, and be it further enacted, That any Person appointed Commissioner for any particular County, Riding, Division, or Place shall be competent to take the Acknowledgment of any married Woman whatsoever she may make, and whosoever the Lands or Money in respect of which the Acknowledgment is to be taken may be.

LXXIV. And be it further enacted, That in those Cases where, by reason of Residence beyond Seas, or ill Health, or any other sufficient Cause, any married Woman shall be prevented from making the Acknowledgment required by this Act before a Judge or a Master in Chancery, or any of the perpetual Commissioners to be appointed as aforesaid, it shall be lawful for the Court of Common Pleas in Dublin, or any Judge of that Court, to issue a Commission specially appointing any Persons therein named to be Commissioners to take the Acknowledgment by any married Woman to be therein named of any such Deed as aforesaid. Provided always, that every such Commission shall be made returnable within such Time, to be therein expressed, as the said Court or Judge shall think fit.

LXXV. And be it further enacted, That when a married Woman shall acknowledge any such Deed as aforesaid, the Judge, Master in Chancery, or Commissioners taking such Acknowledgment shall sign a Certificate, to be delivered on or written on the Back of the Original of such Deed, by which Me-

monition, subject to any Alteration which may from Time to Time be directed by the Court of Common Pleas, shall be to the following Effect; *videlicet*,

THIS Deed, marked [Here add some Letter or other Mark for the Purpose of Identification], was this Day produced before me [or us], and acknowledged by her Act and Deed; and previous to which Acknowledgment the said [or us] separately and apart from her Husband, touching her Knowledge of the Contents of the said Deed, and her Consent thereto, and declared the same to be freely and voluntarily executed by her.

And the same Judge, Master in Chancery, or Commissioner shall also sign a Certificate of the taking of such Acknowledgment, to be written or expressed as a separate Piece of Parchment; which Certificate, subject to any Alteration which may from Time to Time be directed by the Court of Common Pleas, shall be to the following Effect; *videlicet*,

THESE are to certify, That on the Day of \_\_\_\_\_ in the Year One thousand \_\_\_\_\_ eight hundred and \_\_\_\_\_ before me, the undersigned \_\_\_\_\_ of the Court of Common Pleas in Dublin, [or before me \_\_\_\_\_ Lord Chief Justice of the Court of King's Bench in Dublin, or before me the undersigned \_\_\_\_\_ One of the Justices of the Ordinary of the Court of Chancery, or before us, A.B. \_\_\_\_\_ and C.D. \_\_\_\_\_ Two of the perpetual Commissioners appointed for the Year of the Reign of His Majesty King William the Fourth, intitled An Act [insert the Title of this Act], or before us, the undersigned A.B. \_\_\_\_\_ and C.D. \_\_\_\_\_ Two of the Commissioners specially appointed pursuant to an Act passed in the Year of the Reign of His Majesty King William the Fourth, intitled An Act [insert the Title of this Act], for taking the Acknowledgment of any Deed by the Wife of \_\_\_\_\_ appeared personally the Wife of \_\_\_\_\_ and produced a certain Instrument, marked [Here add the Mark], bearing Date the Day of \_\_\_\_\_ and made between [insert the Names of the Parties], and acknowledged the same to be her Act and Deed; and I [or we] do hereby certify that the said \_\_\_\_\_ was at the Time of her acknowledging the said Deed of full Age and competent Understanding, and that she was examined by me [or us] apart from her Husband touching her Knowledge of the Contents of the said Deed, and that she freely and voluntarily consented to the same.

LXXVI. And be it further enacted, That every such Certificate as aforesaid of the taking of an Acknowledgment by a married Woman of any such Deed as aforesaid, together with an Affidavit by some Person verifying the same and the Signature thereof by the Party by whom the same shall purport to be signed, shall be lodged with some Officer of the Court of Common Pleas in Dublin to be appointed as hereafter intended; and such Officer shall examine the Certificate, and see that it is duly signed, either by some Judge or Master in Chancery, or by Two Commissioners appointed pursuant to this Act, and duly verified by Affidavit as aforesaid, and shall also see that it contains such Statement of Particulars as to the Consent of the married Woman as shall from Time to Time be required in that behalf; and if all the Requisites in this Act be regard to the Certificate shall have been complied with, then such Officer shall cause the said Certificate and the Affidavit to be filed of Record in the said Court of Common Pleas.

LXXVII. And be it further enacted, That when the Certificate of the Acknowledgment of a Deed by a married Woman shall be so filed of Record as aforesaid, the Deed so acknowledged shall, so far as regards the Disposition, Release, Surrender, or Extinguishment thereby made by any married Woman whose Acknowledgment shall be so certified concerning any Lands or Money comprised in such Deed, take effect from the Time of its being acknowledged, and the subsequent filing of such Certificate as aforesaid shall have relation to such Acknowledgment.

LXXVIII. And be it further enacted, That the Officer of the Court of Common Pleas with whom such Certificates as aforesaid shall be lodged shall make and keep an Index of the same, and such Index shall contain the Names of the married Women and their Husbands alphabetically arranged, and the Dates of such Certificates and of the Deeds to which the same shall respectively relate, and such other Particulars as shall be found convenient; and every such Certificate shall be entered in the Index as soon as may be after such Certificate shall have been filed.

LXXIX. And be it further enacted, That after the filing of any such Certificate as aforesaid the Officer with whom the Certificate shall be lodged shall at any Time deliver a Copy, signed by him, of any such Certificate, to any Person applying for such Copy; and every such Copy shall be received as Evidence of the Acknowledgment of the Deed to which such Certificate shall relate.

LXXX. And be it further enacted, That the Lord Chief Justice of the Court of Common Pleas in Dublin shall from Time to Time appoint the Person who shall be the Officer with whom such Certificates as aforesaid shall for the Time being be lodged, and may remove him at pleasure; and the Court of Common Pleas in Dublin shall also from Time to Time make such Orders and Regulations as the Court shall think fit, touching the Mode of Examination to be pursued by the Commissioners to be appointed under this Act, and touching the particular Matters to be mentioned in such Memorandum and Certificates as aforesaid, and the Affidavits verifying the Certificates, and the Time within which any of the aforesaid Proceedings shall take place, and touching the Amount of the Fees or Charges to be paid for the Copies to be delivered by the Clerks of the Peace or their Deputies, or by the Officer of the said Court, as aforesaid, and also touching the Fees or Charges to be paid for filing and lodging the same.

Deed, the Person making the Acknowledgment to sign a Memorandum in the Index here mentioned;

and also sign a Certificate of the taking of such Acknowledgment, in the Effect here mentioned.

Certificate, with Affidavit verifying the same, to be lodged with some Officer of the Court of Common Pleas, who shall cause the same to be filed of Record in the Court.

On filing Certificates, the Deed, by reference, to take effect from the Time of Acknowledgment.

The Officer with whom the Certificates are lodged is to make an Index of the same.

Officer to deliver a Copy of Certificate filed, which shall be Evidence.

Chief Justice of Common Pleas to appoint the Officer with whom the Certificates shall be lodged, and the Court to make Orders touching the Examination, the Fees, &c. to be paid for the Copies, &c. &c.



cons, Affidavits, &c.

Court of Common Pleas, in the Case of a Husband being Lunatic, &c., may dispense with his Conveyances, except where the Lord Chancellor or other Persons nominated with Counsel, or the Court of Chancery, shall be the Protector of a Settlement in favor of the Husband.

Act may be altered by subsequent Statute.

ments of Deeds, and for examining married Women, and for the Proceedings, Matters, and Things required by this Act to be had, done, and executed for completing and giving Effect to such Acknowledgments and Examinations.

LXXXI. Provided always, and be it further enacted, That if a Husband shall, in consequence of being a Lunatic, Idiot, or of unsound Mind, and whether he shall have been found such by Inquisition or not, shall from any other Cause be incapable of executing a Deed, or if his Residence shall not be known, or he shall be in Prison, or shall be living apart from his Wife, either by mutual Consent or by Sentence of Divorce, or in consequence of his being transported beyond the Seas, or from any other Cause whatsoever, it shall be lawful for the Court of Common Pleas in Dublin, by an Order to be made in a summary Way upon the Application of the Wife, and upon such Evidence as to the said Court shall seem meet, to dispense with the Concurrence of the Husband in any Case in which his Concurrence is required by this Act or otherwise; and all Acts or Deeds to be done, executed, or made by the Wife in pursuance of such Order, in regard to Lands of any Tenure, or in regard to Money subject to be invested in the Purchase of Lands, shall be done, executed, or made by her in the same Manner as if she were a Feme Sole, and when done, executed, or made by her shall (but without Prejudice to the Rights of the Husband as then existing independently of this Act) be as good and valid as they would have been if the Husband had concurred. Provided always, that this Clause shall not extend to the Case of a married Woman where under this Act the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, or other the Person or Persons invested with the Care and Commitment of the Custody of the Person and Estates of Persons found lunatic, idiot, and of unsound Mind, or His Majesty's High Court of Chancery, shall be the Protector of a Settlement in favor of her Husband.

LXXXII. And be it further enacted, That this Act or any Part thereof may be altered, varied, or repealed by any Act or Acts to be passed in the present Session of Parliament.

#### C A P. XCIII.

An Act to amend the Laws relating to Appeals against summary Convictions before Justices of the Peace in Ireland. [15th August 1834.]

WHEREAS General or Quarter Sessions of the Peace are holden in each of the Divisions of the County in Ireland, and it is expedient, for the Ease and Convenience of the Parties concerned in Appeals therefrom from the Orders or Convictions of Justices of the Peace, that the Hearing thereof should be limited to the Sessions holden in the Division wherein such Order or Conviction has been made or pronounced: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act every such Appeal shall and may be heard and determined at the next General or Quarter Sessions of the Peace to be held in the same Division of the County wherein the Order or Conviction has been made or pronounced, and act in the Sessions holden in any other Division of such County; any thing in any Act to the contrary notwithstanding.

#### C A P. XCIV.

An Act to enable His Majesty to invest trading and other Companies with the Powers necessary for the due Conduct of their Affairs, and for the Security of the Rights and Interests of their Creditors. [15th August 1834.]

WHEREAS by an Act passed in the Sixth Year of His late Majesty King George the Fourth, intimated an Act to repeal so much of an Act passed in the Sixth Year of His late Majesty King George the First or relates to the restraining several extravagant and unconscionable Provisions in the said Act mentioned, and for conferring additional Powers upon His Majesty with respect to the granting of Charters of Incorporation in trading and other Companies, it is amongst other Things enacted, that in any Charter hereafter to be granted by His Majesty, His Heirs or Successors, for the Incorporation of any Company or Body of Persons, it shall and may be lawful in and by such Charter to declare and provide that the Members of such Corporation shall be individually liable in their Persons and Property for the Debts, Contracts, and Engagements of such Corporation, to such Extent, and subject to such Regulations and Restrictions, as His Majesty, His Heirs or Successors, may deem fit and proper, and as shall be declared and limited in and by such Charter, and the Members of such Corporation shall thereby be rendered so liable accordingly. And whereas divers Companies and Bodies of Persons do and may from Time to Time associate themselves together for trading, charitable, literary, or other Purposes, which Associations it would be inexpedient to incorporate by Royal Charters, granted either according to the Rules of the Common Law, or in pursuance of the said recited Act, although it would be expedient to confer upon such Associations, or some of them, some of the Privileges and incidents to Corporations created by Royal Charters, and especially the Privilege of suing and being sued in Law, and of defending Suits, Actions, Prosecutions, or other legal Proceedings, in the Name or Names of some One or more of the principal Officers for the Time being of such Associations respectively: Be it therefore enacted by His Majesty, His Heirs or Successors, by and with

Appeals to be heard in the Division of the County wherein the Order or Conviction has been made.

the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Letters Patent to be from Time to Time for that Purpose issued under the Great Seal of the United Kingdom of Great Britain and Ireland, or in Scotland under the Seal appointed by the Articles of Union to be used, and instead of the Great Seal thereof, to grant to any Company or Body of Persons associated together for any trading, charitable, literary, or other Purpose, and to the Heirs, Executors, Administrators, and Assigns of any such Persons, although not incorporated by such Letters Patent, any Privileges or Privileges which, according to the Rules of the Common Law, or in possession of the said recited Act, it would be competent to His Majesty, His Heirs and Successors, to grant to any such Company or Body of Persons in and by any Charter of Incorporation, and especially the before-mentioned Privilege of maintaining and defending Actions, Suits, Proceedings, and other Proceedings, both at Law and at Equity, in the Name or Names of any One or more of the principal Officers for the Time being of any such Associations respectively, which Privileges shall be granted in and by such Letters Patent, in such Manner and form, and upon such Conditions for the Prevention of Abuses in the Management of the Affairs of any such Associations, and for the Security of the Rights and Interests of their Creditors, and for the Protection of the Public at large, as His Majesty, His Heirs and Successors, shall by any such Letters Patent as aforesaid see fit from Time to Time to prescribe and impose; and any Letters Patent which shall be so granted and issued as aforesaid shall, to the Extent of the Privileges thereby granted, and subject to the Conditions to be thereby imposed, be as valid and effectual in the Law as if such Privileges were granted and such Conditions were imposed by any Act passed for granting and imposing the same: Provided always, that in all Cases where such Letters Patent shall be granted to any such Company or Body of Persons, it shall and may be lawful, in all Suits or Proceedings in Equity commenced or instituted against the principal Officer or Officers of such Company or Body of Persons, to join, for the Purpose of Discovery, in such Suits or Proceedings, any Member or Members of such Company as the nominal Defendant or Defendants for or on behalf of such Company or Body of Persons, subject to the Payment by the Plaintiff of such Costs as the Court in which such Proceedings may be had shall in that Behalf order or direct: Provided always, that nothing in this Act contained shall enable His Majesty to grant to any Company or Body of Persons any Privilege under this Act until after Notice in the Gazette shall have been given Three Months that it is intended to grant such Privilege or Privileges.

II. And to the end that the meaning of such Letters Patent, and the Name or Names of the principal Officer or Officers for the Time being of the several Associations thereby constituted, may be made known to the Public, be it enacted, That an Entry of the Grant of such Letters Patent, and of the Name or Names of the principal Officer or Officers therein designated, or who may from Time to Time be appointed by virtue of the Powers for that Purpose contained in such Letters Patent, shall be made in a Book to be kept for that Purpose in the Office of the Clerk of the Patents, and that the same shall be open for Inspection at all reasonable Times, by any Person requiring the same, on Payment of a Fee of One Shilling only; and further, that a sufficient Notice or Memorandum of such Letters Patent, together with the Name or Names of each principal Officer or Officers, be advertised in the London Gazette within One Calendar Month from the Date of such Letters Patent, and also in some One Newspaper published or circulating in the County or Place where the Meetings of any such Association shall be usually held; and also, that upon the Death, or Change from any other Cause whatever, of any such principal Officer or Officers, Notice thereof, and of the Name or Names of the Person or Persons succeeding him or them, shall in like Manner be recorded in the Office of the Clerk of the Patents, and advertised in the London Gazette and in some One Newspaper as aforesaid; and the Officer or Officers so from Time to Time recorded and advertised shall, for all Intents and Purposes, be held and considered as the Party or Parties entitled to sue and to be sued on behalf of his or their respective Associations, within the Meaning of this Act, and of any Power or Powers to be from Time to Time granted by virtue thereof.

III. And be it enacted, That any Decree, Judgment, Order, or Interlocutor made or pronounced in any Action, Suit, or Proceeding in any Court of Law or Equity against any Officer of any such Company, Body, or Association named as aforesaid, shall have the like Effect and Operation upon and against the Property, Funds, and Effects of such Company, Body, or Association, and upon and against the Persons and Property of every and any Member thereof, as if such Company, Body, or Association, and such Member or Members thereof, had been a Party or Parties to such Action, Suit, or Proceeding, and as if such Decree, Judgment, Order, or Interlocutor had been pronounced against such Company, Body, or Association, or against every or any such Member or Members thereof; provided that no Diligence or Execution shall just or be issued thereon without Leave first granted in open Court by the Court in which such Decree, Judgment, Order, or Interlocutor was made or pronounced, and which Motion shall be made on Notice to the Person or Persons sought to be charged, not after the Expiration of Three Years next after such Person or Persons shall have ceased to be a Member of such Company, Body, or Association.

IV. Provided always, and be it enacted, That the principal Officer or Officers for the Time being of such Company or Body of Persons to whom such Letters Patent shall be granted shall, in the first Week of the Month of June and in the first Week of the Month of December in each Year during the Continuance of such Letters Patent, cause a true List of the Names of all the then existing Members of such Company or Body of Persons, with their respective Shares of Advice and the respective

His Majesty incorporated by Letters Patent to grant to trading Companies and incorporated societies Privileges for Protection of Invention and of the Public.

Name of any Member may be joined with principal Officer or Officers in Suits at Equity.

No Privilege to be granted until after Three Months Notice in Gazette.

Entry of Grant of Letters Patent to be made in the Office of Clerk of the Patents, and a Memorandum thereof published in the London Gazette and in One Newspaper in the Neighbourhood of the Association.

Decree, Judgment, Order, or Interlocutor made against such Company to extend to the Property of such Company and to the Person and Estates of every Member thereof.

List of Members with Shares of Advice, to be filed with Clerk of Patents, and to be open to Inspection.

filed with the Clerk of the Patents, and that the same shall be open for Inspection at all reasonable Times by any Person requiring the same.

V. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or be construed to authorize the Grant to any Company or Body of Persons of any Privilege or Derogation of any exclusive Privileges now enjoyed by any Company or Corporation under any Act or Acts of Parliament.

## C A P. XCV.

An Act to empower His Majesty to erect South Australia into a British Province or Provinces, and to provide for the Colonization and Government thereof. [15th August 1834.]

WHEREAS that Part of Australia which lies between the Meridians of the One hundred and thirty-second and One hundred and forty-first Degrees of East Longitude, and between the Southern Ocean and Twenty-six Degrees of South Latitude, together with the Islands adjacent thereto, consists of waste and unoccupied Lands which are supposed to be fit for the Purposes of Colonization: And whereas divers of His Majesty's Subjects possessing amongst them considerable Property are desirous to embark for the said Part of Australia: And whereas it is highly expedient that His Majesty's said Subjects should be enabled to carry their said laudable Purpose into effect: And whereas the said Persons are desirous that in the said intended Colony an uniform System in the Mode of disposing of Waste Lands should be permanently established: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, with the Advice of His Privy Council, to erect within that Part of Australia which lies between the Meridians of the One hundred and thirty-second and One hundred and forty-first Degrees of East Longitude, and between the Southern Ocean and the Twenty-six Degrees of South Latitude, together with all and every the Islands adjacent thereto, and the Bays and Gulfs thereof, with the Advice of His Privy Council, to establish One or more Provinces and to fix the respective Boundaries of such Provinces; and that all and every Person who shall at any Time hereafter inhabit or reside within His Majesty's said Province or Provinces shall be free, and shall not be subject to or bound by any Laws, Orders, Statutes, or Constitutions which have been heretofore made, or which hereafter shall be made, ordered, or enacted by, for, or as the Laws, Orders, Statutes, or Constitutions of any other Part of Australia, but shall be subject to and bound to obey such Laws, Orders, Statutes, and Constitutions as shall from Time to Time, in the Manner herein-after directed, be made, ordered, and enacted for the Government of His Majesty's Province or Provinces of South Australia.

II. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by any Order or Orders to be by Him or Them made with the Advice of His or Their Privy Council, to make, ordain, and subject to such Conditions and Restraints as to Him and Them shall seem meet, to authorize and empower any One or more Persons resident and being within any One of the said Provinces to make, ordain, and establish all such Laws, Institutions, or Ordinances, and to constitute such Courts, and appoint such Officers, and also such Chaplains and Clergymen of the Established Church of England or Scotland, and to impose and levy such Rates, Duties, and Taxes, as may be necessary for the Peace, Order, and good Government of His Majesty's Subjects and others within the said Province or Provinces; provided that all such Orders, and all Laws and Ordinances so to be made as aforesaid, shall be laid before the King in Council as soon as conveniently may be after the making and amending thereof respectively, and that the same shall not in anywise be contrary or repugnant to any of the Provisions of this Act.

III. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by Warrant under the Great Seal, to be countersigned by His Majesty's Principal Secretary of State for the Colonies, to appoint Three or more fit Persons to be Commissioners to carry certain Parts of this Act, and the Powers and Authorities herein-after contained, into execution, and also from Time to Time at pleasure to remove any of the Commissioners for the Time being, and upon every or any Vacancy in the said Number of Commissioners, either by Removal or by Death or otherwise, to appoint some other fit Persons to the said Office; and until such Appointment, it shall be lawful for the surviving or continuing Commissioners or Commissioner to act as if no such Vacancy had occurred.

IV. And be it further enacted, That the said Commissioners shall be styled "The Colonization Commissioners for South Australia"; and the said Commissioners or any Two of them may sit from Time to Time, as they deem expedient, as a Board of Commissioners for carrying certain Parts of this Act into execution.

V. And be it further enacted, That the said Commissioners shall cause to be made a Seal of the said Board, and shall cause to be sealed or stamped therewith all Rules, Orders, and Regulations made by the said Commissioners in pursuance of this Act; and all such Rules, Orders, and Regulations, or Copies thereof, purporting to be sealed or stamped with the Seal of the said Board, shall be received as Evidence of the same respectively without any further Proof thereof; and no such Rule, Order, or Regulation, or Copy thereof, shall be valid, or have any Force or Effect, unless the same shall be so sealed or stamped or stamped.

VI. And be it further enacted, That the said Commissioners shall and they are hereby empowered to declare all the Lands of the said Province or Provinces (excepting only Portions which may be reserved for Roads and Footpaths) to be Public Lands, open to Purchase by British Subjects, and to make such Orders and Regulations for the surveying and Sale of such Public Lands at such Price as the said Commissioners may from Time to Time deem expedient, and for the letting of the Commons of Pasture of unsold Portions thereof as to the said Commissioners may seem meet, for any Period not exceeding Three Years; and from Time to Time to alter and revoke such Orders and Regulations, and to employ the Moneys from Time to Time received as the Purchase Money of such Lands, or as Rent of the Commons of Pasture of unsold Portions thereof, in conducting the Emigration of poor Persons from Great Britain or Ireland to the said Province or Provinces: Provided always, that no Part of the said Public Lands shall be sold except in public for ready Money, and either by Auction or otherwise as may seem best to the said Commissioners, but in no Case and at no Time for a lower Price than the Sum of Twelve Shillings Sterling per English Acre; Provided also, that the Sum per Acre which the said Commissioners may declare during any Period to be the spot or selling Price at which Public Lands shall be sold shall be an uniform Price; (that is to say,) the same Price per Acre whatever the Quantity or Situation of the Land put up for Sale: Provided also, that the whole of the Fees from Time to Time received as the Purchase Money of the said Lands, or as the Rent of the Commons of Pasture of unsold Portions thereof, shall constitute a "Emigration Fund," and shall, without any Deduction whatsoever, except in the Case herein-after provided for, be employed in conveying poor Emigrants from Great Britain or Ireland to the said Province or Provinces: Provided also, that the poor Persons who shall by means of the said "Emigration Fund" be conveyed to the said Province or Provinces shall, as far as possible, be adult Persons of the Two Sexes in equal Proportions, and not exceeding the Age of Thirty Years.

VII. And be it further enacted, That so poor Persons having a Husband or Wife (as the Case may be), or a Child or Children, shall, by means of the said "Emigration Fund," obtain a Passage to the said Province or Provinces, unless the Husband or Wife (as the Case may be), or the Child or Children of such poor Persons, shall also be conveyed to the said Province or Provinces.

VIII. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by Warrant under the Sign Manual, to be countersigned by His Majesty's Principal Secretary of State for the Colonies, to appoint a Commissioner of Public Lands to be resident in the said Colony, and to set under the Orders of the said Board of Commissioners as herein-after directed.

IX. And be it further enacted, That the said Commissioners shall and they are hereby empowered to appoint such Persons or Persons as they may think fit Treasurer, Assistant Surveyors, and other Officers, for carrying the Act into execution respecting the Disposal of the said Public Lands and the Purchase Money thereof, and to remove such Treasurer or Assistant Surveyors or other Officers at their Discretion, and on every or any Vacancy in the said Office of Treasurer, Assistant Surveyor, or other Officer, by Removal or by Death or otherwise, to appoint, if they see fit, some other Person to the said Office.

X. And be it further enacted, That it shall and may be lawful for the said Commissioners to delegate to the said Colonial Commissioner, Assistant Surveyor, or other Officer, or to any of them, such of the Powers and Authorities with respect to the Disposal of the Public Lands of the said Province or Provinces as the said Commissioners shall think fit; and the Powers and Authorities so delegated, and the Delegation thereof, shall be notified in such Manner, and such Powers and Authorities shall be exercised at such Places, for such Periods, and under such Circumstances, and subject to such Regulations, as the said Commissioners shall direct; and the said Commissioners may at any Time revoke, recall, alter, or vary all or any of the Powers and Authorities which shall be so delegated as aforesaid.

XI. And be it further enacted, That all Moneys under the Control of the said Board of Commissioners shall be received and paid by the Treasurers who may be appointed by the said Board, and who shall give Security for the faithful Discharge of their Duties to such Amount; and in such Manner as to the said Commissioners may seem fit.

XII. And be it further enacted, That all Accounts of the said Treasurer shall be submitted to the Lords of His Majesty's Treasury, and be audited in the same Manner as other Public Accounts.

XIII. And be it further enacted, That the said Commissioners may and they are hereby empowered from Time to Time to appoint a Secretary, Treasurer, and all such Clerks, Messengers, and Officers as they shall think fit, and from Time to Time, at the Discretion of the said Commissioners, to remove such Secretary, Treasurer, Clerks, Messengers, and Officers, or any of them, and to appoint others in their Stead.

XIV. And be it further enacted, That every Commissioner and Colonial Commissioner to be appointed from Time to Time shall, before he shall enter upon the Execution of his Office, take the following Oath before one of the Judges of His Majesty's Court of Common Pleas, or one of the Barons of the Court of Exchequer, or (in the Case of such Colonial Commissioners) before the Judge of one of His Majesty's Courts in the said Province or Provinces; (that is to say,)

"I, A.B. do swear, That I shall faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute and fulfil all the Powers and Duties of a Commissioner [or Colonial Commissioner, as the Case may be.] under an Act passed in the Fifth Year of the Reign of King William the Fourth, entitled 'An Act for the better Regulation of the Colonies.'"

Commissioners to make Orders for the Sale of Land.

Funds received at Public Auction to form a Fund for conveying poor Emigrants to the Provinces.

No poor Person to be allowed a Passage from Great Britain or Ireland to the Provinces.

A Resident Commissioner to be appointed.

Treasurer and other Officers may be appointed and removed.

Powers may be delegated to Colonial Commissioners.

Treasurers to receive and pay all Moneys, and to give Security.

Accounts to be audited.

Appointments of Officers.

Commissioners to take Oath.

Salaries to be paid by Lords of Treasury.

Proceedings of Commissioners to be reported to Secretary of State, and laid before Parliament.

Until Sale of Lands, Money to be raised by Bond for conveying land, poor Emigrants.

Power to borrow Money to pay Expenses of Colony.

Commissioners may reduce Rate of Interest.

Lands of Colony to be deemed a collateral Security.

Commissioners may sue and be sued by the

XV. Provided always, and be it further enacted, That the Salaries to be paid to all such Persons as may be appointed to any Office under this Act shall be paid by the Lords of His Majesty's Treasury, and by this shall be reserved from Time to Time as they may deem expedient.

XVI. And be it further enacted, That the said Commissioners shall, at least once in every Year, and at such other Times and in such Form as His Majesty's Principal Secretary of State for the Colonies shall direct, submit to the said Secretary of State a full and particular Report of their Proceedings; and every such Report shall be laid before both Houses of Parliament within Six Weeks after the Receipt of the same by the said Secretary of State, if Parliament be then sitting, or if Parliament be not sitting, three within Six Weeks after the next Meeting thereof.

XVII. And be it further enacted, That it shall and may be lawful for the said Commissioners, previously and until the Sale of Public Lands in the said Province shall have produced a Fund sufficient to defray the Cost of conveying to the said Province or Provinces from Time to Time such a Number of poor Emigrants as may by the said Commissioners be thought desirable, from Time to Time to borrow and take up on Bond or otherwise, payable by Instalments or otherwise, at Interest not exceeding Ten Pounds per Centum per Annum, any Sum or Sums of Money not exceeding Fifty thousand Pounds, for the sole Purpose of defraying the Costs of the Passage of poor Emigrants from Great Britain or Ireland to the said Province or Provinces, by granting and issuing, to any Person or Persons willing to advance such Monies, Bonds or obligatory Writings under the Hands and Seals of the said Commissioners or of any Two of them, which Bonds or other obligatory Writings shall be termed "South Australia Public Lands Securities;" and all such Sum or Sums of Money not exceeding in the whole Fifty thousand Pounds so borrowed or taken up by means of the Bonds or Writings obligatory aforesaid, for the sole Purpose aforesaid, shall be borrowed on the Credit of and be deemed a Charge upon the whole of the Fund to be received as the Purchase Money of Public Lands, or as the Issue of the Customs of Passage of unsoil Portulans thereof; and it shall and may be lawful for the said Commissioners from Time to Time to appropriate all or any Part of the Monies which may be obtained by the Sale of Public Lands in the said Province or Provinces to the Payment of Interest on any such Sum or Sums borrowed and taken up as aforesaid, or to the Repayment of such Principal Sum or Sums.

XVIII. And be it further enacted, That for defraying the necessary Costs, Charges, and Expenses of founding the said intended Colony, and of providing for the Government thereof, and for the Expenses of the said Commissioners (excepting always the Purpose whereunto the said Emigration Fund is made solely applicable by this Act), and for defraying all Costs, Charges, and Expenses incurred in carrying this Act into execution, and applying for and obtaining this Act, it shall and may be lawful for the said Commissioners from Time to Time to borrow and take up on Bond or otherwise, payable by Instalments or otherwise, at Interest not exceeding Ten Pounds per Centum per Annum, any Sum or Sums of Money required for the Purpose last aforesaid, not exceeding in the whole the Sum of Two hundred thousand Pounds, by granting or issuing, to any Person or Persons willing to advance such Monies, Bonds or obligatory Writings under the Hands and Seals of the said Commissioners or any Two of them, which Bonds or other obligatory Writings shall be termed "South Australia Colonial Revenue Securities;" and all such Sum or Sums of Money by the said Commissioners so borrowed and taken up as last aforesaid shall be and is and are hereby declared to be a Charge upon the ordinary Revenue or Produce of all Rates, Duties, and Taxes to be levied and collected as herein-before directed within the said Province or Provinces, and shall be deemed and taken to be a Public Debt owing by the said Province to the Holders of the Bond or Bonds or other Writings obligatory by the said Commissioners granted for the Purpose last aforesaid.

XIX. And be it further enacted, That it shall and may be lawful for the said Commissioners at any Time to borrow or take up any Sum or Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Security or Securities previously given by them under and by virtue of this Act which may then be in force shall bear, and therewith to pay off and discharge any existing Security or Securities bearing a higher Rate of Interest as aforesaid.

XX. And be it further enacted, That in case it should so happen that the said Commissioners shall be unable to raise by the Issue of the said Colonial Revenue Securities the whole of the said Sum of Two hundred thousand Pounds, or that the ordinary Revenue of the said Province or Provinces shall be insufficient to discharge the Obligations of all or any of the said Securities, then and in that Case, but not otherwise, the Public Lands of the said Province or Provinces then remaining unsold, and the Monies to be obtained by the Sale thereof, shall be deemed a collateral Security for Payment of the Principal and Interest of the said Colonial Debt: Provided always, that no Monies obtained by the Sale of Public Lands in the said Province or Provinces shall be employed in defraying the Principal or Interest of the said Colonial Debt so long as any Obligation created by the said South Australia Public Lands Securities shall remain undischarged: Provided also, that in case, after the Discharge of all Obligations created by the said South Australia Public Lands Securities, any Part of the Monies obtained by the Sale of Public Lands in the said Province or Provinces shall be employed to discharge any of the Obligations created by the said Colonial Revenue Securities, then and in that Case the Amount of such Defaulting Sum the said Emigration Fund shall be deemed a Colonial Debt owing by the said Province to the Colonization Commissioners for South Australia, and be charged upon the ordinary Revenue of the said Province or Provinces.

XXI. And be it further enacted, That the Commissioners mentioned and appointed by His Majesty in this Act may sue and be sued in the Name or Names of any One of such Commissioners, or of their Secretary, Clerk or Clerks for the Time being; and that no Action or Suit to be brought or commenced by

by or against any of the said Commissioners in the Name or Names of any One of such Commissioners, or their Secretary or Clerk, shall shute or be discontinued by the Death or Removal of such Commissioner, Secretary, or Clerk, or any of them, or by the Act of such Commissioner, Secretary, or Clerk, or any of them, without the Consent of the said Commissioners but that any One of the said Commissioners, or the Secretary or Clerk for the Time being to the said Commissioners, shall always be deemed to be the Plaintiff or Defendant (as the Case may be) in every such Action or Suit: Provided always, that nothing herein contained shall be deemed, construed, or taken to extend to make the Commissioners who shall sign, execute, or give any of the Bonds or obligatory Writings so hereby authorized or directed to be given personally, or their respective Estates, Lands, or Tenements, Goods and Chattels, or such Secretary or Clerk, or their or either of their Lands and Tenements, Goods and Chattels, liable to the Payment of any of the Monies so borrowed and secured by reason of their giving any such Bonds or Securities as aforesaid, or of their being Plaintiff or Defendant in any such Action as aforesaid; but that the Costs, Charges, and Expenses of every such Commissioner, Secretary, or Clerk, by reason of having been made Plaintiff or Defendant, or for any Contract, Act, Matter, or Thing whatsoever made or entered into in the best full Execution of this Act, from Time to Time be defrayed by the said Commissioners out of the Money so borrowed and taken up as aforesaid.

XXII. And be it further enacted, That no Person or Persons convicted in any Court of Justice in Great Britain or Ireland, or elsewhere, shall at any Time or under any Circumstances be transported as a Convict to any Place within the Limits herein-before described.

XXIII. And be it further enacted, That it shall and may be lawful for His Majesty, by and with the Advice of His Privy Council, to fix, amend, and establish a Constitution or Constitutions of Local Government for any of the said Provinces possessing a Population of Fifty thousand Souls, in such Manner, and with such Provisions, Limitations, and Restrictions, as shall to His Majesty, by and with the Advice of His Privy Council, be deemed most and desirable: Provided always, that the Mode herein-before directed of disposing of the Public Lands of the said Province or Provinces by Sale only, and of the Fund obtained by the Sale thereof, shall not be liable to be in anywise altered or changed otherwise than by the Authority of His Majesty and the Consent of Parliament: Provided also, that in the said Constitution of Local Government for the said Province or Provinces, Provision shall be made for the Satisfaction of the Obligations of any of the said Colonial Revenue Securities which may be contracted at the Time of framing such Constitution of the said Province or Provinces.

XXIV. And be it further enacted, That for the Purpose of providing a Guarantee or Security that no Part of the Expense of founding and governing the said intended Colony shall fall on the Mother Country, the said Commissioners shall and are hereby empowered and required, out of the Monies borrowed and taken up as aforesaid on the Security of the said South Australian Colonial Revenue Securities, to invest the Sum of Twenty thousand Pounds in the Purchase of Exchequer Bills or other Government Securities in England, in the Names of Trustees to be appointed by His Majesty; and the said Trustees shall hold the said Exchequer Bills or other Government Securities so long as may seem fit to His Majesty's Principal Secretary of State for the Colonies; or shall, in case it shall seem fit to His Majesty's Principal Secretary of State for the Colonies, dispose of the same for any of the Purposes to which the Monies raised by the Issue of the said South Australian Colonial Revenue Securities are hereby made applicable: Provided always, that if the said Secretary of State should dispose of any Part of the said Twenty thousand Pounds, a Sum or Sums equal to the Sum or Sums so disposed of shall be invested in the Names of the said Trustees by the said Commissioners, so that the said Guarantee or Security Fund of Twenty thousand Pounds shall not at any Time be reduced below that Amount: Provided always, that the Interest and Dividends accruing from Time to Time upon the said Exchequer Bills, or other Government Securities, shall be paid to the said Commissioners, and by them be devoted to the Purpose to which, as herein-before directed, the Monies to be raised by the Issue of the aforesaid South Australian Colonial Revenue Bonds are made applicable.

XXV. And be it further enacted, That if after the Expiration of Ten Years from the passing of this Act the Population of the said Province or Provinces shall be less than Twenty thousand natural-born Subjects, then and in that Case of the Public Lands of the said Province or Provinces which shall then be unaid shall be liable to be disposed of by His Majesty, His Heirs and Successors, in such Manner as to him or them shall seem meet: Provided always, that in case any of the Obligations created by the said South Australian Public Lands Securities should then be unsatisfied the Amount of such Obligations shall be deemed a Charge upon the said unaid Public Lands, and shall be paid to the Holders of such Securities out of any Monies that may be obtained by the Sale of the said Lands.

XXVI. And be it further enacted, That until the said Commissioners shall, by the granting and issuing of Bonds and Writings obligatory as aforesaid, that is to say, "South Australian Colonial Revenue Securities," have raised the Sum of Twenty thousand Pounds, and have invested the same in the Purchase of Exchequer Bills, or other Government Securities, as herein-before directed, and until the Persons intending to settle in the said Province or Provinces and others shall have invested, (either by Payment to the said Commissioners, or in the Names of Trustees to be appointed by them,) for the Purchase of Public Lands in the said Province or Provinces, the Sum of Thirty-five thousand Pounds, none of the Powers and Authorities hereby given to His Majesty, or to the said Commissioners, or to any Person or Persons, except as respects the Exercise by the said Commissioners of such Powers as are required for raising Money by means of and on the Security of the Bonds or Securities last aforesaid, and for receiving and holding the aforesaid Sum of Thirty-five thousand Pounds in the Purchase of Public Lands, shall be of any Effect, or have any Operation whatsoever.

None of Our Commissioners or of our Clerk or Secretary.

Convicts not to be transported to the Colony.

A Constitution to be established when there shall be Fifty thousand Inhabitants.

20,000 to be invested in Exchequer Bills as a Security upon the Mother Country.

If after Ten Years the Population shall be less than 20,000 natural-born Subjects Lands to be liable to be disposed of by His Majesty.

Powers of Commissioners to commence until the Money is raised, except for that Purpose.

## C A P. XCVL

An Act to enable the Commissioners of Sewers for the City and Liberty of Westminster and Part of the County of Middlesex to make a new Sewer at Bognorater in the County of Middlesex.

[18th August 1834.]

Letters Patent,  
dated 27th  
August 1 W. 4,  
and 13th Sept.  
1 W. 4.

47 G. S. 7

Commissioners of  
Sewers may  
make a Wear  
and Sewer;

to enter upon  
Towns for  
the Purpose of  
the Act;

to have the same  
Towns to be  
before the passing  
of the Act;

to borrow Money  
from Exchequer  
Loan Commis-  
sioners.

47 G. S. 6 34.

Rate of Interest  
to be paid.

WHEREAS by His Majesty's Letters Patent, one under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing Date the Twenty-seventh Day of August in the First Year of His Majesty King William the Fourth, and the other under the Seal of the Duchy of Lancaster, and bearing Date the Eighteenth Day of September in the said First Year of the Reign of His said Majesty King William the Fourth, the Most Reverend Father in God William Archbishop of Canterbury, John Syngher Lord Lyndhurst, then Lord High Chancellor of Great Britain, Henry Charles Duke of Devonport, and others therein named, have been appointed Commissioners of Sewers for the City and Liberty of Westminster and Part of the County of Middlesex; And whereas by virtue of an Act made and passed in the Forty-seventh Year of the Reign of King George the Third, intituled *An Act to enlarge the Powers and extend the Jurisdiction of the Commissioners of Sewers for the City and Liberty of Westminster and Part of the County of Middlesex*, the Jurisdiction of the said Commissioners was extended to and over the Walls, Ditches, Banks, Gattens, Sewers, Gates, Cunnys, Bridges, Streets, and Watercourses of the City of London as therein mentioned, extending to and including amongst others the Parishes of *Saint John Horseshoe, Paddington*, and such Part of the Parish of *Willesden* as is drained by the Watercourses therein mentioned: And whereas by reason of the Increase of Buildings, and various Improvements made and intended to be made in the Parts of the Parishes of *Saint Mary Abbots, Saint Mary-le-Bone, Saint John Horseshoe, and Willesden*, lying on the North Side of the Road leading from *Oxford Street to Uxbridge*, called the *Uxbridge Road*, it is expedient that the Drainage thereof should be altered, enlarged, and improved, and that the Soil Drainage of the *Bognorater* or *Winfouren Brook* should be diverted from the *Serpentine River*, and that for such Purposes the aforesaid Commissioners of Sewers should be authorized to make such Wear or Tumbling Bay and a Tunnel Sewer as is hereinafter mentioned, and should have such Powers as are hereinafter contained for raising One Moiety of the Money necessary to defray the Expenses of constructing the same; and it is reasonable that the other Moiety thereof should be defrayed out of the Land Revenues of the Crown, in consideration of the Advantages which the Property of the Crown will derive by the Diversion of the Soil Drainage from the *Serpentine River*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Commissioners of Sewers for the Time being, or such Number of them as are authorized to act by virtue of the said Commission of Sewers, shall, within Nine Calendar Months from the passing of this Act, cause to be constructed a Wear or Tumbling Bay of the Height of Two Feet across the said Brook called the *Bognorater* or *Winfouren Brook*, at or near the Spot where the said Brook crosses the Road at *Bognorater*, and shall also cause to be constructed a Tunnel Sewer or Sewer from such Tumbling Bay along the *Uxbridge Road* aforesaid to the Tunnel Sewer nearly opposite the End of *Abbot Street, Uxbridge Road*, which passes through *Hyde Park* aforesaid, and communicates with the open Watercourse or Sewer called *Knightsbridge Sewer*, so that all the Water Drainage and Soil passing down the said Brook (and not passing over such Wear) may pass along such Tunnel Sewer so to be made as aforesaid, such Tunnel Sewer to be Six Feet high and Four Feet Six Inches wide at the least, and to be constructed in all other respects as the said Commissioners shall think fit; and the same and the Tumbling Bay, when finished, shall become Part of the Public Sewers under the Jurisdiction of the said Commissioners.

II. And be it further enacted, That for the Purpose of carrying this Act into effect the said Commissioners of Sewers shall have full Power and Authority by virtue of this Act to enter upon any Part of the said Road, and to cause to be constructed in any Part thereof all such Works as the said Commissioners shall deem necessary for effecting the Purposes of this Act.

III. And be it further enacted, That for the Purpose of carrying into effect the Powers and Duties in this Act contained the said Commissioners of Sewers shall have all and every the Powers which they possessed before the passing of this Act, either by virtue of the aforesaid Commission, or of any Law, Statute, or Usage now in force, and such Powers shall be applicable to this Act.

IV. And be it further enacted, That for defraying One Moiety of the Expenses of the Works hereby directed to be done, the said Commissioners of Sewers may from Time to Time borrow and take up at Interest, on the Credit of the Rates to be made and levied by virtue of this Act or of any other Act now in force, any Sums or Sums, not exceeding in the whole the Sum of Three thousand five hundred Pounds, from the Commissioners for carrying into execution an Act passed in the Fifty-seventh Year of the Reign of King George the Third, intituled *An Act to authorize the Issue of Exchequer Bills* and the Advances of Money out of the Consolidated Fund, in a Sinking Account, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, and several subsequent Acts for extending and amending the Powers for the issuing of Exchequer Bills for Public Works; and the said last-mentioned Commissioners are hereby authorized and required to advance and lend the same accordingly.

And be it further enacted, That Interest shall be paid on the Amount of the Money so to be advanced by the said Commissioners for issuing Exchequer Bills to the Commissioners acting under this

Six Act, or on so much thereof as shall for the Time being remain due and unpaid, after the Rate Four Pounds per Censur per Annum, any thing in the said Act for the issuing of Exchange Bills, or any of them, to the contrary notwithstanding; and that the Principal Money so advanced shall be repaid by Twenty equal yearly Installments, the first of each Installment to be paid at the Expiration of Twelve Calendar Months from the Time of advancing the said Money.

VI. And be it further enacted, That it shall and may be lawful for the said Commissioners of Sewers acting under this Act, and they are hereby authorized and required, to make, impose, and levy on all Lodges, Houses, Shops, Warehouses, Coach-houses, Stables, or other Buildings, Yards, and Gardens within the said Parishes of *Saint Mary Pookington* and *Saint Mary-le-towne*, and the Parishes of *Saint John Baptist* and *Willesdon*, in the said County of *Middlesex*, draining into or using or in any way benefited by the said *Wagonway* or *Wardour Wood*, or which Lodges, Houses, Shops, Warehouses, Coach-houses, Stables, or other Buildings shall or may drain into, use, or in any way be benefited by the same, or drain into or use or in any way be benefited by the Tunnel Sewer hereby directed to be made, in the Opinion of the said Commissioners of Sewers, all such Rates, Taxes, or Assessments as shall be necessary for the Repayment of the said Principal Sum or Sums of Money so to be borrowed as aforesaid, and the Interest thereon, and after such Rate, and in such Proportions, and in such Manner as they shall think fit.

Commissioners empowered to levy Rates.

VII. And be it further enacted, That it shall and may be lawful for the said Commissioners of Sewers from Time to Time, by Writing under their Hands and Seals, or of any Six or more of them, to assign all or any Part of the said Rates, Taxes, or Assessments to the said Commissioners for issuing Exchange Bills, on their advancing any such Sum or Sums as aforesaid, as a Security for the Principal Money so to be advanced, and the Interest for the same.

and to assign the Rates.

VIII. And be it further enacted, That for defraying the remaining Moiety of the Expenses of the Works hereby directed to be done, it shall be lawful for the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of His Majesty, and they are hereby authorized and directed, to advance and pay to the said Commissioners of Sewers, out of the Funds of the Crown under their Control and Management, any Sum or Sums necessary for defraying One Moiety of the Expenses of the aforesaid Works, not exceeding in the whole the Sum of Three thousand five hundred Pounds.

Not exceeding 3,500L may be advanced for defraying a Moiety of the Expenses under this Act.

IX. Provided always, and be it further enacted, That the said Commissioners of Sewers shall and they are hereby required to keep a separate and distinct Account of all Moneys expended by them in making and completing the said Sewer and other Works by this Act authorized to be made.

A distinct Account to be kept



## LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,  
AND TO BE JUDICIALLY NOTICED.

N.B.—The Continuance of each of the following Acts or are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter of the End of the Title.

- (a) For 31 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.  
(b) For 31 Years, &c. from the passing of the Act.

The following are all PUBLIC ACTS; to each of which is annexed a Clause in the Form following:

- " And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and  
" shall be judicially taken notice of as such by all Judges, Justices, and others, without being  
" specially pleaded."

## Cap. i.

An Act to empower the *Liverpool Oil Gas Light Company* to produce Gas from Coal and other Materials, and to amend the Act relating to the said Company. [20th March 1834.]

[Powers of 6 G. 4. c. xxxix. (except as altered) extended to this Act, § 1. Company empowered to raise additional Capital not exceeding £10,000, § 5.]

## Cap. ii.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for making and maintaining a Railway or Tramroad from or near the City of Bristol to Coalpit Heath in the Parish of Westerleigh in the County of Gloucester*. [20th March 1834.]

[Powers of 9 G. 4. c. xxviii. (except as altered) extended to this Act, § 1. Company empowered to raise a further Sum not exceeding £20,000, § 2.]

## Cap. iii.

An Act to enlarge and amend the Powers and Provisions of an Act relating to the *Stair Hole's and Raxworth Gap Railway Company*. [20th March 1834.]

[Powers of 11 G. 4. c. lxi. (except as altered) extended to this Act, § 1. Company empowered to raise £40,000 on Mortgage, § 2.]

## Cap. iv.

An Act for building a Bridge over *Stole* otherwise *Hasler Lake*, which separates *Gosport* from *Haslar*, both in the Parish of *Alderholt* in the County of *Southampton*, and for making Approaches thereto. [20th March 1834.]

[Tolls to be paid on Carriages offered to others, § 47. The King and Royal Family exempted from Toll, § 48. The Admiralty and Ordnance to pay an annual Sum of £50 each for their Officers and Servants in lieu of Toll, § 49.]

## Cap. v.

An Act for better assessing the Poor and other Rates on small Tenements within the Parish of *Stoolmead* in the East Riding of the County of *York*. [20th March 1834.]

## Cap. vi.

An Act to repeal an Act passed for better assessing and recovering the Poor and other Rates upon small Tenements within the Parish of *Liverpool* in the County Palatine of *Lancaster*. [20th March 1834.]

[1 H. 6. c. xxi. repealed, § 1.]

## Cap. vii.

An Act to alter, amend, enlarge, and extend the Powers and Provisions of an Act for enabling the Company of Proprietors of *Lambeth Waterworks* to supply the Inhabitants of the Parish of *Lambeth* and Parts adjacent in the County of *Surrey* with Water. [20th March 1834.]

[Powers of 27 G. 3. c. 100. (except as altered) extended to this Act, § 1. Company empowered to raise £150,000, § 20. Saving of Rights under *Metropolis Paving Act*, § 10.]

## Cap. vii.

An Act for removing the Markets held in the *High and Five Street* and other Places within the City of *Exeter*, and for providing other Markets in lieu thereof. [20th March 1834.]

[1 G. 4. c. lxxviii. repealed, except as relates to the *Cattle Market*, § 1. *Saving the Rights of the Corporation of Exeter*, § 74; and of the *Dean and Chapter*, § 75.]

## Cap. ix.

An Act for enabling the *Ocean Assurance Company* to sue and be sued in the Name of the *Charman* for the Time being, or of any One of the *Directors* of the said Company. [20th March 1834.]

## Cap. x.

An Act for more effectually repairing and maintaining the Road from *Creswell Hill* in the Parish of *Hayfield* to *Ubley's Corner* in the Parish of *Albourne*, and from the *King's Head Inn* in *Albourne*, through the *Town of Harstrop*, to the *Cross Roads* in the *Town of Ditchling*; and also for making and maintaining a Branch of Road from the *Town of Harstrop* to *Passage Claines*, all in the County of *Sussex*. (a) [20th March 1834.]

[17 G. 5. c. 74. 55 G. 5. c. vii. and 55 G. 5. c. vii. repealed, § 1. *Double Tolls to be paid between the 20th of October and the 1st of April for Timber, Planks, Boards, Wood, Drifts, Tails, Iron, Chalk, Stone, Sand, and Gravel*, § 7. *Lanes, &c. for Manure not exempted from Toll*, § 8. *Toll to be paid every Third Time of passing through some Gate on some Day*, § 9. *No more Money to be expended on the Creswell Hill Line of Road or Branch Road than is collected thereon respectively*, § 15, 16. *Tolls not to be applied in repairing Streets*, § 6-§ 17.]

## Cap. xi.

An Act for making a Turnpike Road from *Minsterley* in the County of *Salop* to the Turnpike Road leading from *Bodely's Castle* in the said County of *Salop* to *Cherestable* in the County of *Montgomery*. (a) [20th March 1834.]

[One full Toll only to be taken on some Day for passing and repassing any Number of Times through all the Gates on the Road, § 15. *Toll to be paid on repassing if with a different Carriage, and going Two Miles on the Road*, § 17. *Carts drawn by One Horse not to weigh when loaded more than 1 Ton and 15 Cwt between the 1st of May and the 31st of October, and not more than 1 Ton and 10 Cwt between the 1st of November and the 30th of April*, § 20. *Lanes for Manure exempted from Toll between the 1st of April and 30th of October*, § 22. *No Exemption allowed for Carriages leaving the Roads of the Turnpike except more than a Quarter of an Inch*, § 23. *Money not to be laid out in repairing Streets*, § 31.]

## Cap. xii.

An Act to enable the Company of Proprietors of the *Caldor and Holble Navigation* to improve their Navigation, and to amend the Acts relating thereto. [20th May 1834.]

[Powers of 5 G. 5. c. 71. and 6 G. 4. c. xvii. (except as altered) extended to this Act, § 1. *Saving the Rights of the Earl of Scarborough*, § 23.]

## Cap. xiii.

An Act for amending the Approaches to *London Bridge*, and amending the Acts relating thereto. [22d May 1834.]

[4 G. 3. c. 50. 7 G. 4. c. 40. 7 & 8 G. 5. c. xxx. 10 G. 4. c. cxxvii. 11 G. 4. c. lxi. 1 W. 4. c. iii. and 2 W. 4. c. xxii. revised, § 1. *Saving the Rights of His Majesty and the Corporation of London*, § 76; and of the Commissioners of Sewers, § 77.]

## Cap. xiv.

An Act for granting certain Powers to the *New Brunston and New Soles Land Company*. [22d May 1834.]

## Cap. xv.

An Act for granting certain Powers to "The *British American Land Company*." [22d May 1834.]

## Cap. xvi.

An Act for better paving, cleansing, lighting, watching, watering, and otherwise improving the Streets and other public Passages and Places within the Borough of *Dorchester* in the County of *Dorset*, and the Tilting of *Chilham Row* in the *Town of Dorchester aforesaid*. [22d May 1834.]

[16 G. 5. c. 97. repealed, § 1. *Tolls to be paid but once a Day at some Gate*, § 42. *Money raised from Turnpikes not to be laid out in repairing Streets*, § 75. *Saving the Rights of the Mayor and Corporation and Inhabitants of Dorchester*, § 76, 77.]

## Cap. xvii.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Sixth Year of the Reign of His late Majesty *King George the Fourth*, intitled *An Act for supplying the City and Suburbs of Limerick* in the County of the City of *Limerick* with Water. [22d May 1834.]

[Powers of 24 G. 3. c. 10. 25 G. 3. c. 10. 26 G. 3. c. 10. 27 G. 3. c. 10. 28 G. 3. c. 10. 29 G. 3. c. 10. 30 G. 3. c. 10. 31 G. 3. c. 10. 32 G. 3. c. 10. 33 G. 3. c. 10. 34 G. 3. c. 10. 35 G. 3. c. 10. 36 G. 3. c. 10. 37 G. 3. c. 10. 38 G. 3. c. 10. 39 G. 3. c. 10. 40 G. 3. c. 10. 41 G. 3. c. 10. 42 G. 3. c. 10. 43 G. 3. c. 10. 44 G. 3. c. 10. 45 G. 3. c. 10. 46 G. 3. c. 10. 47 G. 3. c. 10. 48 G. 3. c. 10. 49 G. 3. c. 10. 50 G. 3. c. 10. 51 G. 3. c. 10. 52 G. 3. c. 10. 53 G. 3. c. 10. 54 G. 3. c. 10. 55 G. 3. c. 10. 56 G. 3. c. 10. 57 G. 3. c. 10. 58 G. 3. c. 10. 59 G. 3. c. 10. 60 G. 3. c. 10. 61 G. 3. c. 10. 62 G. 3. c. 10. 63 G. 3. c. 10. 64 G. 3. c. 10. 65 G. 3. c. 10. 66 G. 3. c. 10. 67 G. 3. c. 10. 68 G. 3. c. 10. 69 G. 3. c. 10. 70 G. 3. c. 10. 71 G. 3. c. 10. 72 G. 3. c. 10. 73 G. 3. c. 10. 74 G. 3. c. 10. 75 G. 3. c. 10. 76 G. 3. c. 10. 77 G. 3. c. 10. 78 G. 3. c. 10. 79 G. 3. c. 10. 80 G. 3. c. 10. 81 G. 3. c. 10. 82 G. 3. c. 10. 83 G. 3. c. 10. 84 G. 3. c. 10. 85 G. 3. c. 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c. 10. 675 G. 3. c. 10. 676 G. 3. c. 10. 677 G. 3. c. 10. 678 G. 3. c. 10. 679 G.

## Cap. xviii.

An Act for better supplying with Water the Town and County of the Town of Nezcumb-upon-Tyne, and the Neighbourhood thereof. [22d May 1834.]

## Cap. xix.

An Act to alter, amend, and enlarge the Powers of an Act passed in the First Year of the Reign of His present Majesty King William the Fourth, intitled *An Act for empowering the Margravess of Bute to make and maintain a Ship Canal connecting near the Mouth of the River Taff in the County of Glamorgan, and terminating near the Town of Cardiff, with other Works in connection therewith.* [22d May 1834.]

[Powers of 1 W. 4. c. cxxviii. (except as altered) extended to this Act, § 1.]

## Cap. xx.

An Act for enabling the Company of Proprietors of the Western Branch of the Montgomeryshire Canal to effect an Agreement with William Pugh of Bryon Lyneorch in the County of Montgomery, Esquire; and for securing certain Moulds advanced and paid by the said William Pugh and others to or for the Use of the said Company. [22d May 1834.]

## Cap. xxi.

An Act to enable the Birmingham and Liverpool Junction Canal Navigation Company to raise a farther Sum of Money. [22d May 1834.]

[Powers of 7 G. 4. c. xcv. 7 & 8 G. 4. c. ii. and 1 W. 4. c. lv. (except as altered) extended to this Act, § 1. Company empowered to raise £100,000, § 2.]

## Cap. xxii.

An Act to continue the Term and amend and extend the Powers of an Act passed in the Fifty-fifth Year of the Reign of His Majesty King George the Third, for taking down and rebuilding Folly Bridge otherwise *Prata Divida*, across the River Lais, in or near the City of Oxford. [22d May 1834.]

[Powers of 55 G. 3. c. xciv. (except as altered) extended to this Act, § 1. The King and Royal Family exempted from Toll, § 26. The Term granted by several Act to cease on the passing of this Act, and both Acts injunctive in form for Twenty-one Years, unless the Money raised thereunder shall be sooner paid, § 31.]

## Cap. xxiii.

An Act for uniting into One Parish the Parishes of *Saint John the Baptist and Saint Brodric* in the Town of Gloucestersbury in the County of Somerset. [22d May 1834.]

## Cap. xxiv.

An Act to incorporate a Company for better supplying with Gas the Town of Cambridge in the County of Cambridge. [22d May 1834.]

[Serving the Rights of the University, § 105.]

## Cap. xxv.

An Act for uniting the Wigan Branch Railway Company and the Preston and Wigan Railway Company; for authorizing an Alteration to be made in the Line of the last-mentioned Railway, and for repealing, altering, and amending the Acts relating to the said Railways. [22d May 1834.]

[11 G. 4. c. 161. and 1 W. 4. c. 161. repealed, § 1. Serving the Rights of the Wigan and Preston Gas and Waterworks Companies, and others, § 225.]

## Cap. xxvi.

An Act for making and maintaining a Railway from Blythton to Ebbwasi, with Six Branches thereof, all within the County Palatine of Durham. [22d May 1834.]

## Cap. xxvii.

An Act for enabling the Dublin and Kingstown Railway Company to make an Extension of their present Line of Railway, and for altering and amending the Act for making the said Railway. [22d May 1834.]

[Powers of 1 & 2 W. 4. c. lxxix. (except as altered) extended to this Act, § 1.]

## Cap. xxviii.

An Act for repairing and improving the Second District of the Road from Colchill, through the City of Lichfield and the Town of Stone, to the End of the County of Stafford in the Road leading towards Clons, and making a new Branch thereto; and also to stones to and consolidate therewith the Turnpike Road from *Rugby*, through *Dringrave*, to *Aldreton* in the County of Stafford. (3)

[22d May 1834.]

[123 G. 4. c. 55. and 1 W. 4. c. 161. and 1 G. 4. c. 161. repealed, § 1. Turnpike Officers to be sworn on oaths they are passing along the whole Line from *Bramble* to the End of the County of Stafford, and Two full

*Tolls only from Bingley to Alverstoe, and One full Toll only between Beverton and Bingley, and One full Toll only to be taken for passing along Folly Brook Lane, § 10. Tolls to be paid but once a Day at some Gate for passing and repassing, § 11. No more Money to be expended in repairing Broom Road than is collected thereon, § 10. Money not to be laid out in repairing Streets, § 17.*

## Cap. xxix.

An Act for more effectually amending, widening, and repairing the Road from Farnsworth Bridge, through the Hamlet of Southton otherwise Little Farnsworth, to Gorton in the County of Suffolk. (c)

[23d May 1834.]

[15 G. 3. c. 67. 35 G. 3. c. 199. and 57 G. 3. c. xxv. repealed, § 1. Tolls to be paid but once a Day for Riding Horses, and for those drawing Carriages every Third Time of passing, § 5. Two full Tolls only to be taken on some Day for passing through all the Gates on the whole Lane, § 11. Money not to be laid out in repairing Streets, § 16.]

## Cap. xxx.

An Act for the better Maintenance, Improvement, and Repair of the Road from Livingston, by Slatts, to the City of Glasgow, and the making and maintaining certain Roads connected therewith. (b)

[24d May 1834.]

[34 G. 3. c. ccl. repealed, § 1. Powers of 1 & 2 W. 4. c. 45. (except so altered) extended to this Act, § 2. Half Toll only to be taken for Lanes, &c. for Mares, and Stages for building, &c. including One Half of the Tolls for Overweight, § 14. One Half Toll only to be taken for Carriages with Wheels of certain Breadth, § 15.]

## Cap. xxxi.

An Act for improving and maintaining certain Roads in the Counties of Montgomery, Merioneth, Selwyn, and Denbigh. (c)

[25d May 1834.]

[58 G. 3. c. cxxxv. repealed; 1 G. 4. c. xlv. & 7 G. 4. c. lxxv. repealed, § 1. Empty Waggon, &c. for which Toll has been paid at or after Four o'Clock p.m. may return laden with Lime for Manure without being again liable to Toll, provided they return before Twelve o'Clock the following Night, § 20. Exemption of Tolls between certain Places, § 21. Tolls to be paid on repassing if with a different Carriage, &c., § 22. No Money to be laid out in repairing Streets, § 24.]

## Cap. xxxii.

An Act for repairing and maintaining the Road from Quebec in the Parish of Leake in the West Riding of the County of York, to Hemphill Lane End in the same Parish, with a Bridge or Bridges on the Lane of such Road; and for making and maintaining certain Branch Roads to communicate therewith. (a)

[23d May 1834.]

[57 G. 3. c. lxxv. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 15. One full Toll only to be taken on some Day for passing through all the Gates on the Westing, Armley, and Brandy District, § 16. No more Money to be expended in repair of Broom Road than is collected thereon, § 10. No Money to be expended in repairing Streets, § 20.]

## Cap. xxxiii.

An Act for lighting with Gas the Town or Borough of Bridgwater in the County of Somerset, and Suburbs of the said Town or Borough.

[23d May 1834.]

[Saving the Rights of the Corporation of Bridgwater, § 97.; and of the Trustees of Marlott, § 98.]

## Cap. xxxiv.

An Act to repeal an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled An Act for enabling the Alliance Marine Assurance Company to sue and be sued in the Name of the Chairman for the Time being, or of any other Member of the Company, and for granting certain Powers to the said Company instead thereof.

[22d May 1834.]

[5 G. 4. c. ccl. repealed, § 1.]

## Cap. xxxv.

An Act to enable the Proprietors or Shareholders in a Company or Association styled "The United Kingdom Life Assurance Company" to sue and be sued in the Name of One of their Directors, or Secretary.

[16th June 1834.]

## Cap. xxxvi.

An Act to enable "The Suffolk and General Country Amicable Insurance Office" to sue and be sued in the Name of One of their Treasurers, or of any One of their Directors, and for other Purposes relating thereto.

[16th June 1834.]

## Cap. xxxvii.

An Act to amend an Act of the Fifty-fourth Year of King George the Third, for enabling "The West of England Fire and Life Assurance Company" to sue and be sued in the Name of their Secretary, and to give further Powers to the said Company.

48 G. 3. c. 11.

## Cap. xxxvii.

An Act to incorporate the Subscribers to *St. George's Hospital at Hyde Park Corner*, and for better enabling them to carry on their charitable Design. [16th June 1834.]

## Cap. xxxviii.

An Act to alter and amend an Act of the Ninth Year of the Reign of His late Majesty, intituled *An Act for more effectually repairing several Roads leading through the County of Selkirk, and for better making and repairing the said Roads, and other Roads in the said County and in the Vicinity thereof.* [16th June 1834.]

[*Powers of 9 G. 4. c. cix. (except as altered) extended to this Act, § 1. The Term granted by recited Act to cease from the passing of this Act, and from thence both Acts to be in force for Thirty-one Years, § 10.*]

## Cap. xl.

An Act to repeal an Act of the Forty-ninth Year of King George the Third, for the more easy and speedy Recovery of Small Debts within the Parish of *Northay Tappin* and other Places therein mentioned, in the Counties of *Glanmorgh, Brecon, and Monmouth.* [16th June 1834.]

[49 G. 3. c. cxli repealed from 1st Jan. 1835, § 1.]

## Cap. xli.

An Act for extending the Time for completing the *Wishaw and Colburn Railway* in the County of *Lothian.* [16th June 1834.]

[*Powers of 10<sup>o</sup> G. 4. c. cxvii. extended to this Act, § 1. Time for completing Railway extended to Three Years from the passing of this Act, § 2.*]

## Cap. xlii.

An Act for better supplying the Borough of *Dudley* in the County of *Worcester*, and the Neighbourhood thereof, with Water. [16th June 1834.]

## Cap. xliii.

An Act for improving the Port and Harbour of *Aberdeen* in the County of *Glanmorgh.* [16th June 1834.]

[*Vessels in His Majesty's Service, or in the Employ of the Ordnance, Customs, Excise, or Post Office, and Vessels in Ballast, laden with Limestone, or in Distress, exempted from Toll, § 59, 60.*]

## Cap. xliii.

An Act to provide for lighting the Suburbs of the City of *Glanmorgh* with Gas. [16th June 1834.]

## Cap. xlv.

An Act for erecting, establishing, and maintaining a Market in the Parish of *St. George the Martyr* in the Borough of *Southwark* in the County of *Surrey.* [16th June 1834.]

[29 G. 2. c. 23. recited, § 1. Saving the Rights of Commissioners of Sewers, § 122, 123; and of the Trustees of the South District of *St. George Southwark* under 10 G. 4. c. xxxviii. § 123; and of the Trustees of the Borough Market, except as regards certain Provisions of this Act, § 124.]

## Cap. xlvii.

An Act for building a Bridge over the Water from the Town and County of the Town of *Fife* to the Parish of *Beannorth* in the County of *Devon*, with an Approach thereto. [16th June 1834.]

[*The King and Royal Family, Soldiers on March or Duty, and Public Stews, exempted from Toll, § 67. Waggon, &c. of greater Weight than Three Tons not permitted to pass over the Bridge, § 68.*]

## Cap. xlviii.

An Act for lighting, watching, cleansing, paving, and otherwise improving the Town of *Chippingdon* in the County of *Hills.* [16th June 1834.]

## Cap. xlviii.

An Act for preserving and maintaining the Piers and Harbour of *Cromarty.* [16th June 1834.]

[*Vessels in the Service of His Majesty, the Customs, Excise, Ordnance, or Post Office, exempted from Toll, § 54. Saving the Rights of the Proprietors of the Crossarty Ferry, § 55.*]

## Cap. xlix.

An Act for removing the Markets held in the Town and Borough of *Monmouth* in the County of *Monmouth*, and for providing other Market Places in lieu thereof. [16th June 1834.]

## Cap. l.

An Act to amend Two Acts passed in the Ninth and Tenth Years of His late Majesty King George the Fourth, for building a Bridge over the River *Thames* at *Staines* in the County of *Middlesex*, and for making proper Approaches thereto. [16th June 1834.]

[*Powers of 9 G. 4. c. cix. (except as altered) extended to this Act, § 1. The Term granted by recited Act to cease from the passing of this Act, and from thence both Acts to be in force for Thirty-one Years, § 10.*]

## Cap.ii.

An Act for deepening, extending, and improving the Navigation of the River *Dart*, from *Tivies Bridge* to *Langham Wood Point* in the County of *Devon*. [16th June 1834.]

[*Saving the Rights of His Majesty, and Lords of Manors and Owners of Lands on either Side of the Harbour or River, § 77.; and of the Corporation of Totnes, § 78.*]

## Cap.iii.

An Act for better lighting the City of *Glossometer* and its Suburbs with Gas, and for enlarging the Capital of the *Glossometer Gas Light Company*. [16th June 1834.]

[*Powers of 1 G. 4. c. x. (except as altered) extended to this Act, § 1.*]

## Cap.iiii.

An Act for making a navigable Canal from the *Bradgewater and Taunton Canal* in the Parish of *Orchard Sever* *Michael* in the County of *Somerset*, and terminating in the Parish of *Clowin* in the same County, with a collateral Cut therein described. [16th June 1834.]

## Cap.v.

An Act to enable the *Glossometer and Berkeley Canal Company* to take Water from the *River Frome*, and to alter and enlarge the Powers of the several Acts for making and maintaining the said Canal. [16th June 1834.]

[*Powers of 35 G. 3. c. 97. 37 G. 3. c. 56. 45 G. 3. c. 616. 58 G. 3. c. xxii. 3 G. 4. c. liii. 6 G. 4. c. cxlii. and 2 ½ 3 W. 4. c. cxii. (except as altered) extended to this Act, § 1. Company empowered to raise a further Sum of £50,000, § 2.*]

## Cap.vi.

An Act to enable the *Grand Junction Railway Company* to alter and extend the Line of such Railway, and to make a Branch therefrom to *Waterbury* in the County of *Stafford*; and for other Purposes relating thereto. [16th June 1834.]

[*Powers of 5 W. 4. c. xxxiv. (except as altered) extended to this Act, § 1. Saving the Rights of the London and Birmingham Railway Company, § 15.; and of the Warrington and Newton Railway Company, § 42.; and of the Proprietors of the Wyrley and Erington Canal, § 45.; and of the Staffordshire and Worcestershire Canal Company, § 57.; and of the Birmingham Canal Company, § 66.*]

## Cap.vii.

An Act to enable the *Hartpool Dock and Railway Company* to make a new Branch of Railway to the City of *Durham*; and for amending an Act of the Second Year of His present Majesty, relative to the *Hartpool Railway*. [16th June 1834.]

[*Powers of 2 W. 6. c. lxxvii. (except as altered) extended to this Act, § 1.*]

## Cap.viii.

An Act for making and maintaining a Railway from the *Hartpool Railway* near to *Moorsley* to the *Stedley and Tyso Railroad* in the Township of *Usworth*, all in the County of *Durham*. [16th June 1834.]

[*Saving the Rights of the Commissioners of the River Wear, § 102.*]

## Cap.iiiiii.

An Act to alter and amend an Act passed in the Seventh Year of the Reign of His late Majesty King *George the Fourth*, for paving, lighting, watching, and otherwise improving *Grosvenor Place*, and several Streets and other public Places in the Parishes of *St. George Hanover Square* and *St. Paul Luke* *Chapels* in the County of *Middlesex*. [16th June 1834.]

[*Powers of 7 G. 4. c. lviii. (except as altered) extended to this Act, § 1.*]

## Cap.ix.

An Act for repairing and maintaining the Road from *Stafford* to *Church Bridge*, and the Road from *Stafford* to *Uttoxeter*, in the County of *Stafford*, and also the Road from *Stafford* to *Newport* in the County of *Salop*. (a) [16th June 1834.]

[*33 G. 3. c. 123. and 54 G. 3. c. lxxvii. repealed, § 1. No Toll to be paid for repaving once through some Gate on some Day, § 5. Two Tolls only to be taken on some Day for paving and repaving once through all the Gates between Stafford and Church Bridge, § 9. Two Tolls only to be taken on some Day for paving and repaving through all the Gates between Stafford and Uttoxeter, § 10.; and Two only from Stafford to Newport, § 11. No Money to be expended in repaving Streets, § 15.*]

## Cap.x.

An Act for more effectually repairing certain Roads from *Scandlow Gate* in the Parish of *Thoresby* to the *Durton-upon-Trent* and *Abby Road*, and for making new Branches of Road, in the Counties of *Derby* and *Leicester*. (b) [16th June 1834.]

[*34 G. 3. c. 123. and 54 G. 3. c. 124. repealed, § 2. Two Tolls only to be taken on some Day for paving through all the Gates on all the Lines of Road*

comprised in this Act; and One full Toll only on all the Lines in the recited Acts, § 14. Carriages passing from Overnal to the Coal Pits and Lime Kilns of the Manors of Redings to pay a Toll of 2d. only, § 15. Stage Carriages to pay each Time of passing, § 18. No Tolls to be laid out in repairing Streets, § 23. Penalty of £5 for entering Three Horses aboard, or lopping out Limes within Forty Feet from Centre of the Road, § 22.]

## Cp. lxi.

An Act for more effectually making, assessing, widening, repairing, and maintaining certain Roads and Bridges in the Counties of Dumfries and Strathclyde (6) [16th June 1834.]

[53 G. 3. c. lxi. 54 G. 3. c. xxxiv. 5 G. 4. c. cxxii. and 9 G. 4. c. lxxvii. in part repealed, § 1. Tolls not to be paid again at Gate within Five Miles of each other, except at the Gate on the Bridge at Balloch, Bonhill, and Dumfries, § 14. Tolls to be paid but once a Day at some Gate with some Loading, § 15. Saving the Rights of the Burgh of Dumfries to levy Duties for Horses and Cattle crossing the Lanes, § 25.]

## Cp. lxi.

An Act for supplying with Water the Inhabitants of the Town and Parish of Brightford, and the Parishes of How and Preston, in the County of Sussex. [16th June 1834.]

## Cp. lxi.

An Act for more effectually draining and preserving certain Fen Lands and Low Grounds in the Parishes of Stoke Ferry, Northold, Wotton, Wotton, West Doreham, Rowless, Fordless, Desser, Doreham Market, Washobles, and New Bardsley in the County of Norfolk. [16th June 1834.]

[54 G. 3. c. clxxvii. repealed, § 1. Saving the Rights and Property of the Bedford Leat Corporation, § 51 & 52. Penalty of £5 for suffering Cattle, Swine, &c. to stray on or injure the Banks, and for driving Waggon, &c. across, § 75. Saving the Rights of the Commissioners of Sewers, § 100.; and of the Ouse Bank Commissioners, § 101.]

## Cp. lxi.

An Act for embanking, draining, and otherwise improving Lands in the Parishes of Holbeck and Gilday in the County of Lincoln. [16th June 1834.]

[Saving the Rights of the Lords of the Manors of Holbeck and Gilday, § 37.]

## Cp. lxi.

An Act for establishing a general Cemetery in the Neighbourhood of the City of Dublin. [27th June 1834.]

## Cp. lxi.

An Act for establishing a Market within the Town of Palsgaard in the County of Pembroke. [27th June 1834.]

## Cp. lxi.

An Act to alter and amend an Act passed in the Eleventh Year of the Reign of His late Majesty and First Year of the Reign of His present Majesty, intitled *An Act for enlarging, improving, and maintaining the Port and Harbour of Perth, for improving the Navigation of the River Tay to the said City, and for other Purposes therewith connected.* [27th June 1834.]

[11 G. 3. § 1 W. 4. c. cxxxi. recited; Commissioners under this Act to be Commissioners also for the recited Act, § 1. Rights of private Quays preserved, § 25. Powers of 5 & 6 W. 4. c. 45. extended to this Act, § 45. Saving the Rights of the Provost, Magistrates, and Town Council of Perth, and of other Persons entitled to Right of free Port and Harbour, or of public Ferry in the Tay, § 55.]

## Cp. lxi.

An Act for making and maintaining a Railway from Bays in the Parish of Saint Erth in the County of Cornwall to Truro and Alton in the Parish of Gossops in the said County, with several Branches therefrom. [27th June 1834.]

## Cp. lxi.

An Act to encourage the working of Mines and Quarries in Ireland, and to regulate a Joint Stock Company for that Purpose, to be called "The West Cork Mining Company." [27th June 1834.]

## Cp. lxi.

An Act to enable the Carmarthen Railway and Tramroad Company to raise a further Sum of Money, and to amend the Act relating to the said Company. [27th June 1834.]

[Powers of 42 G. 3. c. lxxx. extended to this Act, § 1. Company empowered to raise an additional Capital of £12,000, § 2.]

## Cp. lxi.

An Act to enable the Edinburgh and Dalkeith Railway Company to make a Branch from the said Railway to the Town of Dalkeith, and to extend the Leith Branch of the said Railway, and for other Purposes relating thereto. [27th June 1834.]

[Powers of 40 G. 3. c. cxxvii. and 10 G. 4. c. cxxv. extended to this Act, § 1. Company empowered to raise an additional Capital of £100,000, § 2.]

## Cap. lxxii.

An Act for making and for more effectually maintaining and repairing certain Roads in the County of *Leicestershire*, and for building a Bridge over the River *Clyde* at *Creechford* in the said County. (5)

[27th June 1834.]

[30 G. 3. c. 122. 35 G. 3. c. xlii. and 34 G. 3. c. cxv. repealed, § 1. Full Toll only to be exacted save in *Free Mills*, § 11. Tolls to be exacted only once a Day at some Gate, except with a new Loading, § 14. Carriages laden with, or going empty for or returning empty after having been laden with, *Stones* for paving Streets, Bridges, and Cloasings on the Road, *Horses*, &c. passing to or from the *Yards* or Offices of the *Inhabitants* of any Town or Village within the Limits of the Roads, to Borough Roads or Fields adjoining, excepted from Tolls and Payments, § 28.]

## Cap. lxxiii.

An Act for more effectually repairing certain Roads from *Kingsbridge* to *Dartmouth*, and for making new Branches to and from the same, all in the County of *Devon*. (5)

[27th June 1834.]

[10 G. 4. c. xii. repealed, § 1. Power to take Toll of One Halfpenny from Foot Passengers at the Embankment, § 15. Tolls to be paid but once a Day at some Gate, § 15. Carriages with broad Wheels conveying Lime and Sea Sand for *Manure* exempted from Tolls, § 16.]

## Cap. lxxiv.

An Act for amending, varying the Tolls, and extending the Term of an Act of the Fifty-ninth Year of His late Majesty King *George the Third*, for amending and keeping in repair the Mail Coach Road leading from *Bombeside* in the County of *Devon* to *Bristol* in the County of *Avon*. [27th June 1834.]

[Powers of 30 G. 3. c. cxviii. (except as altered) extended to this Act, § 1. Tolls to be paid for Steam Carriages every Time of passing, § 16. This Act to continue from the passing thereof, and together with the revised Act (except as altered or repealed) to remain in force for Thirty-one Years, and to the End of the then next Session, § 31.]

## Cap. lxxv.

An Act for making the Hamlet of *Honourston* within the Parish of *Pelham* in the County of *Middlesex* a distinct and separate Parish; and for converting the Perpetual Curacy of the Church of *Saint Paul Honourston* into a Vicarage, and for the Endowment thereof. [27th June 1834.]

## Cap. lxxvi.

An Act for continuing certain Acts for regulating the Police of the City of *Edinburgh* and the adjoining Districts, and for other Purposes relating thereto. [23th July 1834.]

[2 & 3 W. 6. c. lxxxvii. (printing and extending, with certain Exceptions, 11 G. 3. c. 26. 12 G. 3. c. 15. 22 G. 3. c. 28. 45 G. 3. c. xxi. 52 G. 3. c. cxxx. 56 G. 3. c. lxxix. 57 G. 3. c. xxxix. 3 G. 4. c. lxxviii. and 7 G. 4. c. cxv.) continued to the 1st July 1835, and to the End of the next Session, § 1.]

## Cap. lxxvii.

An Act for more effectually enforcing the due Execution of the Office of Constable in the City of *London* and Liberties thereof. [23th July 1834.]

WHEREAS such Persons only as are inhabiting and resident and paying Scot and hearing Lot in the City of *London* or Liberties thereof are liable to be appointed and chosen to be Constables in and for the several Wards of the said City: And whereas by reason of the great Number of Persons who carry on Trade and other Business in the several Wards of the said City and Liberties, and occupy Warehouses, Wharfs, Coasting-houses, Vaults, Cellars, and other Tenements and Hereditaments for that Purpose, without being inhabitants and resident and paying Scot and hearing Lot therein, Difficulties have occurred in obtaining a sufficient Number of competent Persons to serve the said Office, and the Duties thereof have become burthensome upon the Persons inhabiting and resident and paying Scot and hearing Lot within the said Wards: And whereas it is expedient to provide for the more equal Distribution of the Duties of the said Office, and it is desirable that Power should be given to reduce the Number of Constables elected at the annual Wardmoots within the said City: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the Twentieth Day of December next after the passing of this Act every Person occupying, for the Purpose of Trade or other Business, any Warehouse, Wharf, Coasting-house, Chambers, Office, Shop, Room or Rooms, Vault, Cellar, or other Tenement or Hereditament within any of the Wards of the said City of *London* or the Liberties thereof, shall, although not inhabiting and resident within the said Ward respectively, and whether paying Scot and hearing Lot or not paying Scot and hearing Lot therein, be qualified and liable to be appointed and chosen to serve the said Office of Constable, and to the same Penalities or Punishment for refusing or neglecting to serve the said Office, in such and the same Manner, in all Intents, Effects, Constructions, and Purposes, as if such Person respectively were inhabiting and resident and paying Scot and hearing Lot in or in respect of such Warehouse, Wharf, Coasting-house, Chambers, Office, Shop, Room or Rooms, Vault, Cellar, or other Tenement as aforesaid respectively.

After 10th Dec. men may occupy of any Tenement, although not resident, and be liable to serve the Office of Constable.



Power to reduce the Number of Ward Constables

II. And he it further enacted, That it shall and may be lawful to and for the Court of Mayor and Aldermen of the said City of London, and the said Court is hereby authorized and empowered, with the Consent of the Inhabitants of any Ward of the said City in Wardmote assembled for that Purpose, to order the Number of Constables annually chosen for any Ward to be reduced, and that when and as often as the said Court shall make any Order that the Number of Constables in any of the Wards of the said City shall be reduced, Notice thereof shall be given by the Town Clerk of the said City to the Deputy and Common Council of such Ward respectively, and at the next and every other annual Election of Officers for such Ward only the Number of Constables mentioned in such Order shall be elected and chosen instead of the Number which have usually been elected and chosen for such Ward.

Public Act.

III. And he it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Cap. lxxviii.

An Act to alter, amend, enlarge, and extend the Powers and Provisions of several Acts for enabling the Company of Proprietors of the South London Waterworks to supply the Inhabitants of the Parish of Saint Giles Coadvent and Parts of the Parish of Saint Mary's London, and several other Parishes and Places in the County of Surrey, with Water; and to enable the said Company to supply the Inhabitants of the several Parishes of Saint Mary London, Saint Mary Newington, Saint George the Martyr, Saint Saviour, Saint John, Saint Thomas, and Christchurch, all in the said County, with Water. [25th July 1834.]

[Powers of 45 G. 3. c. cxxix. and 55 G. 3. c. cliv. extended to this Act, § 1.]

Cap. lxxix.

An Act for better supplying with Water the Borough of Southwark, and Parishes and Places in the County of Surrey near thereto. [25th July 1834.]

[5 G. 4. c. cliv. revised, § 1. Saving the Rights of Commissioners of Sewers, § 105.; and of Rights under the Metropolitan Paving Act, § 125.; and of the Corporation of London as Constructors of the River Thames § 124.; and of the New River Company, § 123.]

Cap. lxxx.

An Act for erecting and maintaining a new Gaol and Court House and other Offices for the Burgh of Elgin and the County of Elgin and Fife, and for erecting and maintaining a new Gaol and Court House and other Offices for the Burgh of Forres, and for other Purposes relative thereto. [25th July 1834.]

Cap. lxxxi.

An Act for erecting and maintaining a Gaol for the Royal Burgh of Dundee in the County of Forfar. [25th July 1834.]

Cap. lxxxii.

An Act to amend and enlarge the Powers of an Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act for granting certain Powers to a Company called "The General Steam Navigation Company."* [25th July 1834.]

[Powers of 2 W. 4. c. lii. extended to this Act, § 1.]

Cap. lxxxiii.

An Act for taking down and removing Old Stratford Bridge over the River Ouse in the Counties of Buckingham and Northampton, and for erecting a more commodious Bridge in lieu thereof. [25th July 1834.]

Cap. lxxxiv.

An Act to amend an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Erection of a Bridge across the River Skarzon, and of a Floating Dock to accommodate steep Vessels frequenting the Port of Lintrick.* [25th July 1834.]

4 G. 4. c. cxiv.

Cap. lxxxv.

An Act for establishing a Floating Bridge over the River Aukon from or near a Place called Cross House, within the Liberties of the Town of Southampton, to the opposite Shore in the County of Southampton, with proper Approaches thereto, and for making Roads to communicate therewith. [25th July 1834.]

[Bridge Toll to be paid every Time of passing, § 80. No more than One full Toll to be taken in One Day on the Road, § 85. Tolls to be paid on Carriage offered to others, § 84. Saving the Rights of the Corporation of Southampton, § 118.]

Cap. lxxxvi.

An Act for constructing and maintaining a new Harbour at Sleaford Point, near to and in conjunction with the old Harbour of Sleaford in the County of Lincoln and Rutland. [25th July 1834.]

## Cap. lxxxvii.

An Act to extend the Powers of the several Acts now in force for improving the Port and Harbour of *Blethen* in the County of *Lincoln*. [20th July 1834.]

[Powers of 52 G. 3. c. cx. 7 & 5 G. 4. c. lxxix. and 5 G. 4. c. xcvi. (except as altered) extended to this Act, § 1.]

## Cap. lxxxviii.

An Act for making a Railway from *London* to *Southampton*. [20th July 1834.]

[Saving the Rights of the Corporation of *London*, § 216.; and of the Commissioners of Sewers for *Survey and Kent*, § 215.]

## Cap. lxxxix.

An Act to continue, alter, and amend an Act of the Fourth Year of the Reign of His late Majesty King *George the Fourth*, for more effectually repairing and improving the *Malden and Essex Turnpike Roads*; to provide for the rebuilding of *Beau Bridge* in the Counties of *Middlesex and Essex*, the improving of the several other Bridges upon the said Roads, and for other Purposes relating thereto. [20th July 1834.]

[Powers of 4 G. 4. c. cvii. and 7 & 8 G. 4. c. cviii. (except as altered) extended to this Act, § 1. Saving the Rights of the East London Waterworks Company, § 55.; and of the Commissioners of Sewers, § 54. Act to continue on the passing, and together with revised Act of 4 G. 4. to continue for Thirty-one Years, and to the End of the then next Session, § 60.]

## Cap. xc.

An Act for paving, watching, lighting, regulating, and otherwise improving the Town of *Kingsston* in the County of *Dublin*. [20th July 1834.]

[9 G. 4. c. lxxxii. repealed as to *Kingsston*, § 1.]

## Cap. xci.

An Act for regulating and converting the Statute Labour in the Shewantry or Sherifdom of *Orkney*, and for more effectually making, repairing, and maintaining the High Roads and Bridges within the same. [20th July 1834.]

## Cap. xcii.

An Act for amending the Proceedings and Practice of the Court of Passage of the Borough of *Liverpool* in the County Palatine of *Lancaster*. [20th July 1834.]

[So much of 25 G. 2. c. 45. as relates to the Court of Passage repealed, § 11.]

## Cap. xciii.

An Act to amend and explain an Act passed in the First Year of His present Majesty, for establishing and maintaining the Harbour of Port *Crossada* in the Bay of *Corkhaven* in the County of *Astoria*. [20th July 1834.]

[The Period limited by 11 G. 4. & 1 W. 6. c. cxxxiv. for completing the Works extended to the 16th of July 1834, § 1.]

## Cap. xciv.

An Act for making, improving, and keeping in repair the Roads leading from *Berrington* to *Crookfield* and *Essex Bridge* in the County of *Gloucester*. [20th July 1834.]

[24 G. 2. c. 26. 8 G. 3. c. 41. 35 G. 3. c. xlii. 2 G. 4. c. cix. 3 G. 4. c. lxxxii. repealed as part, § 1. To be paid but once a Day between the County of *Gloucester* and *Witney Bridge*, and between *Witney Bridge* and *Essex Bridge*, § 10. To be not to be laid out in repairing Streets, § 15., or Bridges which ought to be repaired by the County or Parish, § 14.]

## Cap. xciv.

An Act for better paving, cleansing, lighting, and improving the Waterside Division of the Parish of *Saint Mary Magdalen, Berensdown*, in the County of *Surrey*. [15th August 1834.]

[27 G. 3. c. xxiii. repealed, § 1. Saving the Rights of the Commissioners of Sewers for *Survey and Kent*, § 181.; and of the *George Roads*, § 182.; and of the *London and Greenwich Railway Company*, § 185.]

## Cap. xcvi.

An Act for incorporating certain Persons for the Carriage of Goods and Commodities by means of a Railway from the City of *Durham* to *Sunderland* near the Sea, with a Branch to join the *Marske* Railway in the Township of *Harwell*, all in the County of *Durham*. [15th August 1834.]

## PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,  
AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B. To each of these Acts is annexed a Clause in the Form following:

" And be it further enacted, That this Act shall be read by the several Priests to the King's most Excellent Majesty, duly authorized to read the Statutes of the United Kingdom; and that a Copy thereof be read by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others."

## Cap. 1.

An Act for amending an Act of the Eleventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for inclosing Lands in the Tithings of Arle and Arleson adrius Allstone in the Parish of Clactonham in the County of Gloucester, and for discharging from Tithes Lands in the said Tithings.* [22d May 1834.]

## Cap. 2.

An Act for inclosing Lands in the Parish of Tibury in the County of Wilts, and for dividing the said Parish into Three Parishes. [22d May 1834.]

[*Allotment to be made to the Lords of the Manor of Tibury and Tibury Parsonage, § 29. Allotment to be made to the Rights over particular Fields, § 54. Tibury to be divided into Three separate Parishes, § 54, 55, and 56. Saving the Rights of Impropriate Rectors or Vicars, § 84.*]

## Cap. 3.

An Act for inclosing Lands in the Parish of Great Shefford in the County of Cambridge, and for commencing the Tithes of the said Parish. [24d May 1834.]

[*Saving the Rights of the Commissioners and Proprietors of Great Shefford, and of Emanuel and Christ Colleges, in the Watercourse from New River to Cambridge, § 27. Allotment to be made for Great and Church Pits and Quarries for repairing Roads, § 31; and for a public Clay Pit, § 35; and to Lords of Manors in lieu of Right of Soil, § 52; and to the Impropriators in lieu of Rights of Common and Gble, § 27; and for Tithes and Modons, § 33, 33. Allotment to Impropriators to be fixed at the general Expense, § 45.*]

## Cap. 4.

An Act for inclosing Lands in the Parish of Dunstons Row in the County of Gloucester, and for commencing from Tithes the Lands in the said Parish. [20d May 1834.]

[*Allotment to be made for the Use of the Poor, § 28; and for Great Pits and Quarries for repairing Roads, § 30; and to Lords of the Manor for Right of Soil, § 51; and to the Rector in lieu of Rights of Common and Gble, § 22; and for Tithes, § 25. Further Allotment to be made, and Compensation by a Corn Rent, in lieu of Tithes, § 54. Rector's Allotment to be fixed at the general Expense, § 45. Rector may, with Consent of the Bishop and Patron, lease his Allotment for Twenty-one Years, to commence within Twelve Calendar Months after passing of the Act, § 45.*]

## Cap. 5.

An Act to effect a Partition of the Advowson of the Vicarage and Parish Church of Cholerton in the County Palatine of Lancaster, and to confirm the Sale of the said Tithes or Right of Presentation thereto. [16th June 1834.]

## Cap. 6.

An Act for more effectually vesting in the Footless acting under the Will of Isaac Newson certain Estates in the County of York, hold for certain charitable Uses applicable within the Parish of Easingby in the said County, and for confirming certain Leases, Covenants, and Contracts of Sale already made or to be made of such Estates, and authorizing the granting of Building Leases and the Sale of other Parts of such Estates. [16th June 1834.]

## Cap. 7.

An Act for enabling the Dean and Chapter of the Cathedral Church of Saint Paul in London, and their Successors, to grant Licences for building upon and improving the Copyholds within the Manor of Slaters Court in the Parish of Clerkenwell in the County of Middlesex, and to grant Licences to devise such Copyholds by deed or by will, and to grant such Copyholds to any person or persons for any limited Period. [16th June 1834.]

## Cap. 8.

An Act for vesting Estates belonging to *Eleanor Anne Julia Hunt Grable Spinster, an Infant*, in Trustees for Sale, and for laying out the Money arising from such Sale, under the Direction of the High Court of Chancery, in the Purchase of other Estates, and for granting Leases of the Estates to be purchased; and for other Purposes. [16th June 1834]

## Cap. 9.

An Act to correct for a Corn Rent certain Tithes within the Parish of *Kendly Lonsdale* in the County of *Wiltshire*. [16th June 1834]

## Cap. 10.

An Act for inclosing Lands in the Parish of *Dalwood* in the County of *Devon*. [16th June 1834.]  
[Allotment to be made to the Lord of the Manor for Right of Soil, § 25. Saving the Rights of the Lord, except his Right of Soil, § 45.]

## Cap. 11.

An Act for inclosing Lands in the Parish of *Maddleton* in the County of *Darham*. [16th June 1834.]

[45 G. 3. c. xiii. in part repealed, § 2. Allotments to be made for Stone and Lime Quarries for repairing Roads and Buildings, § 21; and for Public Watering Places, § 25. Rector's Allotment to be fenced at the general Expence, § 24. Rector may, with Consent of the Ordinary and Patron, lease his Allotment for Twenty-one Years, to commence within Twelve Calendar Months after passing of the Act, § 27. Saving the Rights of the Duke of Cleveland, § 40.]

## Cap. 12.

An Act for dividing, allotting, inclosing, and otherwise improving the Open Fields, Commones, and Waste Lands in the Liberty of *Kirk Lonsley* in the County of *Derby*. [16th June 1834]

[Allotments to be made for Public Watering Places, § 28; and to the Lords of the Manor for Right of Soil, § 22; and to the Rector for Glebe, § 20. Rector may, with Consent of the Bishop and Patron, lease his Allotment for Twenty-one Years, to commence within Twelve Calendar Months after passing of the Act, § 21. Rector's Allotment to be re-enclosed at the general Expence, § 27. Saving the Rights of the Lords of the Manors to Sirgavesin, &c. § 64.]

## Cap. 13.

An Act for inclosing and excavating from Tithes Lands in the Parish of *Cotesworth* in the County of *Bedford*. [16th June 1834]

[Allotment to be made to Rector for Glebe and Common Rights, § 26; and in lieu of Tithes, § 27. Compensation in Money to be made for Tithes in certain Cases, § 28. Allotment to be made for Stone, Gravel, Sand, and Clay Pit, § 29; and to the Lords of the Manor for Right of Soil, § 20. Rector's Allotments to be fenced at the general Expence, § 24. Rector may, with Consent of the Bishop and Patron, lease his Allotment for Twenty-one Years, to commence within Twelve Calendar Months after passing of the Act § 48.]

## Cap. 14.

An Act for inclosing, dividing, and allotting the Commones, Drovers, Banks, and Waste Lands in the Parish of *Elm* in the *Isle of Ely* in the County of *Cambridge*. [16th June 1834]

[Allotment to be made for Materials for Roads, § 56; and for Pits or Wells, § 57; and for Manorial Rights, § 58. Saving the Rights of the Rector and Vicar as to Tithes, for which no Compensation shall be made, § 60. Saving the Rights of the Lord of the Manor, except his Right of Soil, § 55; and of the Bedford Level Corporation, § 57; and of Commissioners of Rivers and Drainage, § 53. Commoners Commones not to be interfered with, § 59. Act not to extend to *Goldman or Wabberay Waste Lands*, § 60. Saving the Rights of the *Wullock Canal Company*, § 61.]

## Cap. 15.

An Act for inclosing Lands within the Townships of *Altonfield, Warran, Lower Ellstons, Fingfieldland, Hellingborough, Hertsble, and Quarriford*, all in the Parish of *Altonfield* in the County of *Bedford*. [16th June 1834]

[Allotment to be made for public Watering Places, and for getting Stone, Gravel, Sand, and Clay for repairing Roads and Buildings, § 25; and to the Lord of the Manor for Right of Soil, § 26; and to the Vicar for Glebe and Tithes, § 27, 28, and to the Lay Impropriator for Tithes and Modons, § 28. Vicar may, with Consent of Bishop and Patron, lease his Allotments for Twenty-one Years, to commence within Twelve Calendar Months after passing of the Act, § 41. Allotments to be made for Cliff, Fox Fern, and Quat Rents, § 40. Impropriator's and Vicar's Allotments to be fenced at the general Expence, § 40. Saving the Lord's Right to Mines and Minerals, § 75; and to Sirgavesin, &c. § 70.]

## Cap. 16.

An Act for inclosing Lands in the Parish of *Clegham* in the County of *Somerset*. [16th June 1834.]

[Allotment of Part of *Belton Hill* to be made to the Lord of the Manor for Right of Soil, § 26. Allotment to be made for Stone and Gravel for repairing Roads, § 27. Saving the Rights of the Lord of the Manor, except his Right of Soil, § 45.]

## Cap. 17.

An Act to amend the Corn Rent Schedules annexed to the Award made in pursuance of an Act of the Fifty-second Year of the Reign of His late Majesty King George the Third, for inclosing Lands in the Parish of *Loughy* in the County of *Gloucester*. [27th June 1834.]

## Cap. 18.

An Act to commute for a Corn Rent the Tithes and Dues payable to the Rector and Vicar of the Parish of *Kendal* otherwise *Kirkby Kendal* in the County of *Westmoreland*. [27th June 1834.]

## Cap. 19.

An Act for confirming and carrying into effect a Partition and Division of the Real and Personal Estates of *William Holman Esquire*, deceased, and for other Purposes therein mentioned. [27th June 1834.]

## Cap. 20.

An Act for facilitating the Proof of the Will of the Right Honourable *Charles Henry Cook* late Earl of *Mountrath* in certain Actions in *Ireland*. [27th June 1834.]

## Cap. 21.

An Act to enable the Trustees of *Hugh Montagu* of *Stabourde*, Earl of *Essex*, deceased, to sell a Part of the Trust Estates, in order to extinguish the Debts left by the said Earl which affect or may be made to affect the said Estates. [27th June 1834.]

## Cap. 22.

An Act for settling and securing the Lands of *Potteryfield*, and Parts of the Lands, Lordship, and Barony of *Essexton*, in the County of *Shropshire*, to and in favour of *George Earl of Devon* and the Series of Heirs entitled to succeed under a Deed of entail made by the Trustees of *John Earl of Devon* deceased, and under the Conditions and Limitations contained therein, and for vesting in Heirs thereof the Lands of *Corrick Inverness*, and others, in the County of *Argyll*, in the said *George Earl of Devon* and his Heirs and Assigns in Fee Simple. [27th June 1834.]

## Cap. 23.

An Act to enable the Trustees of *George Vincent Kirk* deceased to sell certain Lands vested in them in Trust, and purchase with the Price thereof the Lands of *Bowdoin*; and to empower the Heir of Entail of the said Lands of *Bowdoin* to dispose of the same; and for lowering the Price thereof in other Lands, to be entailed to the same Series of Heirs. [27th June 1834.]

## Cap. 24.

An Act to grant further Powers of leasing Part of the Estates devised by and purchased pursuant to the Will of *Sir John Ashley Baronet*, deceased. [27th June 1834.]

## Cap. 25.

An Act for vesting Part of the Settled Estates in the County of *York* devised by the Will of *Henry Pease Esquire*, deceased, in Trust, upon Trust to sell, and to apply the Moneys arising therefrom, under the Direction of the High Court of Chancery, in the Purchase of other Estates to be settled to the same Use, with Power to pay off Incumbrances. [27th June 1834.]

## Cap. 26.

An Act for executing Estates in the Counties of *Somerset* and *Devon* comprised in the Marriage Settlement of *Sir John Palmer Ashurst Baronet*, deceased, from the Jointure or Rent-Charge thereby limited to *Dame Sarah Maria Palmer Ashurst* his Widow, during her Life, and for charging other Estates in the County of *Somerset* devised and directed to be purchased by the Will of the said *Sir John Palmer Ashurst* with the Payment thereof. [27th June 1834.]

[*Seeing the Right of Lady Penelope Ashurst to the Rent-charge of £1,200 per Annum*, § 7. General Survey, § 8.]

## Cap. 27.

An Act for vesting certain detached Estates devised by the Will of the late *Henry Charles Aston Esquire*, deceased, in Trust, upon Trust to raise Money for the Purchase of an Estate called the *Dutton Estate*, in the County of *Gloucester*, and for other Purposes incidental thereto. [27th June 1834.]

## Cap. 28.

An Act for effecting an Exchange of certain Parts of the Entailed Estates of the Right Honourable *Anthony Ashley Knatchbull Earl of Arundel*, Lord *Pokness*, of *Massachusetts*, situated in the Counties of *Kent* and *Essex*, for certain Lands belonging to *Robert Taylor of Kirkstall Esquire*, situated in the County of *West Yorkshire*, by the University of Southampton Library Digitisation Unit 1834

## Cap. 29.

An Act for inclosing Lands within the Parish and Manor of *Strensall* in the County of *Northampton*, and for extinguishing the Tithes therein. [27th June 1834.]

[*Assent to be made for Materials for Roads, Bridges, &c.* § 25.; and to the Lord of the Manor for Right of Soil, § 26.; and to the Rector for Glebe, § 25.; and to the Rector and Mr. Drayton for Tithes of certain Lands, § 25.; and to the Rector for other Tithes, § 28.; and for Tithes of Woods, § 30. Rector's Assent to be found at the general Expenses, § 36. Rector may (with Consent of the Bishop and Patron) lease his Allotments for Twenty-one Years, to commence within Twelve Calendar Months after passing of the Act, § 35. Saving the Lord's Right to Stragwales, &c. § 30.]

## Cap. 30.

An Act for vesting certain Estates situate in the Parish of *Bovey* in the County of *East Devon* by the Will of *Edward Reynolds Esquire*, deceased, in Trustees for Sale, and for laying out the Moneys to be produced by such Sale in the Purchase of other Estates, to be settled to the same Uses. [27th June 1834.]

## Cap. 31.

An Act for vesting Part of the Settled Estates of the Most Honourable *George Augustus Francis Rindles Baring* Marquis of *Down* and the Most Honourable *Barbara Yolanda Marchioness of Hastings*, *Barronet Grey de Radclyffe*, his Wife, situate in the County of *Worcester*, in Trustees for Sale, and for laying out the Money arising from such Sale in the Purchase of other Lands, to be settled to the same Uses. [28th July 1834.]

## Cap. 32.

An Act for vesting the Estates in the Counties of *Surrey* and *Cheshire* devised by the Will of *Matthew Stowell Esquire*, deceased, in Trustees, upon Trust to sell the same, and to lay out the Moneys to arise from such Sale in discharging Incumbrances on other Estates settled to the same Uses, or in the Purchase of other Estates, to be settled to the same Uses. [28th July 1834.]

## Cap. 33.

An Act to authorize the Sale of Lands settled for the perpetual Augmentation of the Curacy of *Oldbury* in the County of *Salop*. [28th July 1834.]

## Cap. 34.

An Act for inclosing Common and Waste Lands within the Parishes of *Neaklyff*, *Upper Church*, and *Temple Bog*, in the County of *Hereford*. [30th July 1834.]

[*Power of the Grand Jury out of the County with respect to Roads not to be affected*, § 25. Assent to be made to the Majesty for Right of Soil, § 30.]

## Cap. 35.

An Act for establishing a School at the Site of *Boney Lane Market* in the City of *London*. [12th August 1834.]

[*The Market to be discontinued*, § 1.; and a School erected on the Site of it, § 2.; and maintained by the Corporation of *London* for instructing Boys in the higher Branches of *Literature*, § 4. Lands on Schedule charged with £2000 a Year for the Support of the School, § 3. Carpenter's Charity to be discontinued, § 3.]

## Cap. 36.

An Act for the Relief of *Patrick Richard Blackwood Brody* and *Richard Blackwood Esquires*, in respect of certain Lands and Premises, their Estates, situate in the County of *Down* in *Ireland*. [12th August 1834.]

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THE

# STATUTES at Large, &c.

Anno Regni GULIELMI IV. Britanniarum Regis,  
Quinto.

**A**T the Parliament began and holden at Westminster, the Nineteenth Day of February, Anno Domini 1835, in the Fifth Year of the Reign of our Sovereign Lord WILLIAM the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith: being the First Session of the Twelfth Parliament of the United Kingdom of Great Britain and Ireland.

C A P. I.

An Act to explain an Act of the First Year of His present Majesty, for the more effectual Administration of Justice in England and Wales, so far as relates to the Execution of Criminals in the County of Chester. [30th March 1835.]

**W**HEREAS by an Act passed in the First Year of His present Majesty, intituled *An Act for the more effectual Administration of Justice in England and Wales, the Jurisdiction, Power, and Authority of His Majesty's Court of Session of the County Palatine of Chester, and of the Judges thereof, was abolished*: and it was, among other Things, enacted, that the Assizes should be held for the Trial and Dispatch of all Matters Criminal and Civil within the County of Chester, under and by virtue of Commissions of Assize, Oyer and Terminer, Gaol Delivery, and other Writs and Commissions to be issued in like Manner and Form as had been usual for the Counties in England, and that all Laws and Statutes then in force relating to the Execution of such Commissions when issued for Counties in England should extend and be applied to the Execution of the Commissions issued for the County of Chester under the Authority of that Act; and it was provided and enacted, that nothing in that Act contained should be construed to abolish or affect the Obligations and Duties or the Jurisdiction or Rights then lawfully imposed upon, performed, or claimed and exercised by the Mayor and Citizens of Chester in the Courts of the County of the City of Chester or otherwise, save and except that such Writs of Error or false Judgments as might then by any Charter or Usage of the said Corporation be brought upon the Judgments of the said Courts, or any of them, before any of the Courts abolished by that Act, should thereafter be issued, as in other Cases, from superior Courts, and be returnable into His Majesty's Court of King's Bench: And whereas before the passing of the said Act the Sheriffs of the County of the City of Chester were by Law liable, and were used and accustomed, to execute all Criminals convicted and condemned to Death and ordered for Execution for Offences committed within the County Palatine of Chester: And whereas since the passing of the said Act the Sheriffs of the County of the City of Chester have executed Criminals convicted for Offences committed within the County of Chester, and sentenced to Death by Commissions issued under the Authority of the said Act, but Doubts are entertained whether the Sentence of Death pronounced on Criminals for Offences committed within the County of Chester ought to be executed by the Sheriff of the County or by the Sheriffs of the County of the City of Chester: For the Removal therefore of such Doubts, and for better effecting the Intention of the said Act, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Sheriffs of the County of the City of Chester for the Time being shall execute the Sentence of Death upon all Criminals condemned to die for Offences committed within the County of Chester; and the Judges, or any One of them, named in the Commissions of Oyer and Terminer and Gaol Delivery issued or from Time to Time to be issued for the County of Chester, shall have full Power and Authority to make such Orders on the Constable of the Castle of Chester for delivering such Criminals to the Sheriffs of the County of the City of Chester, and on the said Sheriffs for the Execution of such Criminals by the said Sheriffs, as such Judges or

The Sheriffs of the County of the City of Chester to execute County Criminals.

Judge shall think fit; all which Orders the said Constable and Sheriff shall be and they are hereby required to obey according as the Esauagey thereof.

II. Provided always, and be it enacted, That if at any Time it shall seem fit to any Judge before whom any Criminal shall be convicted and sentenced to die for any Offence committed within the County of Chester, that such Criminal should be executed at any Place out within the Jurisdiction of the Sheriff of the City of Chester, but within the County of Chester, it shall be lawful for such Judge to make any Order which he may think fit upon the Sheriff of the County of Chester to execute such Criminal at such Place, and also upon the Constable of the Castle of Chester to deliver such Criminal to the Sheriff of the County, and to do and perform, and suffer to be done and performed, all such Matters and Things as may be necessary for carrying into effect and executing such Sentence; and the said Sheriff and Constable shall be liable and are hereby required to obey all such Orders.

## C A P. II.

An Act to amend an Act of the Thirty-eighth Year of King George the Third, for preventing the Mischief arising from the printing and publishing Newspapers, and Papers of a like Nature, by Persons not known, and for regulating the Printing and Publication of such Papers in other respects; and to discontinue certain Actions commenced under the Provisions of the said Act. [20th March 1835.]

WHEREAS by an Act passed in the Thirty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for preventing the Mischief arising from the printing and publishing Newspapers, and Papers of a like Nature, by Persons not known, and for regulating the Printing and Publication of such Papers in other respects, certain Affidavits or Affirmations, concerning such Matters and Things in the said Act specified and set forth, relating to Newspapers and other Papers in the said Act described, are required to be made and sworn, and sworn or affirmed, and delivered to the Commissioners for issuing His Majesty's Seals, or to some of their Officers or Officers as therein mentioned; and it is by the said Act, amongst other Things, also enacted, that in some Part of every Newspaper or other such Paper as aforesaid there shall be printed the true and real Name and Names, Address and Addresses, and Place and Places of Abode of the Printer and Printers and Publisher and Publishers of the same, and also a true Description of the Place where the same is printed: And whereas certain Penalties are by the said Act imposed for any Neglect or Omission to comply with the aforesaid Provisions; and it is by the said Act provided that the said Penalties respectively shall be recovered by Action of Debt, Bill, Pleint, or Information in any of His Majesty's Courts of Record at Westminster, and that the same when recovered shall be, as to one Moiety thereof, to and for the Use of His Majesty, His Heirs and Successors, and, as to the other Moiety thereof, to and for the Use of the Person who shall inform or sue for the same: And whereas the Printers, Publishers, and Proprietors of divers Newspapers have inadvertently neglected to comply with some of the aforesaid Provisions of the said recited Act, and many Actions, Bills, Informations, and Prosecutions have been brought and commenced against such Printers, Publishers, and Proprietors, or some of them, by Persons who sue, inform, and prosecute, as well on their own Behalf as on behalf of His Majesty, to recover various Penalties, incurred or alleged to have been incurred under or by virtue of the said Act by reason of such Neglect; and it is expedient that all further Proceedings in such Actions, Suits, Informations, and Prosecutions should be prevented, and such other Provision made in relation thereto, and otherwise, as is herein after mentioned: Be it therefore enacted by His most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately from and after the passing of this Act it shall be lawful for any Person or Persons against whom any Original Writ, Suit, Action, Bill, Pleint, or Information shall have been sued out, commenced, or prosecuted, on or before the Day of the passing of this Act, for the Recovery of any pecuniary Penalty or Penalties incurred under the said Act, except in the Cases hereinafter provided, to apply to the Court in which such Original Writ, Suit, Action, Bill, Pleint, or Information shall have been sued out, commenced, or prosecuted, if such Court shall be sitting, or if such Court shall not be sitting, to any Judge of either of the Superior Courts at Westminster, for an Order that such Writ, Suit, Action, Bill, Pleint, or Information shall be discontinued, upon Payment of the Costs thereof out of Pocket incurred to the Time of such Application being made, such Costs to be taxed according to the Practice of such Court; and every such Court or Judge is hereby authorized and required, upon such Application, and Proof that sufficient Notice has been given to the Plaintiff or Plaintiffs, or to his or their Attorney, of the Application, to make such Order as aforesaid; and upon the making such Order and Payment or Tender of such Costs as aforesaid, such Writ, Suit, Action, Bill, Pleint, or Information shall be forthwith discontinued.*

II. Provided always, and be it enacted, That in all Cases in which any such Writ, Suit, Action, Bill, Pleint, or Information sued out or commenced on or before the Fourth Day of March One thousand eight hundred and thirty-five shall have been renewed or continued before the passing of this Act, or upon which any Declaration shall have been filed or delivered, or other Proceeding had, after the said Fourth Day of March and before the passing of this Act, it shall be lawful for such Court or Judge, upon such Application and Proof as aforesaid, to make such Order as aforesaid for discontinuing the

The Judge before whom any Criminal shall be convicted may make an Order upon the Sheriff of the County to execute such Criminal at any Place within the County of Chester.

ENG. 2. 71.

Persons sued before the passing of this Act for Penalties incurred under the recited Act, may apply to the Court or to a Judge in any Proceedings, upon certain Conditions.

Where any Action commenced before the 4th March 1835 has been renewed, the Court or Judge

same, upon Payment of the Costs out of Pocket of all Proceedings had on or before the said Fourth Day of March, to be taxed as aforesaid, and of such Costs out of Pocket, if any, of any Proceedings had after the said Fourth Day of March, on the Court or Judge making such Order shall direct; and upon making such Order, and Payment or Tender of such Costs, such Writ, Suit, Action, Bill, Plea, or Information shall be forthwith discontinued.

III. Provided always, and be it enacted, That in all Cases in which any such Writ, Suit, Action, Bill, Plea, or Information shall have been sent out or commenced at any Time subsequent to the said Fourth Day of March, it shall be competent for such Court or Judge as aforesaid to make such Order as aforesaid for discontinuing the same, without Payment of any Costs; and upon making such Order, such Writ, Suit, Action, Bill, Plea, or Information shall be forthwith discontinued.

IV. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to any Action, Bill, Plea, or Information in which any Judgment or Conviction shall have passed on or before the Day of the passing of this Act, or to any Action, Bill, Plea, or Information which shall have been or shall be commenced, prosecuted, entered, or filed by or in the Name of His Majesty's Attorney General or Solicitor General for and on behalf of His said Majesty.

V. And be it enacted, That from and after the passing of this Act all Fines, Penalties, and Forfeitures imposed by or incurred or which may be incurred under the said recited Act shall go and be applied to the Use of His Majesty, His Heirs and Successors, and may be used or prosecuted for in any of His Majesty's Courts of Record at Westminster, or in His Majesty's Court of Exchequer in London, as the Case may arise in England or Scotland respectively, whereas on Essoign, Privilege, Protection, Wager of Law, or more than One Imparance shall be allowed; any thing in the said recited Act or in any other Act contained to the contrary thereof notwithstanding.

VI. Provided always, and be it enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons whatsoever to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed, any Action, Bill, Plea, or Information in any of His Majesty's Courts, or before any Justice or Justices of the Peace, against any Person or Persons for the Recovery of any Fine, Penalty, or Forfeiture made or incurred or which may be incurred by virtue of the said recited Act, unless the same be commenced, prosecuted, entered, or filed in the Name of His Majesty's Attorney General or Solicitor General in that Part of Great Britain called England, or His Majesty's Advocate for Scotland (as the Case may be respectively), or in the Name of the Solicitor of Stamps and Taxes, or some other Officer of His Majesty's Stamp Duties in England or Scotland respectively; and if any Action, Bill, Plea, or Information shall be commenced, prosecuted, entered, or filed in the Name or Names of any other Person or Persons than he or she in that Behalf before mentioned, the same and every Proceeding thereupon had are hereby declared and the same shall be null and void to all Intents and Purposes.

VII. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A P. III.

An Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-five. [20th March 1835.]

There shall be applied, for the Service of the Year 1835, 2,000,000*l.* now in the Exchequer; also any Sums paid into the Exchequer in respect of Exchequer Bills issued for Public Works and Fisheries; also 60,000*l.* to be paid by the East India Company; and any Balance paid in by the Bank of England on or before the Fifth of April One thousand eight hundred and thirty-six pursuant to 36 G. 3. c. 97; provided that if at any Time the Balance shall be reduced to less than 100,000*l.* then so much of the Monies advanced by the Bank as shall be equal to the Sum by which the said Balance shall be less than 100,000*l.* shall be repaid."

## C A P. IV.

An Act for raising the Sum of Fifteen Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-five. [20th March 1835.]

## C A P. V.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [13th April 1835.]

[Number of Forces, 81,271. This Act is the same, except as to Dates, and the Parts here inserted, as 4 & 5 W. 4. c. 6.]

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bombay, Africa, and New South Wales*, where it may consist of not less than Five Commissioned Officers, and may sentence any Soldier in any Imprisonment, with or without hard Labour, in any public Prison or other Place which such Court, or the Officer commanding the Regiment or Corps in which the Offender belongs or is attached, shall appoint, and may also direct that such Offender shall be kept in solitary Confinement for the Whole or any Part or Parts of such Imprisonment, or of such Imprisonment with hard Labour, or may sentence any

may make Order for discontinuing it upon Payment of Costs.

Court may make Order for discontinuing certain Actions, &c.

Not to extend to Actions in which Judgment has been obtained, &c.

Penalties incurred under said Act to go wholly to His Majesty.

No Actions for Penalties to be commenced except in the Name of the Attorney or Solicitor General in England, or of the King's Advocate in Scotland, or of the Solicitor or Officer of Stamps.

Act may be rep. altd. by this Session.

Proviso of District or Garrison Court-martial.

Soldier to Corporal Punishment, not exceeding to Life or Livch, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pension or Discharge, for disgraceful Conduct.

In wilfully maiming or injuring himself, or any other Soldier, at the Instance of such Soldier, with Intent to render himself or such Soldier unfit for Service:

In tampering with his Eyes:

In malingering, feigning Disease, absconding himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmary, or wilfully delaying his Cure:

In purchasing or selling Government Stores:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess:

In producing false or fraudulent Accounts or Returns:

In embezzling or fraudulently misapplying Public Money entrusted to him:

Or in committing any petty Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or immoral Kind.

And such Offender may be further put under Stoppage, not exceeding Two Thirds of his daily Pay, until the Assent be made good of any Loss or Damage arising out of his Misconduct; and if any Soldier shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Soldier, if convicted of a Charge of habitual Drunkenness, of his Leave when issued in Kind, or of his Allowance in lieu of Beer or Liquor, or of such Proportions thereof, or of such Portion of his additional or regular Pay, for each Period, not exceeding Two Years, as may accord with His Majesty's Articles of War, subject to Restitution on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentences of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony; and the President of every Court-martial, other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer commanding such Court-martial; provided that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

XXII. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer or Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Soldier, and ought to be with the Corps to which he belongs, such Justice shall forthwith cause him to be conveyed to some public Prison in such Place, or if there be no public Prisons in such Place, then, at the Discretion of such Justice of the Peace, to the nearest or most convenient public Prison in the same or any next adjoining County, or to the Provost Marshal in case such Deserter shall be apprehended within the City or Liberties of Dublin or Places adjacent; or if such Deserter shall be apprehended by any Party of Soldiers of his own Regiment, or shall be apprehended in the Vicinity of the Head Quarters or of any Depot of the Regiment to which he shall belong, then such Justice may deliver such Deserter to the Party of his Regiment, or any other such Deserter to be taken to the Head Quarters or Depot of the Regiment to which he shall belong, instead of committing him to Prison; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, specifying at the Foot thereof the Commitment to Prison, or Delivery of such Deserter to the Party of his Regiment in order for his being taken to the Head Quarters or Depot of his Regiment, as the Case may be, to the end that such Person may be removed by an Order from the Office of the said Secretary at War, and proceeded against according to Law; and such Justice shall also send to the Secretary at War a Report, among the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary at War shall transmit to such Justice an Order for the Payment to such Person of such Sum, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act: Provided also, that the Fee or Reward taken by any Justice or his Clerk, in respect of any Information, Commitment, or Report or aforesaid, shall in no Case exceed the Sum of Two Shillings.

XXVIII. And be it enacted, That the Governor or Person having the immediate Inspection of any Prison, Goal, or House of Correction in every Part of His Majesty's Dominions shall diet and supply every Soldier with Fuel and other Necessaries according to the Regulations of the Prison to which he shall be committed, and shall receive an account of every Soldier, during the Period of his Imprisonment, Sixpence per Diem, which the Secretary at War shall cause to be issued out of the Subsidience of such Soldier, upon Application in Writing, signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which

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Sum of Sixpence per Diem shall be carried to the Credit of the Fund from which the Expence of such Prison or House of Correction is defrayed, and such Gaoler is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, which Order shall continue in force until the Deserter shall have arrived at his Destination, and such Gaoler shall be entitled to One Shilling for the safe Custody of the said Deserter while halted on the March, and to such Subsistence for his Maintenance as shall be directed by His Majesty's Regulations.

XXXIV. And be it enacted, That every Person who shall receive Enlisting Money from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or an enlisted Soldier, shall be deemed to be enlisted as a Soldier in His Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall cause to be taken down, in Writing, the Name and Place of Abode of such Recruit; and when any Person shall be enlisted as a Soldier in His Majesty's Land Service he shall within Four Days, any intervening Sunday not included, but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, or, in Scotland, before any Bailie of a Royal Burgh, residing within the Vicinity of the Place, and acting for the Division or District whose such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare he having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record or cause to be recorded in Writing his Answers thereto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the First and Second Articles of the Second Section of the Articles of War against Mutiny and Desertion, to be read over in his own Presence to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed for limited or unlimited Service, or for Service in the Forces of the East India Company, as may be applicable to the Case of the Recruit, and so other Oaths, any thing is any Act to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath to the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

XXXV. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days aforesaid, such Recruit shall be deemed to be enlisted as a Soldier in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Parliament of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit was disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit, and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to His Majesty's Secretary of War, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained, before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into His Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmary concealed or not declared by such Recruit before the Justice at the Time of his Attestation, and mentioned therein, may be transferred into any German or Veteran or Jewish Battalion, or into His Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as His Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any thing in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices before whom such Recruit shall be brought, and who shall be proved, upon Oath before them, to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmary upon being attested, or to have designedly made any false Representation as aforesaid, to adjudge such Person to be a Rogue and Vagabond, and to answer him to such Parliament as by any Law now in force may be inflicted upon Rogues and Vagabonds and Vagabonds and incorrigible Rogues; and any Recruit who shall designly make any false Representation, of any Particular contained in the Oaths and Certificates in

Enlisting and receiving of Recruits.

Offences committed with Enlistment.

the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Endorsement Money or Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, unless the true Intent and Meaning, if in England, of an Act, intitled *An Act for consolidating and amending the Laws in England relative to Larceny and other Offences committed thereunto*; and if in Ireland, of an Act passed in the Ninth Year of the Reign of His late Majesty, intitled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences committed thereunto*; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his being attested; and that Proof by the Oath of One or more credible Witnesses, that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and any Man having been enrolled to serve in the Militia at the Time of offering to enlist shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any Justices in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or on the Production of the Attestation, and the before-mentioned Declaration of such Person, certified by the Secretary at War or Deputy Secretary at War, be committed to the Common Goal or House of Correction, there to remain without Bail or Mainprize for and during any Term not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, being as a Soldier to the Corps of His Majesty's Regular Forces, or of the East India Company's Forces, into which he shall have to enlist; provided that every such Person shall be liable to serve, within the United Kingdom of Great Britain and Ireland, in any Regiment, Battalion, or Corps of His Majesty's Regular Forces, or of the East India Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Desertion from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

Forfeiture of Pay

XLV. And he it enacted, That any Soldier who shall absent himself without Leave, or who shall desert, shall, on Conviction by a General or other Court martial, in addition to any Punishment awarded by such Court, forfeit his Pay for the Days on which he has so absented himself without Leave, or on which he has been absent by such Desertion, and that no Soldier shall be entitled to Pay or to reckon Service towards Pay or Pension when in Confinement under any Sentence of any Court, or during any Absence from Duty by Commitment under the Civil Power as a Charge of any Offence cognizable by a Civil or Criminal Court, or by reason of any Arrest for Debt, or as a Prisoner of War, or while in Confinement under any Charge of which he shall afterwards be convicted; provided that any Soldier acquitted of the Offence for which he was committed shall, upon Return to his Duty so his Corps, be entitled to receive all Arrears of Pay growing due, and to reckon Service during his Absence or Confinement, and upon resuming His Majesty's Service from being a Prisoner of War, due Legacy shall be made by a Court-martial, and if it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner without wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner against the Enemy, and that he hath returned as soon as possible to His Majesty's Service, he may thereupon be recommended by such Court to receive either the Whole of such Arrears of Pay, or a Proportion thereof, and to reckon Service during his Absence; provided that it shall be lawful for His Majesty's Secretary at War to order or withhold the Payment of the Whole or any Part of the Pay of any Officer or Soldier during the Period of Absence by any of the Causes aforesaid.

Tolls

LXII. And he it enacted, That all His Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses, (but not when passing in any hired or private Vehicle,) and all Carriages and Horses belonging to His Majesty, or employed in His Service, when conveying Persons or Baggage under the Provisions of this Act, or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; and any Toll Collector who shall demand and receive Toll from any of His Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Undress, or for their Horses, every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, for which Forfeiture and Penalty he shall be prosecuted before a Justice of the Peace, and in no other Way; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Provision upon Civil Inquiries affecting

LXIII. And he it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in detaining any Officers or Soldiers in any Part of the United Kingdom, shall presume to

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hillet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to hillet any Officer or Soldier on Duty, when thereto required, in such Manner as by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to cause any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Court to provide Carriages, Horses, or Vessels shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same, or if any Person, public by this Act to have any Officer or Soldier quartered upon him, shall refuse to receive and to afford proper Accommodation or Diet in the House of such Person in which he is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by His Majesty's Regulations, nor exceeding Eighteen Pounds of Hay and Six Pounds of Straw per Diem for each Horse; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; such Constable, Victualler, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

applies the  
Law relating  
to Bill of  
Exchange.

Questions to be put separately by the Justice to a Recruit.

*Enlisting for unlimed Service.*

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the \_\_\_\_\_ Regiment of \_\_\_\_\_ until you shall legally be discharged?
9. On what Day and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy?
13. Have you ever served in the Army, Marines, Ordnance, or Navy?

Note.—The Justice is directed, in putting the Eleventh Question to the Recruit, and before he attests his Answer, distinctly to apprise the Recruit that if he belongs to the Militia, and desires the Fact, he is liable to Six Months Imprisonment.

*Enlisting for limited Service.*

The preceding Questions to be put by the Justice, except Question 8, which is to be as follows:

8. Are you willing to be attested to serve in the \_\_\_\_\_ Regiment of \_\_\_\_\_ for the Period of \_\_\_\_\_ [this Blank to be filled up by the Justice with Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years for the Artillery, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under the Age of Eighteen Years, then the Difference between his Age and Eighteen to be added to each Seven, Ten, or Twelve Years, as the Case may be.] Years, provided His Majesty should for so long require your Service, and also for such further Term, not exceeding Six Months, as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years, as shall be directed by any Proclamation of His Majesty, such additional Period, in the latter Case, to determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, or Twelve, as the Case may be,] Years?

*Enlisting for either His Majesty's or the East India Company's Service.*

Question 8 is to be put by the Justice as follows:

8. Are you willing to be attested to serve in His Majesty's Army, or in the Forces of the East India Company, according as His Majesty shall think fit to order, until you shall be duly and legally discharged?





to be respectively the First, Second, Third, and Fourth Ordinary Members of the said Council; and by another Commission bearing the same Date the said Court did appoint Sir Charles Thomas Metcalfe Baronet to be Governor of the Presidency of Ajmer, which Presidency is by the said second Act directed to be constituted, to take upon himself the said Office upon and from the said Twenty-second Day of April One thousand eight hundred and thirty-four: And whereas under and by virtue of the former Appointments of the Court of Directors of the said Company at the Time of issuing the said Commissions, and from thence until the Twenty-second of April One thousand eight hundred and thirty-four, the said Lord William Cavendish Bessborough was Governor of the Presidency of Fort William in Bengal, and the said Sir Charles Thomas Metcalfe and the said William Bland and Alexander Ross were respectively Members of the Council of the said Presidency, and in virtue of the Provisions of former Acts the said Sir Charles Thomas Metcalfe was also Vice President of the said Council: And whereas on the said Twenty-second Day of April One thousand eight hundred and thirty-four the said Lord William Cavendish Bessborough was, in consequence of ill health, at Goteborough in the Presidency of Madras, and the said Sir Charles Thomas Metcalfe and the aforesaid William Bland were at Calcutta, and the said Alexander Ross, William Ryan Martin, and Thomas Buleyton Marnsley were not in the East Indies, and Lieutenant Colonel William Morrison, who had been appointed by the said Court a Provisional Councillor of India, was in Mysore; and for these and other Reasons the Government of the said Presidency and other Territories belonging to the East India Company in India was administered for a Time otherwise than in accordance with the said recited Act; and it is expedient that the said Lord William Cavendish Bessborough, and Sir Charles Thomas Metcalfe and William Bland, and all other Persons by whom the said Government was so administered, and all Persons acting under the Order of them or of any or either of them, should be indemnified in manner herein after mentioned, and their Acts rendered valid: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Lord William Cavendish Bessborough, Sir Charles Thomas Metcalfe, and William Bland, and also the several Persons who at any Time after the said Twenty-second Day of April One thousand eight hundred and thirty-four were or acted as Members of the Council of India, and also all Persons acting under the Authority of them or any or either of them, shall be and they are justly and severally lawfully indemnified, freed, and discharged free and against all Actions, Suits, Prosecutions, and Penalties whatsoever, for or on account or in respect of all or any Acts, Matters, and Things whatsoever done, ordered, directed, or authorised by the said Governor General and Vice President and Members of Council, or any or either of them, or by any Person or Persons acting under the Authority of them or of any or either of them; so only and provided that such Acts, Matters, and Things shall have been done, ordered, directed, or authorized bona fide in the Exercise of the Administration of the Government of the British Territories in the East Indies, between the said Twenty-second Day of April One thousand eight hundred and thirty-four and the First Day of January One thousand eight hundred and thirty-five.

II. And be it further enacted and declared, That all such Acts, Matters, and Things shall be as valid and effectual, and shall be and be deemed to be of as much Force, Validity, and Effect, as if the same had been expressly authorized by the said recited Act.

Governor General, Vice President, and Members of Council in India, be indemnified for all Acts done by them between the 22d April 1834 and the 1st January 1835.

and such Acts to be valid.

### C A P. VII.

An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.

[18th April 1835.]

[This Act is to be read, except as to Dates and the Sections here inserted, as 4 & 5 W. 4. c. 4.]

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (Bermuda, Africa, and New South Wales excepted,) or in the Settlements of the East India Company, or elsewhere, shall consist of not less than Thirteen Commissioned Officers, and if convened in Bermuda or out of the King's Dominions (excepting Africa and New South Wales) shall have not less than Seven, and in Africa and New South Wales not less than Five Commissioned Officers; and in all Cases no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Members present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

Composition of General Courts-martial.

IX. And whereas it may be expedient in many Cases that Officers of the Land Forces should be associated with Royal Marine Officers for the Purpose of holding Courts-martial: be it enacted, That when and as often as it shall be deemed necessary it shall and may be lawful for Officers of Royal Marines and of the Land Forces to sit in conjunction as any Court-martial to be held under the Authority of this Act, and to proceed on the Trial of any Marine Officer, Non-commissioned Officer, Drummer, or Private Man, in like Manner as all Intents and Purposes as if such Court-martial were composed of Marine Officers only, and whether the Officer by whose Order such Court-martial is summoned being to the Land or the Marine Forces; and the Officers composing such Court shall in such Cases take Rank according to the Seniority of their Commissions in either Service.

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

XI. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in Bermuda, Africa, and New South Wales, where it may consist of not

District or Garrison Courts-martial.

less than Five Commissioned Officers; and that it shall be lawful for such Court, although assembled under the Authority of an Act of the present Session of Parliament, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, to proceed to try any Marine or Marines below the Rank of a Commissioned Officer for any Offence committed by any of them while serving in conjunction with His Majesty's Land Forces, and to sentence any such Marine to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court may appoint, or to Corporal Punishment not extending to Life or Limb, or Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Marine to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, for disgraceful Conduct in wilfully maiming or injuring himself, or any other Marine in the Service; in tampering with his Eyes; in malingering, feigning Disease, absconding himself from Hospital while under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmary, or wilfully delaying his Cure; in pilfering or selling Government Stores; in stealing any Money or Goods the Property of a Comrade, of a Military Officer, or of any Military or Divisional or Regimental Mess; in producing false or fraudulent Accounts or Returns; in embezzling or fraudulently misapplying Public Money intrusted to him; or for any other disgraceful Conduct, being of a cruel, inhuman, uncharitable, felonious, or fraudulent Nature; and such Offender may be further put under Stoppage, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Marine shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claims to Pension, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Marine, if convicted of the Charge of habitual Drunkenness, of his Liquor when issued in Kind or of his Allowance in lieu of Beer or Liquor, or of additional Pay, or of such Portion of his daily Pay, for any Period not exceeding Two Years, or may accord with the Rules and Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony; and the President of every Court-martial other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer commanding such Court-martial: Provided always, that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

Nothing a  
Witness

XIV. And be it enacted, That every Marine convicted of Desertion by any Court-martial, or of Felony in any Court of Criminal Judicature, shall thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, in addition to any other Punishment which such Court may award; and it shall be lawful for any General Court-martial assembled to try the Crime of Desertion, in addition to any other Punishment such Court may award, to direct that the Offender be marked on the Left Side, Two Inches below the Arm Pit, with the Letter D such Letter not to be less than Half an Inch long, and to be marked on the Skin, with some Ink or Gutta-serena, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Witness.

XV. And be it enacted, That all Witnesses, whether Military or otherwise, duly summoned by the Judge Advocate, or the Person appointed to officiate as such, or by the President of a District, Garrison, or Divisional Court-martial, or by the Adjutant at the Head Quarters of the Division at which such Court shall be appointed to be held, to give Evidence on any Court-martial, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if nevertheless arrested contrary to the Intent of this Act, be forthwith discharged out of Custody by the Order of the Court out of which the Writ or Process for such Arrest was issued; and if such Court shall not be then sitting, then by the Order of any Judge of the Court of King's Bench at Westminster or Dublin, or of the Courts of Session in Scotland, or Courts of Law elsewhere, as the Case may require, upon its being made appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending such Court-martial; and every Person so duly summoned as a Witness who shall not attend, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence at any such Court-martial, or to answer all such Questions as the Court may legally demand of him, shall be liable to be attached, proceeded against, and punished in the Court of King's Bench at Westminster or Dublin, or Court of Session or other Court of Law, or elsewhere, in the same Manner as Persons disobeying the Subpoena to testify, or any similar Process of such Courts, are liable to be proceeded against and punished.

Report of  
Proceedings of  
Courts-martial.

XIV. And be it enacted, That every Judge Advocate or Person officiating as such at any General Court-martial, or the President of any other Court-martial, shall transmit, with all reasonable Expedition, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and that the Person tried by any General Court-martial shall, upon Application to the Secretary of the Admiralty, be created, at any Time after the Expiration of Three Calendar Months from the Date of such Sentence, but not sooner, whether such Sentence be approved or not, to a Copy of the Proceedings and Sentence, upon paying reasonably for the same, according to the Length thereof; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

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XXV. And he enacted, That every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted, and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Deserter previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence as an Aggravation of the Crime for which he shall be under Trial; and is like Manner, in the Case of any Marine tried for any Offence whatever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall be received in any Case until after the Court shall have found the Prisoner guilty of the Offence for which he shall be under Trial, and then only for the Purpose of being Punishment; and provided that in all Cases previous Notice shall have been given to the Offender of the Intention to produce such Evidence upon his Trial; and provided also, that before such Evidence shall be received it shall be shown to the Satisfaction of the Court that such Notice had been duly given to him, and the Court shall in no Case award to him any greater or other Punishment than may by this Act or by the Articles of War be awarded for the Crime for which he shall be under Trial.

XXXIII. And he enacted, That every Person who shall receive Enlisting Money to serve in the Royal Marines from any Person employed in the Recruiting Service, he being an Officer, Non commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in His Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be belittled; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall cause to be taken down in Writing the Name and Place of Abode of such Recruit; and when any Person shall be enlisted as a Marine, he shall, within Four Days, any intervening Sunday not included, but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice residing in the Vicinity of the Place, and acting for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Marines; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the Third, Fourth, and Fifth Articles of the Second Section of the Articles of War against Mutiny, and the First Article of the Third Section of the said Articles of War against Desertion, to be read over in his own Presence to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed for limited or unlimited Service, or for Service in the Forces of the East India Company, as may be applicable to the Case of the Recruit, and no other Oath, any thing in any Act to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath as the Schedule to this Act annexed before the said Justice, it shall be lawful for the Officer or Non commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

XLIV. And he enacted, That every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days marching Money) to enable him to reach his Home, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his own Discharge, or be discharged on account of Misbehaviour, or at his own Desire, before the Expiration of his Period of Service, shall be entitled to any such Allowance.

XLIX. And he enacted, That all Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, but not when passing in any private or hired Vehicle, and all Carriages and Horses when employed in conveying Persons or Baggage under the Provisions of this Act, or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Through Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, and who by this Act is exempted from Payment thereof, such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boat, Barge, or other Vessel employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the Month to pass regular Ferries in Scotland, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debiting all charges for that Term, and shall in such Case pay only Half the ordinary Rate for such Boat.

I. And he enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in belittling any Officers or Marines in any Part of the United Kingdom, shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act, without the Consent

Subsequent  
Enlistment no  
Provision then  
Provisions for  
Desertion.

Enlisting and  
recruiting of  
Marines.

Marching  
Money on  
Discharges.

Exemption  
from Tolls.

Penalty upon  
Civil Subjects  
offending  
against the

Laws relating  
to Barges and  
Lairages.

of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty, when thereto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Constable to provide Carriages, Horses, or Vessels shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive and to afford proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by His Majesty's Regulations, not exceeding Eighteen Pounds of Hay and Six Pounds of Straw per Day for each Horse, or shall pay any Sum of Money to any Marine as the March in lieu of furnishing in kind the Diet and Small Beer in which such Marine is entitled; such Constable, Vicar-General, and other Person respectively shall suffer for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings.

## C A P. VIII.

An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits. [12th June 1835.]

[See Cap. 69, by which this Act is repealed.]

## C A P. IX.

An Act to apply a Sum of Eight Millions, out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-five. [17th June 1835.]

## C A P. X.

An Act to allow, until the Twenty-eighth Day of July One thousand eight hundred and thirty-five, the Importation of certain Articles, Duty-free, into the Island of Dominica, and to indemnify the Governor and others for having permitted the Importation of such Articles Duty-free. [3d July 1835.]

WHEREAS the Island of Dominica in the West Indies has recently been visited with a most violent and destructive Hurricane, whereby the Inhabitants of that Island have experienced very great Distress, in consequence of which it is deemed expedient to permit for a limited Time the Importation into that Island, in Vessels of all Nations, of Lumber, Stingles, Flour, Beef, Pork, and Fish, Duty-free: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act Lumber, Stingles, Flour, Beef, and Pork shall and may be imported into the said Island Duty-free until the Twenty-eighth Day of July One thousand eight hundred and thirty-five; and that all Fish which may have been imported Duty free under any Proclamation of the Governor of the said Island is hereby declared to be free of Duty accordingly.

II. And be it further enacted, That the Governor of the said Island, and the Collector and other Officers of the Customs in the said Island, and all Persons whatsoever acting or having acted under their Orders and Directions, shall be and are hereby indemnified for any Orders which they may have respectively given upon or after the Days on which the Hurricane in the said Island took place, by reason of which any Duty that was then legally due and payable on the Importation into that Island of Lumber, Stingles, Flour, Beef, Pork, and Fish ceased to be levied and collected, and for any Omissions on their Parts to cause such Duty to be levied and collected since such Days.

III. And be it further enacted, That it shall be lawful for His Majesty, by Order in Council, to continue in force the Provisions of this Act until the First Day of Jberok One thousand eight hundred and thirty six.

## C A P. XI.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and thirty-six; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Inventures of Clerks to Attorneys and Solicitors to make and file the same on or Printed image deposited by the University of Southampton Library Digitisation Unit before

Lumber, &c.  
may be imported  
Duty-free into  
the Island until  
28th July 1835.

Governor and  
Collector, &c. of  
the Customs  
indemnified.

Act may be  
continued by  
Order in  
Council.

before the first Day of *Whitsy* Term One thousand eight hundred and thirty-six; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates. [3d July 1835.]

[*This Act is the same, except as to Dates and the Sections here inserted, as 4 & 5 W. 4. c. 9.*]

VII. And be it enacted, That in case the Attorney, Solicitor, Proctor, or Notary to whom any Person shall have duly served his Clerkship under Articles is *Wiking* for that Purpose shall after such Service of the Clerk be struck off the Roll in consequence of some Defect in the Service under the Articles of Clerkship or of the Admission and Enrolment of such Attorney, Solicitor, Proctor, or Notary, the Person who has so duly served his Clerkship shall not be prevented or disqualified from being admitted and enrolled as an Attorney, Solicitor, Proctor, or Notary, nor liable to be struck off the Roll, if admitted, by reason of any such Defect as aforesaid, provided that such Clerk or Person be otherwise entitled to be admitted and enrolled according to the Laws now in force relating thereto.

VIII. And be it further enacted, That no Person who has been admitted and enrolled and is actual Practitioner as an Attorney, Solicitor, Proctor, or Notary shall be liable to be struck off the Roll for or on account of any Defect in the Articles of Clerkship, or the Registry thereof, or the Service under such Articles, or of his Admission and Enrolment, unless the Application for striking him off the Roll be made within Twelve Months from the Time of his Admission and Enrolment, provided that such Articles, Registrations, Service, Admission, or Enrolment be without Fraud.

Defects in the Service &c. of Attorneys not to disqualify Persons who have served them.

Application for striking Attorney off the Roll for Defect in Articles, &c. to be made within 12 Months of Admission.

## C A P. XII.

An Act for continuing to His Majesty, until the Fifth Day of July One thousand eight hundred and thirty-six, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-five. [3d July 1835.]

" Duties on Sugar and Molasses imposed by 1 W. 4. c. 50. continued until July 1835.—§ 1. Powers of " revised Act extended to this Act. § 2. Separate Accounts to be kept in the Office of the Controller " General of the Exchequer of the Duties arising in Great Britain. Monies arising to be paid to be " paid into the Exchequer there. § 3. The Treasury may direct Exchequer Bills to be made out not " exceeding £500,000.—§ 4. Powers of 45 G. 3. c. 1. extended to this Act. § 5. Exchequer Bills to " bear an Interest not exceeding 4 per Cent. per Annum. § 6. Bank of England may advance Money " on the Credit of this Act, notwithstanding 5 & 6 W. 4. c. 50.—§ 7. Bills to be delivered to the " Bank of England, as Security for the Advances. § 8. Exchequer Bills to be charged on the Duties " granted by this Act. § 9. Money due on Exchequer Bills to be paid out of the next Aids. § 10. " Surplus Monies to be carried to Consolidated Fund. § 11. The Treasury to allow the necessary " Charges of making forth new Exchequer Bills. § 12. Money issued to be replaced out of the first " Supplies. § 13. Act may be altered this Session. § 14."

## C A P. XIII.

An Act to regulate the Importation of Corn into the Isle of Man. [3d July 1835.]

" WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King George " the Fourth, intitled *An Act to amend the Laws relating to the Importation of Corn*, whereby " certain Duties, as set forth in a Table annexed to the said Act, are made payable in the United " Kingdom upon the Importation of Corn, Grain, Meal, and Flour, but which Duties are not payable " in the Isle of Man: And whereas the Surplus Productions of the Isle of Man are nevertheless " admissible, under the Laws now in force, into the United Kingdom, without Payment of any Duties: " And whereas the Inhabitants of the Isle of Man do not stand in need of any Supplies of Foreign Corn " for their Consumption, and therefore it is necessary, for the better Enforcement of the said Act with " regard to the Importation of Corn into the United Kingdom, to make new Provisions for regulating " the Importation of Corn into the Isle of Man: Be it therefore enacted by the King's most Excellent " Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in " this present Parliament assembled, and by the Authority of the same, That from and after the passing " of this Act it shall be lawful to import into the Isle of Man any Foreign Corn, Grain, Meal, or Flour, " except upon Payment of the same Duties as are by the said Act made payable on the Importation into " the United Kingdom of Corn, Grain, Meal, or Flour.

" II. And whereas it and by the said Act it is provided that a certain Certificate of the aggregate " Average Prices of Corn shall be transmitted to the Collector or other chief Officer of the Customs " at each of the several Ports of the United Kingdom: be it further enacted, That the said Certificate " shall in like Manner be transmitted to the Collector or other chief Officer of the Customs at the Port of " Douglas in the Isle of Man; and that the Duties payable as aforesaid in the Isle of Man shall be " ascertained from Time to Time by the Process set forth in such Certificate, in like Manner as the same " are ascertained in the United Kingdom.

" III. And be it further enacted, That the Duties imposed by this Act shall be raised, levied, collected, " and paid into His Majesty in like Manner as if the same had been imposed by an Act passed in the " Third and Fourth Years of His Majesty's Reign, intitled *An Act for regulating the Trade of the " Isle of Man*.

§ C. 1. c. 10.

All Foreign " Corn to be subject to the same " Duties in the " Isle of Man as " in the United " Kingdom.

Certificate of " Average Prices " to be trans- " mitted.

How Duties are " to be collected. " 5 & 6 W. 4. c. 50.

## C A P. XIV.

An Act to continue to the Thirty-first Day of December One thousand eight hundred and thirty-six, and from thence to the End of the then next Session of Parliament, an Act of the Tenth Year of His late Majesty's Reign, for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*. [30 July 1835.]

" 30 G. 4. c. 22. continued until 31st December 1836, and until End of then next Session of Parliament. — 4 17

## C A P. XV.

An Act to continue until the Thirty-first Day of May One thousand eight hundred and thirty-eight, and to the End of the then next Session of Parliament, the Allowances of the Duty of Excise on Soap used in certain Manufactures. [21st July 1835.]

## C A P. XVI.

An Act for altering and amending the Law regarding Commitments by Courts of Equity for Contempts, and the taking Bills *pro Confesso*, in *Ireland*. [30th July 1835.]

" WHEREAS it is expedient to amend the Law regarding Commitments by Courts of Equity for Contempts, and the taking Bills *pro Confesso*, in *Ireland*, be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Marshals of the Marshals of the Four Courts Prison shall keep a Register of the Names of all Persons committed by the Courts of Equity for Contempts, stating the Dates and the Grounds of their several Commitments, and the Dates of their respective Discharges, and shall, on the Twentieth Day of January, the Twentieth Day of April, the Twentieth Day of July, and the Twentieth Day of October in every Year, make a Report to the Lord Chancellor of the Names and Descriptions of such Persons in his Custody on each of such Days respectively, with the Causes and Dates of their respective Commitments.

" II. ' And whereas sometimes Persons have withdrawn themselves beyond the Seas, or otherwise absconded, to avoid appearing in Courts of Equity, or being served with Process for that Purpose, or being brought into Court by Habeas Corpus, have refused to appear; for Remedy of the Inconvenience thence ensuing, be it further enacted, That if in any Suit, not being for the Foreclosure of a Mortgage, which hath been or hereafter shall be commenced in any Court of Equity, any Defendant against whom any Subpoena or other Process shall issue shall not come his Appearance to be entered upon such Process within such Time and in such Manner as according to the Rules of the Court the same ought to have been entered in case such Process had been duly served, and an Affidavit or Affidavits shall be made to the Satisfaction of such Court that such Defendant is beyond the Seas, or that upon Inquiry at his usual Place of Abode he could not be found so as to be served with such Process, and that there is just Ground to believe that such Defendant is gone out of the Realm, or has otherwise absconded to avoid being served with the Process of such Court, then and in such Case the Court out of which such Process issued may make an Order directing and appointing such Defendant to appear at a certain Day thence to be named; and a Copy of such Order shall, within Fourteen Days after such Order made, be inserted in the Dublin Gazette, and published on some Lord's Day immediately after Divine Service in the Parish Church where such Defendant made his usual Abode within Thirty Days next before such his absenting, and also a Copy of such Order shall within the Time aforesaid be posted up in some public Place at the *Royal Exchange* in *Dublin*; and if the Defendant do not appear within the Time limited by such Order, or within such further Time as the Court shall appoint, then, on Proof made of such Publication of such Order as aforesaid, the Court, being satisfied of the Truth thereof, may order the Plaintiff's Bill to be taken *pro Confesso*, and make such Decree thereupon as shall be thought just, and may thereupon issue Process to compel the Performance of such Decree, either by so immediate Requisition of the Real and Personal Estate and Effects of the Party so absconding (if any such can be found), or such Part thereof as may be sufficient to satisfy the Demands of the Plaintiff in the said Suit, or by causing Possession of the Estate or Effects demanded by the Bill to be delivered to the Plaintiff, or otherwise, as the Nature of the Case shall require; and the said Court may likewise order such Plaintiff to be paid and satisfied his Demands out of the Estate or Effects so sequestered, according to the true Intent and Meaning of such Decree, such Plaintiff first giving sufficient Security in such Suit as the Court shall think proper to abide concerning the Restitution of such Estate or Effects as the Court shall think proper to make concerning the same upon the Defendant's Appearance to defend such Suit, and paying such Costs to the Plaintiff as the Court shall order; but in case such Plaintiff shall refuse or neglect to give such Security as aforesaid, then the said Court shall order the Estate or Effects as sequestered, or whosoever the Possession shall be decreed to be delivered, to remain under the Direction of the Court, either by appointing a Receiver thereof, or otherwise, as to such Court shall seem meet, until the Appearance of the Defendant to defend such Suit, and his paying such Costs to the Plaintiff as the said Court shall think reasonable, or until such Order shall be made thereon as the Court shall think just.

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Marshals of the Four Courts Prison to keep a Register of Persons committed for Contempts, and report Four Times a Year to the Lord Chancellor.

Names of persons appearing in one of Persons not appearing within the usual Time after Subpoena or other Process has been issued.

III. Provided always, and be it further enacted, That if any Person against whom any Decree shall be made upon Refusal or Neglect to enter his Appearance, or appoint a Clerk in Court or Attorney to act on his Behalf, shall be in Custody or forthcoming, so that he may be served with a Copy of such Decree, then he shall be served with a Copy thereof before any Process shall be taken out to compel the Performance thereof.

IV. Provided also, and be it further enacted, That if any Decree shall be made in pursuance of this Act against any Person being out of the Realm, or absconding in manner aforesaid, at the Time such Decree is pronounced, and such Person shall within Seven Years after the making such Decree return or become publicly visible, then and in such Case he shall likewise be served with a Copy of such Decree within a reasonable Time after his Return or public Appearance shall be known to the Plaintiff; and in case any Defendant against whom such Decree shall be made shall within Seven Years after the making such Decree happen to die before his or her Heirs into this Realm, or appearing openly as aforesaid, or shall within the Time last before mentioned die in Custody before his or her being served with a Copy of such Decree, then his or her Heir, if such Defendant shall have any Real Estate sequestered, or whereof Possession shall have been delivered to the Plaintiff, and such Heir may be found, or if such Heir shall be a Female Covert, Infant, or non compos mentis, the Husband, Guardian, or Committee of such Heir respectively, or if the Personal Estate of such Defendant be sequestered, or Possession thereof delivered to the Plaintiff, then his Executor or Administrator (if any such there be), any and shall be served with a Copy of such Decree within a reasonable Time after it shall be known to the Plaintiff that the Defendant is dead, and who is his Heir, Executor, or Administrator, or where he may be served therewith.

V. Provided always, and be it further enacted, That if any Person so served with a Copy of such Decree shall not within Six Months after such Service appear and petition to have the said Cause reheard, such Decree so made as aforesaid shall stand absolutely confirmed against the Person so served with a Copy thereof, his Heirs, Executors, and Administrators, and all Persons claiming or to claim by, from, or under him or any of them by virtue of any Act done or to be done subsequent to the Commencement of any Suit.

VI. Provided always, and be it further enacted, That if any Person so served with a Copy of such Decree shall within Six Months after such Service, or if any Person not being so served shall within Seven Years next after the making such Decree, appear in Court and petition to be heard with respect to the Matter of such Decree, and shall pay down or give Security for Payment of such Costs as the Court shall think reasonable in that Behalf, the Person so petitioning, or his Representatives, or any Person claiming under him by virtue of any Act done before the Commencement of the Suit, may be admitted to answer the Bill exhibited, and Issue may be joined, and Witnesses on both Sides examined, and such other Proceedings, Decrees, and Executions may be had thereon, as there might have been in case the same Party had originally appeared, and the Proceedings had then been newly begun, or as if no former Decree or Proceedings had been in the same Cause.

VII. Provided always, and be it further enacted, That if any Person against whom such Decree shall be made, his Heirs, Executors, or Administrators, shall not within Seven Years next after the making of such Decree appear and petition to have the Cause reheard, and pay down or give Security for Payment of such Costs as the Court shall think reasonable in that Behalf, such Decree made as aforesaid shall stand absolutely confirmed against the Person against whom such Decree shall be made, his Heirs, Executors, and Administrators, and against all Persons claiming or to claim by, from, or under him, or any of them, by virtue of any Act done or to be done subsequent to the Commencement of such Suit; and at the End of such Seven Years it shall and may be lawful for the Court to make such further Order as shall be just and reasonable, according to the Circumstances of the Case.

VIII. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to warrant or make good any Proceeding against any Person beyond the Seas, unless it shall appear to the Satisfaction of the Court by Affidavit or Affidavit, before the making of such Decree, that such Person had been in England within Two Years next before the Subpoena in such Suit issued against such Person.

IX. And whereas in many Cases Persons having Privilege of Parliament are named as Defendants in Suits instituted in Courts of Equity against them, either alone or jointly with other Persons, for enforcing against them Demands and Duties exigible in Courts of Equity, and as some Cases such Defendants having Privilege of Parliament have stood out to the Return of Process of Sequestration issued against them for enforcing Appearance, and such Process of Sequestration hath not been found sufficient to enforce such Appearance; be it therefore enacted, That from and after the passing of this Act, in case any Defendant having Privilege of Parliament shall, upon a Return of Process of Sequestration issued against him in a Court of Equity for enforcing Discovery and Relief, or Discovery alone, (as the Case may be,) neglect to appear, that there and in such Case such Court, upon producing the Return of such Sequestration in Court, may, on the Motion or other Application of the Plaintiff in such Cause, appoint a Clerk in Court to enter an Appearance for such Defendant so having Privilege of Parliament, and such Proceedings may be thereupon had in the Cause as if the Party had actually appeared.

X. And whereas in many Cases it is necessary, on the Part of the Persons having legal Rights against Persons having Privilege of Parliament, to proceed by Bill in Equity against such Persons so

Persons in Custody or forthcoming to be served with a Copy of the Decree.

Persons out of the Realm affected by such Decrees, if they return within Seven Years, to be served with a Copy, or in case of Death, their Heirs, &c.

Persons not petitioning a Rehearing within Six Months, Decree confirmed.

Persons petitioning a Rehearing within Seven Years, and giving Security for Costs, admitted to answer, and the Cause to be heard again.

Persons not appearing within Seven Years, such Decree made as aforesaid to stand absolutely confirmed.

Not to affect Persons beyond the Seas, unless it shall appear in certain Cases.

Appearance may be put in for Defendants having Privilege of Parliament in Courts of Equity, on Return of Process of Sequestration.

In default of Answer to Bill in Equity.



against Persons  
having Privilege  
of Parliament,  
Bill shall be  
taken *pro*  
Confessio.

\* having Privilege of Parliament, to obtain from them Discovery on Oath of Facts intended to be used  
\* or given in Evidence in Courts of Law against the Persons making such Discovery; and in Cases  
\* where such Persons having such Privilege as aforesaid shall stand out Process of Contempt, Parties  
\* entitled to such Discovery against them have not sufficient Means of compelling or obtaining the  
\* same in all Cases; be it therefore enacted, That from and after the passing of this Act, when  
any Defendant having Privilege of Parliament shall have appeared to any Bill filed against him seeking  
a Discovery upon Oath, or when an Appearance shall have been entered for such Defendant according  
to the Provisions aforesaid, and such Person shall refuse or neglect to put in his Answer to such Bill  
within the Time for that Purpose allowed by the Rules and Orders of such Court, that then it shall and  
may be lawful for the Plaintiff in such Suit to apply to the Court for an Order that such Bill shall be  
taken *pro Confessio* against such Defendant, and upon such Application such Court of Equity shall make  
an Order that such Bill shall be taken *pro Confessio*, unless the Defendants shall within Eight Days after  
being served with such Order show good Cause to the contrary.

Such Bill shall  
be read in  
Evidence as an  
Answer admitting  
the Facts.

XI. And be it further enacted, That when and so soon as any such Order shall have been pronounced  
by any such Court of Equity for taking such Bill *pro Confessio*, such Bill in Equity, or an examined  
Copy thereof, so taken *pro Confessio*, shall be taken and read in any Court of Law or Equity as Evidence  
of the Facts and Matters and Things therein contained, in the same Manner as if such Facts, Matters,  
and Things had been admitted to be true by the Answer of the Defendant put in to such Bill; and such  
Bill so taken *pro Confessio* shall be received and taken in Evidence of such and the same Facts, and on  
behalf of such and so many Persons, as the Answer of the Defendant to the said Bill could and might  
have been read and received in Evidence in case such Answer had been put in by the Defendant  
therein, and had submitted the same Facts, Matters, and Circumstances as in such Bill stated and set  
forth; and in like Manner every other Bill of Discovery taken *pro Confessio*, under any of the Provisions  
of this Act, shall or may be taken and read as Evidence of the Facts and Matters and Things therein  
contained, to the Extent aforesaid.

Rules for the  
Court of  
Chancery

XII. And for remedying the Practice of Courts of Equity in regard to Process of Contempt and the  
taking of Bills *pro Confessio*, be it further enacted, That the Rules and Regulations herein-after provided  
and contained shall be adopted by the High Court of Chancery in Ireland, and shall from henceforth  
become Orders and Rules of the said Court of Chancery, and be observed and enforced in and by the  
said Court; (that is to say,)

1. That where a Defendant is confined for a Misdemeanor, and has been brought before the Court  
upon an Habeas Corpus, and thereupon has been turned over to the said Marshals, *pro fine*,  
but has been carried back to the Prison from whence he came with his Cause, whether Writ of  
Habeas Corpus may issue, directed to the Gaoler or Keeper of the Prison to which he has been  
carried back, and thereupon the Defendant shall be brought into Court, and recommitted to the  
Prison from whence he came, with his Cause, without being turned over again to the said Marshals,  
and the Bill may be taken *pro Confessio* in the same Manner in all respects as if the Defendant had  
been all along in the Custody of the Marshal of the said Marshals.
2. That if the Defendant, under Process of Contempt for not appearing or not answering, be in actual  
Custody, and shall not have been sooner brought to the Bar of the Court under Process to answer  
his Contempt, the Plaintiff, if the Contempt be not sooner cleared, shall bring the Defendant by an  
Habeas Corpus to the Bar of the Court within Thirty Days from the Time of his being actually  
in Custody, or detained (being already in Custody) upon Process of Contempt, and if the last Day  
of such Thirty Days shall happen out of Term, then within the Four First Days of the ensuing  
Term; and where the Defendant is in Custody of the Sergeant at Arms or of the Messenger upon  
Attachment or other Process the Plaintiff shall, within Ten Days after his being taken into such  
Custody, or if the last of such Ten Days shall happen out of Term, then within the first Four  
Days of the next ensuing Term, cause the Defendant to be brought to the Bar of the Court; and  
in case any such Defendant shall not be brought to the Bar of the Court within the respective  
Times aforesaid the Sheriff, Gaoler or Keeper, Sergeant at Arms or Messenger, in whose Custody  
he shall be, shall thereupon discharge him out of Custody without Payment by him of the Costs of  
Contempt, which shall be payable by the Party on whose Behalf the Process issued; and this  
Rule shall apply to every Defendant in Custody before and at the Time of passing of this Act who  
shall not have been brought to the Bar of the Court, but the Thirty Days allowed in the first above-  
mentioned Case and the Ten Days allowed in the second above-mentioned Case shall be reckoned  
from the first Day of the next Term.
3. That if a Defendant, upon being brought before the Court upon an Habeas Corpus, shall make Oath  
(which shall be administered to him by the Registrar, and be shall be examined in open Court,  
that he is unable by reason of Poverty to employ a Solicitor to put in his Answer, the Court  
shall thereupon refer it to a Master in Rotation to inquire into the Truth of that Allegation, and  
to report thereon to the Court forthwith, and thereupon the Court may make such Order as upon  
other Reports of the like Nature under the Provisions herein after contained.
4. That on the Thirtieth Day of January, the Thirtieth Day of April, the Thirtieth Day of July, and  
the Thirtieth Day of October in every Year, or if any of those Days happens on a Sunday, then on  
the following Day, One of the Masters of the Court of Chancery, to be named by the Court, shall  
visit the said Marshalsea Prison, and examine the Prisoners confined there for Contempt, and  
shall report his Opinions on their respective Cases to the Court; and thereupon it shall be lawful

for the Court to order, if it shall see fit, that the Costs of the Contempt of any such Prisoner shall be paid out of the Interest and Dividends arising from the several Government or Parliamentary Securities standing in the Name of the Accountant General of the said Court of Chancery, intituled "Account of Monies placed out for the Benefit and better Security of the Statute of the High Court of Chancery," and "Account of Securities purchased with Surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Statute of the High Court of Chancery," or out of any Cash standing to either of such Accounts, or to any other Account which is now or hereafter may be standing to the Credit of the Statute of the said Court of Chancery, (after and subject to the Payment of all Charges which by any Act heretofore passed are directed to be paid thereout,) and to assign a Solicitor and Counsel to such Prisoner, for putting in his Answer and defending him in *form* papers, and to direct any such Prisoner, having previously done such Acts as the Court shall direct, to be discharged out of Custody; provided that if any such Defendant shall become entitled to any Pardon out of such Court, the same shall be applied, under the Direction of said Court, in the first instance, to the Reimbursement of the Statute Fund.

5. That it shall be lawful for the Master visiting the said Marshalsea, or to whom the Care of a Prisoner shall be referred by the Court itself, to examine the Prisoner and all other Persons whom he may think it proper to examine upon Oath, and to administer an Oath or Oaths to any such Prisoner and other Persons accordingly, and to cause any Officers, Clerks, and Ministers of any Court of Law or Equity to bring and produce upon Oath before him any Records, Orders, Books, Papers, or other Writings belonging to the said Courts or to any Offices within the same as such Officers.
6. That if it shall appear to the Satisfaction of the Court that any such Prisoner is an Idiot, Lunatic, or of unsound Mind, although no Commission has issued, the Court shall appoint a Guardian to put in his Answer, and discharge the Defendant, providing for the Costs in any of the Ways pointed out by this Act, as shall seem just; and if the Court shall see fit, the Defence may be made by such Guardian in *form* papers.
7. That where the Defendant has been brought to the Bar of the Court for his Contempt in not answering, and refuses or neglects to answer, (not being Idiot, Lunatic, or of unsound Mind,) the Court may, upon Motion or Petition, of which due Notice shall be given personally to the Defendant, authorize the Plaintiff to amend his Bill, without such Amendment operating as a Discharge of the Contempt, or rendering it necessary to proceed with the Process of Contempt *de novo*; but after such Amendment the Plaintiff may proceed to take the amended Bill *pro Confesso*, in the same Manner as if it had not been amended: Provided nevertheless, that if the Defendant shall be desirous to answer such amended Bill, the Court shall allow him such Time as shall seem just for that Purpose; but if he shall not within the Time allowed by the Court put in a sufficient Answer to the amended Bill, the Process for taking the Bill *pro Confesso* may be renewed and carried on.
8. That in every Case where the Defendant has been brought to the Bar of the Court to answer his Contempt for not answering, and shall refuse or neglect to answer within the next Twenty-one Days, the Plaintiff shall go at Liberty, with the Leave of the Court, upon Ten Days previous Notice to the Defendant, after the Expiration of such Twenty-one Days, unless good Cause be shown to the contrary, instead of proceeding to have the Bill taken *pro Confesso*, to put in such an Answer to the Bill as heretofore is mentioned, in the Name of the Defendant, without Oath or Signature, and thereupon the Bill shall proceed in the same Manner as if such Answer were really the Answer of the Defendant, with which the Plaintiff was satisfied, and the Costs of the Contempt and of putting in such Answer may be provided for in like Manner as if the Defendant himself had put in such Answer; and such Answer, besides the formal Parts thereof, shall be to the following Effect: that the Defendant leaves the Plaintiff to make such Proofs of the several Matters in the Bill alleged as he shall be able or be advised, and retains his Interests to the Court.
9. That in any Case where, upon the Application of the Plaintiff, the Court shall be satisfied that Justice cannot be done in the Plaintiff without an Answer to the Bill or to the Interrogatories from the Defendant himself, it shall be lawful for the Court to order the Defendant to remain in Custody until Answer or further Order, but without Prejudice to the Plaintiff's availing himself of any of the Provisions of this Act.
10. That where the Defendant is in Contempt for not appearing or not answering, and in actual Custody under Process for such Contempt, or being already in Custody shall be detained by an Attachment for such Contempt, and shall not, where the Contempt is for not appearing, enter an Appearance within Twenty-one Days after he is lodged in Gaol or Prison, or the Attachment is lodged against him (he being already in Prison), as the Case may be, or, where the Contempt is for not answering, put in an Answer within Two Calendar Months after he is lodged in Gaol or Prison, or the Attachment is lodged against him, he being already in Prison, the Plaintiff shall (as the Case may be), within Fourteen Days after the Period computed from the Expiration of such Twenty-one Days within which he may by the Provisions of this Act be able to enter such Appearance, cause an Appearance to be entered for the Defendant under the Powers of this Act, and shall at the Expiration of such Two Calendar Months proceed to take the Bill *pro Confesso*, and shall accordingly obtain an Order for taking the same *pro Confesso* within Six Weeks after the Period computed from the Expiration of such Two Calendar Months within which he may be able to

take the same *pro Confesso*; or in default of so doing in either of such Cases the Defendant shall, upon Application to the Court, be entitled to be discharged out of Custody without paying any of the Costs of the Contempt, unless the Court shall, under the Power herein-before contained, see good Cause to remand and detain the Defendant in Custody; and this Rule shall apply to every Defendant in Custody before and at the Time of the passing of this Act who shall not have entered his Appearance, and for whom an Appearance shall not have been entered, or shall not have answered the Bill, and the Bill shall not have been taken *pro Confesso*, but the Twenty-one Days and Two Calendar Months respectively to be reckoned from the First Day of such Term, and the other Periods to be altered accordingly in Proportion; but nothing in this Act shall prevent any Plaintiff from proceeding to take his Bill *pro Confesso*, according to the Practice existing before the passing of this Act, without Prejudice to the Right of the Defendant to be discharged if not offered within the Time herein-before limited.

11. That where a Defendant is in Custody for a Contempt is not answering, and shall be able to pay in his Answer without taking an Office Copy of the Bill, he shall not be compellable to take any such Copy, but the proper Officer may (if he think the Defendant is of sufficient Ability to pay for an Office Copy, and an Office Copy ought by the Practice of the Court to be taken out,) require him, before the Answer is filed, to make an Affidavit denying his Ability in consequence of Poverty to pay for an Office Copy of the Bill.
12. That where any Person shall have been dected by any Decree or Order to execute any Deed or other Instrument, or make a Surrender or Transfer, and shall have refused or neglected to execute such Deed or Instrument, or to make such Surrender or Transfer, and shall have been committed to Prison under Process for such Contempt, or, being confined in Prison for any other Cause, shall have been charged with or detained under Process for such Contempt, and shall remain in such Prison, and the Court shall, under the Powers of an Act passed in the Fourth and Fifth Years of His present Majesty's Reign, have ordered one of the Masters to execute any Deed or other Instrument, Surrender or Transfer, for and in the Name of such Person, in every such Case, within Ten Days after the Execution or making of any such Deed or other Instrument, or Surrender or Transfer, Notice thereof shall be given by the adverse Solicitor to the Party in whose Name the same is executed or made; and such Party, as soon as the Deed or other Instrument, or Surrender or Transfer, shall be executed, made, levied, or suffered, shall be considered as having cleared his Contempt, except as far as regards the Payment of the Costs of the Contempt, and shall be entitled to be discharged therefrom under any of the Provisions of this Act applicable to his Case; and the Court shall make such Order or shall be just touching the Payment of the Costs of or attending any such Deed, Surrender, Instrument, or Transfer.
13. That where a Person shall be committed for a Contempt to not delivering to any Person or Persons, or depositing in Court or elsewhere, as by any Order may be directed, Books, Papers, or any other Articles or Things, any Sequestrator or Sequestrators appointed under any Commission of Sequestration shall have the same Power to seize and take such Books, Papers, Writings, or other Articles or Things, being in the Custody or Power of the Person against whom the Sequestration issues, as they would have over his own Property, and thereupon such Articles or Things so seized and taken shall be dealt with by the Court as shall be just; and after such Seizure it shall be lawful for the Court, upon the Application of the Prisoner, or of any other Person in the Cause or Matter, or upon any Report to be made as pursuant of this Act, to make such Order for the Discharge of the Prisoner, upon such Terms, and, if it shall see fit, making any Costs to be Costs in the Cause, as to the Court shall seem proper.
14. That in all Cases of Contempt other than and besides those already provided for, where any Person or Persons is or are or shall at any Time hereafter be in Prison under or by reason of any Contempt or Attachment, the Court may, upon any such Application as last aforesaid, or upon any such Report as aforesaid, make such Order for the Discharge of the Prisoner from the Contempt, upon any such Terms, and making, if the Court shall see fit, any Costs to be Costs in the Cause, as to the Court shall seem proper, or except as to the Costs, for which Costs the Prisoner shall remain in Custody, but entitled to the Provisions herein-after contained if he be insolvent.
15. That whenever the Court shall, upon any such Report as aforesaid, or upon Investigation of the Case of a Prisoner by the Court itself, be of opinion that the Purposes of Justice will not be answered by his remaining any longer in Custody, or where it shall appear upon any such Report as aforesaid that any Person committed for a Contempt shall be entitled to his Discharge upon applying to the Court, but shall omit to make such Application, the Court may, either with his Assent or compulsorily, discharge such Person from the Contempt and from Custody, and pay the Costs of the Contempt out of any Funds belonging to him over which the Court may have Power, or make such Costs in the Cause as against him, or may discharge him from the Contempt, but leave him in Custody for the Costs, which may be cleared, if he be insolvent, under the Provisions herein-after contained in that Behalf.
16. That where any Party obstinately retains Possession of Lands or other Real Property after a Writ of Execution of a Decree or an Order for Delivery of Possession has been duly served, and Demand of Possession made, and upon an Affidavit of such Service of the Writ of Execution, and of such Demand made thereunder, and a Refusal to comply therewith on the Part of the Person against whom the Writ issued, the Party issuing it shall be at Liberty, upon an Affidavit of Service

of the Writ of Execution, and Demand of Possession, and Refusal, to obtain the usual Order of Course for the Writ of Assistance to issue, and that the intermediate Writs of Attachment and Injunction, further committing the Party to deliver Possession, or any other Writ, shall be unnecessary.

17. That in order to relieve Persons in Prison from the Expence of taking Affidavits or Answers, the Lord High Chancellor do, by One or more Commissioners or Commissioners under the Great Seal, upon or in respect of which no Fee shall be payable, nominate and appoint the Marshal, Keeper, or other Chief Officer of every Prison within the City of Dublin, or within Two Miles thereof, and their Deputies, to be Masters Extraordinary of the High Court of Chancery, for the Purpose of taking and receiving such Affidavits and Answers as any Person or Persons within any such Prison shall be willing or desirous to make, and for no other Purpose; and the Person so taking such Affidavit or Answer shall not in respect thereof be entitled to receive any Fee; and the Court of Exchequer shall in like Manner appoint such Persons as aforesaid a Commissioner or Commissioners of the said Court for the Purposes aforesaid, and no others, and without the Right as any Fee; and in every Case of an Answer being sworn in Prison a Clerk of the Deputy Keeper of the Rolls or of the Winner of the Exchequer (as the Case may require) shall attend to take and carry back to and from the Prison the Answer, and shall in respect thereof be entitled to

XIII. And be it enacted, That the Discharge of any Prisoner adjudged upon under the Authority of any Act now in force for the Relief of Insolvent Debtors, or instead, or any Act which any hereafter be passed for the Relief of Insolvent Debtors, shall and may extend to all Process issuing from any Court of Equity for any Contempt of such Court for Nonpayment of Rent or Money, or of Costs, Charges, or Expences in any such Court, including the Costs of any Commitment or Attachment from which the Party shall have been discharged so far as regards the Contempt, but shall have been left liable to the Costs; and that in such Case the said Discharge shall be deemed to extend to all Costs which such Prisoner shall be liable to pay in consequence or by reason of such Contempt, or on purging the same; and that every Discharge, so adjudged as aforesaid, as to any Debt or Damages of any Creditor of such Prisoner, shall be deemed to extend also to all Costs incurred by such Creditor, before the filing of such Prisoner's Schedule, in any Action or Suit brought by such Creditor against such Prisoner for the Purpose, for the Recovery of the same; and that all Persons as to whose Demands for any such Costs, Money, or Expences any such Person shall be so adjudged to be discharged, shall be deemed and taken to be Creditors of such Prisoner in respect thereof, and entitled to the Benefits of all the Provisions made for Creditors by the said Act or any future Act, subject nevertheless to such Limitation of the Amount of the said Demands as may be had by Statute or otherwise, and to such Examination thereof as is in the said last-mentioned Act or as shall be in any future Act provided in respect of all Claims to a Dividend of such Insolvent's Estate and Effects.

XIV. And be it further enacted, That where the Process of Contempt is for the Nonperformance of an Act, for example, the not answering a Plaintiff's Bill, and the Bill is Equity to which the Insolvent is a Party is taken pro Confesso, and he has not paid the Costs of the Contempt, or the Insolvent has fully answered the Plaintiff's Bill or Interrogatories, or otherwise cleared his Contempt except so far as regards the Payment of the Costs, or it has become in event unnecessary for him to do the Act for the Nonperformance of which he was committed or attached, the Court of Equity in which the Suit is depending shall, upon the Application of the Party in Contempt, discharge him from the same, except as to the Costs thereof, for which he shall remain in Custody, and such Costs shall be deemed within the Provision lastly herein-before contained, and he shall be dischargeable therefrom, and from the Process of Contempt, in like Manner as if the Process of Contempt were for Nonpayment of Money or Costs; provided that this Order or Regulation shall not weaken any of the other Powers by this Act given, nor shall any thing herein contained lessen the Operation of the said Act for the Relief of Insolvent Debtors.

XV. And be it further enacted, That the Powers and Authorities given by this Act to the Court of Chancery, or to the Lord Chancellor of Ireland, shall and may be exercised as well by such Lord Chancellor as by (and they are hereby given to) the Lord Keeper or Commissioners of the Great Seal of Ireland for the Time being, and to the Master of the Rolls; but the Reports of the Marshal of the Marshalsea, and of the Masters waiting there, shall be made to the Lord Chancellor, Lord Keeper, or Lords Commissioners only, who also are to make Orders thereupon for Discharge or Relief of Prisoners.

XVI. And be it further enacted, That the Rules herein before directed to be adopted by the Court of Chancery shall be adopted by the Court of Exchequer, which Court shall, for the Purposes of this Act, draw upon the Solicitor General of that Court.

XVII. And be it further enacted, That the Powers and Authorities contained in such last-mentioned Rules, and given by this Act to the Lord Chancellor, shall and may be exercised in like Manner by and are hereby given to His Majesty's Court of Exchequer, and may be exercised by the said Court, or by the Lord Chief Baron thereof, but such periodical Visits only to be made to the said Marshalsea, in regard to Prisoners for Contempt of the said Court, as the Lord Chief Baron shall direct, and by such Officer or Officers of the Court as he shall nominate.

XVIII. And be it further enacted, That wherever this Act, in describing or referring to any Person, or any Conveyance, Thing, Matter, or Thing, uses the Word importing the Singular

Discharge may extend to Process for Contempt in Nonpayment of Money, and to Costs incurred by Creditors, but subject to Taxation.

When Process of Contempt is for Nonperformance of an Act.

Power given by this Act is extended to the Lord Keeper and Master of the Rolls.

Rules to be adopted by the Court of Exchequer.

Power is extended to said Rules may be exercised by the Court of Exchequer.

Rule for the Interpretation of this Act.

Number of the Masculine Gender only, the same shall be understood to include and shall be applied to several Persons as well as One Person, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Conveyances, Transfers, Mortgages, or Things respectively, as well as One Conveyance, Transfer, Matter, or Thing respectively, unless there be something in the Subject or Context repugnant to such Construction.

XIX. Provided always, that nothing in this Act contained shall annul or vary the Provisions of any Act of the Seventh Year of George the Second, relating to *Ireland*, intitled *An Act for the Relief of Mortgages, and for making the Process in Courts of Equity more effectual against Mortgagees who abscond and cannot be served thereunto, and against Persons who bring annual refuges to appear; and also for better regulating the Payment of the Fees of Attorneys and Solicitors; or of an Act of the Second Year of His present Majesty, intitled *An Act to amend and extend the Service of Process issuing from the Courts of Chancery and Exchequer in England and Ireland respectively; or of an Act of the Fourth and Fifth of His present Majesty, intitled *An Act to amend and extend an Act of the Second Year of His present Majesty, to amend the Service of Process issuing from the Courts of Chancery and Exchequer in England and Ireland; or of an Act of the Fourth and Fifth Years of His present Majesty, intitled *An Act for the Amendment of the Procedure and Practice of the High Court of Chancery in Ireland; or any of them, except so far as they are inconsistent with any of the Provisions of this Act.****

## C A P. XVII.

An Act to extend to *Ireland* certain Provisions of an Act made and passed in the First Year of His present Majesty's Reign, intitled *His Act for consolidating and amending the Laws relating to Property belonging to Infants, Feme Coverts, Lunatics, and Persons of unsound Mind.*

[30th July 1835.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Eleventh Year of the Reign of Queen Anne, intitled *An Act to enable Guardians and others to renew Leases for Lives*, certain Provisions were made in that Behalf: And whereas by an Act passed in the First Year of the Reign of His present Majesty, intitled *An Act for consolidating and amending the Laws relating to Property belonging to Infants, Feme Coverts, Lunatics, and Persons of unsound Mind*, after reciting the said Act, and that it was expedient that the Provisions thereof, which had been so long in force in *Ireland*, should remain scattered, it was enacted, that the Clauses and Provisions contained in the said therein recited Act should be and continue in force in the same Manner, to all Intents and Purposes, as if the said Clauses and Provisions and every Part thereof had been repeated and re-enacted in the said Act, and that none of the other Provisions in the said Act contained for authorising any Surrenders to be accepted, or any new Lease to be made, or executed, for or on behalf of any Person who, in pursuance of any Covenant or Agreement for Renewal in any Lease contained or to be contained, ought to make such new Lease or Leases, should extend or be construed to extend to Lands in *Ireland*: And whereas the said Act of the Eleventh Year of the Reign of Queen Anne does not contain any Provision for the Renewal of Leases for Terms of Years: And whereas by the said Act of the First Year of His present Majesty's Reign it is enacted, that where any Person being under the Age of Twenty one Years, or a Feme Covert, might, in pursuance of any Covenant or Agreement, if not under Disability, be compelled to renew any Lease made or to be made for the Life or Lives of One or more Person or Persons, or for any Term or Number of Years absolute, or determinable on the Death of One or more Person or Persons, it shall be lawful to and for such Infant, or His Guardian in the Name of such Infant, or such Feme Covert, by the Direction of the Court of Chancery, to be signified by an Order to be made in a summary Way upon Petition of such Infant or his Guardian, or of such Feme Covert, or of any Person entitled to such Renewal, from Time to Time to accept of a Surrender of such Lease, and to make and execute a new Lease of the Premises comprised in such Lease for and during such Number of Lives, or for such Term or Terms determinable upon such Number of Lives, or for such Term or Terms absolute, as was or were mentioned or contained in such Lease as surrendered or to be surrendered: And whereas by the said Act of the First Year of His present Majesty's Reign it is enacted, that where any Person being insane or shall be entitled or has a Right, or, in pursuance of any Covenant or Agreement, might, if not under Disability, be compelled to renew any Lease made or to be made for the Life or Lives of One or more Person or Persons, or for any Term or Number of Years absolute, or determinable on the Death of One or more Person or Persons, or otherwise, it shall be lawful to and for the Committee of the Estate of such Lunatic, in the Name of such Lunatic, by the Direction of the Lord Chancellor, intreated as therein stated, to be signified by an Order to be made in a summary Way upon Petition of such Committee or of any Person entitled to such Renewal, from Time to Time to accept of a Surrender of such Lease, and to make and execute to any Person a new Lease of the Premises comprised in such Lease to be surrendered by virtue of the said Act, for and during such Number of Lives, or for such Term or Terms of Years determinable upon such Number of Lives, or for such Term or Terms absolute, as were mentioned or contained in such Lease as surrendered or to be surrendered thereof, or otherwise, as the Lord Chancellor, intreated as aforesaid, by such Order shall direct: And whereas it is deemed expedient that the Powers of the Courts of Chancery and Exchequer in *Ireland* over Land in *Ireland* should in the respects aforesaid be as large as the Powers by the before-mentioned Act given to the Courts of Chancery and Exchequer in *England* over

‘Lands there.’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Eleventh Year of the Reign of Queen Anne, and so much of the said Act of the First Year of the Reign of His present Majesty as re-enacts the Provisions in the said last-mentioned Act contained, shall be and the same are hereby repealed (except as to such Proceedings under the same as shall have been commenced before the passing of this Act, and which may be proceeded in according to the Provisions of the said recited Acts, or according to the Provisions of this Act, as shall be thought expedient).

II. And be it further enacted, That the several Classes and Encumbrances in the said Act of the First Year of the Reign of His present Majesty contained, and herein-before particularly recited, relating to England, shall be deemed and construed to extend and the same are hereby extended to Ireland, and the Powers and Authorities thereby given shall and may lawfully be exercised by the Courts of Chancery and Exchequer in Ireland, in relation to Land there, as fully and effectually as the same can be exercised by the Courts of Chancery and Exchequer in England with respect to Land in England, and in the same Manner in all respects as if the same Classes and Encumbrances had by the said Act of the First Year of the Reign of His present Majesty been extended to Ireland, and the Word ‘Land’ shall in this Act have the same Signification as by the said recited Act is given to it.

Recited Act of 11 Ann. (1.) and so much of 1 W. 4. c. 6. as re-enacts the Provisions of that Act repealed, except, &c.

Classes, &c. of 1 W. 4. c. 6. herein-before particularly recited, extended to Ireland.

## C A P. XVIII.

An Act to exempt Carriages carrying Manure from Toll.

(30th July 1835.)

‘WHEREAS Disputes have arisen as to the Exemption from Toll for Horses and Carriages when employed in carrying or conveying Manure for improving Lands.’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of January One thousand eight hundred and thirty-six no Toll shall be demanded or taken on any Turnpike Road for or in respect of any Horse, Beast, Cattle, or Carriage, when employed in carrying or conveying only Dung, Soil, Compost, or Manure for Land, (save and except Lime,) and the necessary Implements used for filling the Manure, and the Cloth that may have been used in covering any Hay, Clover, or Straw which may have been covered.

After 1st January 1836 no Toll to be taken for Manure, sows and except Limes.

II. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend so as to exempt any Waggon, Cart, or other Carriage laden with Dung or Manure for manuring Land, or any Horse or other Beast drawing the same, from any Toll imposed in respect thereof by virtue of any Local Act or Acts now passed whereby such Toll has been imposed for the Maintenance of the Roads therein respectively mentioned.

Nothing herein to exempt from Toll imposed by any Local Act.

III. ‘And whereas there are many Persons who are now Contractors for Turnpike Tolls, and whose Leases or Contracts will not expire until after the said First Day of January One thousand eight hundred and thirty-six, but who, by reason of this Act, may be desirous of terminating their said Leases or Contracts;’ be it therefore enacted, That it may be lawful for any Lessee or Contractor for Tolls whose Lease or Contract shall not expire until after the said First Day of January One thousand eight hundred and thirty-six, at any Time within Twenty-one Days after the passing of this Act, to give Notice to the Clerk or Treasurer of such Turnpike Road of his or her Intention to vacate such Lease or Contract on the said First Day of January One thousand eight hundred and thirty-six, upon which Day such Lease or Contract shall expire accordingly.

Power to vacate Leases.

IV. And be it further enacted, That nothing in this Act contained shall extend to Scotland or Ireland.

Act not to extend to Scotland or Ireland.

## C A P. XIX.

An Act to amend and consolidate the Laws relating to the Merchant Seamen of the United Kingdom, and for forming and maintaining a Register of all the Men engaged in that Service.

(30th July 1835.)

‘WHEREAS the Prosperity, Strength, and Safety of this United Kingdom and of His Majesty’s Dominions do principally depend on a large, constant, and ready Supply of Seamen, as well for carrying on the Commerce as for the Defence thereof; and it is therefore necessary to aid by all practicable Means the Increase of the Number of such Seamen, and to give them all due Encouragement and Protection, and to this End to amend and consolidate the Laws relating to their Regulation and Government.’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty-third Day of July One thousand eight hundred and thirty-five, from which Day this Act shall commence and take effect, an Act passed in the Second Year of the Reign of Her late Majesty Queen Anne, for the Increase of Seamen, and better Encouragement of Navigators, and Security of the Coast Trade; and also an Act passed in the Second Year of the Reign of His late Majesty King George the Second, for the better Regulation and Government of the Seamen in the Merchant Service; and also an Act passed in the Second Year of the Reign of His late Majesty King George the Third, for making perpetual the last-mentioned Act, and for extending the Provisions thereof to His Majesty’s Colonies in America; and

After 31st July 1835 the Acts 2 & 3 Ann. c. 11.

2 G. 2. c. 20.

2 G. 3. c. 55.

21 G. 2. c. 28.  
 45 G. 3. c. 45.  
 27 G. 2. c. 12.  
 27 G. 3. c. 38.  
 4 G. 5. c. 25.  
 5 & 6 W. 4. c. 68.  
 and  
 39 G. 5. c. 26.  
 shall be repealed.

No Seaman to  
 be taken on Board  
 without a written  
 Agreement.

also an Act passed in the Thirty-first Year of the Reign of His said Majesty King George the Third, for the better Regulation and Government of Seamen employed in the Coasting Trade of this Kingdom; and also an Act passed in the Forty-fifth Year of the Reign of His said late Majesty, for amending the last-mentioned Act; and also an Act passed in the Thirty-seventh Year of the Reign of His said Majesty King George the Third, for preventing the Desertion of Seamen from British Merchant Ships trading to His Majesty's Colonies and Plantations in the West Indies; and also an Act passed in the Fifty-eighth Year of the Reign of His said late Majesty King George the Third, to extend and render more effectual the Regulations for the Relief of Seafaring Men and Boys, Subjects of the United Kingdom, in Foreign Parts; and also an Act passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, for regulating the Number of Apprentices to be taken on board British Merchant Vessels, and for preventing the Desertion of Seamen therefrom; and also an Act passed in the Fourth Year of His present Majesty's Reign, for continuing an Act of the Fifty-ninth Year of King George the Third, for facilitating the Recovery of the Wages of Seamen in the Merchant Service, shall be and the same are hereby declared to be repealed: Provided always, that all Offices which shall have been committed and all Penalties and Forfeitures which shall have been incurred previous to the Commencement of this Act, against the Provisions of the said Acts, shall and may be punishable and recoverable under the said Acts as if the same had not been repealed.

II. And be it further enacted, That it shall not be lawful for any Master of any Ship or Vessel belonging to any Subject of His Majesty of this United Kingdom trading to Parts beyond the Seas, or of any British registered Ship of the Burthen of Eighty Tons or upwards employed in any of the Fisheries of the United Kingdom, or in trading Coastwise or otherwise, to carry to Sea on any Voyage, either from this Kingdom or from any other Place, any Seaman or other Person as one of his Crew or Complement (Apprentices excepted), without first coming into an Agreement in Writing with every such Seaman, specifying what monthly or other Wages such Seaman is to be paid, the Certainty in which he is to act, and the Nature of the Voyage in which the Ship is intended to be employed, so that the Seaman may have some Means of judging of the probable Period for which he is likely to be engaged; and the said Agreement shall contain the Day of the Month and Year in which the same shall be made, and shall be signed by the Master in the first instance, and by the Seaman respectively at the Port or Place where such Seaman shall be respectively shipped; and the Master shall cause the same to be, by or in the Presence of the Party who is to attest their respective Signatures thereto, truly and distinctly read over to every such Seaman before he shall be required to sign the same, in order that he may be enabled to understand the Purport and Meaning of the Engagement he enters into and the Terms to which he is bound.

Regulations  
 respecting  
 Form of  
 Agreements.

III. And be it further enacted, That in the Cases of Ships as aforesaid bound to Parts beyond the Seas, except as herein-after provided, every such Agreement shall be in the Form and shall contain true Entries under their respective Heads of the several Particulars set forth in the Schedule to this Act annexed and marked (A.), so far as the same can be ascertained; and that the Owners and the Master of every such Ship, or One of them, shall, on reporting his Ship's Arrival at her Port of Destination in the United Kingdom, deposit or cause to be deposited with the Collector or Comptroller of the Customs at such Port a true Copy of such Agreement, attested by the Signature of the Master, to the intent that every Person who may be interested in any such Agreement may at all Times have the Means of knowing the Terms and Conditions thereof; and that in the Cases of Ships employed in fishing on the Coasts of the United Kingdom, and of Ships regularly trading from one Part of the United Kingdom to another, and of Ships regularly trading or making regular Voyages to any of the Islands of Jersey, Guernsey, Alderney, Sark, and Man, or to any Part on the Continent of Europe between the River Eisle inclusive and Brest, the Agreement to be entered into as aforesaid shall be in the Form and shall contain true Entries under their respective Heads of the Particulars set forth in the Schedule to this Act annexed and marked (B.), so far as the same can be ascertained; and that the Owner or One of the Owners of every such Ship employed in fishing or in trading in any of the Cases last mentioned shall to the like intent, within Ten Days next after the Expiration of every Six Months ending on the Thirtieth Day of June and the Thirty-first Day of December in each Year, deposit with the Collector or Comptroller of the Customs of the Port to which the Ship shall belong a true Copy of every Agreement which shall have been entered into with any Person composing Part of the Crew thereof within the preceding Six Months, attested by the Signature of such Owner; and all Copies of Agreements so required by this Act to be deposited as aforesaid shall, when the same shall have been so deposited, and shall be required to be produced in Evidence on the Part of any Seaman, be retained and taken as legal Proof of the Contents of the Agreement.

Penalty for  
 Breach.

IV. And be it further enacted, That if any Master of any such Ship as aforesaid shall carry out to Sea any Seaman (Apprentices excepted) without having first entered into such Agreement as is hereby required, he shall for every such Offence forfeit and pay the Sum of Ten Pounds for or in respect of each and every such Seaman he shall so carry out contrary to this Act, and if any Master shall neglect to cause the Agreement to be distinctly read over to each such Seaman, as by this Act he is enjoined, he shall for every such Neglect forfeit and pay the Sum of Five Pounds; and if any Master shall neglect to deposit with the Collector or Comptroller of the Customs a Copy of the Agreement hereby required to be made and deposited as aforesaid, or shall wilfully deposit a false Copy of any such Agreement, he shall for every such Neglect or Offence forfeit and pay the Sum of Fifty Pounds.

V. And be it further enacted, That no Seaman, by entering into or signing such Agreement as aforesaid, shall forfeit his Lien upon the Ship, nor be deprived of any Remedy for the Recovery of his Wages which Seaman are now lawfully entitled to against either the Ship, the Master or the Owners thereof; nor shall any Agreement made contrary to or inconsistent with the Provisions of this Act, or any Clause whereby a Seaman shall consent to forego the Right which the Maritime Law gives him to Wages in the Case of Freight carried by Ships subsequently lost, or committing any Words to that Effect, be valid or binding on any Seaman signing the same; and that in Cases in which it may be necessary that the Agreement should be produced to sustain a Claim on the Part of a Seaman no Obligation shall lie upon the Seaman to produce the same, nor shall any Seaman fail in any Suit or Proceeding for the Recovery of his Wages for Want of the Production of any such Agreement, or of any deposited Copy thereof as aforesaid, or for the Want of any Notice to produce the same; any Law or Usage to the contrary notwithstanding.

VI. And be it further enacted, That in case a Seaman shall at any Time, after having signed an Agreement as herein-before mentioned, neglect or refuse to join the Ship on board of which he shall have engaged to serve, or shall refuse to proceed to Sea in her, or shall absent himself therefrom without Leave, it shall be lawful for any Justice of the Peace in any of His Majesty's Dominions at Home or Abroad near to the Place where such Ship shall happen to be, upon Complaint of the Fact made upon Oath by the Master, Mate, or Owner thereof, and such Justice is hereby required, by his Warrant to cause such Seaman to be apprehended and brought before him; and in case such Seaman shall not give a Reason to the Satisfaction of such Justice for his Neglect, Refusal, or Absence, as the Case may be, upon due Proof of such Neglect, Refusal, or Absence it shall be lawful for any such Justice to commit such Seaman to the House of Correction, there to be kept to hard Labour for a Period not exceeding Thirty Days: Provided always, that in case such Seaman, on being apprehended and brought before the said Justice, shall consent to join the Ship and proceed on the Voyage for which he shall have agreed, it shall be lawful for the said Justice, at the Request of the Master, instead of committing such Seaman, to cause him to be conveyed on board the said Ship or to be delivered to the Master for the Purpose of proceeding on the Voyage, and also to award to the Master such Costs incurred in the Apprehension of the Seaman as to such Justice shall seem reasonable, not exceeding in any Case the Sum of Forty Shillings, which shall be chargeable against and may be abated from the Wages to grow due to such Seaman.

VII. And be it further enacted, That if any Seaman, after having signed such Agreement as aforesaid, or after the Ship on board which he shall have agreed to serve shall have left her first Port of Clearance, and before the Period for which he shall have agreed to serve shall be completed, shall wilfully and without Leave absent himself from the Ship, or otherwise from his Duty, he shall (in all Cases not of absolute Desertion, or not treated as such by the Master,) forfeit out of his Wages to the Master or Owner of such Ship the Amount of Two Days Pay for every Twenty-four Hours of such Absence, and in a like Proportion for any less Period of Time, or, at the Option of the said Master, the Amount of such Expenses as shall have been necessarily incurred in hiring a Substitute to perform his Work; and in case any Seaman while he shall belong to the Ship shall without sufficient Cause neglect to perform such his Duty as shall be reasonably required of him by the Master or other Person in Command of the Ship, he shall be subject to a like Forfeiture in respect of every such Offence, and of every Twenty-four Hours Continuance thereof; and in case any such Seaman, after having signed such Agreement, or after the Ship's Arrival at her Port of Delivery, and before her Cargo shall be discharged, shall quit the Ship without previous Discharge or Leave from the Master thereof, he shall forfeit to the Master or Owner One Month's Pay out of his Wages: Provided always, that no such Forfeitures shall be incurred unless the Fact of the Seaman's temporary Absence, Neglect of Duty, or quitting the Ship shall be duly ascertained or recorded in the Ship's Log Book, which Entry shall specify truly the Hour of the Day at which the same shall have occurred, and the Period during which the Seaman was absent or neglected his Duty, the Truth of which Entry it shall be incumbent on the Owner or Master in all Cases of Dispute to substantiate by the Evidence of the Mate or some other credible Witness.

VIII. And be it further enacted, That in all Cases where the Seaman shall have contracted for Wages by the Voyage or by the Run, and not by the Month or other stated Period of Time, the Amount of Forfeitures to be incurred by Seaman under this Act shall be ascertained in manner following; (that is to say,) if the whole Time spent on the Voyage agreed upon shall exceed One Calendar Month, the Forfeiture of One Month's Pay, expressed in this Act, shall be accounted and taken to be a Forfeiture of a Sum of Money bearing the same Proportion to the whole Wages as a Calendar Month shall bear to the whole Time spent in the Voyage, and in like Manner a Forfeiture of Two Days Pay or less shall be accounted and taken to be a Forfeiture of a Sum bearing the same Proportion to the whole Wages as the same Period of Time shall bear to the whole Time spent in the Voyage; and if the whole Time spent in the Voyage shall not exceed One Calendar Month, the Forfeiture of One Month's Pay shall be accounted and taken to be a Forfeiture of the whole Wages contracted for; and if such Time shall not exceed Two Days, the Forfeiture of Two Days Pay shall be accounted and taken to be a Forfeiture of the whole Wages contracted for; and the Master is hereby authorized to abate the Amount of all Forfeitures herein-before enacted out of the Wages of any Seaman incurring the same.

Seaman not to be deprived of legal Remedies.  
No Agreement contrary to the Act to be valid.  
Seaman not bound to produce Agreement.

Seaman failing to join or to proceed to the Ship, or absconding therefrom, may be committed to Gaol.

Forfeiture for nonentry Absence from Ship.

How Amount of Forfeiture to be ascertained when Seaman contract for the Voyage.



Forfeiture for Desertion.

IX. And be it further enacted, That every Seaman who shall absolutely desert the Ship to which he shall belong shall forfeit to the Owner or Master thereof all his Clothes and Effects which he may leave on board, and all Wages and Emoluments to which he might otherwise be entitled, provided the Circumstances attending such Desertion be entered in the Log Book at the Trec and certified by the Signatures of the Master and Mate or other credible Witness; and that an Absence of a Seaman from the Ship for any Time within the Space of Twenty-four Hours immediately preceding the sailing of the Ship without Permission from the Master thereof, or for any Period however short, under Circumstances plainly showing that it was his Intention not to return thereon, shall be deemed an absolute Desertion; and in case any such Desertion shall take place in Ports beyond the Seas, and the Master of the Ship shall be under the Necessity of engaging any Seaman as a Substitute for the Deserter at a higher Rate of Wages than that stipulated in the Agreement to be paid to the Seaman deserting, the Owner or Master of the Ship shall be entitled to recover from the Deserter by summary Proceeding, in the same Manner as Wages are by this Act made recoverable, any Excess of Wages which such Owner or Master shall pay to such Substitute beyond the Amount which would have been payable to the Deserter in case he had duly performed his Service pursuant to his Agreement.

Increased Wages paid in consequence of Desertion recoverable from the Deserter.

Penalty for harbouring Deserters.

No Debt exceeding 5s. recoverable from a Seaman till Voyage is ended.

Seaman's Effects run to be detained by Keepers of Lodging Houses under Process of Debt.

The Period within which Wages are to be paid.

X. And be it further enacted, That if any Person shall, either on Shipboard or on Shore, harbour or secrete a Seaman who shall have signed an Agreement to proceed on a Voyage to Parts beyond the Seas, and shall have deserted or absented himself without Leave from his Ship, knowing or having Reason to believe him to be a Deserter or to be absent without Leave, every Person so offending shall for every such Seaman so harboured or secreted forfeit and pay the Sum of Ten Pounds; and that no Debt exceeding in Amount Five Shillings, incurred by any Seaman after he shall have signed any such Agreement as aforesaid, shall be recoverable until the Voyage agreed for shall have been concluded; nor shall it be lawful for any Keeper of a Public House or of a Lodging House for Seamen to withhold or detain any Chair, Bed or Bedding, Clothes, Tools, or other Effects of any Seaman, for any precluded Debt alleged to have been contracted by any such Seaman; and in case any such Chair, Bed, Bedding, Clothes, Tools, or other Effects as aforesaid shall be withheld or detained contrary to this Act, it shall be lawful for any Justice of the Peace in any Part of His Majesty's Dominions, upon Complaint upon Oath to be made by any such Seaman or on his Behalf, or inquire into the Matter, and if he shall see right by Warrant under his Hand and Seal to cause any such Property or Effects so withheld or detained contrary to this Act to be seized and delivered over to the Seaman.

XI. And be it further enacted, That the Master or Owner of every Ship shall and he is hereby required to pay to every Seaman entering into such Contract as aforesaid his Wages, if the same shall be demanded within the respective Periods following; (that is to say,) if the Ship shall be employed in trading Coastwise, the Wages shall be paid within Two Days after the Termination of the Agreement, or at the Time when any such Seaman shall be discharged, whichever shall first happen; and if the Ship shall be employed in trading otherwise than Coastwise, then the Wages shall be paid at the latest within Three Days after the Cargo shall have been delivered, or within Ten Days after the Seaman's Discharge, whichever shall first happen; in either of which last-mentioned Cases of Payment being delayed the Seaman shall at the Time of his Discharge be entitled to be paid on Account a Sum equal to One Fourth Part of the estimated Balance due to him; and in case any Master or Owner shall neglect or refuse to make Payment in manner aforesaid he shall for every such Neglect or Refusal forfeit and pay to the Seaman the Amount of Two Days Pay for each Day not exceeding Ten Days during which Payment shall without sufficient Cause be delayed beyond the Period of which such Wages or Part Wages are hereby required to be paid as aforesaid; for the Recovery of which Forfeiture the Seaman shall have the same Remedies as he is by Law entitled to for the Recovery of his Wages; Provided always, that nothing in this Clause contained shall extend to the Cases of Ships employed in the Southern Whale Fishery, or on Voyages for which Seamen by the Terms of their Agreement are compensated by Shares in the Profits of the Adventure.

Such Payment of Wages to be deemed valid, notwithstanding Bill of Sale, &c.

XII. And be it enacted and declared, That every such Payment of Wages to a Seaman shall be valid and effectual in Law notwithstanding any Bill of Sale or Assignment which may have been made by any such Seaman of such Wages, or of any Attachment or Incumbrance thereon; and that no Assignment or Sale of Wages made prior to the Earning thereof, nor any Power of Attorney expressed to be irrevocable for the Receipt of any such Wages, shall be valid or binding upon the Party making the same.

Master to give Seaman their Certificate on their Discharge.

Penalty for Defects.

For obtaining immediate Payment of Wages of Seamen in certain Cases.

XIII. And be it further enacted, That upon the Discharge of a Seaman from the Ship in which he shall have served he shall be entitled to receive from the Master a Certificate of his Service and Discharge, specifying the Period of Service and the Time and Place of the Discharge of such Seaman, which Certificate shall be signed by the Master; and if any Master shall refuse to give such Certificate to any such Seaman without having reasonable Cause for his Refusal he shall for every such Offence forfeit and pay to him the Sum of Five Pounds.

XIV. And be it further enacted, That if after a Seaman shall have been discharged from any Ship or Vessel Three Days he shall be detouring of proceeding to Sea on another Voyage, and in order thereto shall require immediate Payment of the Wages due to him, it shall be lawful for any Justice of the Peace in any Part of His Majesty's Dominions, on Application from such Seaman, and on satisfactory Proof that he would be prevented from Employment by Delay, to summon the Master or Owner of such Ship or Vessel before him, and to require Cause to be shown why immediate

Payment of such Wages should not be made; and if it shall appear to the Satisfaction of such Justice that there is no reasonable Cause for Delay he shall order Payment to be made forthwith, and in default of Compliance with such Order such Master or Owner shall forfeit and pay the Sum of Five Pounds.

XV. And whereas Seamen, in Cases of Distress, may be exposed to great Inconvenience, Expence, and Delay in obtaining Payment of their Wages; for Remedy thereof to be enacted, That in all Cases of Wages not exceeding Twenty Pounds which shall be due and payable to a Seaman for his Service on any Ship as aforesaid, it shall be lawful for any Justice of the Peace in any Part of His Majesty's Dominions residing near to the Place where the Ships shall have ended her Voyage, cleared at the Customs House, or Discharged her Cargo, or near to the Place where the Master or Owner upon whom respectively the Claim is made shall be or reside, upon Complaint on Oath to be made to such Justice by any such Seaman or on his Behalf, to summons such Master or Owner to appear before him to answer such Complaint, and upon the Appearance of such Master or Owner, or in default thereof, on due Proof of his having been so summoned, such Justice is hereby empowered to examine upon the Oath of the Parties and their respective Witnesses (if there be any) touching the Complaint and the Amount of Wages due, and to make such Order for Payment thereof as shall to such Justice appear reasonable and just; and in case such Order shall not be obeyed within Two Days next after the making thereof it shall be lawful for such Justice to issue his Warrant to levy the Amount of the Wages awarded to be due, by Distress and Sale of the Goods and Chattels of the Party on whose such Order for Payment shall be made, rendering to such Party the Overplus (if any shall remain of the Produce of the Sale) after deducting thereout all the Charges and Expences incurred by the Seaman in the making and bearing of the Complaint, as well as those incurred by the Distress and Levy and in the Enforcement of the Justice's Order, and in case sufficient Distress cannot be found it shall be lawful for the said Justice to cause the Amount of the said Wages and Expences to be levied on the Ship in respect of the Service on board which the Wages are claimed, or the Tackle and Apparel thereof; and if such Ship shall not be within the Jurisdiction of such Justice, then he is hereby empowered to cause the Party upon whom the Order for Payment shall be made to be apprehended and committed to the Common Goal of the County, there to remain without Bail until Payment shall be made of the Amount of the Wages so awarded, and of all Costs and Expences attending the Recovery thereof, and the Award and Decision of such Justice as aforesaid shall be final and conclusive as well on every such Seaman as on the Owner and Master of the Ship.

XVI. And be it further enacted, That if any Suit for the Recovery of a Seaman's Wages shall be instituted against the Ship, or the Master or Owner thereof, either in the High Court of Admiralty or in any Vice-Admiralty Court, or against the Master or Owner in any Court of Record in His Majesty's Dominions, and it shall appear to the Judge in the Course of such Suit that the Plaintiff might have had an effectual Remedy for the Recovery of his Wages by Complaint to a Justice of the Peace as herein before provided, then and in every such Case it shall be lawful for such Judge and he is hereby required to certify to that Effect, and thereupon no Costs of Suit shall be awarded to the Plaintiff.

XVII. And be it further enacted, That whenever any Ship whatever belonging to any Subject of the United Kingdom, except in Cases of Wreck or Condemnation, shall be sold at any Port out of His Majesty's Dominions, the Master in all such Cases (unless the Case in the Presence of the British Consul or Vice-Consul, or in case of there not being any such Consul or Vice-Consul, then in the Presence of one or more British resident Merchants at such Port, shall signify their Consent in Writing to be there discharged,) shall and he is hereby required, besides paying them the Wages to which they shall be entitled under the Agreement, either to provide them with adequate Employment on board some other British Vessel homeward bound, or to furnish the Means of sending them back to the Port in His Majesty's Dominions at which they were originally shipped, or to some Port in the United Kingdom, so shall be agreed upon, by providing them with a Passage Home, or departing with the Consul or Vice-Consul such a Sum of Money as shall be by him deemed reasonably sufficient to defray the Expences of their Subsistence and Passage; and if the Master shall refuse or neglect to do so, such Expences when defrayed shall be a Charge upon the Owner whose Ship shall be so sold, except in Cases of Wreck, or Condemnation, and may be recovered against such Owner as so much Money paid and expended on his Account, together with full Costs, at the Suit of the Consul or other Person defraying such Expences, or of His Majesty's Attorney General on behalf of His Majesty, in case the same shall have been allowed to the Consul out of the Public Money.

XVIII. And whereas it is necessary that due Provision should be made for the Preservation of the Health and Lives of the Seamen employed in the Merchant Service; be it further enacted, That every Ship sailing from the United Kingdom to any Place out of the same shall have and keep constantly on board the same a sufficient Supply of Medicines suitable in Accidents and Diseases arising on Sea Voyages, which shall be renewed from Time to Time as shall be found requisite; and in case any Distress shall be made in providing or keeping supplied such Medicines as aforesaid, or in case any of the Seamen shall receive any Hurt or Injury in the Service of the Ship, the Expence of providing the necessary Surgical and Medical Advice, and Attendance and Medicines which the Seaman shall stand in need of shall be shall have been cured or shall have been brought back to some Port of the United Kingdom, shall be borne and defrayed by the Owner and Master of the Ship or One of them, without any Deduction whatever on that Account from the Seaman's Wages.

Summary Mode of recovering Wages not exceeding 20*l*.

In what Case Costs of Suit for Recovery of Wages not to be allowed.

When Ship is sold in Foreign Port, the Crew to be sent Home at the Expence of the Master or Owners.

Supply of Medicines to be kept on board, and Seamen hurt in the Service of the Ship to be provided with Advice, Attendance, &c.

Establishment  
of Register Office  
in the Customs.

\* XIX. And whereas it is expedient that a Register should be formed and maintained of all the Mariners and Seafaring Men of the United Kingdom, he it therefore enacted, That as soon as conveniently may be after the passing of this Act there shall be established in the Port of London an Office, to be called "The General Register Office of Merchant Seamen," which shall consist of a Registrar and such Assistants and Clerks with such Salaries and Allowances as shall be fixed and regulated from Time to Time by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom for the Time being, and that such Office shall be kept at the Custom House of the said Port, and daily Attendance shall be given therein during the usual Hours of Business there; and the said Registrar, his Assistants and Clerks, shall be under the Control and Direction of the said Lord High Admiral or the Commissioners for executing the Office aforesaid for the Time being.

Letters to and  
from Registrar  
to be free from  
Postage.

XX. And be it further enacted, That for the more readily carrying this Act into execution all Letters and Packets addressed to and sent by the said Registrar upon any Business relating to the Register Office created by this Act shall be free from the Duty of Postage; and that all Letters and Packets which shall be forwarded by the said Registrar in the Execution of his Duty as such Registrar shall be under a Cover, with the Words, "Pursuant to Act of Parliament of the Fifth Year of King William the Fourth," printed thereon, and the said Registrar shall sign his Name under each Word, and every such Cover shall be sealed with the Seal of his Office, and if the said Registrar or any other Person shall send or cause to be sent under any such Cover any Paper, Letter, or Writing, or any Inclosure, other than what shall relate to the public Business of the said Office, every Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds.

Master of Ships  
trading Allowed  
to deliver Lists  
of their Crews  
on their Return.  
44. 27. 4. 22.

XXI. And whereas by an Act of the last Session of Parliament, intitled *An Act to amend an Act of the Tenth Year of His Majesty King George the Second, for the Relief and Support of such married and dissolved Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service, and for other Purposes*, a certain Book by way of Master Roll is for the Purpose of the said Act required to be kept on board Merchant Ships, which Book is to contain such Entries and Statement of Account as by the said Act is required: And whereas it is expedient for the better effectuating the Objects of this Act that a due Return should be made to the said Registrar of Merchant Seamen of every of the Particulars in the said Act specified, be it therefore further enacted, That the Master of every Ship belonging to any Subject of His Majesty, and bound to Parts beyond the Seas, except in the Cases next hereinafter provided, shall not only keep the Book as required by the said recited Act, but shall, on reporting his Ship on her Arrival at her Port of Destination in the United Kingdom, deliver or cause to be delivered to the Collector or Comptroller of the Customs at such Port an Account, signed by himself, of all the Seamen and others (including Apprentices) who shall have belonged to the Ship at any Time during her Absence from the United Kingdom, which Account shall contain a true and correct Return under their respective Heads of the several Particulars expressed in the Form set forth in the Schedule annexed to this Act, and marked (C).

Masters of Ships  
on the Home  
Trade to return  
master Lists.

XXII. And be it further enacted, That within Twenty-one Days after the Thirtieth Day of June and the Thirty-first Day of December in each Year, the Owner or One of the Owners of every Ship as aforesaid employed in fishing on the Coasts of the United Kingdom, or in regularly trading from one Part of the United Kingdom to another, and of every Ship regularly trading or making regular Voyages to any of the Islands of Jersey, Guernsey, Alderney, Sark, and Naxos, or to any Part on the Continent of Europe between the River Eise inclusive and Brant, shall deposit or cause to be deposited with the Collector or Comptroller of the Customs of the Port to which the Ship shall belong, or with the said Registrar in London, an Account, signed by such Owner, or by the Master, of the Voyages in which any such Ship shall have been engaged during the preceding Half Year ending on the respective Days above mentioned, and setting forth the Christian and Surnames of the several Persons (including the Master and Apprentices) who shall have belonged to the Ship at any Time during such Periods respectively, which Account shall be in the Form and shall contain a true and correct Return under their respective Heads of the several Particulars expressed in the Schedule marked (D.) and to this Act annexed.

Returns to be  
made in case of  
Ship lost or sold  
Aboard.

XXIII. And be it further enacted, That in case any Ship as aforesaid shall be lost or sold while absent from the United Kingdom, then an Account containing a similar Return as required in the several and respective Cases before mentioned, which shall be made out up to the Period of such Loss or Sale, shall by the Persons who shall at that Time have been respectively Owner and Master thereof, or by One of them, be delivered or transmitted to the said Registrar in the Port of London as soon as he shall be enabled to make such Return after the Loss, and within Twelve Calendar Months at farthest after the Sale of the Ship.

Lists to be en-  
rolled, and trans-  
mitted to the  
Registrar.  
Truly so the  
Master for  
England.

XXIV. And be it further enacted, That the said several Accounts and Returns by this Act required to be deposited with or delivered to the Collector or Comptroller as aforesaid shall by such Officers of the Customs be transmitted from Time to Time to the said Registrar for the Purposes of this Act; and every such Owner or Master of any Ship as aforesaid who shall refuse or wilfully neglect to deliver or cause to be delivered any such List or Account as by this Act is required, shall for every such Refusal or Neglect forfeit and pay the Sum of Twenty-five Pounds.

As to the Dis-  
posal of the

XXV. And in order that due Care may be taken of the Effects of British Seamen dying in Foreign Parts, and that the same may be disposed of in the most beneficial manner, be it therefore enacted, That the

British Seaman being Abroad shall die elsewhere than on board a British Ship, leaving any Money or Effects within the Limits of any British Consulate, it shall be lawful for His Majesty's Consul there and he is hereby required to claim and take charge of all such Money and Effects, and to dispose of the said Effects for the Benefit of the next of Kin of the Deceased or other Person who may be by Law entitled to the same; and in case no Claim shall be made to the same within Three Calendar Months after the Death of such Seaman, the said Consul shall, after stating the Amount of any Expenses which shall have been incurred in getting in the Assets of the Deceased, remit the Balance of all such Monies which either have already arisen or shall hereafter arise by the Means aforesaid to the President and Governors of the Corporation "For the Relief and Support of sick, maimed, and disabled Seamen," and of the Widow and Children of such as shall be killed, slain, or drowned, in the Merchant "Service," to be by such President and Governors paid over and disposed of in the same Manner and under the same Regulations as are provided by the said recited Act of the last Session of Parliament with respect to the Wages of Seamen dying on board Merchant Ships; and in case any Seaman as dying as last mentioned shall leave on board the Ship to which he shall belong any Monies, Clothes, or other Effects, and the same shall not be claimed within One Month after the Ship's Return to the United Kingdom by the Executor or Administrator of the Deceased, then the Master of the said Ship shall and he is hereby required to deposit the same or the Proceeds arising therefrom with the President and Governors aforesaid, to be by them disposed of in the same Manner as is provided by the said Act with respect to the Wages of deceased Seamen.

Effects of Seamen dying Abroad.

XXVI. And whereas the giving due Encouragement to such of the Youth of the United Kingdom as shall voluntarily betake themselves to the Sea Service, and obliging others to do so who by reason of their own or their Parents Poverty are destitute of the Means of obtaining Subsistence and Employment, will not only greatly tend to the Increase of able and experienced Seamen, as well for the Service of the Royal Navy as for carrying on the Commerce of His Majesty's Subjects, but will likewise provide them with Employment, and thus materially diminish the Burthen of Expence cast upon Parishes by their Pauperism; be it therefore enacted, That it shall be lawful for the Overseers of the Poor or other Persons having the Authority of Overseers of the Poor of any Parish, Township, or Place in the United Kingdom, or in whom the Duty of Overseers or Guardians of the Poor shall or may be vested, and they are hereby empowered, to bind by Indenture and put out any Boy having attained the Age of Thirteen Years, and of sufficient Health and Strength, who or whose Parent or Parents is or are chargeable to or maintained by any such Parish or Township, or who shall beg for Alms therein, with his Consent but not otherwise, an Apprentice in the Sea Service to any of His Majesty's Subjects being the Master or Owner of any Ship registered in any Part of the United Kingdom, for so long Time and until such Boys shall respectively attain the Age of Twenty-two Years, which Binding shall be as effectual in the Law to all Intents and Purposes as if such Boy had been bound by virtue of any Statute now in force respecting the binding of Parish Apprentices, or as if such Boy were of full Age and had bound himself as Apprentice, and notwithstanding the Residence of the Master or Owner to whom he may be bound shall be more than Forty Miles distant from such Parish or Place: Provided always, that every such Binding shall be made in the Presence of Two Justices of the Peace acting for the County, Riding, Division, City, Borough, or Place within which such Parish or Township shall be situate, which Justices shall execute the Indenture and Testimony of their having been satisfied that such Boy hath attained the Age and is of sufficient Health and Strength as required by this Act; and to the end that the Period when the Service under such Indenture shall expire may the more certainly appear, the Age of every such Boy shall be inserted in his Indenture, the same being truly taken from a Copy of the Entry of his Baptism in the Register Book of the Parish in which he was born (where the same can be obtained), which Copy shall be given and attested by the Officiating Minister of such Parish without Fee or Reward; and in Cases where no such Entry of Baptism can be found the Justices aforesaid shall inform themselves as fully as they can of such Boy's Age, and from such Information shall insert the same in his said Indenture, and the Age of every such Boy so inserted therein shall (in relation to the Continuance of his Service) be taken to be his true Age without any further Proof thereof.

Parish Boys may be put out Apprentices in the Sea Service

XXVII. And be it further enacted, That it shall be lawful for any Master or Person to whom any poor Parish Apprentice shall have been or shall be hereafter bound to a Service on Shore according to the Statute already in force relating to such Apprentices, or for the Executors or Administrators, or, there being none such, for the Widow of any such deceased Master, with the Concurrence of Two or more Justices of the Peace residing in or near to the Place where such poor Boy shall have been bound Apprentice, to assign and turn over such poor Boy, with his Consent but not otherwise, Apprentice to any Master or Owner of any Ship not having her Complement of Apprentices as herein-after required, to be employed by such Master or Owner in the Sea Service during the Period then remaining unexpired of his Apprenticeship.

Parish Apprentices may be turned over to the Sea Service.

XXVIII. And be it further enacted, That in the Event of the Death of the Master of any such poor or Parish Apprentice to the Sea Service, it shall be lawful for the Widow or the Executor or Administrator of such deceased Master to assign the Indenture of any such Apprentice for the Residue of the Term then unexpired thereon to any Master or Owner of any such Ship not having the Complement of Apprentices as herein-after required; all which Assignments, if executed within the Limits of the Port of London, shall be attested by the said Registrar or One of his Assistants or

Indentures may be assigned to the Disch of the Master.

Clerk, and if at any other Port shall be attested by the Collector or Comptroller of the Customs of such Port.

Tenish Officers to prepare Indentures.

XXIX. And he is further enacted, That such Overseers or other Persons as aforesaid shall cause the Indentures of Apprenticeship to be prepared and transmitted in Duplicate, if the Master or Owner of the Ship to whose such Apprentice is to be bound shall be or reside within the Limits of the Port of London, to the said Registrar, and if at any other Port to the Collector or Comptroller of the Customs at such Port; and the said Overseers or other Persons as aforesaid shall cause each such poor Boy to be conducted and conveyed to such Port or Place by the Constable and at the Expence of the Parish or Township sending him thither, and shall also, upon the Execution by the Master of the Counterpart of the Indenture, cause to be paid down to the Master the Sum of Five Pounds, to be expended in providing such Boy with necessary Sea Clothing and Bedding; which Sum, as well as the Expence to be incurred in the Conveyance of the Boy as aforesaid, shall, when paid, be allowed to them in their Accounts of Manes expended in relation to the Poor.

Constable to convey the Apprentice.

New Counterparts of Indentures to be attested.

XXX. And he is further enacted, That the Counterparts of all such Indentures shall, if the Master shall be or reside within the Limits of the Port of London, be executed in the Presence of and attested by the said Registrar or One of his Assistants or Clerks, and if at any other Port by the Collector or Comptroller of the Customs at such Port, and also in both Cases by the Constable or other Officer who shall convey such Apprentices thither, and such Indentures shall bear Date respectively on the Days on which they are executed, and the Constable or his Heir shall deliver such Counterparts to the Overseers or other Persons as aforesaid, to be by them registered and preserved.

Every Ship to have Apprentices according to her Tonnage.

XXXI. And he is further enacted, That the Master of every Ship belonging to any Subject of the United Kingdom, and of the Burthen of Eighty Tons and upwards, shall have on board thereof, at the Time of clearing out from any Port of the United Kingdom, One Apprentice or more, in the following Proportions to the Number of Tons of his Ship's Admeasurement, according to the Certificates of Registry, that is to say, every Ship of Eighty Tons and under Two hundred Tons shall have One Apprentice at the least, every Ship of Two hundred Tons and under Four hundred Tons shall have Two Apprentices at the least, every Ship of Four hundred Tons and under Five hundred Tons shall have Three Apprentices at the least, every Ship of Five hundred Tons and under Seven hundred Tons shall have Four Apprentices at the least, and every Ship of Seven hundred Tons and upwards shall have Five Apprentices at the least, all of whom at the Period of their being bound respectively shall have been under Seventeen Years of Age, and shall have been duly bound for the Term of Four Years at the least; and if any such Master shall neglect to have on board his Ship the Number of Apprentices as aforesaid required he shall for every such Offence forfeit and pay the Sum of Ten Pounds in respect of each Apprentice so deficient.

Penalty for Deficiency of Apprentices.

Apprentice exempt from Contributions to the Hospital.

XXXII. And he is further enacted, That no Apprentice bound or assigned pursuant to this Act, nor any Master or Owner in respect of any such Apprentice, shall be liable to the Payment of any Contribution towards the Support of any Hospital or Institution.

Indentures and Assignments to be registered.

XXXIII. And he is further enacted, That the said Registrar in London and the Collector and Comptroller of the Customs at each other Port shall, in a Book to be kept for that Purpose, cause to be entered from Time to Time all such Indentures and Assignments at Parol Apprentices as aforesaid, specifying therein the Dates thereof, the Names and Ages of the Apprentices, the Parishes or Places from whence sent, the Names and Residences of the Masters to whom bound or assigned, and the Names, Ports, and Burthen of the respective Ships to which such Masters belong, and shall make and subscribe on each Indenture or Assignment respectively an Indorsement purporting that the same hath been duly registered pursuant to this Act; and every such Collector and Comptroller shall also at the End of each Quarter of the Year transmit a List of the Indentures and Assignments so registered by him within the preceding Quarter, containing all the Particulars aforesaid, to the said Registrar, for the Purposes of this Act.

Indentures of Apprentices to be registered.

XXXIV. And he is further enacted, That in every Case of a Person voluntarily binding himself Apprentice to the Sea Service the Indentures to be executed on such Occasions shall be registered in a Book to be kept for that Purpose by the said Registrar in London and by the Collector and Comptroller of the Customs at each other Port at which the Indenture shall be executed, in which Book shall be expressed the Dates of the several Indentures, the Names and Ages of the Apprentices, the Names and Residences of their Masters, and (if known) the Names, Port, and Burthen of the several Ships on board which they are respectively to serve; and such Registrar and Collector or Comptroller respectively shall indorse and subscribe upon each Indenture a Certificate purporting that the same hath been duly registered pursuant to this Act, and the said Collector and Comptroller shall also at the End of each Quarter of the Year transmit a List of the Indentures so registered by them within the preceding Quarter, containing all the Particulars aforesaid, to the said Registrar, for the Purposes of this Act; and that it shall be lawful for the Master, or in case of his Death his Executor or Administrator, with the Consent of the Apprentice if of the Age of Seventeen Years or upwards, and if under that Age with the Consent of his Parent or Guardian, to assign or transfer the Indenture of any such Apprentice to any other Person who may be the Master or Owner of any registered Ship; and all such voluntary Apprentices may, during the Term for which they shall be bound, be employed in any Ship of which the Master of any such Apprentice may be the Master or Owner: Provided always, that every such Assignment shall be registered and indorsed by the said Registrar, or by the Collector or Comptroller

Assignments to be registered.

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of the Customs at the Port where the Master shall be resident, or to which his Ship shall belong, in which latter Case the said Collector or Comptroller shall notify the same to the said Register as is herein-before provided with regard to the Indenture of such Apprentice.

XXXV. And be it further enacted, That all Agreements with the Crew of a Ship made in pursuance of and in conformity with this Act, and all Indentures of Parish and voluntary Apprentices to the Sea Service, and all Counterparts and Assignments of such Indentures to be respectively executed after the passing of this Act, shall be wholly exempt from Stamp Duty.

XXXVI. And be it further enacted, That if any Master to whom any Apprentice mentioned in this Act shall be bound or engaged shall neglect to cause the Indenture or the Assignment thereof (as the Case may be) to be registered as required by this Act, or shall, after the Ship shall have cleared Outwards on the Voyage upon which such Ship may be bound, suffer his Apprentice to quit his Service (not entering into that of His Majesty), except in case of Death, Desertion, Sickness, or other unavoidable Cause, to be certified in the Log Book of the Ship, every such Master shall for every such Offence forfeit and pay the Sum of Ten Pounds.

XXXVII. And be it further enacted, That any Two or more Justices of the Peace residing at or near to any Port at which any Ship as aforesaid, having on board thereof any Sea Apprentice, shall at any Time arrive, shall have full Power and Authority to enquire into and examine, hear and determine, all Claims of Apprentices upon their Masters under their Indentures, and all Complaints of hard or ill Usage exercised by their respective Masters towards any such their Apprentices, or of Misbehaviour on the Part of any such Apprentice, and to make such Orders thereon as they are empowered by Law to do in other Cases between Masters and Apprentices.

XXXVIII. And whereas by an Act passed at the Ninth Year of the Reign of His late Majesty King George the Fourth, for consolidating and amending the Statutes in England relative to Offences against the Person, a necessary Jurisdiction is provided for the Punishment of Persons guilty of common Assaults and Battery: And whereas it is expedient that the Provisions of the said Act should be extended to similar Offences committed on board Merchant Ships as herein-after provided; be it therefore further enacted, That in the Case of any Assault or Battery which shall after the Commencement of this Act be committed on board any Merchant Ship belonging to any Subject of the United Kingdom in any Place at Sea, or out of His Majesty's Dominion, it shall be lawful for any Two Justices of the Peace in any Part of His Majesty's Dominions, upon Complaint of the Party aggrieved, to hear and determine any such Complaint, and to proceed and make such Adjudication thereon as by the said Act any Two Justices are empowered to do, subject however to such Powers and Limitations as are contained in the said Act with respect to the Cases of Assault and Battery therein mentioned; and the Fine or Forfeiture to be imposed in any such Case shall be payable to the Merchant Seaman's Hospital or Institution at or nearest to the Port or Place where such Adjudication shall be made.

XXXIX. And be it further enacted, That no Parish or voluntary Apprentice to the Sea Service shall be at Liberty to enter into the Naval Service of His Majesty during the Period of his Apprenticeship without the Consent of his Master, but if nevertheless he shall voluntarily enter on board any of His Majesty's Ships of War, and shall be allowed by his Master to continue therein, such Master, in case he shall give Notice to the Secretary of the Admiralty of his Consent to his Apprentice remaining in His Majesty's Service during the Residue of the Term of his Apprenticeship, shall, upon the Production of his Indenture, be entitled, at the Time of paying off the Ship, to receive to his own Use any Balance of Wages that may be then due and payable to any such Apprentice up to the Period of the Expiration of his Indenture.

L. And whereas great Mischiefs have arisen from Masters of Merchant Ships leaving Seamen at Foreign Ports, who have been thus reduced to Distress, and thereby tempted to become Pirates, or otherwise misconduct themselves, and as is expedient to amend and enlarge the Law in this behalf; be it therefore further enacted, That if any Master of a Ship belonging to any Subject of the United Kingdom shall force on Shore and leave behind, or shall otherwise wilfully and wrongfully leave behind on Shore or at Sea, in any Place in or out of His Majesty's Dominions, any Person belonging to his Crew, before the Return to or Arrival of such Ship in the United Kingdom, or before the Completion of the Voyage or Voyages for which such Person shall have been engaged, whether such Person shall have formed Part of the original Crew or not, every Person so offending shall be deemed guilty of a Misdemeanor, and shall suffer such Punishment by Fine or Imprisonment or both as to the Court before which he shall be convicted shall seem meet; and the said Offence may be prosecuted by Information at the Suit of the Attorney General on behalf of His Majesty, or by Indictment or other Proceeding in any Court having criminal Jurisdiction in His Majesty's Dominions at Home or Abroad, where such Master or other Person as aforesaid shall happen to be, although the Place where the Offence may be therein averred to have been committed (which Averment is hereby required to be substantiated according to the Fact) shall appear to be out of the ordinary local Jurisdiction of such Court: and such Court is hereby authorized to issue a Commission or Commissions for the Examination of any Witnesses who may be absent or out of the Jurisdiction of the Court; and at the Trial the Depositions taken under such Commission or Commissions, if such Witnesses shall be there absent, shall be received in Evidence.

LII. And be it further enacted, That no such Master shall discharge any individual Person of his Crew, whether British Subject or Foreigner, at any of His Majesty's Colonies or Plantations, without the previous Sanction in Writing of the Governor, Lieutenant Governor, Secretary or other Officer

Agreements and Indentures exempt from Stamp Duty.

Justices of the Peace empowered to enquire into and determine all Claims of Apprentices upon their Masters under their Indentures, and to make such Orders thereon as they are empowered by Law to do in other Cases between Masters and Apprentices.

Justices of the Peace empowered to enquire into and determine all Claims of Apprentices upon their Masters under their Indentures, and to make such Orders thereon as they are empowered by Law to do in other Cases between Masters and Apprentices.

Commissions to be issued to Justices of the Peace to enquire into and determine all Claims of Apprentices upon their Masters under their Indentures, and to make such Orders thereon as they are empowered by Law to do in other Cases between Masters and Apprentices.

Masters of Merchant Ships to be liable to be examined by the Secretary of the Admiralty if they consent to their Apprentices remaining in His Majesty's Service during the Residue of the Term of their Apprenticeship.

Penalty on Masters of Merchant Ships for leaving Seamen at Foreign Ports, who have been thus reduced to Distress, and thereby tempted to become Pirates, or otherwise misconduct themselves, and as is expedient to amend and enlarge the Law in this behalf.

Jurisdiction of Courts for trying such Misdemeanors.

Sanction not to be discharged without the previous Sanction of the Governor, Lieutenant Governor, Secretary or other Officer.

of certain  
Functionaries,

appointed in that Behalf by the Government there, or in the Absence of all such Authorities at or near to the Port or Place at which the Ship shall be then lying, then of the chief Officer of Customs of such Colony or Plantation resident at or near to such Port or Place; nor shall he discharge any such Person at any other Place Abroad without the like previous Sanction in Writing of His Majesty's Minister, Consul, or Vice Consul there, or in the Absence of any such Functionary, Gen of Two respectable Merchants resident there; all which and Functionaries respectively are hereby authorized and required, and all which and Merchants are hereby authorized, in a summary Way to require into the Possession of any such proposed Discharge by Examination on Oath, and thereupon to grant or refuse such Sanction according to their Discretion, having Regard to the Objects of this Act.

not to be left  
Aboard on the  
Plea of Incon-  
venience to proceed,  
Distress, or  
Disappearance,  
without a Direc-  
tor Authority.

XLII. And be it further enacted, That no such Master shall be at liberty to leave behind at any Place Abroad, either on Shore or at Sea, any Person of his Crew as aforesaid, on the Plea of such Person not being in a Condition to proceed on the Voyage, or having deserted from the Ship, or otherwise disappeared, unless upon a previous Certificate in Writing of One of such Functionaries or Merchants as aforesaid, if there be any such at or within a reasonable Distance from the Place where the Ship shall then be, if there be Time to procure the same, certifying that such Person is not in such Condition, or has deserted or disappeared, and cannot be brought back; and all such Functionaries as aforesaid are hereby authorized and required, on the Application of any such Master, to inquire by Examination on Oath into the Circumstances, and to give or refuse such Certificate according to the Result of such Examination.

If any of the  
Crew are left  
behind, the  
Proof of Sanction  
or Authority shall be  
upon the  
Master.

XLIII. And be it further enacted, That if any such Master shall leave behind any One of his Crew as aforesaid contrary to this Act, in any Indictment or Proceeding the Proof of his having obtained such Sanction or Certificate as aforesaid shall be upon him, it being his Intention hereof, that, except in the Case of entering into His Majesty's Naval Service, no Person of the Crew shall be discharged, either with or without his Consent, in any Place Abroad where such Functionary can be found, unless he shall have given such Sanction therein.

Sanction which  
is left behind to be  
paid there  
Wages.

XLIV. And be it further enacted, That every such Master who shall leave any Person of his Crew as aforesaid on Shore at any Place Abroad, under a Certificate of his not being in a Condition to proceed on the Voyage, shall deliver to One of the said Functionaries, or if there be none such to any Two respectable Merchants there, or if there be but One then to such One Merchant, a just and true Account of the Wages due to such Person, and pay the same to the Seaman either in Money or by a Bill drawn upon the Owner of his Ship; and if by Bill, then such Functionary or Merchant, according to the Case, is hereby authorized and required by Certificate indorsed on such Bill to testify that the same is drawn according to this Act for Money due on account of Wages of a Seaman, or to that Effect; and any such Master who shall deliver a false Account, or refuse or neglect to deliver a just and true Account of the Wages due to such Person, and to pay the Amount thereof in Money or by Bill as aforesaid, shall for every such Offence forfeit and pay, in addition to the Wages due, the penal Sum of Twenty-five Pounds.

Act not to ex-  
tend to prevent  
Seaman from  
entering into  
the Ship.

XLV. Provided always, and be it further enacted, That nothing in this Act or in any Agreement contained shall be deemed to extend to prevent any Seaman or Person belonging to any Merchant Ship whatever from entering or being received into the Naval Service of His Majesty, nor shall any such Entry be deemed a Desertion from the Merchant Ship, nor incur any Penalty or Forfeiture whatever, either of Wages, Clothes, or Effects, or other Matter or Thing, notwithstanding any Agreement made to the contrary hereof; and all Masters and Owners of Ships are strictly prohibited from introducing into any Ship's Articles or Agreement with the Crew any Clause or Matter by which any Penalty or Forfeiture of any Kind is agreed to be incurred by a Seaman upon his Entry into His Majesty's Service.

Upon Entry of  
Seaman into the  
Ship from Mer-  
chant Ships they  
shall be entitled  
to the imme-  
diate Delivery  
up of their  
Clothes and  
Payment of any  
Wages due  
way to due.

XLVI. And be it further enacted, That when any Seaman shall quit a Merchant Ship in order to enter into His Majesty's Naval Service, and shall thereupon be actually received into such Service, not having previously complied any Act amounting to and treated by the Master as a total Desertion, he shall be entitled immediately upon such Entry to the Delivery up of all his Clothes and Effects on board such Merchant Ship, and (in case the Ship shall have earned Freight) to receive from the Master the Payment of the proportionate Amount of his Wages up to the Period of such Entry, either in Money or by a Bill on the Owner thereof; all which Clothes, Effects, Money, and Bill such Master is hereby required to deliver up to him accordingly, under a Penalty of Twenty-five Pounds for any Refusal or Neglect, to be recovered, with full Costs of Suit, by such Seaman: Provided always, that if no Freight shall have been earned at the Time of such Entry, then the Master shall and he is hereby required to give the Seaman on entering a Bill upon the Owner for his Wages to the Period of such Entry, payable on the Ship's safe Arrival at her destined Port; but in case the Master shall have no Means of ascertaining the Balance justly due he shall make out and deliver to such Seaman a Certificate of the Period of his Services and the Rate of Wages he is entitled to, producing at the same Time to the Commanding or other Officer of His Majesty's Ship the Agreement entered into with the Seaman for the Voyage; and every such Master upon the Delivery up of such Clothes and Effects and the Settlement of such Wages in manner herein mentioned, shall be entitled to receive from the Officer in Command of the Ship of His Majesty into which such Seaman shall have entered a Certificate signed by the said Officer, which such Officer is hereby required to give upon the Request of the Master, testifying that such Seaman has entered into such Ship of His Majesty to serve, as Proof that the Master had not parted with the Seaman contrary to the Provisions of this Act.

XLVII. And be it further enacted, That in all Cases where any Master shall have forced on Shore or left behind any Person against the Provisions of this Act, and such Person shall become distressed and be relieved under the Provisions of an Act passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy, or under any Act hereafter to be passed, then, in addition to the Wages due from and the Penalties imposed on such Master, His Majesty shall be entitled to sue such Master or the Owner of the Ship, at the Option of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, for all the Charges and Expenses which shall have been incurred on the Subtenance, necessary Clothing, and Conveyance Home of any such Person, as so much Money paid, laid out, and expended to the Use of the Defendant, which, together with full Costs of Suit, may be recovered in the same Manner as other Debts due to His Majesty are recoverable in any Court having Jurisdiction in Cases of Debts due to the Crown; and in any Proceeding for that Purpose Proof of the Account furnished to the said Commissioners by any One of such Functionaries, or by such Two Merchants or One Merchant, according to the Case, as provided by the said Act of the Eleventh Year of King George the Fourth, shall, together with Proof of Payment by the said Commissioners or by the Treasurer of the Navy of the Charges incurred on account of any such Person, be sufficient Evidence that such Person was relieved and conveyed Home, according to the Intent of the said Act, at His Majesty's Expense; and the Court in which any Proceeding for the Recovery of the said Money shall be instituted is hereby authorized to issue a Commission or Commissions for the Examination of Witnesses Aforesaid, and the Depositions taken under such Commission or Commissions shall be received as Evidence.

XLVIII. And in order the more effectually to secure a Compliance with the Provisions of this Act, be it further enacted, That every Master of a Ship belonging to any Subject of His Majesty, on his Arrival at any Foreign Port where there shall be a British Consul or Vice Consul, shall deliver to such Consul or Vice Consul the Agreement with his Ship's Crew, to be by such Consul or Vice-Consul preserved during the Ship's Stay there, and to be returned to the Master before his leaving the Port, without any Fee or Charge being made for the same; and if any such Master shall refuse or neglect to deliver any such Agreement to the Consul or Vice Consul, as is hereby required, he shall for every such Offence forfeit and pay the Sum of Twenty-five Pounds.

XLIX. And be it also enacted, That during the Ship's Stay at any such Foreign Port no Seaman shall be shipped by any such Master except with the Privity of such Consul or Vice-Consul, to be endorsed or certified on the Agreement, under a Penalty of Twenty five Pounds to be forfeited by any such Master for every Seaman who shall be so shipped in Breach of this Act.

L. And be it further enacted, That the Master of every Ship belonging to any Subject of His Majesty as aforesaid shall be is hereby required to produce and show the Master Roll of the Ship and the Agreement with his Crew to the Captain, Commsander, or other Commissioned Officer of any of His Majesty's Ships requiring a Production and Sight thereof, and that it shall be lawful for any such Officer as His Majesty's Naval Service, if he shall think it necessary so to do, to examine the Crew and Passengers (if any) of any Ship belonging to any Subject as aforesaid, in order to be satisfied that the Provisions of this Act and of any other Act by which the Crews of Merchant Ships are regulated, and the Laws relating to Navigation with respect to the Crews of Merchant Ships, have been duly complied with; and if any such Master shall, upon being required so to do by any such Officer, neglect or refuse to produce such Master Roll or such Agreement, or shall obstruct any such Officer in the Execution of his Duty in mastering the said Crew or Passengers, or shall produce any false Master Roll, he shall for every such Offence forfeit and pay the Sum of Twenty-five Pounds.

LI. And be it further enacted, That for the better carrying into effect the Purposes of this Act it shall be lawful for the said Registrar and his Assistants, and also for the respective Collectors or other chief Officers of the Customs, at the several Ports of the United Kingdom and of the British Possessions Aboard, to demand from the Master of every Ship hereby required to enter into an Agreement with his Crew the Production of the Master Roll of the Ship and also of such Agreement, with Liberty to take a Copy of either or both, and to master the Crew and Apprentices of such Ship, for the Purpose of ascertaining whether the Provisions of this Act and of the Laws relating to Navigation have been complied with; and if any such Master, on such Demand being made, shall refuse or neglect to produce such Master Roll or Agreement, or shall refuse to allow a Copy of either Document to be taken, or shall refuse to permit or shall prevent his Crew and Apprentices from being so mastered, he shall for every such Neglect, Refusal, or Offence forfeit and pay the Sum of Fifty Pounds.

LII. And to avoid Doubts in the Construction of this Act, be it further enacted, That every Person having the Charge or Command of any Ship belonging to any Subject of the United Kingdom shall, within the Meaning and for the Purposes of this Act, be deemed and taken to be the Master of such Ship; and that every Person (Apprentices excepted) who shall be employed or engaged in any way as any Capacity on board the same, shall in like Manner be deemed and taken to be a Seaman within the Meaning and for the Purposes of this Act; and that the Term "Ship," as used in this Act, shall be taken and understood to comprehend every Description of Vessel navigating on the Sea; and that the Term "Owner," as applied to a Ship, shall be understood to comprehend all the several Parties, if more than One, to whom the Ship shall belong; and that all Seamen and other Vessels employed in carrying Passengers or Goods shall be deemed Trading Ships within the Meaning and for the Purposes of this Act.

Power to His Majesty to sue for the Amount advanced for the Relief of Seamen left Aboard.

Ship's Agreement on Arrival at a Foreign Port to be deposited with the Consul. Penalty for Neglect.

No Seaman to be shipped at a Foreign Port without Privity of Consul.

Masters to produce Agreements Officers of King's Ships.

Registrar and Officers of Customs empowered to require Productions of the Agreement and Master Roll.

Definition of the Terms Master, Seaman, Ship, and Crew.





## SCHEDULE (B.)

An Agreement made, pursuant to the Directions of an Act of Parliament passed in the Sixth Year of the Reign of His Majesty King William the Fourth, between the Master of the Ship  
 of the Port of \_\_\_\_\_ and of the Barbecs of \_\_\_\_\_  
 Tons, and the several Persons whose Names are subscribed hereto.

It is agreed by and to the Part of the said Persons, and they severally hereby engage, to serve on board the said Ship in the said several Capacities against their respective Names expressed, which Ship is to be employed as [here the Nature of the Ship's Employment is to be described, whether in the Fisheries, on the Coast, or in trading from one Part of the United Kingdom to another, or to any of the Islands of Jersey, Guernsey, Alderney, Sark, and Man, or to any Port on the Continent of Europe between the River Rhine inclusive and Brest]; and the said Crew further engage to conduct themselves in an orderly, faithful, honest, careful, and sober Manner, and to be at all Times diligent in their respective Duties and Stations, and to be obedient to the lawful Commands of the Master in every thing relating to the said Ship, and the Musters, Stores, and Cargo thereof, whether on board such Ship, in Boats, or on Shore, [any way be inserted any other Clauses which the Parties may think proper to be introduced into the Agreement, provided that the same be not contrary to or inconsistent with the Provisions and Spirit of this Act]. In consideration of which Services, to be duly, honestly, carefully, and faithfully performed, the said Master doth hereby promise to pay to the said Crew, by way of Compensation or Wages, the Amount against their Names respectively expressed: Provided always, and it is hereby declared, that no Seaman shall be entitled to his Discharge from the Ship during any Voyage in which he may be engaged, see at any other than a Port in the United Kingdom. In witness whereof the said Parties have hereto subscribed their Names on the Days against their respective Signatures mentioned.

| Place and Time of Entry. |        |       | Men's Names. | Age. | Place of Birth. | Quality. | Amount of Wages per Calendar Month, Week, or Voyage. | Witness to Signature. | Name of Ship in which the Seaman last served. |
|--------------------------|--------|-------|--------------|------|-----------------|----------|--|-----------------------|---|
| Day.                     | Month. | Year. |              |      |                 |          |  |                       |   |
|                          |        |       |              |      |                 |          |  |                       |   |

Note.—Any Embezzlement or wilful or negligent Loss or Destruction of any Part of the Ship's Cargo or Stores may be made good to the Owner out of the Wages (so far as they will extend) of the Seaman guilty of the same; and if any Seaman shall enter himself as qualified for a Duty to which he shall prove to be not competent, he will be subject to a Reduction of the Rate of Wages hereby agreed for in proportion to his Incompetency.

## SCHEDULE (C.)

Ship \_\_\_\_\_ of the Port of \_\_\_\_\_ whereof \_\_\_\_\_ was Master.

A List of the Crew (including the Master and Apprentices) at the Period of her sailing from the Port of \_\_\_\_\_ in the United Kingdom, from which she took her first Departure on her Voyage to \_\_\_\_\_ and of the Men who joined the Ship subsequent to such Departure and until her Return to the Port of \_\_\_\_\_ being her Port of Destination in the United Kingdom.

| Name | Age. | Place of Birth. | Quality. | Ship in which he last served. | Date of joining the Ship. | Place where. | Time of Death or leaving the Ship. | Place where. | How disposed of. |
|------|------|-----------------|----------|-------------------------------|---------------------------|--------------|------------------------------------|--------------|------------------|
|      |      |                 |          |                               |                           |              |                                    |              |                  |

Note.—If any one of the Crew has entered His Majesty's Service, the Name of the King's Ship in which he entered must be stated in the Account under the Head of "How disposed of."

Note.—This List, to be filled up and being agreed by the Master, is to be delivered by him to the Collector or Comptroller of the Customs, on reporting his Ship Inwards, on her Arrival at her Port of Destination in the United Kingdom.

## SCHEDULE (D.)

An Account of the Voyages in which the Ship of has been engaged in the Half  
 Year commencing on the Day of One thousand eight hundred and  
 and ending on the Day of One thousand eight hundred and  
 all the Persons (Master and Apprentices included) who have belonged to each Ship during that Period.

## ACCOUNT OF THE VOYAGES.

[Here the several Voyages and the Periods of each Voyages are to be described.]

## ACCOUNT OF THE CREW.

| Name. | Age. | Place of Birth. | Quality. | Ship<br>to which he<br>has served. | Date of<br>joining the<br>Ship. | Place where. | Time of Death<br>or<br>leaving the Ship. | Place where. | How<br>disposed of. |
|-------|------|-----------------|----------|------------------------------------|---------------------------------|--------------|--|--------------|---------------------|
|       |      |                 |          |                                    |                                 |              |  |              |                     |

*Note*.—If any one of the Crew shall have entered His Majesty's Service, the Name of the King's Ship in which he entered must be stated in this Account under the Head of "How disposed of."

*Note*.—This Account, when filled up, is to be signed by the Owner, and deposited with the Collector or Comptroller of the Customs of the Port to which the Ship shall belong, or with the Register of Merchant Seamen in London.

## C A P. XX.

An Act to consolidate certain Offices in the Collection of the Revenues of Stamps and Taxes, and to amend the Laws relating thereto. [30th July 1835.]

45 W. 4. c. 23

**WHEREAS** under and by virtue of an Act passed in the last Session of Parliament, intituled *An Act to amend the Laws relating to the Land and Assessed Taxes, and to consolidate the Boards of Stamps and Taxes, the several Duties, Matters, and Things theretofore under the Care and Management of the Commissioners of Stamps and of the Commissioners for the Affairs of Taxes respectively were placed under the Care and Management of One consolidated Board of Commissioners called "The Commissioners of Stamps and Taxes";* And whereas it is expedient that the Receiver General of Stamp Duties in England should become and be also the Receiver General of Land and Assessed Taxes, and that the said Two several Offices should be consolidated into One Office, and the Duties thereof be regulated in the Manner herein-after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the Person in whom the Office of Receiver General of Stamp Duties in England shall be then vested shall, without any further or other Authority than this Act, become and be also the Receiver General of Land and Assessed Taxes, and the said Two several Offices of Receiver General of Stamp Duties and Receiver General of Land and Assessed Taxes shall be and the same are hereby consolidated into One Office; and such Receiver General, as well as every other Person who shall be at any Time hereafter appointed to the said consolidated Office, shall be termed "The Receiver General of Stamps and Taxes."

Office of Receiver General of Stamp Duties and Receiver General of Land and Assessed Taxes consolidated into One Office  
 Office of Accountant and Comptroller General of Stamp Duties and Comptroller of Land and Assessed Taxes consolidated into One Office  
 Persons appointed respectively Receiver

**II.** And whereas it is expedient that the Two several Offices of Accountant and Comptroller General of Stamp Duties and Comptroller of Accounts of Land and Assessed Taxes in England should also be consolidated into One Office: Be it enacted, That from and after the Commencement of this Act the said Two last-mentioned Offices shall be and the same are hereby consolidated into One Office; and such consolidated Office shall, without any further or other Authority than this Act, vest in the Person in whom at the Time of the Commencement of this Act the said Office of Accountant and Comptroller General of Stamp Duties shall or may be vested; and such Person, as well as every other Person who shall be at any Time hereafter appointed to the said last-mentioned consolidated Office, shall be termed "The Accountant and Comptroller General of Stamps and Taxes."

**III.** And be it enacted, That the Persons in whom respectively the said Offices of Receiver General of Stamps and Taxes and Accountant and Comptroller General of Stamps and Taxes are by this Act respectively established, shall, their said respective Offices during the Continuance of this Majesty, His Heirs and

and Successors, and no longer; and when and as soon as the said several Offices shall respectively become vacant, and from Time to Time afterwards whenever any Vacancy shall occur in either of such Offices, it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, to nominate and appoint a fit and proper Person to fill such vacant Office; and every such Person so to be appointed as last mentioned shall hold his said Office during the Pleasure of the said Commissioners of His Majesty's Treasury for the Time being, and no longer.

IV. And be it enacted, That the said Receiver General of Stamps and Taxes shall have, use, and exercise all such Powers and Authorities as are now given as or vested in the Receiver General of Stamp Duties in England under or by virtue of any Act or Acts in force at the Time of the passing of this Act, or otherwise howsoever; and the said Accountant and Comptroller General of Stamps and Taxes shall have, use, and exercise all such Powers and Authorities as are now given as or vested in the Accountant and Comptroller General of Stamp Duties under or by virtue of any such Act or Acts as aforesaid, or otherwise howsoever; and all such Powers and Authorities shall be and are hereby given to and vested in the said Receiver General of Stamps and Taxes and the said Accountant and Comptroller General of Stamps and Taxes respectively, as fully and effectually, to all Intent and Purpose, as if such Powers and Authorities, and all Clerks, Regulations, Provisions, Penalties, and Forfeitures relating thereto respectively, were severally repeated and re-enacted in this Act and made Part thereof.

V. And be it enacted, That all Stamp Duties, and all Moneys from Time to Time collected or received for the Land Tax, or payable for the Sale and Redemption thereof, and all the Rates and Duties of Assessed Taxes, and all Compositions for Assessed Taxes, and all other Duties and Sums of Money whatsoever, now or at any Time hereafter under the Care or Management of the Commissioners of Stamps and Taxes, and which shall be collected or received in any Part of Great Britain, shall from Time to Time be paid or remitted by the several Distributors of Stamps and Receiving Inspectors of Taxes, and other Receivers of the said Duties and Moneys respectively, or by the several Remitters thereof, to the said last-mentioned Commissioners, or to the said Receiver General of Stamps and Taxes, at such Times, in such Manner, and under such Rules and Regulations as the said Commissioners of Stamps and Taxes shall from Time to Time direct or appoint; and all Moneys, Drafts, Bills, Notes, or other Orders or Securities for the Payment of Money which shall from Time to Time be received by the said Receiver General for or on account of any of the Duties, Rates, and Taxes aforesaid, or any of them, or otherwise, for the Use of His Majesty, (except only so much thereof as the said Receiver General shall be authorized by the Commissioners of Stamps and Taxes, under the Sanction of the Commissioners of His Majesty's Treasury, to retain for the Public Service,) shall be paid by the said Receiver General into the Bank of England, and shall be transferred to the Credit of His Majesty's Exchequer, in such Manner, at such Times, and under such Rules and Regulations as the Commissioners of Stamps and Taxes, under the Authority of the said Commissioners of His Majesty's Treasury, shall from Time to Time direct or appoint; any thing in any former Act or Acts to the contrary thereof in anywise notwithstanding.

VI. And be it enacted, That from and after the Commencement of this Act the Office of Receiver General of the Land and Assessed Taxes for the District or Circuit of Receipt called "The London Receipt," shall cease and be abolished, and the several Collectors of the Land and Assessed Taxes within the said District or Circuit shall, with the Privy and under the Superintendance and Direction of the Inspector of Taxes for the Metropolitan District, or such other Person as the Commissioners of His Majesty's Treasury for the Time being may nominate or appoint for that Purpose, pay all the Duties and Sums of Money from Time to Time collected or received by them respectively to the said Receiver General of Stamps and Taxes at the Head Office, or at such Place or Places as the Commissioners of Stamps and Taxes shall from Time to Time appoint, and under and subject to such Rules and Regulations as may be from Time to Time directed or appointed by the said last-mentioned Commissioners in that Behalf; and every such Collector is hereby solemnly enjoined and required, under the Penalty imposed on Collectors for Neglect of Duty by the several Acts in force, to attend at the said Head Office, or at such other Place or Places as shall be appointed in manner aforesaid, and to make his Payments to the said Receiver General of Stamps and Taxes accordingly: Provided always, that it shall be lawful for the Commissioners of His Majesty's Treasury, if they shall think fit, to assign any Port or Ports of the said District or Circuit of Receipt called "The London Receipt" to any adjoining District or Districts of Receipt, as to the said last-mentioned Commissioners may appear to be necessary or expedient; and from thenceforth the Collector or Collectors of the Part or Parts so annexed to any adjoining District or Districts as aforesaid shall pay the Duties and Sums of Money collected or received by him or them to the Receiving Inspector or other Receiver for the Time being appointed to such adjoining District or Districts.

VII. And be it enacted, That the Inspector of Taxes for the Metropolitan District for the Time being, or such other Person as shall be nominated or appointed as aforesaid for the Purpose of superintending and directing the Payment of the Taxes to the Receiver General of Stamps and Taxes by the several Collectors of the said District or Circuit, called "The London Receipt," shall have, use, and exercise all such Powers and Authorities, and perform all such Duties (save and except the actual Receipt of Money), within or for the said District or Circuit of Receipt, with relation to the Taxes arising or collected within the same as are now given as or vested in or performed by the several Receiving Inspectors of Taxes within or for their respective Districts by or under any Act or Acts in

General and Accountant and Comptroller General to hold their Offices during Pleasure.

Powers and Authorities given by former Acts to vest in the Receiver General of Stamps and Taxes and the Accountant and Comptroller General of Stamps and Taxes respectively.

All Moneys arising from Stamp Duties and from the Land and Assessed Taxes to be paid or remitted to the Commissioners or the Receiver General of Stamps and Taxes.

Moneys, Ac. received by the Receiver General to be paid into the Bank of England to the Credit of the Exchequer.

Office of Receiver General of the Land and Assessed Taxes for the District or Circuit of Receipt called "The London Receipt" abolished and Collectors of the District or Circuit of Receipt to make their Payments to the Receiver General of Stamps and Taxes at the Head Office.

Commissioners of the Treasury may assign any Part of the London District of Receipt to any adjoining District.

Inspector of Taxes for the Metropolitan District to have the same Powers within the London District of Receipt as the Receiving

Inspector  
with the  
Districts.

force at the Time of the passing of this Act; and the Certificate of the said Inspector of Taxes for the Metropolitan District, or of such other Person as aforesaid, to the Bursar of the Court of Exchequer, of any Failure, Neglect, or Omission in the assessing, charging, raising, or accounting for any of the said Taxes within the said District, or of any Schedule of Defalcators in the Payment thereof, shall be as valid and have the same Force and Effect as any similar Certificate heretofore made by any Receiver General, or now made by any Receiving Inspector within their respective Districts, under or in pursuance of the several Statutes in that Behalf.

Receiver General  
annually to  
render Accounts  
of Monies received  
in the  
Commissioners  
for auditing the  
Public Accounts.

VIII. And be it enacted, That the said Receiver General of Stamps and Taxes shall keep Accounts of all Monies which shall be received by him, arising from Stamp Duties, and from the Land Tax, and the Sale and Redemption thereof, and also from the Duties of Assessed Taxes, or Compositions for Assessed Taxes, and of all other Monies whatsoever which he shall receive for the Use of His Majesty, His Heirs or Successors, and shall annually render such Accounts to the Commissioners for auditing the Public Accounts; and every such Account shall be made up to the Fifth Day of January in every Year, or to such other Period as every Year as the Commissioners of His Majesty's Treasury shall appoint; and every such Account shall be delivered to the said Commissioners for auditing the Public Accounts within such Time as the Commissioners of the Treasury shall limit or appoint in that Behalf.

Accountant and  
Comptroller  
General to pass  
an Account  
annually before  
the Commis-  
sioners for  
auditing the  
Public  
Accounts.

IX. And be it enacted, That the said Accountant and Comptroller General of Stamps and Taxes shall annually pass before the Commissioners for auditing the Public Accounts a general Account of all the several Duties, Revenues, and Monies which now are or from Time to Time may be under the Care or Management of the Commissioners of Stamps and Taxes; and every such general Account as aforesaid shall be made up to the Fifth Day of January in every Year, or to such other Period in every Year as the Commissioners of His Majesty's Treasury shall direct, and shall be delivered by the said Accountant and Comptroller General to the said Commissioners for auditing the Public Accounts within such Time as shall be limited by the said Commissioners of His Majesty's Treasury for that Purpose; and the first of such Accounts shall be rendered in the Year One thousand eight hundred and thirty-six.

Receiving Ins-  
pectors or other  
Receivers of  
Taxes to render  
their Accounts  
to the Commis-  
sioners of  
Stamps and  
Taxes.

X. And be it enacted, That from and after the Commencement of this Act the several Receiving Inspectors or other Receivers of the Land and Assessed Taxes in any Part of Great Britain shall severally render their respective Accounts to the Commissioners of Stamps and Taxes, under such Orders, Rules, and Regulations as the said Commissioners shall make and appoint in that Behalf; and all such Accounts shall be examined, audited, and controlled by the Accountant and Comptroller General of Stamps and Taxes, and shall be deposited and remain in the Head Office of the said Commissioners; and so much and such Part and Parts of any Act or Acts now in force as requires the Accounts of the said Receiving Inspectors or other Receivers of the Land and Assessed Taxes in England to be rendered to the Auditor or Auditors of the Land Revenue or the Commissioners for auditing the Public Accounts, or to be passed or made up for Declaration in the Office of the said Auditor or Auditors or of the said last-mentioned Commissioners, or to be declared before a Baron of His Majesty's Court of Exchequer, or to be transmitted to or enrolled in the Office of His Majesty's Remembrancer of the said Court, and also so much and such Part and Parts of any Act or Acts in force as requires the Accounts of the said Receivers in Scotland to be taken and made up by the Auditor of the Court of Exchequer in Scotland, or to be sworn, allowed, or declared before the said last-mentioned Court, or before the Chief or other Baron of the said Court, or to be examined, entered, or enrolled in any of the Offices of the said Court, shall be and the same are hereby severally repealed: Provided always, that the Accounts of the Receiver General of Stamps and Taxes shall be enrolled in the Office of His Majesty's Remembrancer of the Court of Exchequer in England in the Manner in the Accounts of the Receiver General of Stamp Duties have been hitherto enrolled in the said Office.

So much of any  
Act as requires  
the Accounts of  
Receivers to be  
passed before  
the Auditors of  
the Land  
Revenue in  
England or the  
Auditor of the  
Court of Exchequer  
in Scotland, be  
repealed.

Proviso.

In Cases where  
any County, Division,  
Parish, Ward, or  
Place may be returned  
in Arrear for Arrear  
of Land or As-  
sessed Taxes the Com-  
missioners of  
Stamps and  
Taxes may  
execute a Certificate  
to be shown to the King's  
Remembrancer,  
which shall be  
enrolled in his  
Office, and be  
the Ground for  
Process.

XI. And be it enacted, That so much of any Act or Acts as prohibits the setting in-arrear or charging any County, Division, Parish, Ward, or Place, or any Person or Persons, unless the Account of the Receiver shall be declared and passed in the Exchequer within Two Years after the End of the Year for which the Rates or Duties shall be payable, shall be and the same is hereby repealed; and that in any Case in which by any Act or Acts now in force the Receiver General, Receiving Inspector, or other Receiver of the Land or Assessed Taxes in England is directed or authorized to set in-arrear or charge any County, Division, Parish, Ward, or Place, or any Person or Persons, for any Sum or Sums of Money in arrear or unpaid, it shall be lawful for the Commissioners of Stamps and Taxes, from Time to Time whenever they shall deem it expedient for the Public Service so to do, and throughout the Period so limited by any such Act or Acts as aforesaid may have expired, to transmit to His Majesty's Remembrancer of the Court of Exchequer a Certificate of all or any such Sum or Sums which may be now in arrear or which at any Time hereafter may become in arrear and be unpaid; and every such Certificate shall be signed by Two or more of the said Commissioners, and shall contain the Name or Names of every or any such County, Division, Parish, Ward, or Place, and of such Persons or Persons as aforesaid, and the total Amount of the Sum or Sums in arrear or unpaid, and with which such County, Division, Parish, Ward, or Place, or such Person or Persons, is or are chargeable, and shall specify whether the same shall be due or owing in respect of the Land Tax, or of the Assessed Taxes, and where there shall be Arrears of both the said Taxes, distinguishing the Amount due or owing in

the same to be enrolled in his Office, and such Enrolment shall be and be deemed a Record in his Office as valid and effectual to authorize the issuing of any Process or Processes in the Law against the County, Division, Parish, Ward, or Place, and the Persons or Persons, so rendered chargeable, and to and for all other Intents, Constructions, and Purposes whatsoever, as if such County, Division, Parish, Ward, or Place, or Person or Persons, had been actually returned in-super in any declared Account duly enrolled as of Record in the Office of the said Exchequerer.

XII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to release, discharge, invalidate, or affect any Bond or Security heretofore entered into or given to His Majesty, or to the Commissioners of Stamps, or the Commissioners for the Affairs of Taxes, or the Commissioners of Stamps and Taxes, or to any Officer or Person in their respective Employ, by any Person or Persons whatsoever, either as Principal or Surety, for securing the due accounting for or Payment of any Duties or Monies under the Care or Management of any such Commissioners as aforesaid, or for the good Conduct of any Officer, Clerk, or other Person, or for any other Purpose whatsoever relating to the said Duties or Monies, or any of them respectively; and that whosoever, in any such Bond or Security as aforesaid, or in the Condition thereof respectively, or in any Act or Acts now in force, Menion is made of the Receiver General of Stamp Duties or of the Receiver General of Land and Assessed Taxes for the London District, the same, with reference to any Act, Matter, or Thing to be done or performed after the Commencement of this Act, shall be deemed and construed to apply to and to mean the Receiver General of Stamps and Taxes; and that whosoever in any such Bond or Security or Condition as aforesaid, or in any Act or Acts now in force, Menion is made of the Accountant and Comptroller General of Stamp Duties or the Comptroller of Accounts of Land and Assessed Taxes, the same, with reference to any such Act, Matter, or Thing as aforesaid, shall be deemed and construed to apply to and to mean the Accountant and Comptroller General of Stamps and Taxes.

XIII. And whereas by an Act passed in the Forty-third Year of the Reign of King George the Third, intitled *An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the same*, it is enacted, that the Commissioners of Taxes shall make out their Schedules containing the Sums discharged from Assessment for any Course specially allowed by Law, and the Sums with which such and every Defaulter ought to be charged, and the Sums which shall not have been collected by Occasion of the Collector's Neglect, and which ought to be re-assessed as the Parish, Ward, or Place, and shall cause the said several Particulars to be inserted in a Schedule fairly written on Parchment under the Hands and Seals of such Commissioners or any Two or more of them, containing the Names and Surnames of the said Collectors, and the same to be delivered to the Receiver General, to be returned by such Receiver General into His Majesty's Court of Exchequer, whereas every Person so making default of Payment, and such Parish, Ward, or Place so in default, may be charged by Process of Court according to the Course thereof in that behalf: And whereas it is expedient that such Schedules as aforesaid should be deposited and remain with the said Commissioners of Stamps and Taxes at their Head Office; be it therefore enacted, That all such Schedules as aforesaid which shall be made out at any Time after the Commencement of this Act shall be delivered over or transmitted by the Receiver General, Receiving Inspector, or other Receiver to whom the same shall have been delivered, to the Commissioners of Stamps and Taxes, and shall be deposited and remain in the Head Office of the said last-mentioned Commissioners; and the Production of any Schedule so deposited and purporting to contain the Name or Names of any such Defaulter or Defaulters as aforesaid shall be conclusive Evidence against any Person named therein as making default of Payment, and against every Parish, Ward, or Place named therein as in default, of the Sums or Sums mentioned in any such Schedule being due and owing and in arrear and unpaid to His Majesty, His Heirs and Successors, unless Payment thereof shall be proved; and every such Sum shall be recoverable from the Person and Persons making default of Payment thereof as a Debt upon Record to the King's Majesty, His Heirs and Successors, with full Costs of Suit, and all Charges attending the same.

XIV. And be it enacted, That so much and such Part and Parts of any Act or Acts in force as require the Commissioners for the Affairs of Taxes to transmit to the King's Exchequerer or Exchequer the Parchment Duplicate of Assessments of the Land Tax or Assessed Taxes, shall be and the same are hereby repealed: Provided always, that such Duplicates shall continue to be furnished and transmitted to the Commissioners of Stamps and Taxes in the Manner directed and required by the Laws in force, and the same shall remain deposited in the Head Office of the said Commissioners.

XV. And be it enacted, That if any Person, not being duly appointed for that Purpose or legally authorized in that behalf, shall knowingly or wilfully take or receive from any Collector of the Land Tax or Collector of the Duties of Assessed Taxes any Sum or Sums of Money arising from any of the said Taxes or Duties collected or received by such Collector, the Person so taking or receiving such Sum or Sums of Money shall forfeit Double the Amount of the Sum or Sums so taken or received, to be recovered, for the Use of His Majesty, His Heirs or Successors, with full Costs of Suit, as His Majesty's Court of Exchequer, and to be applied in the same Manner as any other Penalty so recovered may be applied under the Authority of any of the Acts relating to the said Duties.

XVI. And whereas by the last-mentioned Act where any Person shall quit his or her Place of Residence and remove to any other Parish or Place without first discharging or paying the Duties charged upon him or her, the Commissioners acting within the Parish or Place where such Duties are charged

Penalty and Forfeiture not to be inrolled or affected by this Act.

45 G. 3. c. 20

Parchment Schedules of Defaulters to be deposited with the Commissioners of Stamps and Taxes.

Parchment Duplicate of Assessments not to be transmitted to the King's Exchequerer.

Penalty on Persons who take or receive from any Collector of the Land Tax or Collector of the Duties of Assessed Taxes any Sum or Sums of Money arising from any of the said Taxes or Duties collected or received by such Collector, the Person so taking or receiving such Sum or Sums of Money shall forfeit Double the Amount of the Sum or Sums so taken or received, to be recovered, for the Use of His Majesty, His Heirs or Successors, with full Costs of Suit, as His Majesty's Court of Exchequer, and to be applied in the same Manner as any other Penalty so recovered may be applied under the Authority of any of the Acts relating to the said Duties.

Commissioners of the District to which any Person shall

remore without  
being the  
Duties assessed,  
to account such  
Persons, who  
in default of  
sufficient Dis-  
tress.

And upon and unpaid by the Person removing as aforesaid are directed to sign and cause to be transmitted a Certificate thereof to the Commissioners acting within the Parish or Place where the Person making such Default or Payment shall happen to reside, which Commissioners, or any Two or more of them, are thereby directed and empowered to raise and levy the said Duties charged upon the Party removed as aforesaid: And whereas it frequently happens that no sufficient Distress can be found within the District or Division of the said last-mentioned Commissioners whereby the said Duties may be levied, and it is expedient to provide a further Remedy for the Recovery of the said Duties in such Cases; be it therefore enacted, That where, upon the Transmission of any such Certificate as aforesaid, no sufficient Distress can be found within the District or Division of the Commissioners acting for the Parish or Place within which the Person removed shall happen to reside whereby the said Duties may be levied, then and in every such Case any Two or more of each last-mentioned Commissioners are hereby authorized and required, by Warrant under their Heads and Seals, to commit the Person so making Default of Payment as aforesaid to the Common Goal, there to be kept without Bail or Main-prize until Payment shall be made of the said Duties and of all reasonable Costs and Expenses.

Defendants com-  
mitted to Prison  
to be liable to  
the Payment of  
the Expenses of  
their Commit-  
ment.

XVII. And be it enacted, That in any Case where, under or by virtue of any Act or Acts in force relating to the Duties of Assessed Taxes, or by or under this Act, the Commissioners of Taxes are authorized to commit any Person to Prison in default of Payment of any of the said Duties, it shall be lawful for the said Commissioners by their Warrant of Commitment to direct that any such Person shall be detained and kept in Prison until Payment shall be made as well of the said Duties as of such further Sum as the said Commissioners shall adjudge to be reasonable for the Costs and Expenses of apprehending such Person and of conveying him or her to Prison; and every such Person shall be detained and kept in Prison according to the Tenor and Effect of such Warrant.

Commissioners  
of Taxes, by the  
Direction of the  
Secretary or the  
Commissioners  
of Stamps and  
Taxes, may  
remove Persons  
committed for  
Nonpayment of  
Duties or  
Penalties.

XVIII. And be it enacted, That where, under or by virtue of any Act or Acts in force, any Person hath been or shall be committed to Prison by or under any Warrant of the Commissioners of Taxes acting within or for any District or Division, for or by reason of his or her Neglect or Omission to pay any Duties which may have been assessed or charged upon him or her, or any Penalty incurred by him or her under any Act or Acts in force relating to the Land or Assessed Taxes, and he or she is or shall be detained in Custody solely under the Authority of any such Warrant as aforesaid, it shall be lawful for the same Commissioners, or for any Two or more of the Commissioners acting within or for the same District or Division, and they are hereby fully authorized and required, at the Request or by the Direction of the Commissioners of His Majesty's Treasury or the Commissioners of Stamps and Taxes for the Time being, signified in Writing signed by the Secretary or One of the Secretaries of the said respective Commissioners last mentioned, to issue their Warrant to the Gaoler or Keeper of any Goal or Prison in which any such Person may be detained, for the Liberation of such Prisoner; and upon the Receipt of such last-mentioned Warrant such Gaoler or Keeper shall forthwith release and discharge out of Custody such Prisoner, if he or she in any Case than as aforesaid be or she shall be detained.

Execution of  
Actions for  
Matters done in  
pursuance of  
the Acts rela-  
ting to the Land  
Tax.

XIX. And for the Protection and Infidelity of the Commissioners and other Persons acting in the Execution of the several Acts relating to the Land Tax, be it enacted, That if any Action or Suit shall be brought against any Person or Persons for any thing done in pursuance of any Act or Acts relating to the Land Tax, such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards, and shall be had in the County or Place where the Cause of Complaint did arise, and not elsewhere; and no Writ or Process shall be sued out for the Commencement of such Action or Suit until One Calendar Month next after Notice in Writing shall have been delivered in or left at the usual Place of Abode of each Person or Persons by the Attorney or Agent for the intended Plaintiff or Plaintiffs, in which Notice shall be clearly and completely contained the Cause and Causes of Action, the Name and Place or Places of Abode of the intended Plaintiff or Plaintiffs, and of his or their Attorney or Agent; and no Evidence shall be given on the Trial of such Action or Suit of any Cause or Causes of Action other than such as is or are contained in such Notice; and the intended Defendant or Defendants to whom such Notice shall have been delivered may, at any Time before the Expiration of such Calendar Month, tender Amends to the intended Plaintiff or Plaintiffs by or their Attorney or Agent, and in case such Amends shall not be accepted any plead such Tender to bar to any Action or Suit to be brought against him or them grounded on such Notice, Writ, or Process; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and also such Tender and any other Plea, with Leave of the Court, in bar of such Action or Suit, and may give that Act and the special Matter in Evidence if any Trial be had thereupon; and if the Jury shall find for the Defendant in any such Action or Suit, or if the Plaintiff or Plaintiffs shall be necessary, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant: but in any other Case to recover Costs by Law; and every such Action or Suit which shall be brought next at any Collector or Collectors of the Land Tax shall be defended by the Commissioners acting for the District or Place where such Collector or Collectors shall have been appointed; and the Costs and Charges attending the same, as also any other Action or Suit to be brought by or against Commissioners or Collectors for any thing done in pursuance of any Act or Acts relating to the Land Tax, shall be defrayed by an Assessment made in a just Proportion on the several Lands, Tenements, and Hereditaments chargeable to raise the Quota fixed or assessed on the Parish or Place in or relating to which the alleged Cause of Charge shall have been committed.

Notice of Ac-  
tions.

Tender of  
Amends.

General Issue.

Treble Costs.

Actions brought  
against Collec-  
tors to be de-  
fended by the  
Commissioners  
of the District,  
and Costs and  
Charges thereof  
to be defrayed  
by an Assess-  
ment on the  
Parish.

XX. And

XX. And whereas by an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend the Laws in England relating to Game, it is amongst other Things enacted, that if any Person not having obtained a Game Certificate (except such Person be licensed to deal in Game according to the said Act) shall sell or offer for Sale any Game to any Person whatsoever, or if any Person authorized to sell Game under the said Act by virtue of a Game Certificate shall sell or offer for Sale any Game to any Person whatsoever, except a Person licensed to deal in Game according to the said Act, every such Offender shall, on Conviction of any such Offence hereafter, be liable to pay for every Head of Game so sold or offered for Sale such Sum of Money not exceeding Two Pounds as to the said Justices shall seem meet, together with the Costs of the Conviction; and it is by the said last-mentioned Act also enacted, that if any Person not being licensed to deal in Game according to the said Act shall buy any Game from any Person whatsoever, except from a Person licensed to deal in Game according to the said Act, or lend *de facto* to any Person affixing to the Outside of the Front of his House, Shop, or Stall a Board purporting to be the Board of a Person licensed to deal in Game, every such Offender shall, on Conviction thereof before Two Justices of the Peace, forfeit and pay for every Head of Game so bought such Sum of Money not exceeding Five Pounds as to the said Justices shall seem meet, together with the Costs of the Conviction: And whereas it is expedient to protect and indemnify in the Manner hereinafter mentioned Persons who inform and prosecute for Offences committed against the Provisions of the said recited Act: be it therefore enacted, That from and after the passing of this Act every Person who shall inform and prosecute or give Evidence against any other Person or Persons for any Offence committed or to be committed against any of the said last-recited Enactments shall be indemnified, freed, and discharged from all and every Penalty and Penalties which he or she may have incurred or become liable to under the aforesaid Enactments, or any of them, for or by reason of any Transaction or Dealings which he or she may have had with the Person or Persons against whom he or she shall so inform and prosecute or give Evidence as aforesaid, provided the Information or Prosecution which the Person so informing and prosecuting as aforesaid shall have instituted, or upon which the Person shall give Evidence, shall have been commenced before the Institution of any Proceedings against him or her for the Recovery of any such Penalty or Penalties which he or she may have incurred or become liable to as aforesaid.*

XXI. And whereas by the said last-recited Act certain Penalties and Forfeitures for Offences against the said Act are directed to be paid to some one of the Overseers of the Poor, or to some other Officer (as the co-existing Justice or Justices may direct) of the Parish, Township, or Place in which the Offence shall have been committed, to be by such Overseer or Officer paid over to the Use of the general Rate of the County, Riding, or Division in which such Parish, Township, or Place shall be situate; and it is expedient to reward the Persons who shall prosecute Offenders against the said Act: be it therefore enacted, That from and after the passing of this Act one Moiety of all such Penalties and Forfeitures as by the said last-recited Act are directed to be paid and applied as aforesaid shall go and be paid to the Person who shall inform and prosecute for the same, and the other Moiety thereof only shall go and be paid to such Overseer or Officer as aforesaid, and be by him applied in the Manner by the said last-recited Act directed; and the Form of Conviction set forth in the said last-recited Act shall, so far as relates to the Distribution of the Penalty for each Offence shall be given, to be made according to the Fact and conformably with the Direction given by this Act as to such Distribution.

XXII. And whereas it is expedient to transfer the Collection and Management of the Duties on Hawkers and Pedlars in Scotland from the Commissioners mentioned in an Act passed in the Fifth and Sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act to regulate Hawkers and Pedlars in Scotland*, and to place such Duties under the Care and Management of the Commissioners of Stamps and Taxes; be it therefore enacted, That from and after the Commencement of this Act the Rates and Duties granted and made payable by the said last-recited Act shall be payable and paid to and shall be under the Care and Management of the Commissioners of Stamps and Taxes for the Time being, and shall be denominated and decreed to be Stamp Duties.

XXIII. And be it enacted, That all and singular the Powers and Authorities, Rules, Regulations, and Directions contained in the said last-recited Act shall be used, executed, exercised, and put in force for the securing and collecting of the Duties thereby imposed by the Commissioners of Stamps and Taxes, so fully and effectually, to all Intents and Purposes, as if all and singular such Powers and Authorities, Rules, Regulations, and Directions had been originally given and granted to such Commissioners of Stamps and Taxes, and as if the same were repeated and re-enacted in this Act; and it shall be lawful for such Commissioners of Stamps and Taxes, or any Person or Persons to be nominated by them for that Purpose, to grant Licences to Hawkers and Pedlars in Scotland, and to manage the said Duties in like Manner as the Commissioners nominated and appointed by the said recited Act might have done before the passing of this Act: and that all Fines, Penalties, and Forfeitures imposed by the said recited Act in respect of any Matter or Thing to be done, or refused or neglected to be done, by any Person or Persons in anyways relating to such Duties and Licences, shall be incurred and forfeited, and shall and may be used for, recovered, and levied, mitigated, and applied, upon and in respect of the doing or neglecting to do any Act, Matters, or Things relating to the said Duties and Licences by this Act placed under the Care and Management of the said Commissioners of Stamps and Taxes.

1835 W. 4. 22

Indemnity to Persons prosecuting for Offences committed against the recited Enactments.

One Moiety of Penalties reserved to be paid to the Informant, and the other to the Overseer or Parish Officer.

Duties on Hawkers and Pedlars in Scotland granted by 22 G. 3. c. 71. to be paid to Commissioners of Stamps and Taxes.

Powers of 22 G. 3. c. 71. shall be put in force by the Commissioners of Stamps and Taxes.

Penalties, &amp;c. here to be used for.



Powers, &c. of  
Duties under  
Commissaries  
of Stamps and  
Taxes shall be  
put in force  
with respect to  
the Duties put  
under their  
Management  
by this Act.

Act to come  
into force on the  
1st August,  
and may be  
repealed this  
Session.

XXIV. And be it enacted, That all Powers, Provisions, Clauses, Regulations, and Directions, and all Fines, Forfeitures, Pains, and Penalties contained in and imposed by any Act or Acts in force immediately before the Commencement of this Act, in relation to any of the Duties under the Management of the Commissioners of Stamps and Taxes, so far as the same or any of them may be applicable to the said Duties on Hawkers and Pedlars, shall be in full Force and Effect, and shall be observed, applied, enforced, and put in execution with respect to the Duties by this Act placed under the Management of the said Commissioners of Stamps and Taxes, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating to the said Duties, so fully and effectually, to all Intents and Purposes, as if all such Powers and Authorities, Rules, Regulations, and Directions, Provisions, Powers, Pains, Penalties, and Forfeitures, had been repeated and specially enacted in the present Act, and had been applied to the Duties by this Act placed under the Management of the said Commissioners of Stamps and Taxes.

XXV. And be it enacted, That where no other Period is fixed for the Commencement of this Act the same shall commence and take effect on the First Day of August One thousand eight hundred and thirty five: and that this Act may be altered, amended, or repealed by any Act or Acts to be passed in this present Session of Parliament.

C A P. XXI.

An Act to amend and alter an Act of the Fifty-sixth Year of His late Majesty King George the Third, for vesting in Commissioners the Line of Road from Stretwary in the County of Salop to Bangor Ferry in the County of Carmarthen; and for discharging the Trustees under several Acts of the Seventeenth, Twenty-eighth, Thirty-sixth, Forty-first, Forty-second, Forty-seventh, and Fiftieth Years of His then present Majesty, from the future Repair and Maintenance thereof; and for repealing so much of the said Acts as affects the said Line of Road.

[30th July 1835.]

WHEREAS an Act was passed in the Fifty-sixth Year of the Reign of His late Majesty King George the Third, intitled *An Act for vesting in Commissioners the Line of Road from Stretwary in the County of Salop to Bangor Ferry in the County of Carmarthen; and for discharging the Trustees under several Acts of the Seventeenth, Twenty-eighth, Thirty-sixth, Forty-first, Forty-second, Forty-seventh, and Fiftieth Years of His present Majesty, from the future Repair and Maintenance thereof; and for altering and repealing so much of the said Acts as affects the said Line of Road: And whereas an Act was passed in the said Fifty-sixth Year of the Reign of His said late Majesty King George the Third, intitled *An Act to amend an Act passed in the Fifty-sixth Year of His present Majesty, for vesting in His Majesty the Queen Twenty thousand Pounds towards repairing Roads between London and Holyhead by Charter, and between London and Bangor by Stretwary; and for giving additional Powers to the Commissioners therein named to build a Bridge over the Mersey Strait, and to make a new Road from Bangor Ferry to Holyhead in the County of Anglesea: And whereas the new Road from Bangor Ferry to Holyhead, authorized and directed to be made by the last-mentioned Act, was, soon after the passing the said Act, made and completed, and in pursuance of the Directions therein contained, the said Road was on its being completed transferred to and given up by the Commissioners therein named to the Commissioners appointed by the said last-mentioned Act of the Fifty-sixth Year of the Reign of His late Majesty King George the Third, and the same is now vested in the said last-mentioned Commissioners, and is repaired and maintained by them under the Powers and Provisions of the said last-mentioned Act, which are made applicable thereto by the said last before-mentioned Act: And whereas the said first-mentioned Act requires to be explained and amended, and some Enactments thereof to be repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers and Provisions of the said first-mentioned Act of the Fifty-sixth Year of His said Majesty King George the Third, except such or so much thereof as shall be hereby repealed, altered, or varied, shall be extended to this Act, and form Part of the same, as if the same had been repeated and re-enacted in this Act.**

II. And be it further enacted, That all and every the Acts, Matters, Powers, and Things whatsoever by the said first-mentioned Act authorized or directed to be done by Five or more of the said Commissioners shall and may from and after the passing of this Act be done by Three or more of the said Commissioners so all respects as if by the said Act the said Acts, Matters, and Things had been authorized or directed to be done by Three or more of the said Commissioners instead of Five or more of the said Commissioners.

III. And be it further enacted, That so much of the said first-mentioned Act as enacts that in case of a Vacancy or Vacancies by Death or Resignation of any One or more of the said Commissioners it shall be lawful for the surviving or remaining Commissioners, or any Nine or more of them, as therein is mentioned, to supply such Vacancies, shall be and the same is hereby repealed.

IV. And be it further enacted, That in case of a Vacancy or Vacancies by Death or Resignation of any One or more of the said Commissioners it shall and may be lawful for the surviving or remaining Commissioners, or any Three or more of them, present at any Meeting to be held in pursuance of the said first-mentioned Act, before the expiration of the said Term, and before the expiration of the said Term, to apply

29 G. 5. c. 30.

29 G. 5. c. 45.

Powers of  
the Act of  
29 G. 5. re-  
lated to this  
Act.

Five or more  
Commissioners  
may act instead  
of Three or  
more.

Repeal of Pow-  
er to Six or  
more Com-  
missioners to supply  
Vacancies.

Three or more  
Commissioners  
may supply  
Vacancies.

supply such Vacancy or Vacancies; and that every Person so nominated shall be held and considered to be invested with all the same Powers as are delegated to the Persons appointed by the said first-recited Act or this Act in whose Room such Person shall be so nominated.

V. And be it further enacted, That so much of the said first-recited Act as enacts that it shall be lawful for the said Commissioners thereby appointed to take, from and after the First Day of January One thousand eight hundred and thirty-one, over and above the other Tolls by the same Act authorized to be taken at any and every Gate or Gates or Toll Bar along the Part of the said Line of Road lying between *Whodden's Gate* and *Banger Ferry* thereby vested or deemed to be thereafter vested in them, an additional Toll of Five Shillings for every Horse or other Beast therein mentioned and enumerated, under the Circumstances therein mentioned, shall be and the same is hereby repealed as and from the First Day of June One thousand eight hundred and thirty-six.

VI. And be it further enacted, That it shall and may be lawful for the said Commissioners to take, from and after the passing of this Act, at any and every Gate or Gates or Toll Bar along the said Line of Road from *Shrewsbury* to *Holyhead*, for every Horse or other Beast drawing any Four-wheeled Carriage the Weight of which together with the Loading thereof shall weigh above the Weight of Three Tons Ten Hundred Weight, and for every Horse or other Beast drawing any Two-wheeled Carriage the Weight of which together with the Loading thereof shall weigh above the Weight of One Ton Ten Hundred Weight, and for every Horse or other Beast drawing any Waggon, Wain, Cart, Tumbril, Car, or Dray the Wheels whereof shall be of less Breadth than Three Inches on the Bottom or Sole thereof, and for every Horse or other Beast drawing any Waggon, Wain, Cart, Tumbril, Car, or Dray having Wheels with Tires fastened thereon with Nails the Heads of which are not counter-sunk, and which shall project above the Surface of the Tires, the Tolls following; that is to say, Double the Amount of such Tolls as would otherwise be payable under or by virtue of the said first-recited Act or of this Act.

VII. And be it further enacted, That so much of the said first-recited Act as enacts that the said Commissioners shall yearly pay to the Trustees therein mentioned the Sum of Fifty Pounds as Rent of the Tolls to be taken by the said Commissioners on the *Kneobin Road* shall be and the same is hereby repealed.

VIII. And whereas it is by the said recited Acts enacted, that no Person who shall have paid any such Tolls as are by the said Acts authorized to be taken by the said Commissioners for passing through any Turnpike standing on the said Lines of Road between *Shrewsbury* and *Banger Ferry*, and between the Bridge across the *Moat Street* and *Holyhead*, shall be subject to any Toll for returning through such Turnpike the same Day with the same Horse or Horses, Cattle or Carriages, but shall return Toll-free, except as in the said Acts is excepted; now be it enacted, That nothing in the said Acts contained shall exempt any Person from paying a second or other Toll who after having returned shall on the same Day again pass through any Turnpike in the said Acts mentioned, although it be with the same Horse or Horses, Cattle or Carriages, but that all such Persons so passing shall be again liable to pay such Tolls as are by the said Acts authorized to be taken by the said Commissioners as in the said Acts is mentioned; but such Persons, on again returning on the same Day with the same Horse or Horses, Cattle or Carriages, shall be exempt from Payment of Toll in respect of so returning.

IX. And be it further enacted, That all Horses travelling for Hire under the Post-horse Duties Acts, having passed through any Turnpike Gate erected or to be erected on the said Line of Road between *Shrewsbury* and *Holyhead*, drawing any Carriage in respect of which any Toll shall have been paid, or remaining through the Turnpike Gate at which the Toll shall have been paid, and the other Gates (if any) shown by such Payment, either without such Carriage or drawing such Carriage, the same being empty, and without a Ticket denoting a fresh Hire, shall be permitted to pass Toll-free, although such Horses or Carriage shall not have passed through such Turnpike Gate on the same Day, provided that such Horses so travelling shall remain before Eight of the Clock of the Morning ascending the Day on which they first passed the Turnpike Gate at which the Toll shall have been paid.

X. And be it further enacted, That nothing in the said recited Acts contained shall be taken to exempt any Person or Persons going to or returning from attending any funeral from Payment of Toll, except the Toll and Tolls payable at any Toll Gate or Toll Gates which may be within the Distance of Five Miles from the Burial Ground at which such Funeral or Funerals shall take place.

XI. And be it further enacted, That so much of the said first-recited Act as enacts that all Waggons, Carts, and other Carriages having the Wheels of the Width and Description and the Axletree fixed as mentioned and set forth in and by an Act made in the Fifty-fifth Year of the Reign of His said late Majesty, entitled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow their carrying extra Weight in certain Cases*, shall be omitted to an Abatement of One Fourth Part of the Tolls by the said Act now is revised granted, and to all the other Privileges and Exemptions granted by the said Act, shall be and the same is hereby repealed.

XII. And be it further enacted, That if any Rates payable in respect of or for any Tolls which already have been or shall at any Time hereafter be imposed or agreed to be let so pursuant to the said recited Acts or this Act shall be in arrears for the Space of Three Days next after any of the Days on which the same ought to be paid, pursuant to the Lease or Agreement under which the same Tolls shall be holden, then and in that Case the said Commissioners for the carrying the said recited Acts and execution, or their Clerk, Treasurer, or Surveyor, or any Person authorized under the Hands of the said Commissioners to sign the Receipts for the same, shall be and they are hereby authorized to sign the

Report of an  
such as such  
Toll for  
Overweight and  
excess Wheels  
between *Whodden's Gate*  
and *Banger Ferry*.

Commissioners  
may take Tolls  
on Overweight  
and narrow  
Wheels along  
the whole Line  
of Road from  
*Shrewsbury* to  
*Holyhead*.

So much as dis-  
poses a Payment  
in lieu of Tolls  
on *Kneobin*  
Road repealed.

Persons going  
and returning  
over in a Day  
only to be  
exempt from a  
Second Toll.

Post Horses  
having passed  
through any  
Gate or Gates  
Toll-free before  
Eight in the  
Morning of the  
following Day.

Exemptions  
from Toll in  
attending  
Funerals.

Repeal of  
Abatement of  
Tolls in certain  
Description of  
Waggons.

25 G. 3. c. 123.

So entry by  
any of Defect  
in Payment of  
Receipts for Tolls

they are hereby authorized to enter into and upon the Possession of the Toll House or Toll Houses, with the Buildings, Gates, and Appurtenances so let or agreed to be let as aforesaid, and to put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of the Tolls there payable; and thereupon it shall be lawful for the said Commissioners (if they shall think fit) to vacate such Lease or Agreement for letting the Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void (even as to the Covenants or Agreements for the Payment of the Rent or Rents thereby reserved); and it shall be lawful for the said Commissioners in every such Case to demise or let to firm the said Tolls again to any other Person or Persons, or enter the same to be taken or collected, as if no former Lease or Agreement had been entered into relative thereto.

Repeal of Clause relating to Statute Labour, &c.

XIII. And be it further enacted, That so much of the said first-recited Act as enacts that all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and mending the said Line of Road, or any Part thereof, shall remain liable thereto, shall be and the same is hereby repealed.

and of Provisions allowing Compensation for it.

XIV. And be it further enacted, That so much and such Parts of the said first-recited Act as relate to the compensating for such Statute Work to be done on the said Line of Road, or any Part thereof, shall be and the same are hereby repealed.

Provisions of General Turnpike Acts, 5 G. 4. c. 126. and 6 G. 4. c. 21. as to Statute Labour, to enter to this Act.

XV. And be it further enacted, That all and every the Provisions, Enactments, and Authorities contained in an Act passed in the Third Year of His late Majesty King George the Fourth, intitled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, and in an Act passed in the Fourth Year of the Reign of King George the Fourth, intitled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, and all and every the Forms to the said Acts or either of them annexed, as are now in force, and which relate to Statute Labour to be done for the repairing and mending Turnpike Roads, or the Composition for the same, shall be applicable to the said Commissioners, and the said Line of Road vested in them from *Shrewsbury to Welshpool*, in all respects whatsoever as if such Powers and Provisions were herein repeated and made applicable to the said Line of Road, and the said Commissioners, and their Officers, and those acting under them; and such Statute Labour, as regards the said Line of Road, and the Persons liable to do the same, shall be done and performed in all respects as the same is directed to be done and performed under or by virtue of the said Acts or either of them.

Commissioners may award a Ministry of any Penalty to be paid to the said Commissioners.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners, if they shall think fit, to direct and award that any Part not exceeding One Moiety of any Fines or Penalties by the said first-recited Act or this Act directed to be paid to the Treasurer or Treasurers for the Time being of the said Commissioners may be paid to the Person or Persons upon whose Information such Penalty or Fine may have been incurred.

Power to compel Payment of Arrears of Toll where Credit is given.

XVII. And be it further enacted, That in all Cases where Credit shall have been given for the Tolls by the said recited Acts and the Act authorized to be imposed it shall be lawful for the said Commissioners, or any Person or Persons acting by and with their Consent and Authority, after Demand made by any Collector or Collectors, and Neglect or Refusal on the Part of the Party or Parties on whom such Demand shall have been made to pay the same, or any Part thereof, to recover all Arrears due by Distress of the Goods, and Chattels of the Party or Parties so owing and neglecting or refusing to pay the same, such Distress to be levied by Warrant, to be obtained by Application to any Justice of the Peace for the County or Place where the Party or Parties owing the same shall be or reside (which Warrant such Justice is hereby authorized and required to grant, as the Oath of any Toll Collector or Surveyor, or other Agent or Person employed by the said Commissioners, that such a Sum is due for Arrears, and also to administer such Oath gratis); and if such Arrears, and the reasonable Charges of such Distress, shall not be paid within the Space of Five Days next after such Distress made, the said Commissioners, or such Person or Persons so distraining as aforesaid, may sell the Goods and Chattels as distrained, for Payment of the said Arrears, rendering the Overplus (if any), on Demand, to the Owner or Owners thereof, after such Arrears and all reasonable Charges shall be deducted.

Power to borrow Money at a lower Rate of Interest, to pay off existing Debt.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being to borrow and take up at Interest such Sums and Sums of Money as they shall from Time to Time think fit upon the Credit of the Tolls owing by virtue of the said recited Acts or this Act, or any Part thereof, for the Purpose of paying off and discharging any Sum or Sums of Money now secured on the said Tolls, or any Part thereof, so that such Sum or Sums shall bear a lower Rate of Interest than is now paid for the Monies so to be paid off, and all and every such Securities, or the Transfer thereof, shall be made in all respects as by the said first-recited Act is directed with respect to the Monies thereby authorized to be raised on the Security of the said Tolls; and all Monies so to be raised shall be paid and applied in and towards the Satisfaction of some existing Charge on the said Tolls; and all and every the Provisions and Forms in the said first-recited Act relating to Mortgages thereby authorized, or the Transfer thereof, shall apply to any Mortgage to be made in pursuance of this Power, or to any Transfer thereof.

Power to agree with Mortgagees of Tolls for

XIX. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being and they are hereby authorized and empowered to treat and agree with any Person or Persons who have already agreed by or with their respective Indentures or Bonds of Obligation, or any Security of

the Tolls arising by virtue of the said recited Acts or this Act, or any Part thereof, for the Payment and Receipt of a lower Rate of Interest for the Sum or Sums of Money so advanced than is or shall be expressed to be payable in the Assignment or Mortgage of the Tolls made or granted for securing the same; and an Agreement for the Payment and Receipt of such lower Rate of Interest shall be indorsed upon such Security or Securities respectively; and such lower Rate of Interest shall from thenceforth be and continue payable in the Manner stipulated for the Payment of the original Rate of Interest in lieu of which such lower Rate of Interest shall be agreed to be paid and received.

Penalty of  
lower Rate  
of Interest.

XX. And be it further enacted, That if any Person shall remove any Road Fence or Walls made or repaired by the said Commissioners without the written Authority of the Surveyor of the said Commissioners, every such Person so offending shall forfeit for every such Offence Twenty Shillings to such Person as shall make Information of the same, and shall in addition pay all the Expenses of reinstating the same; and farther, when any such Removal of any Fences or Walls shall be allowed, proper Curb Stones or other Protection, to the Satisfaction and according to the Direction of the Surveyor of the said Commissioners, shall be fixed along the Line of the Side Channel for the Distance where such Fences or Walls may have been removed, except at the Junction of Roads and at Gateways; and if the Person so removing such Fences or Walls shall not within One Week comply with the Direction of the said Surveyor in fixing proper Curb Stones or other Protection as aforesaid, then the same may be done, under the Direction of the Surveyor of the said Commissioners, by any Person or Persons he may appoint for that Purpose.

Fine for re-  
moving Road  
Fences, &c.

XXI. And be it further enacted, That if any Person shall make or cause to be made any Dwelling House or other Building, or any Hedge or other Fence, on or at the Side of any Part of the aforesaid Line of Road, in such Manner as to reduce the Breadth or confine the Limits thereof, or shall fill up or obstruct any Ditch at the Side thereof, or shall make or cause to be made any Dwelling House or other Building, or any Hedge or other Fence, on any Common or Waste Land on the Side or Sides of the said Road, within the Distance of Thirty Feet if within Three Miles of any Market Town, or if beyond that Distance within Twenty-five Feet from the Middle or Centre thereof, or shall make any Encroachment by taking in any small Pieces of Waste, or shall make any Drain, Sink, or Watercourse cross or otherwise break up or injure the Surface of the said Road or any Part thereof, or shall plough, mow, or break up the Soil of any Land or Ground, or in ploughing or harrowing the adjacent Land shall turn his or their Plough or Harrow in or upon any Land or Ground within the Distance aforesaid from the Middle of the said Road, every Person so offending shall for every such Offence forfeit the Sum of Forty Shillings to such Person as shall make Information of the same; and it shall be lawful for the said Commissioners or their Surveyor to cause such Dwelling House or other Building, Hedge, Ditch, or Fence, Drain, Sink, Watercourse, Gutter, or other Encroachment to be taken down, restored, removed, or filled up, or, when any Ditch shall have been filled up or obstructed, to be opened and cleared, at the Expense of the Person or Persons to whom the same shall belong; and it shall and may be lawful for One or more Justice or Justices of the Peace of the County where such Offence shall be committed, upon Proof thereof to him or them made upon Oath, to levy as well the Expenses of removing and restoring any such Fence or Walls as aforesaid, or placing such Curb Stones or other Protection as aforesaid, or of taking down or filling up or clearing such Dwelling House or other Building, Hedges, Ditches, Drains, or other Encroachments, as the several Penalties hereby imposed, and also the Costs and Charges of levying and recovering the said Expenses and Penalties respectively, by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to the Owner, on Demand.

Penalty for  
Encroachments  
on the Side of  
Road.

XXII. And be it further enacted, That so much of the said first-recited Act as enacts that the said Commissioners may, at the respective Gates or Turnpikes on the said Line of Road between Oventry and the Boundary of the Counties of Denbigh and Merioneth, receive the several Tolls in the said Act mentioned for every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Hearse, Chair, Waggon, Wain, Wheel Car, Cart, Tumbril Car, Dray, or Sledge, and for every Horse or other Beast, laden or unladen, and not drawing, and that such Tolls may be charged Twice and not often in One Day, shall be and the same is hereby repealed as from the First Day of June One thousand eight hundred and thirty-six.

Repeal of so  
much as relates  
Amount of Toll  
at certain Gates.

XXIII. And be it further enacted, That from and after the First Day of June One thousand eight hundred and thirty-six it shall and may be lawful for the Commissioners for the Time being of the said recited Acts, and they are hereby authorized and empowered, to take, collect, and receive, in lieu of the Tolls hereby repealed, and in addition to such of the other Tolls authorized to be received and taken by the said first-recited Act as are not hereby repealed, the respective Tolls following, at the respective Gates or Turnpikes herein-after mentioned, or at the Bars or Gates which have been or shall be hereafter erected and attached to such respective Gates or Turnpikes on that Part of the said Line of Road lying between Oventry and the Boundary of the Counties of Denbigh and Merioneth (that is to say,)

New Scale of  
Tolls between  
Oventry and  
Llangollen.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Hearse, Chair, Waggon, Wain, Wheel Car, Cart, Tumbril Car, Dray, or Sledge, any Sum not exceeding Three-pence at the *Llangollen Gate*; any Sum not exceeding Two-pence at *Whaleford Gate*; and any Sum not exceeding Four pence at the *Llangollen Gate*:

And for every Horse or other Beast, laden or unladen, and not drawing, any Sum not exceeding One Penny at the *Llangollen Gate*; any Sum not exceeding One Halfpenny at *Whaleford Gate*; and any Sum not exceeding One Penny at the *Llangollen Gate*.

Chairman or  
Clerk, may opt-  
erate Leases of  
Tolls.

XXIV. And be it further enacted, That any Lease or Contract or Agreement, which by the said first-recited Act or this Act may be made or entered into by the said Commissioners for the letting the Tolls authorized to be taken by the said Commissioners, may be signed by the Chairman, or by the Clerk of the said Commissioners, in case the said Chairman or Clerk shall be authorized to sign the same, in Writing, by Three of the said Commissioners; and that all such Leases, Contracts, and Agreements shall be good and effectual to all intents whatsoever, notwithstanding the same may not be by Deed or under Seal, any Act of Parliament or Law to the contrary thereof notwithstanding.

As to Tolls for  
Stages Car-  
riages.

XXV. And be it further enacted, That every Steam Carriage or Locomotive Engine, including any One Carriage with not more than Four Wheels, drawn thereby, passing along the Line of Road vested in the said Commissioners, shall pay a Toll not exceeding Double the Amount of Toll by the said recited Act payable by a Stage Coach drawn by Four Horses; and that every other separate Carriage, whether with Two or Four Wheels, attached or in anywise connected with any such Steam Carriage or Locomotive Engine, shall pay the same Toll as Stage Coaches drawn by Four Horses.

Commissioners  
may let Tolls  
by private  
Tender.

XXVI. And whereas it is by the said first-recited Act amongst other Things enacted, that the said Commissioners may in manner therein mentioned let the Tolls by the said Act granted, or any Part thereof, and also the Turnpikes, Toll Houses, and Weighing Machines vested in them by virtue of the said Act, as in the said Act is mentioned, unto any Person or Persons who shall be willing to take the same, as in the said Act is mentioned, such Notice of the Intention to let the same having been given as in the said Act is directed; be it therefore enacted, That in addition to the Powers in the said Act contained it shall and may be lawful for the said Commissioners from Time to Time to let the said Tolls and other the Premises by the said Act authorized to be let, or any Part thereof, by private Tender, and without giving such Notice as in the said Act is directed, for any Term not exceeding Three Years at any one Time, for the best Rent that can be gotten for the same, and under such Conditions as the said Commissioners shall direct.

Expelling or  
multi-to impoun-  
a Penalty for  
destroying Mile  
Stones.

XXVII. And be it further enacted, That so much of the said first-recited Act as enacts that if any Person shall wilfully pull up or damage any Direction or Mile Post or Stone erected or fixed in or near the Side or Sides of the said Line of Road from *Stourborough* to *Banger Ferry*, or should otherwise commit any Nuisance on or regarding or respecting the said Road as in the said Act is particularly enumerated, every Person so offending should for every such Offence forfeit and pay any Sum not exceeding Five Pounds, shall be and the same is hereby repealed.

Penalty for  
destroying Mile  
Stones and re-  
moving any  
Nuisance.

XXVIII. And be it further enacted, That if any Person or Persons shall wilfully or otherwise pull up or damage any Direction or Mile Post or Stone erected or fixed, or to be erected or fixed, in or near the Side or Sides of the said Line of Road from *Stourborough* to *Banger Ferry*, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon or affixed thereon, or shall injure or damage any Table of Tolls put up at any Toll Gate or Bar on any Part of the said Line of Road, or deface or obliterate any of the Inscriptions thereon, or if any Person shall wilfully or otherwise pull up or throw down, break or injure, any Posts, Rails, Walls, or Fences along or near any Part of the said Line of Road, or at or near any Pit or Quarry which shall be used, opened, or made for the getting of Stones, Gravel, or other Materials for the Purposes thereof in order to prevent Accidents, or shall cut down, injure, or destroy any Quicks or Willows planted by the said Commissioners along or near any Part of the said Line of Road, or if any Person shall cause any Damage or Injury to be done to any Bridge, Arch, or Wall, or other Building set up or to be erected by virtue of this Act or the said recited Acts, or otherwise, on any Part of the said Road or the Side thereof; or if any Person shall ride on any Footpath formed or maintained by the Surveyor of the said Commissioners upon or on the Side of or adjoining to the said Line of Road, or shall drive any Horse, Heist, or Swine, or any Carriage upon or cause any Damage to be done to any such Footpath; or if any Person, after having blocked any Carriage whosoever in going up any Hill or rising Ground, shall leave on the said Road the Stone or other Thing used in such blocking; or if any Person shall cause to be haled or drawn any Timber, Stone, or other Thing which shall be carried upon Wheel Carriages to drag upon the said Line of Road, or any Part thereof, to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Line of Road or any Part thereof shall suffer the said Pigs or Swine to root up the sward, or the Fences on either Side thereof; or if any Person shall turn, or permit or suffer his, her, or their Hares or Hares or other Beasts or Beasts, Cattle, Pigs, or Swine, or cause to feed, graze, or run loose upon any Part of the said Line of Road, or on the Side or Sides thereof; or if any Person shall, or is upon the said Line of Road, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, steele, scald, burn, dress, or cut up any Beast, Swine, Calf, Lamb, or other Cattle; or if any Person driving any Carriage on the said Line of Road, and meeting another Carriage, shall not keep his or her Carriage on his or her Left or Near Side of the Road; or if any Person shall wilfully or otherwise prevent another from passing less or her, or any Carriage under his or her Care; or if any Person driving any Hare or other Beast on the said Line of Road carrying any Iron Bar or Rod, Basket or Panicle, or any other Matter or Thing, shall place such Bar or Rod, Basket or Panicle, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Hare or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage travelling along the said Line of Road; or if any Person shall assist or assist in setting any Fire or Fires, or shall set fire to or let off or throw any Squab, Rocket, or Fire Works whatsoever, or play at Four-ball as any Part of the said Line of Road; or if any Blacksmith, or other Person occupying a Blacksmith's Shop situate near the said Line of Road, and having a Window or

Window opening thereon, shall not by good and true judgment, every Evening shut it becomes Twi-

light, bar and prevent the Light from such Shop shining into or upon the said Line of Road; or if any Person shall leave any Carriage (except in Cases of Accident) upon or on the Side of any Part of the said Line of Road longer than may be necessary to load or unload the same, either with or without any Horse or other Beast of Draught harnessed or yoked thereto, or shall lay any Timber, Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever upon any Part of the said Line of Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance of Persons travelling thereon; or if any Person or Persons shall, without the Consent of the Surveyor of the said Commissioners, scrape off any Mud, Soil, or any other Matter or Thing which shall lie or be upon the said Line of Road, or any Part thereof; or if any Person shall suffer any Water, Fish, Dirt, or other offensive Matter or Thing whatsoever to run or flow into or upon the said Line of Road or Footpaths, from any House, Building, Erection, Land, or Premises adjacent thereto; or if any Person or Persons shall pull down, damage, injure, or destroy any Lamp or Lamp Post put up, erected, or placed in or near the Side of the said Line of Road, or Toll House erected thereon, or shall extinguish the Light of any such Lamp; every such Person so offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above the Damages occasioned thereby; such Damages to be assessed and recovered in the same Manner and as if the same were a Penalty.

XXX. And be it further enacted, That if any Horse, Ass, Sheep, Swine, or other Beast or Cattle of any Kind shall at any Time be found tethered or wandering, straying or lying about any Part of the aforesaid Line of Road (except on any Part of such Road so local or pass through or over any Common or Waste or uninclosed Ground), it shall and may be lawful for any Surveyor of the said Commissioners, where the same shall be found, or any other Person or Persons whatsoever, to seize and impound every such Horse, Ass, Sheep, Swine, or other Beast or Cattle in the Common Pound (if any) of the Parish, Township, Tithing, or Place where the same shall be found, or in such other Place as the said Commissioners shall have provided or shall provide for that Purpose, and the said Horse, Ass, Sheep, Swine, or other Beast or Cattle there to detain until the Owner or Owners thereof shall for each and every Horse, Ass, Sheep, Swine, or other Beast or Cattle so impounded pay the Sum of Two Shillings, together with the reasonable Charges and Expenses of impounding and keeping the same, to the Treasurer, Clerk, or Surveyor of the said Commissioners, the said Sum of Two Shillings for each Beast to be applied to the Use of and in aid of the Tolls of such Road; and in case the said Penalty, Charges, and Expenses shall not be paid within Five Days after such impounding, (Notice being first given to the Owner, if known at the Time, or if not known by affixing written Notices at the Two next Toll Gates on the Road nearest to the Place where the same shall be impounded,) it shall and may be lawful for any One or more Justice or Justices of the Peace of the County or Place where the Offence shall have been committed to order every such Horse, Ass, Sheep, Swine, or other Beast or Cattle to be sold, except where it shall be made to appear to such Justice or Justices that the Horse, Ass, Sheep, Swine, or other Beast impounded escaped from any Inclosure by any Gate or Fence being wilfully or negligently left open or destroyed by any Person not being the Owner or Occupier of such Inclosure or employed by such Owner or Occupier, in which Case such Justice or Justices may remit such Penalty; and the Money arising from such Sale, after deducting the said Penalty, and Charges and Expenses of impounding, keeping, and selling every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been; and in case the Owner thereof shall not be known, and no Application shall be made for the Money arising from such Sale within Twenty-one Days after such Sale shall have taken place, the said Money shall be applied, after deducting the said Charges and Expenses, in the same Manner as the said Sum of Two Shillings is herein-before directed to be applied: Provided always, that no Owner of any Horse, Ass, Sheep, Swine, or other Beast or Cattle impounded as aforesaid shall in any Case pay more than the Sum of Five Pounds, over and above the Charges and Expenses of impounding and keeping the same, for any Number of Horses, Asses, Sheep, Swine, or other Beasts or Cattle impounded at one Time; and provided always, that nothing in this Clause shall be deemed, taken, or construed to extend to take away any Right of Pasturage which may exist on the Sides of any Part of the said Line of Road.

XXXI. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Swine, or other Live Stock or Cattle which shall be seized for the Purpose of being impounded under the Authority of this Act from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or shall attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other Live Stock or Cattle seized or so impounded, or such Distress and Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County or Place where the Offence shall have been committed, either upon Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and upon Oath the said Justice is hereby authorized and empowered to adjudge, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Goal or House of Correction of such of the said Counties where the said Offence shall have been committed, there to remain without Bail or Mainprise for any Time not exceeding Three Calendar Months.

Cattle found straying on the Road to be impounded.

Forfeiting for one guilty of Pound Breach.

What shall be  
the Centre of  
the Road.

XXXI. And whereas Debts may arise as to what is to be done on the said Road or the Centre of the said Road so vested in the said Commissioners, or some Parts thereof: be it therefore enacted, That when any Matter or Thing is directed or forbidden to be done by this Act or the said recited Acts or otherwise, within a certain Distance of the Centre of the said Road, that Portion of the Ground shall be deemed to be the Road which has been maintained by the said Commissioners as hard Road with Stones or Gravel, or other Materials used in forming Roads, for Six Months immediately preceding any Offence committed against such Regulations; and the Centre of the Road shall be the Middle of such hard Road, when a Line being drawn along the Road, or a Point marked, an equal Number of Feet of hard Road which have been so maintained as aforesaid for Six Months before shall be found on each Side of such Lane or Mark.

Owners of  
Waggons, &c.  
to have their  
Names painted  
thereon.

XXXII. And for the Discovery of Offenders, be it further enacted, That the Owner or Owners of every Wagon, Wain, or Cart, or other such Carriage, passing along any Part of the aforesaid Line of Road, shall from and after the First Day of August One thousand eight hundred and thirty-five point or cause to be painted in One or more straight Lines or Lines, upon some conspicuous Part of the Right or Left Side of the said Road, or upon the Wagon, Wain, or Cart, or other such Carriage, or upon the Off Side Shuts, before the same shall be used upon the said Road, his, her, or their Christian and Surname, and the Place of his, her, and their Abode, or the Christian and Surname and Place of Abode of the principal Partner or Owner thereof, at full Length, in large legible Letters not less than One Inch in Height, and continue the same thereupon as long as such Wagon, Wain, Cart, or other such Carriage shall be used upon the said Line of Road, or any Part thereof; and every Owner and Proprietor of any Wagon, Wain, or Cart, or other Carriage, who shall use or allow the same to be used on the said Road or any Part thereof without the Names and Descriptions painted thereon as aforesaid, or who shall paint or cause to be painted any false or fictitious Name or Place of Abode on such Wagon, Wain, or Cart or other Carriage, shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds.

Drivers of Wag-  
gons or Carts  
not to ride  
thereon, unless  
some other  
Person on Foot  
guide the same.

XXXIII. And whereas many Accidents happen and great Mischief are frequently done upon the said Line of Road by the Negligence or wilful Misbehaviour of Persons driving Carriages thereon: be it therefore enacted, That if the Driver of any Wagon or Cart of any Kind shall ride upon any such Carriage in the said Road, not having some other Person on Foot or on Horseback to guide the same (such light Cars as are usually driven with Rovers, and are then conducted by some Person holding the Reins of the Horse or Horses, not being more than Two, drawing the same, excepted); or if the Driver of any Carriage whatsoever, on any Part of the said Road, shall by Negligence or wilful Misbehaviour cause any Hurt or Damage to any Person or Carriage passing or being upon the said Road, or shall quit the Road and go on the other Side the Hedge or Fence enclosing the same, or wilfully be at such a Distance from such Carriage, or in such a Situation, whilst it shall be passing upon the said Road, that he cannot have the Direction and Government of the Horses or Cattle drawing the same; or if any Person shall drive or act as the Driver of any such Coach, Post Chaise, or other Carriage let for Hire, or Wagon, Wain, or Cart, not having the Owner's Name, as hereby required, painted thereon, or shall refuse to discover the true Christian and Surname of the Owner or principal Owners of such respective Carriage; or if the Driver of any Wagon, Cart, Coach, or other Carriage whatsoever, meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side of the Road; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing his or her, or any Carriage under his or her Cart, upon the said Road, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, on the said Road; every such Driver so offending in any of the Cases aforesaid, and being convicted of any such Offence, either by his own Confession, the View of a Justice of the Peace, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace of the Limit where such Offence shall be committed, or where such Offender shall be apprehended, shall for every such Offence forfeit any Sum not exceeding Forty Shillings, in case such Driver shall not be the Owner of such Carriage, and in case the Offender be the Owner of such Carriage then any Sum not exceeding Five Pounds, and in either of the said Cases shall in default of Payment be committed to the House of Correction for any Time not exceeding One Month, unless such Forfeiture shall be sooner paid; and every such Driver offending in either of the said Cases shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed, and shall be conveyed before some Justice of the Peace, to be dealt with according to Law; and if any such Driver in any of the Cases aforesaid shall refuse to discover his Name, it shall and may be lawful for the Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the House of Correction for any Time not exceeding Three Months, or to proceed against him for the Penalty aforesaid, by a Description of his Person and the Offence only, without adding any Name or Designation, but expressing in the Proceedings that he refused to discover his Name.

Surveyors may  
make Ditches,  
&c.

XXXIV. And be it further enacted, That it shall be lawful for the Surveyor and Surveyors, and such other Person or Persons as shall be appointed by the said Commissioners, from Time to Time, to cut, make, or maintain Ditches or Watercourses upon and through any Lands lying contiguous to any Road under the Direction or Control of the said Commissioners, and also to make Ditches in any such Places and in such Manner as such Surveyor and Surveyors, by Order of the said Commissioners, shall judge necessary, and make sufficient Fences and Barriers and other Erections on any Part or Parts of the said Road, in order to prevent any Rivulet or Current of Water from flooding the

same, as such Surveyor and Surveyors shall judge necessary, making such Satisfaction to the Owners or Occupiers of such Lands to be used, cut through, or built upon, for the Damages which they or any of them may sustain thereby, as the said Commissioners shall judge reasonable; and in case of any Difference between such Owners and Occupiers and the said Commissioners touching such Damages, the same shall be finally settled by any Two or more Justices of the Peace for the County, City, or Place in which such Drain or Watercourse shall lie or be situate.

XXXV. Provided always, and be it enacted, That the said Commissioners shall not be required to pay any larger Sum, as a Satisfaction for any Materials used, taken, or carried away from any Lands or Grounds for making or repairing the said Road, than such Sum of Money as it shall appear to the Two Justices settling and determining such Satisfaction that such Materials might or could have been actually sold for in case the same had not been raised, taken, or carried away by the said Commissioners; and in case the said Justices shall be of opinion that the said Materials, before they had been so raised, taken, or carried away, could not have been sold or disposed of, then the said Justices shall only assess the Damage done to the Lands or Grounds of the Owners or Occupiers thereof by the raising, gathering, or carrying away the same.

XXXVI. And be it further enacted, That notwithstanding anything in the said first-recited Act contained it shall not be lawful for any Person or Persons whatsoever to remove or carry away any Gravel, Stone, or other Materials which shall have been quarried, dug, or raised by the Surveyor of the said Commissioners or his Workmen from, and shall be left by him or them in, any Gravel Pit or Quarry opened for the Purpose of getting Materials for the said Line of Road, (notwithstanding the said Surveyor or his Workmen may have discontinued working in such Gravel Pit or Quarry for the Space of Thirty Days,) without first giving Twenty-one Days Notice in Writing to the said Surveyor to remove and take away the same; and if any Person or Persons shall remove or carry away any such Gravel, Stone, or other Materials so quarried, dug, or raised as aforesaid before the Expiration of Twenty-one Days from the Time such Notice shall be so given as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, in addition to the Value of the Gravel, Stone, or other Materials so removed or carried away as aforesaid.

XXXVII. And be it further enacted, That in all Cases where it shall appear by the Books kept by the Clerk or Treasurer to the said Commissioners, or by any satisfactory Evidence adduced at any Meeting of the said Commissioners, that any Person or Persons, or one a Creditor or Creditors as Security of the Tolls authorised by the said recited Acts or the Act to be taken, and that the Mortgage or Assignment of the Tolls for securing any such Sum or Sums of Money has been lost, mislaid, or by Accident destroyed, it shall and may be lawful for the said Commissioners, or any Three or more of them, to execute, as the Exposee of the Person or Persons applying for the same, an Assignment of the Tolls by the said recited Acts or this Act granted for the Sum or Sums of Money mentioned in such original Assignment or Transfer; and every Assignment to be executed shall be valid and effectual for the Purposes thereby intended, and shall be considered as substituted in all respects for the former Mortgage or Assignment, which shall on such new Mortgage or Assignment being executed be in all respects void.

XXXVIII. And be it further enacted, That so much of the said first-recited Act as enacts that the several General Acts made for the Regulation of Turnpike Roads in England and Wales should and were thereby declared to extend to the said Act now in recital, and that it should be lawful for the said Commissioners thereby appointed to execute and put in execution all the Powers and Authorities by the said General Acts given to and authorised to be executed by Trustees of Turnpike Roads, so fully and amply as any Trustee might do under the Authority of the said General Acts or either of them, shall be and the same is hereby repealed.

XXXIX. And be it further enacted, That this Act and the several Powers and Matters herein contained, except where otherwise directed by this Act, shall take effect and come into operation from the First Day of August One thousand eight hundred and thirty-five.

XL. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be patiently taken notice of as such by all Judges, Justices, and others.

## C A P. XXII.

An Act to continue for Three Years, and from thence to the End of the then next Session of Parliament, Two Acts of the Second and Third Year and the Third and Fourth Year of His present Majesty, relating to the Care and Treatment of Insane Persons in England.

[21st August 1835.]

\* 2 &amp; 3 W. 4. c. 107, and 3 &amp; 4 W. 4. c. 96. further continued.\*

## C A P. XXIII.

An Act for the Establishment of Loan Societies in England and Wales; and to extend the Provisions of the Friendly Societies Acts to the Islands of Guernsey, Jersey, and Man.

[21st August 1835.]

WHEREAS certain Institutions for establishing Loan Funds have been and may be established in England, Wales, and Berwick-upon-Tweed, for the Benefit and Advantage of the Labouring Classes of His Majesty's Subjects, and His Majesty's special Pledges therein the Fulfillment of which Institutions and

Summrs to  
owed for  
Materials on  
larger Sums than  
they could  
actually be  
sold for

Gravel, &c. that  
has been raised  
not to be re-  
moved without  
giving Notice  
to the Surveyor.

Commissioners  
may raise  
Mortgages, but  
or assign.

Repeal of  
Clauses in former  
Act con-  
sisting to a  
great Part of  
General Turn-  
pike Acts

Commence-  
ment of Act.

Public Act.



Persons Loan-  
ing Societies  
for Loans de-  
scribed of having  
the Benefit of  
this Act, be  
cases their  
Rules to be  
enrolled in  
written form  
after several.

Rules to be  
enrolled, de-  
posited, and  
enrolled in  
London.  
4. & 5. V. 4. & 5.

Rules and  
Regulations to  
be entered in a  
Book to be  
kept by the  
Officers of the  
Society.

Property of  
Society vested  
in Trustees  
thereof.

Trustees, be-  
to give benefit,  
if required by  
Orders of Insti-  
tution

4 added Encouragement to the Formation of other Institutions of a Like Kind: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, to the present Parliament assembled, and by the Authority of the same, That if any Number of Persons who have formed or shall form any Society in any Parish, Township, or Place in England, Wales, or Berwick-upon-Tweed, for the Purpose of establishing a Society for a Loan Fund for the Indebted Classes in England, Wales, or Berwick-upon-Tweed, and receiving back Payment for the same by Installments, with the legal Interest due thereon, shall be desirous of having the Benefit of this Act, such Persons shall cause the Rules or Regulations framed or to be framed for the Management of such Institutions to be certified, deposited, and enrolled in manner herein-after directed, and thereupon such Rules shall be deemed and be entitled to and shall have the Benefit of the Provisions contained in this Act.

II. And be it further enacted, That all the Rules and Regulations of any Society to be entitled to the Benefit of this Act shall be certified, deposited, and enrolled in the same Manner as the Rules and Regulations of any Friendly Society are required to be certified, deposited, and enrolled pursuant to the Provisions of a certain Act passed in the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, intituled *An Act to amend an Act in regard to the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies*; and that all the Provisions of the said Act, as well as the Act made and passed in the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies, as far as the same relate to the framing, certifying, enrolling, and altering Rules of Friendly Societies, shall be applicable to the framing, certifying, enrolling, and altering the Rules and Regulations of any Society to be established under the Provisions of this Act.

III. And be it further enacted, That all Rules and Regulations from Time to Time made and in force for the Management of any such Society as aforesaid, and duly enrolled, shall be entered in a Book or Books to be kept by an Officer of such Institution to be appointed for that Purpose, and which Book or Books shall be open at all reasonable Times for the Inspection of Persons receiving Assistance from such Institution, and shall be having on the several Members and Officers of such Society, and the several Persons receiving Assistance from the same, and their Representatives, as well as those Parties who may become the Sureties for the Repayment of any Loan, all of whom shall be deemed and taken to have full Notice thereof by such Entry and Deposit with the Clerk of the Peace or Town Clerk; and the Entry of such Rules and Regulations in such Book or Books as aforesaid, or the Transcript thereof, deposited with the Clerk of the Peace or Town Clerk, or a true Copy of such Transcript, examined with the Original and proved to be a true Copy, shall be received as Evidence of such Rules and Regulations respectively in all Cases; and no Certiorari shall be brought or allowed to remove any such Rules or Regulations into any of His Majesty's Courts of Record; and every Copy of any such Transcript deposited with our Clerk of the Peace or Town Clerk as aforesaid shall be made without Fee or Reward, except the actual Expence of making such Copy, and such Copy shall not be subject to any Stamp Duty.

IV. And be it further enacted, That all Moneys, Goods, Chattels, and Effects whatsoever shall be vested in the Trustees or Trustees of such Institution for the Time being, for the Use and Benefit of such Institution and the respective Members thereof, their respective Executors and Administrators, according to their respective Claims and Interest, and after the Death, Resignation, or Removal of any Trustee or Trustees shall vest in the succeeding Trustee or Trustees, for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any Assignment or Conveyance whatever, and also shall, for all Purposes of Action or Suit, as well Criminal as Civil, in Law or in Equity, in anywise teaching or concerning the same, be deemed and taken to be and shall in every such Proceeding (where necessary) be taken to be the Property of the Person or Persons appointed to the Office of Trustee or Trustees of such Institution for the Time being, in his or their proper Name or Names, without further Description; and such Person or Persons shall and they are hereby respectively authorized to bring or defend, or cause to be brought or defended, any Action, Suit, or Prosecution, Criminal as well as Civil, in Law or Equity, teaching or concerning the Property, Right, or Claim aforesaid of such Institution, and to sue and be sued, plead and be impleaded, in his or their proper Name or Names, as Trustee or Trustees of such Institution, without other Description; and as Suit, Action, or Prosecution shall be discontinued or abate by the Death of such Person or Persons, or by their Removal from the Office of Trustee or Trustees as aforesaid, but the same shall and may be proceeded in by the succeeding Trustee or Trustees in the proper Name or Names of such Person or Persons commencing the same, any Law, Usage, or Custom to the contrary notwithstanding; and such succeeding Trustee or Trustees shall pay or receive his Costs as if the Action or Suit had been commenced in his or their Name or Names, for the Benefit of or to be reimbursed from the Funds of such Institution.

V. And be it further enacted, That if any Trustee or other Officer or Officers of other Person whatsoever who shall be intrusted with the Receipt or Custody of any Sum or Sums of Money the Property of such Institution, or any Interest or Dividend arising from Time to Time thereby, shall be required by the Rules or Regulations of such Institution to become bound with Sureties for the just and lawful Expences of such Office or Trust in such Sum or Sums of Money as shall be required by the Rules and Regulations of such Institution, such Sureties shall and may be given by Bond or Bonds to the Clerk of the Peace for the County, County of a City, County of a Town or Place where such Institution shall be established for the Time being, without Fee or Reward, and in case of Forfeiture it shall be



Naval Service  
limited to Five  
Years.

If the Ship be  
Altered, Seized,  
or the  
Expiration of  
their Service, to  
be sent Home  
by the earliest  
Opportunity.

Advised, in  
case of Emer-  
gency, may detain  
them for  
Sixteen longer,  
with the  
Fourth Month  
of Pay.

Seamen under  
Arrest for Trial  
not to be dis-  
charged until  
after Trial, &c.;  
to perform their  
Duties, and to  
be accountable to  
Naval Dis-  
cipline until  
discharged.

Discharged  
Seamen to re-  
ceive a Certifi-  
cate, on which  
Protections are  
to be issued to  
them.

Protections for  
forging Certifi-  
cates, &c.

Envoys to  
Volunteers.

310 4 c 10.

by the Authority of the same, That no Person shall be liable to be detained against his Consent in the Naval Service of His Majesty for a longer Period than Five Years, to be computed from the Day of his being entered into the same, unless he shall have voluntarily entered for a longer Term, and except as hereinafter provided; and that at the Expiration of such Period of continuous Service he shall, upon his Application for that Purpose, be entitled to be discharged; and if the Ship on board which he shall be serving be in any Part of the United Kingdom he shall be forthwith discharged; and in Cases of Men serving on board Ships absent from the United Kingdom, the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall cause the necessary Orders and Instructions to be given to all Admirals and other Officers in Command of His Majesty's Ships, that about the Time when the Period of their respective Services, shall expire every Person entitled to his Discharge, on signifying to his Captain or Commanding Officer his Wish no longer to continue in the Service, shall be discharged forthwith, if he desire it, or shall be sent by the earliest convenient Opportunity, in some Ship of His Majesty, to some Part of the United Kingdom, to be there discharged: Provided always nevertheless, that if the Admiral or Commanding Officer of the Fleet or Squadron under whose Command he shall be shall, in consequence of any special Emergency, deem it hazardous to the Public Service forthwith to discharge him, then such Admiral or Commanding Officer shall have Power to detain him in the Service for a further Period of Six Calendar Months, or until such Emergency shall have ceased; and in every such Case the Person so detained shall be entitled to receive for such extra Service One Fourth in addition to the Pay of his Rating: Provided also, that if any Seaman shall be under lawful Arrest at the Period at which he shall be so entitled to his Discharge, then such Discharge shall not take place until such Arrest shall have ceased, or, in case he shall have been put under Arrest in order to be brought to Trial for any Offence, and he shall have been tried for such Offence, and have undergone the Punishment to which he may be adjudged for the same by Sentence of Court-martial: And provided farther, that nothing in this Act contained shall be construed to exempt any Person so entitled to his Discharge from the Performance of the Duties of his Station until he shall have been actually discharged; and that every such Person, so long as he shall be in the Service, shall be accountable and subject to the Discipline of the Navy, and to the several Provisions of the Laws in being relating to the Government of His Majesty's Ships, Yachts, and Forces by Sea.

II. And be it further enacted, That every such Seaman who may have served the said Term of Five Years, when any Proclamation of His Majesty calling for the Services of Seafaring Men shall have been in force, shall, upon being discharged from the Navy, be entitled to receive from the Captain or Commanding Officer of the Ship from which he shall be so discharged a Certificate of his Service therein, containing a Description of his Age, Person, and Place of Birth, upon the Production at the Admiralty Office of which and of similar Certificates as to his Service in any other of His Majesty's Ships in which he may have served during such Period of Five Years, (all which Certificates the Captains of such Ships are hereby required to give him on his Discharge from the same respectively,) and upon a Comparison of the Dates and Particulars to be expressed in such Certificates with the Muster Books of the several Ships in which he shall have served, provided the Particulars shall be found correct and the Certificates be found genuine, a Protection from Service in the Navy for the Space of Two Years shall be issued to every such Seaman gratis, under the Hand of Two or more of the Commissioners for executing the Office of Lord High Admiral and the Seal of the Office of Admiralty, in such Form as the said Commissioners shall think fit: Provided always, that if any such Seaman shall be discharged, except upon his own Application, before the Term of his Service shall amount to Five Years as aforesaid, a Protection shall be granted to him for the Space of One Year only.

III. And in order to prevent as far as may be Breach and Impediments with respect to Protections, be it further enacted, That if any Person shall forge or counterfeit any Certificate of Service in His Majesty's Navy, or any Instrument purporting to be a Protection from such Service, or shall fraudulently utter or publish any forged Certificate of such Service, or any forged Instrument purporting to be a Protection from such Service, knowing the same to be forged, or shall fraudulently alter any Certificate or Protection which shall have been duly granted or issued, or if any Person shall forge or fraudulently alter any Extract from a Baptismal Register, or shall knowingly utter any false or fraudulently altered Extract from a Baptismal Register, or any false Affidavit, Certificate, or other Document, as well as to obtain from the Admiralty Office a Protection from His Majesty's Naval Service for himself or any other Person, or if any Person, being in the Possession of a Protection, shall lend, sell, or dispose thereof to any other Person, in order fraudulently to enable such other Person to make an unlawful Use of the same; or if any Person shall produce, utter, or make use of as a Protection for himself any Protection which shall have been issued or issued for any other Individual; every Person in any such Manner offending shall be deemed guilty of a Misdemeanor, and such Protection shall thereupon be null and void.

IV. And for the Encouragement of Seamen and others to enter into His Majesty's Naval Service, be it further enacted, That every Seaman, Seafaring Man, or other Person who within Six Days after any Proclamation of His Majesty calling for the Services of Seafaring Men shall have been published in any Part of the United Kingdom or of any of His Majesty's Dominions, shall at such Port enter himself in His Majesty's Naval Service with any Officer authorized to receive Volunteers for the Royal Navy, shall, in addition to the Advantages given to Volunteers by an Act of the Eleventh Year of His late Majesty King George the Fourth, be added and consolidated the Laws relating to the Pay of the Royal Navy, be entitled to receive Double the Amount (according to his Rating) of the Bounty offered by any such Proclamation;

Proclamation; and that in the Cases of Seamen serving in Merchant Vessels which shall be at Sea at the Time when any such Proclamation shall be issued, every such Person who shall enter himself with an Officer of the Navy within Six Days after the first Arrival of any such Ship at any such Port as aforesaid, or within Half an Hour after any Office of His Majesty's Navy shall have visited any such Ship before her Arrival at any such Port, shall also be entitled to receive the like Double Bounty.

V. And be it further enacted, That the Seamen who shall at the Time of the issuing of any such Proclamation as aforesaid be serving in the Fleet shall not be entitled to be discharged, but shall continue to serve therein for a Period of Five Years, in case their Services shall be so long required; and in consideration of their being so required to continue in the Service for such further Period they shall be entitled to receive and shall be paid the same Amount of Bounty as shall by any Order in Council or Proclamation of His Majesty then in force be offered to Seamen of these respective Classes, and shall also be entitled to their Discharge at the Expiration of that Period, in the same Manner and under Regulations similar to those established by this Act with respect to Volunteer Seamen.

VI. And as no Encouragement to Seamen to continue in the Naval Service, be it further enacted, That every Seaman belonging to the Fleet whose Period of Five Years Service shall expire during the Time when any such Proclamation as aforesaid shall be in force, and who previous to the Expiration of such Service shall signify to his Commanding Officer his Desire to continue therein for a further Period of Five Years, and shall be allowed to re-enter accordingly, shall upon such Re-entry be entitled to be paid the single Bounty offered by His Majesty's Proclamation to Volunteers of his Class and Rating; and every such Volunteer shall at the Expiration of such Second Period of Five Years be entitled to his Discharge, under and subject to the like Regulations as are herein-before provided with respect to Persons entitled to their Discharge after Five Years Service.

VII. And be it further enacted, That whenever any Seaman in the Receipt of a Pension for Wounds or prior Services, and being able-bodied, and fit for the Naval Service, shall, when any such Proclamation as aforesaid shall be in force, voluntarily enlist, and shall be received to serve in the Navy, he shall, in addition to the Pay and other Advantages to which he may be entitled, be allowed to receive such Pension during the Time he shall continue in such further Service and in the faithful Discharge of his Duty.

VIII. And be it further enacted, That all the Provisions contained in this Act in favour of Volunteers shall be extended to the Seamen belonging to the British Colonies who shall freely enter themselves to serve in the Navy; and that all such Colonial Seamen, after being discharged at the Expiration of Five Years Service, in case they shall be desirous to return to their native Colony, shall either be conveyed thither free of Expence, or be allowed a Gratuity in Money sufficient to cover the Cost of their Return thereto, as the Commissioners for executing the Office of Lord High Admiral shall think fit.

IX. Provided always, and be it enacted, That nothing in this Act contained shall extend to enrol or discontinue the Authority vested in the Lord High Admiral and the Commissioners for executing the Office of Lord High Admiral to discharge, as he or they shall think fit, or to authorize the Discharge of any Seaman from His Majesty's Naval Service; and that if any Seaman shall be desirous of being discharged from the Naval Service before the Expiration of the Period of Five Years for which he shall be engaged or shall be bound to serve, and shall procure One able Seaman or Two able-bodied Landmen to serve in his Stead, for a Period of Five Years (if their Services shall be so long required), every such Seaman shall, upon the Approval of such Substitute by the proper Officer of the Admiralty, and upon their being actually received into the Service on board any one of His Majesty's Ships of War, be forthwith discharged from the Navy, and shall be entitled to the same Protection as if he had completed a Period of Five Years Service.

X. And be it further enacted, That this Act may be altered, amended, or repealed by any other Act or Acts to be passed during this present Session of Parliament.

#### C A P. XXV.

An Act to extend the Accommodation by the Post to and from Foreign Parts, and for other Purposes relating to the Post Office. [21st August 1835.]

WHEREAS by virtue of divers Acts of Parliament His Majesty's Postmaster General is authorized, to and for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take certain Rates of Passage for the Conveyance of Letters and Packets by the Post between the United Kingdom and Foreign Parts: And whereas, in addition to the said Rates, such Letters and Packets are subject to Rates of Postage for their Conveyance within Foreign Kingdoms and States: And whereas it is expedient, for the Purpose of facilitating the Intercourse with Foreign Countries, that the Postage, as well British as Foreign, on such Letters and Packets, should be payable in whole or in part either by the Sender or Receiver: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty's Postmaster General for the Time being, and his Deputies, and he and they are hereby authorized and empowered, to receive and take, upon any Letters or Packets addressed to any Foreign Kingdom or State, from the Person sending the same, the Postage both British and Foreign in one entire Sum, for the Conveyance of such Letters and Packets by the Post to the Places to which the same shall be respectively addressed, and also to demand, receive, and take of the said Senders and Recipients of such Letters and Packets

Seamen in the Service at the Time of the issuing a Proclamation offering the double Bounties of Five Years Service, and be paid the usual Bounty.

Seamen, after Five Years Service, agreeing to continue, to be entitled to a Double Bounty.

Volunteers volunteering to receive their Pensions in addition to their Pay.

Provision in favour of Volunteers recruited to Colonial Services, &c.

Act not to diminish the Authority of the Admiralty for discharging Seamen may obtain their Discharge on procuring Substitutes.

Act may be amended this Session.

Postage on Letters to and from Foreign Parts to be taken in one entire Sum.

Packets coming from Foreign Parts addressed to any Place within His Majesty's Dominions, in addition to the British Rates of Postage to which the same may be liable, the Rates of Foreign Postage which may be due or payable in respect thereof, and to answer for or pay over to any Foreign Kingdom or State, Kingdoms or States, entitled to receive the same, the Amount of such Foreign Postage.

Optional Payment of Postage on Letters or Foreign Parts.

II. And he it further enacted, That from and after the Postmaster General for the Time being shall have made and entered into any Treaty or Agreement with the Post Office of any Foreign Kingdom or State for collecting and accounting for the British Postage on Letters and Packets sent by the Post from the United Kingdom to any such Foreign Kingdom or State, or to any other Foreign Kingdom or State, and so long as any such Treaty or Agreement shall continue in force, it shall be lawful with every Person sending any Letter or Packet by the Post from the United Kingdom to any Foreign Kingdom or State which shall be included in any such Treaty or Agreement, or to which the same shall extend, to pay the British and Foreign Postage thereof in one entire Sum as aforesaid, or to send the same without Payment of any Part of such entire Sum, to the Person that the whole thereof may be paid by the Person or Persons to whom the same shall be addressed, or otherwise to pay the British Postage only (as hitherto) on any such Letter or Packet.

Rates of Postage payable on Letters or Foreign Parts to be deemed the Amount of Postage payable.

III. And he it further enacted, That the Rates of Foreign Postage worked on any Letters or Packets brought into Great Britain or Ireland shall, in all Courts of Justice and other Places, be deemed, received, and taken as conclusive Evidence of the Amount of Foreign Postage payable in respect of any such Letter or Packet, in addition to the Rates of British Postage payable for the Conveyance of the same; and such Foreign Postage shall be recoverable in Great Britain and Ireland, and other His Majesty's Dominions, as Postage due and payable to His Majesty, His Heirs and Successors.

No Letters liable to any Foreign Rates of Postage to be received here.

IV. Provided always, and he it further enacted, That nothing herein or in any other Act or Acts contained shall be construed to entitle any Person or Persons to send or receive by the Post, free from the Duties of Postage, any Letters or Packets which are or may be liable to any Foreign Rates of Postage (the Public Despatches to and from His Majesty's Secretaries of State, and the British Embassies and Legations at Foreign Courts, being *bona fide* on the Public Service, only excepted).

Registering certain Letters.

V. And whereas it may be considered expedient that certain Letters and Packets sent by the Post should be registered, he it therefore further enacted, That in case the Postmaster General for the Time being shall at any Time hereafter in his Discretion deem it expedient that any Letters or Packets sent or to be sent by the Post should be registered by the Post Office, it shall be lawful for him, and his Deputy and Deputies by him thereto authorized, to demand, have, receive, and take, to and for the Use of His Majesty, His Heirs and Successors, for and in respect of each and every Letter or Packet which shall be so registered, such Rate or Rates of Postage, in addition to any Rates payable under or by virtue of this Act or any other Act or Acts of Parliament relating to the Post Office, as the Postmaster General for the Time being, with the Consent of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, signified by Writing under their Hands, or under the Hand of any one of the Secretaries or Assistant Secretaries to the Treasury for the Time being, shall from Time to Time direct or appoint, (but such Registration shall not render the Postmaster General or the Post Office Liable in any Manner liable for the Loss of any such Letters or Packets, or the Contents thereof,) all which Letters and Packets shall be delivered to the Postmaster General and his Deputy and Deputies, and also be delivered by them at or between such Hours in the Day, and under all such Regulations in every respect as the Postmaster General for the Time being shall in his Discretion from Time to Time appoint, with full Power for him to require such Registration Rate or Rates to be paid on any such Letter or Packet being put into the Post Office.

Packet Postage.

VI. And whereas Letters and Packets sent by the Post between Dover and Calais are now chargeable with the same Rates of Postages as Letters sent between London and Calais; and it is expedient to reduce the same; he it therefore further enacted, That from and after the passing of this Act it shall be lawful for His Majesty's Postmaster General, and his Deputy and Deputies by him thereto authorized, to and for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take, for the Post and Conveyance of all Letters and Packets which shall be sent or conveyed by Packet Boats from or to the Port of Dover, or any other Port in Great Britain, or to or from the Port of Calais, or any other Port in France, and not sent to or from London (over and above any inland Rates payable on such Letters and Packets), a Packet Postage according to the Rates and Sums hereinafter mentioned: (that is to say,) for the Post and Conveyance of every Single Letter, a Rate of Sixpence; for every Double Letter, One Shilling; for every Triple Letter, One Shilling and Sixpence, and for every Ounce Weight, Two Shillings, and so in proportion for any greater Weight, reckoning every Quarter of an Ounce equal to a Single Letter: Provided always, that nothing herein contained shall extend or be construed to extend to alter or repeal an Act passed in the Fourth and Fifth Years of the Reign of King William the Fourth, intituled *An Act to regulate the Conveyance of printed Newspapers by Post between the United Kingdom, the British Colonies, and Foreign Parts*.

42 W. 4. c. 44.

Postmaster General empowered to reduce Postage on Letters to and from Foreign Parts.

VII. And he it further enacted, That it shall be lawful for the Postmaster General for the Time being, at any Time hereafter, to lower or reduce all or any of the British Rates of Postage which are or shall be payable on Letters and Packets sent by the Post to and from Foreign Parts, to such respective Amounts or Extents as the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, signified by Writing under their Hands, or under the Hand of any one of the Secretaries or Assistant Secretaries to the Treasury for the Time being, shall from Time to Time direct or appoint, and therewith it shall be lawful for the Postmaster General and his Deputies to demand,

VIII. \* And whereas by an Act passed in the Thirty sixth Year of the Reign of King George the Third, intitled *An Act for the more secure Conveyance of Ship Letters, and for granting to His Majesty certain Rates of Postage thereon*, the Postmaster General is authorized to collect and receive Letters and Packets of Letters, directed to Places within His Majesty's Dominions, also to any the Kingdoms and Countries beyond the Seas, and to forward the same by any Ships or Vessels that he in his Discretion shall think fit, although not Packet Boats, and to demand and receive, to and for the Use of His Majesty, His Heirs and Successors, for every Letter and Packet which shall be delivered to him and his Deputies for Conveyance in the Manner therein-before specified, a Sum not less than One Half Part of the Rates and Duties payable by Law for such respective Letters and Packets if the same were conveyed by Packet Boats, and in Cases where no Rate of Postage is already established, then to demand and receive for such Letters and Packets Rates, as near as the same can be ascertained, equal to One Half of what is paid for Letters sent beyond the Seas: And whereas it is expedient that the Rates of Postage imposed by the said Act should be reduced; he it therefore enacted, That the Rates of Postage granted by the said last-mentioned Act for the Conveyance of Letters and Packets through the Post, by Ships or Vessels not being Packet Boats, shall be and the same are hereby repealed, and that in lieu thereof it shall and may be lawful to and for His Majesty's Postmaster General for the Time being, and his Deputy and Deputies by him thereto authorized, as he and their Discretion, to collect and receive Letters and Packets of Letters, directed to Places within His Majesty's Dominions, also to any the Kingdoms and Countries beyond the Seas, and to forward the same by any Ships or Vessels that he in his Discretion shall think fit, although not Packet Boats or Ships or Vessels by which the Postmaster General shall have contracted for the Conveyance of Mails of Letters pursuant to an Act passed in the Second Year of the Reign of King William the Fourth, intitled *An Act to enable His Majesty's Postmaster General to extend the Accommodation by Post, and to regulate the Privileges of franking, in Ireland; and for other Purposes relating to the Post Office*; and that it shall be lawful for His said Majesty's Postmaster General, and his Deputy and Deputies by him thereto authorized, to and for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take, for every Letter and Packet which shall be delivered to him or his Deputies for Conveyance in manner lastly herein-before mentioned, (except Letters and Packets sent by private Ships from Great Britain to Ireland, or from Ireland to Great Britain, or between any Parts or Places in Great Britain or Ireland,) the Rates of Postage hereinafter mentioned: (that is to say,) if such Letter or Packet be posted at the Port from which such Ship or Vessel shall sail, or at which such Ship or Vessel may touch, a Rate of Eight-pence for every Single Letter, and so in proportion for Packets: and if in proportion for Packets: and if such Letter or Packet shall be posted at any other Part of the United Kingdom than the Port from which such Ship or Vessel shall sail, or at which such Ship or Vessel may touch, a Rate of One Shilling for every Single Letter, and so in proportion for Packets: and for every Letter or Packet which shall be delivered to the Postmaster General or his Deputies for Conveyance in manner lastly herein-before mentioned, from Great Britain to Ireland, and from Ireland to Great Britain, or from any Part or Place in Great Britain or Ireland to any other Port or Place within the same, or either of them, a Rate of Eight pence on every Single Letter, and so in proportion as aforesaid for Packets, over and above and in addition to any Rates which may arise on the Island Conveyance of such last-mentioned Letters or Packets within Great Britain and Ireland: Provided always, that nothing herein contained shall extend, or be deemed or construed to extend, to alter or repeal any of the Rates which the Postmaster General and his Deputy and Deputies are authorized to demand, have, receive, and take for Letters and Packets delivered to him or them for Conveyance to Cyprus, the Mauritius, the East Indies, or the Cape of Good Hope, by an Act passed in the Fifty-seventh Year of the Reign of King George the Third, intitled *An Act to repeal so much of an Act passed in the Fifth and Sixth Year of His present Majesty as relates to the Postage and Conveyance of Letters to and from the Cape of Good Hope, Ceylon, the Mauritius, and the East Indies*; and to such other Regulations respecting the Postage of such Letters and Packets, and other Letters and Packets sent by the Post; but the Provisions of this Clause shall nevertheless be deemed and construed to extend to and include Letters and Packets directed to China.

IX. And for the Encouragement of the Masters of such Ships or Vessels, be it further enacted, That it shall be lawful to and for the said Postmaster General to allow all such Masters the Sum of Two-pence a Letter or Packet upon all such Letters or Packets as they shall respectively have or take on board such Ship or Vessel, provided such Letters and Packets shall have been delivered to them from the Post Office.

X. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person or Persons, at his or their Discretion, from sending any Letters or Packets by any Ship or Vessel (not being a Packet Boat or Ship or Vessel) by which the Postmaster General shall have contracted for the Conveyance of Mails of Letters pursuant to the said Act passed in the Second Year of the Reign of King William the Fourth, from any Port to any Place out of Great Britain or Ireland, otherwise than through the Post Office: Provided always, that nothing herein contained shall extend to authorize or empower any Person or Persons to make any Collection of Letters contrary to the Laws now in force relating to the Post Office.

XI. \* And whereas it is expedient that the Rates on Letters brought into that Part of the United Kingdom called Ireland by Ships other than Packet Boats should be assimilated to the Rates on Ship Letters brought into Great Britain; he it therefore further enacted, That from and after the passing

Reduction of  
Postage on  
Ship Letters.  
29 G. 3. c. 10.

2 W. 4. c. 12.

29 G. 3. c. 111

Allowance to  
Masters of  
Vessels conveying  
Letters.

Letters may be  
sent by other  
Vessels than  
Packet-boats.

Assimilating  
Rates of Postage  
on Ship Letters  
in Ireland to

all Letters on  
Only Letters by  
Great Britain

of this Act it shall and may be lawful to and for the Postmaster General and his Deputies to demand, have, receive, and take for every Letter which shall be brought into *Ireland* by Ships and Vessels other than Packet Boats from Places within His Majesty's Dominions, and any the Kingdoms and Colonies beyond the Seas, other than except from the Cape of Good Hope, the Mauritius, Ceylon, and the East Indies, (in lieu of the Rates of Sea Postage now payable thereon,) the same Rates of Sea Postage (over and above any Inland Rates) as under or by virtue of an Act passed in the Fifty-fifth Year of the Reign of King George the Third, intitled *An Act for granting certain Rates on the Postage of Letters to and from Great Britain, the Cape of Good Hope, the Mauritius, and the East Indies, and for making certain Regulations respecting the Postage of Ship Letters, and of Letters in Great Britain*, would be payable on such Letters and Packets if brought by such Ships or Vessels into *Great Britain*.

§ 26. v. 129.

Letters from  
China, India to  
same Rates of  
Sea Postage as  
other Letters.

XII. And be it further enacted, That from and after the passing of this Act every Letter or Packet which shall be brought into *Great Britain* or *Ireland* by Ships or Vessels other than Packet Boats, from any Port or Place in *China*, shall be liable to and chargeable with the same Rates of Sea Postage (over and above any Inland Rates) as would be payable under or by virtue of the said Act passed in the Fifty-fifth Year of the Reign of King George the Third if such Letters or Packets were brought into *Great Britain* by Ships or Vessels other than Packet Boats from any other Foreign Kingdom, and so much of the said last-mentioned Act as enacts that nothing therein contained shall extend to any Letters or Packets from *China* shall be and the same is hereby repealed.

Sea Postage on  
Letters from  
certain Places  
to *Ireland*.

XIII. And be it further enacted, That it shall be lawful for His Majesty's Postmaster General and his Deputies to demand, have, receive, and take for every Letter or Packet which shall be brought into *Ireland* by any Ship or Vessel arriving from the Cape of Good Hope, the Mauritius, Ceylon, or the East Indies, the like Rates of Sea Postage (over and above any Inland Rates) as under or by virtue of the said Act passed in the Fifty-sixth Year of the Reign of King George the Third would be payable on such Letters and Packets if brought by such Ships or Vessels into *Great Britain*, and to make to the Commander or Master of every such Ship or Vessel the like Allowances in respect of such Letters and Packets as would by Law be allowable in case such Letters and Packets had been brought into *Great Britain*.

Sea Postage  
from *Ireland* to  
the East Indies,  
&c.

XIV. And be it further enacted, That it shall be lawful for His Majesty's Postmaster General, and his Deputy and Deputies by him therunto authorized, to collect and receive in *Ireland* Letters and Packets directed to the Cape of Good Hope, the Mauritius, Ceylon, or the East Indies, and to forward the same by any Ships or Vessels that he or they in his or their Discretion shall think fit, and to demand, have, receive, and take for every such last-mentioned Letter or Packet the like Rates of Sea Postage (over and above any Inland Rates) as under or by virtue of the said Act passed in the Fifty-sixth Year of the Reign of King George the Third would be payable on such Letters and Packets if the same were sent from *Great Britain*; and the Masters and Commanders of all Ships and Vessels sailing from *Ireland* bound to the Cape of Good Hope, the Mauritius, Ceylon, or the East Indies are hereby required to receive on board their respective Ships any Bag or Bags of Letters and Packets which shall be tendered to them for Conveyance as aforesaid by the Postmaster General or any Officer of the Post Office, without receiving or being entitled to receive any Remuneration for such Conveyance.

Repeal of  
Postage on  
Newspapers by  
private Ships  
from the Colonies.  
7 A. & G. 4. c. 11.

XV. And whereas by an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, intitled *An Act to amend the Laws relating to the Duties of Postage in Great Britain and Ireland*, the Postmaster General is authorized to demand and receive for the Use of His Majesty, His Heirs and Successors, for every Newspaper printed within His Majesty's Colonies and Possessions beyond the Seas, and brought into *Great Britain* and *Ireland* by any Ship other than a Packet, and delivered at any Post Office, the Sum of Three-pence: And whereas Newspapers printed within the United Kingdom, and sent from thence by Ships and Vessels (other than Packet Boats) to His Majesty's Colonies and Possessions beyond the Seas (other than and except the East Indies), are now liable to the same Rates and Duties of Postage as Letters: And whereas it is expedient that the Rates of Postage on all such Newspapers should be reduced; be it therefore further enacted, That from and after the passing of this Act as much of the said Act passed in the Seventh and Eighth Years of the Reign of King George the Fourth as subjects Newspapers printed within His Majesty's Colonies and Possessions beyond the Seas, and brought into *Great Britain* and *Ireland* by Ships other than Packets, to a Rate of Three-pence each, shall be and the same is hereby repealed.

Sea Postage on  
Newspapers  
to private Ships  
to the Colonies.

XVI. And be it further enacted, That from and after the passing of this Act it shall be lawful for His Majesty's Postmaster General and his Deputy and Deputies, for the Use of His Majesty, His Heirs and Successors, to demand and receive for the Conveyance of every Newspaper printed within His Majesty's Colonies and Possessions beyond the Seas, and brought into the United Kingdom by any Ship or Vessel other than a Packet Boat, and delivered by the Commander of any such Ship or Vessel at any Post Office, the Sum of One Penny as Delivery thereof within the United Kingdom to the Person or Persons to whom the same shall be addressed.

Postage on  
Newspapers  
to be printed  
Ships to the  
Colonies.

XVII. And be it further enacted, That it shall be lawful for His Majesty's Postmaster General for the Time being, and his Deputy and Deputies in *Great Britain* and *Ireland*, to receive at any Post Office printed Newspapers liable to the Stamp Duty, and duly stamped, directed to Places within any of His Majesty's Colonies and Possessions beyond the Seas, and to forward the same by any Ships or Vessels that he in his Discretion may think fit (not being Packet Boats), and to demand, have, receive, and take for every Newspaper which shall be delivered to him or his Deputies for Conveyance in manner last aforesaid the Sum of One Penny.

XVIII. And whereas Foreign Newspapers brought into the United Kingdom by Ships or Vessels other than Packet Boats, and Newspapers printed within the United Kingdom, and sent from thence by Ships and Vessels other than Packet Boats to Foreign Parts, are now liable, on Conveyance by the Post, to the same Rates and Duties of Postage as Letters; and it is expedient that the Rates on all such Newspapers should be reduced; be it therefore further enacted, That from and after the passing of this Act it shall be lawful for His Majesty's Postmaster General, and his Deputy and Deputies in Great Britain and Ireland, to receive at any Post Office printed Newspapers liable to the Stamp Duty and duly stamped, directed to any Kingdom or Country beyond the Seas (other than His Majesty's Colonies and Possessions), and to forward the same to any Foreign Port by any Ships or Vessels that he in his Discretion may think fit (not being Packet Boats), and to demand, have, receive, and take, for the Use of His Majesty, His Heirs and Successors, for every Newspaper which shall be delivered to him or his Deputies for Conveyance to any Place beyond the Seas (other than His Majesty's Colonies and Possessions), and brought into the United Kingdom by any Ship or Vessel (other than a Packet Boat), and delivered by the Commander of any such Ship or Vessel at any Post Office, if printed in the Language of the Foreign Kingdom or State from which the same shall be forwarded, but not otherwise; it shall be lawful for His Majesty's Postmaster General and his Deputy and Deputies, for the Use of His Majesty, His Heirs and Successors, to demand and receive the Sum of One Penny as Delivery thereof within the United Kingdom to the Person or Persons to whom the same shall be addressed: Provided always, that before any Newspapers to or from any Foreign Kingdom or State shall be permitted to be conveyed or delivered under the Provisions of this Clause satisfactory Proof shall have been laid before the Postmaster General for the Time being, that printed Newspapers sent from Great Britain and Ireland, addressed to any Person or Place in any such Foreign Kingdom or State, are allowed to pass by the Post within any such Foreign Kingdom or State free of Postage, and also that Newspapers addressed to any Person or Place in Great Britain or Ireland from any such Foreign Kingdom or State are allowed to pass by the Post within such Foreign Kingdom or State free of Postage; and it is hereby declared, that as to every Newspaper sent into any Post Office within Great Britain or Ireland, for Conveyance by Ships or Vessels other than Packet Boats, addressed to any Person or Place in any Foreign Kingdom or State in which printed Newspapers from Great Britain or Ireland shall not be allowed to pass by the Post free of Postage, it shall be lawful for His Majesty's Postmaster General for the Time being (and such satisfactory Proof shall be laid before him as aforesaid), and his Deputy and Deputies, for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take, for the Conveyance of every such printed Newspaper to any Foreign Port, the Sum of Two pence; and as to every Newspaper addressed to Great Britain or Ireland, and brought into the United Kingdom by any Ship or Vessel other than a Packet Boat from any Foreign Kingdom or State in which such printed Newspapers shall not be allowed to pass by the Post free of Postage, it is hereby declared, that it shall be lawful for His Majesty's Postmaster General for the Time being (and such satisfactory Proof shall be laid before him as aforesaid), and his Deputy and Deputies, to and for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take, for the Conveyance of every such Newspaper by the Post, the Sum of Two pence on Delivery thereof to the Person to whom the same shall be addressed, over and above and in addition to any Postage charged thereon by any Foreign Post Office, provided every such Paper be printed and published in the Language of the Kingdom or State from which the same shall be forwarded.

XIX. And whereas Circumstances may arise which may render it expedient again to impose and demand the said respective Rates of Two-pence by the said last mentioned Clause granted, after the same shall have ceased to be demanded by reason of such satisfactory Proof having been laid before the Postmaster General for the Time being as aforesaid; now be it further enacted, That it shall be lawful for His Majesty's Postmaster General for the Time being, by and with the Consent of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, at any Time after such satisfactory Proof shall have been laid before His Majesty's Postmaster General for the Time being as aforesaid, again to impose, demand, and receive the said respective Rates of Two-pence for the Conveyance of any such printed Newspaper to any Foreign Port, and on the Delivery of any such printed Newspaper from any Foreign Kingdom or State, whenever it shall be deemed expedient so to do.

XX. And be it further enacted, That it shall be lawful for the Postmaster General to allow and pay the Masters and Commanders of Ships and Vessels the Sum of One Penny on every printed Newspaper which shall be brought into the United Kingdom under the Provisions of this Act, and be delivered by them at the Post Office of the Post Town at which they shall touch or arrive, and the like Sum of One Penny on every printed Newspaper which shall be delivered by the Postmaster General or his Deputies to any such Masters or Commanders for Conveyance under the Provisions of this present Act.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed or construed to extend, to alter or repeal any of the Rates which the Postmaster General and his Deputy and Deputies are authorized to demand, have, receive, and take by the said Act passed in the Fifty-ninth Year of the Reign of King George the Third, for printed Newspapers delivered to him or them for Conveyance to the Cape of Good Hope, Ceylon, the Mauritius, or the East Indies, which Act it is hereby declared shall be deemed and construed to extend to Newspapers sent in Ireland for Conveyance to any of the said last-mentioned Places; but the Provisions of this Act shall be without

Reduction of Postage on Newspapers by private Ships to and from Foreign Ports.

Proviso.

Postage on Newspapers, &c. and from Foreign Ports may be again imposed.

Allowance to Masters and Commanders for Newspapers sent to or by them from or to the Post Office.

Not to alter Rates under Act 28 G. 3. c. 111.



be deemed to extend to and include Newspapers brought into the United Kingdom from the Cape of Good Hope, Ceylon, the Mauritius, the East Indies, and China, and also Newspapers delivered to the Postmaster General or his Deputies directed to China.

XXII. And be it further enacted, That no Newspaper shall be sent by the Post under the Provisions of this present Act unless every such Paper be sent without a Cover, or in a Cover open at the Sides, and that there be no Writing or Communication printed on such Paper after the same shall have been published, nor any Writing or Marks upon such printed Paper or the Cover thereof, other than the Name and Address of the Person to whom it is sent, and so that there be no Paper or Thing enclosed or concealed in or with such printed Paper or the Cover thereof, nor any printed Words or Communication on the Cover thereof.

XXIII. And be it further enacted, That every printed Newspaper to be sent out of the United Kingdom under the Provisions of this Act shall in all Cases be put into a Post Office or Receiving Office in Great Britain or Ireland within Seven Days next after the Day on which the same shall be published, the Day of Publication to be ascertained by the Date of such Paper; and in case any such Paper shall be put into any Post Office or any Time after the Expiration of such Seven Days, it shall and may be lawful for His Majesty's Postmaster General or his Deputy or Deputies, at his or their Discretion, either to detain any such Paper, or to forward the same by the Post charged with the full Duty of Letter Postage according to the Rates now established by Law.

XXIV. And be it further enacted, That it shall be lawful for His Majesty's Postmaster General, and his Deputy and Deputies, or any of the Officers employed under him or them respectively, to examine and search any printed Newspaper which under the Provisions of this Act shall be sent by the Post without a Cover, or in a Cover open at the Sides as aforesaid, in order to discover whether any Words or Communication have or has been printed on such Paper after the same was published, or whether there is any Writing or Mark upon such printed Paper or the Cover thereof, other than the Name and Address of the Person to whom it is sent, or whether there is any Paper or Thing enclosed or concealed in or with such printed Newspaper or the Cover thereof, or whether there are any printed Words or Communication on the Cover thereof, or whether the Papers brought into the United Kingdom from any Foreign Kingdom or State shall be printed and published in the Language of the Kingdom or State from which they shall have been forwarded, and also in order to discover whether Newspapers printed and posted in the United Kingdom are duly stamped, and in case any Words or Communication shall be found to have been printed on any such Paper after the same was published, or any Writing or Mark shall be found on any such printed Paper or the Cover thereof, other than the Name and Address of the Person to whom it is sent, or any other Paper or Thing shall be found to be enclosed or concealed in or with such printed Paper or the Cover thereof as aforesaid, or any printed Words or Communication shall be found upon the Cover thereof, or in case any Newspaper brought into the United Kingdom from any Foreign Kingdom or State shall not be printed and published in the Language of the Kingdom or State from which the same shall have been forwarded, the whole of every such Packet addressed and delivered to any Person within the United Kingdom shall be charged with Treble the Duty of Letter Postage, according to the Rates now established by Law; and as to every such Paper or Packet going out of the United Kingdom, it shall be lawful for the Postmaster General or his Deputy or Deputies, at his or their Discretion, either to detain any such Paper or Packet, or to forward the same by the Post charged with the Duty of Letter Postage; and in case any Newspaper printed and posted in the United Kingdom, and sent by the Post under the Provisions of this Act, shall appear not to have been duly stamped, the same shall be stopped, and sent to the Commissioners of Stamps either at London or Dublin, as the Case may be.

XXV. And be it further enacted, That all printed Papers to be conveyed by the Post under the Provisions of this Act shall be delivered to the Postmaster General, or his Deputy or Deputies, at such Hours in the Day and under all such Regulations as the Postmaster General for the Time being shall in his Discretion from Time to Time appoint.

XXVI. And be it further enacted, That so much of an Act passed in the Ninth Year of the Reign of Queen Anne, intituled *An Act for establishing a General Post Office for all Her Majesty's Dominions, and for settling a weekly Sum out of the Revenue thereof for the Service of the War and other Her Majesty's Graciousness*, as enacts, that if the Packet or Mail shall be carried out of Great Britain into any Part or Place beyond the Seas, in any Ship or Vessel which is not a free Ship and navigated with such Seaman as by the Laws of this Land the same are required to be, the Postmaster General for the Time being shall in every such Case forfeit the Sum of One hundred Pounds Sterling, shall be and the same is hereby repealed.

XXVII. And be it further enacted, That the several Rates and Duties of British Postage hereinbefore granted shall be paid from Time to Time into the Hands of the Receiver General for the Time being of the Revenue of the Post Office, who shall pay the same (the necessary Charges for collecting, paying, and accounting for the same being first deducted) into the Receipt of His Majesty's Exchequer, on such Days and Times and in such Manner as the present Rates and Duties are directed by Law to be paid; and the said Duties so to be paid into the said Receipt or otherwise shall be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

XXVIII. And be it further enacted, That so often as any Sum or Sums of Money, not exceeding Twenty Pounds, shall be due from any Person or Persons in Great Britain or Ireland, (whether under this Act, or under any other Act or Acts relating to the Post Office,) for the Postage of any Letter or Printed Image digitized by the University of Southampton Library Digitisation Unit

Newspapers to be sent without a Cover, or in a Cover open at the Sides.

Newspapers sent out of the Kingdom to be put into the Post within Seven Days from the Time when published.

Postmaster General may examine Newspapers sent by the Post to discover whether any Writings or Marks are upon them, or any Papers enclosed with them.

Delivery of Papers to be conveyed by the Post.

Repeal of Part of 9 Ann. c. 13.

Rates to be paid into the Hands of the Receiver General.

Remedy of Arrears of Postage by Deputies.

Packets, Letters or Packets, to him, her, or them delivered by any Deputy, Agent, or Letter Carrier under His Majesty's Postmaster General, or which shall be sent from any Deputy, Agent, or Letter Carrier in Great Britain or Ireland for the Port of any Letters or Packets to him, her, or them intrusted for Delivery under the Authority of the said Postmaster General, or from any other Person or Persons employed or to be employed in receiving or collecting the Postage of Letters or Packets, or any of the Post Office Revenue, it shall be lawful for any Constable, Tithingman, or other Peace Officer of the County, Riding, Division, City, Town, or Place where such Person or Persons shall reside, first obtaining a Warrant for that Purpose under the Hand and Seal of His Majesty's Justices of the Peace for the County, Riding, Division, City, Town, or Place, (which Justice or Justices on Complaint made to him or them shall summon the Party complained of, and the Witnesses on either Side, and examine into the Matter of Fact, and shall grant such Warrant, on due Proof being made of the Sum or Sums due and owing from such Person or Persons as aforesaid by the voluntary Confession of the Party or by the Oath of One or more Witnesses,) to distrain such Person or Persons by his, her, or their Goods and Chattels for the Amount of such Debt, and the Distress so to be taken to detain and keep for the Space of Five Days at the Costs and Charges of such Person or Persons, and if he, she, or they shall not within the Time pay the Amount of such Debt, with the Costs and Charges of taking and keeping such Distress, then the Goods and Chattels so distrained shall be sold by such Constable, Tithingman, or other Peace Officer, who shall render the Overplus (if any) of the Money arising by the Sale thereof, after deducting and retaining the Amount of such Debt, and the Costs and Charges of taking, keeping, and selling such Distress, to the Person or Persons so to be distrained as aforesaid; and for the Purpose of taking such Distress it shall be lawful for such Constable, Tithingman, or other Peace Officer, when any Refusal or Resistance shall be made, to break open in the Daytime any House or Place where any Goods or Chattels of such Person or Persons shall be, and if so sufficient Distress can be had or taken elsewhere to levy the said Debt and Charges, then such Justice or Justices shall commit such Person or Persons to the Prison of such County, Riding, Division, City, Town, or Place, there to remain until such Debt and Charges shall be fully paid and satisfied.

XXIX. And he it further enacted, That every Complaint, Information, Summons, Conviction, Warrant of Distress or Commitment, or other such Proceeding, which shall be had or taken under the Provisions of this Act for the Recovery of any Postage or Postage Debt, may be drawn or made out according to the several Forms contained in the Schedule hereunto annexed, or to the Effect thereof, mutatis mutandis, as the Case shall require, and every such Complaint, Information, Summons, Conviction, Warrant, or other such Proceeding which shall be so drawn or made out shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case or the Facts or Evidence in any more particular Manner than is required in and by such Forms respectively; and that whenever the Term "Officer of the Post Office" occurs in this Act or the Schedule thereto, the same shall be construed to mean and include any Deputy, Agent, Officer, Clerk, Letter Carrier, or other Person employed by or under the Post Office, whatever may be his particular Office or Employment; and that whenever the Term "East India Company" occurs in this Act, the same shall be construed to mean and include every Port and Place within the Limits of the Charter of the United Company of Merchants commonly called the East India Company, not being in China; and that whenever in this Act, or the Schedule thereto, with reference to any Person, Matter, or Thing, any Word or Words in or are used importing the Singular Number or the Masculine Gender only, yet such Word or Words shall be understood to include several Persons as well as one Person, Females as well as Males, Bodies Politic or Corporate as well as Individuals, and several Matters or Things as well as one Matter or Thing, unless it be otherwise specially provided, or those be something in the Subject or Context repugnant to such Construction.

XXX. And he it further enacted, That all Actions and Prosecutions which shall be brought or commenced against any Person for any thing done in pursuance or under the Authority of this Act shall be commenced and prosecuted within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and the Defendant in such Action may plead the General Issue, and give the Act and any other Matter or Thing in Evidence on any Trial to be had thereupon, and if the Cause of Action shall appear to arise from any Matter or Thing done in pursuance and by the Authority of this Act, or if any such Action shall be brought after the Expiration of such Three Calendar Months, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if a Tender of sufficient Amounts shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced, by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; and if a Verdict shall pass for the Defendant, or if the Plaintiff shall become Nonsuit, or shall discontinue any such Action, or if an Discontinuor or otherwise Judgment shall be given against the Plaintiff, the Defendant shall recover his or her full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as any Defendant may have for Costs of Suit in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant.

Proceedings to be in the Form specified in the Schedule.

Limitation of Actions.

Defendant unless the Judge before whom the Trial shall be had shall at the Time of such Trial certify in Writing his Approbation of the Action and of the Verdict obtained thereon.

XXXI. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULE to which this Act refers.

No. 1.

*Form of Complaint whereas to find a Warrant of Distress for Recovery of Postage.*

County [or as the Case may be] of } BE it remembered, That on this Day of in the Year of  
of } our Lord at in the of A.D.  
to wit. } an Officer of the Post Office, complaineth to me C. D. Esquire, one of His Majesty's  
Justices of the Peace for the said that the Sum of is due  
and owing from E. F. of to His Majesty [or to the said A. B. if the Case be so.] for the  
Duty of Postage, which he hath refused or neglected to pay; and thereupon the said A. B. prayeth of  
me the said Justice that the said E. F. may be summoned to appear and show Cause, if any he have,  
why, upon due Proof being made of the Sum due and owing from him for Postage as aforesaid, a  
Warrant of Distress should not be granted for Recovery thereof pursuant to the Directions of the  
Statute in that Behalf made.

Taken and received by me the Day and }  
Year first above written. }

No. 2.

*Form of a Summons on the foregoing Complaint.*

To E. F. of, &c.

County [or as the Case may be] of } WHEREAS Complaint hath been made unto me C. D. Esquire, one of His Majesty's  
of } Justices of the Peace for the of that the Sum  
to wit. } of is due and owing from you to His Majesty [or to A. B. an Officer of  
the Post Office, if the Case be so.] for the Duty of Postage, which you have refused or  
neglected to pay; these are therefore to summons you to be and appear at in the  
the said on the Day of at the Hour of in the noon  
of the same Day, before me the said Justice, or before such other of His Majesty's Justices of the  
Peace for the said as shall be then present, in order that you may show Cause,  
if any you have, why, so due Proof being made of the Sum of Money due and owing from you for  
such Duty of Postage as aforesaid, a Warrant of Distress should not be granted for the Recovery  
thereof pursuant to the Directions of the Statute in that Behalf made; and if you fail to appear  
accordingly such Proceedings will be taken as if you had appeared and had not shown any sufficient  
Cause why such Warrant should not be granted. Given under my Hand and Seal this  
Day of

No. 3.

*Form of a Warrant of Distress, founded on the foregoing Complaint.*

To the Constable of [or to C. D. of as the Case may be].

County [or as the Case may be] of } WHEREAS Complaint hath been made that E. F. of is  
of } indebted to His Majesty [or to A. B. an Officer of the Post Office, if the Case be  
to wit. } so.] in the Sum of for the Duty of Postage, which he hath refused  
or neglected to pay: And whereas the said E. F. hath been duly summoned, and  
due Proof hath been made on Oath before me that the Sum of is due and owing  
from the said E. F. for such Duty of Postage as aforesaid, and that he hath neglected to pay the  
same: Therefore I command you to distress the said E. F. by his Goods and Chattels, and to levy  
thereon the said last-mentioned Sum, being the Amount of such Duty of Postage as aforesaid, and  
also the further Sum of for the Costs, Charges, and Expenses of proceeding for and  
obtaining this Warrant and of the Proceedings incident and relating thereto, making together the  
Sum of ; and if within the Space of Five Days next after the taking of such Distress  
the Sum of together with the reasonable Costs and Charges of taking and keeping  
such Distress, shall not be paid, then I do hereby order and direct: that you shall sell and dispose of  
the said Goods and Chattels which shall be so distrained, and that you shall levy and raise thereout  
the said Sum of and all reasonable Costs and Charges of taking, keeping, and selling  
such Distress, rendering the Overplus (if any) to the Owner of the said Goods and Chattels: and you  
are to certify to me what you have done by virtue of this my Warrant. Given under my Hand and  
Seal this Day of

(Signed)

One of His Majesty's Justices of the Peace  
for the said of

No. 4.

No. 4.

*Form of a Warrant of Commitment for Want of sufficient Distress, founded on the foregoing Complaint.*

To the Constable of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ and also to the Keeper of the Common Gaol [or House of Correction] at \_\_\_\_\_ in the said \_\_\_\_\_

County [or as the \_\_\_\_\_] WHEREAS Complaint was made that *E. F.* of \_\_\_\_\_ was indebted to His Majesty [or to *A. B.*, an Officer of the Post Office, if the Case be so,] in the Sum of \_\_\_\_\_ for the Duty of Postage, which he had refused or neglected to pay; And whereas the said *E. F.* was duly assessed, and due Proof was made on Oath that the Sum of \_\_\_\_\_ was due and owing from the said *E. F.* for such Duty of Postage as aforesaid, and that he had neglected to pay the same; And whereas a Warrant has been issued directed to *C. D.* of \_\_\_\_\_ commanding him by Detour and Sale of the Goods and Chattels of the said *E. F.* to levy the said last-mentioned Sum, being the Amount of such Duty of Postage as aforesaid due and owing from the said *E. F.*, and also the further Sum of \_\_\_\_\_ for the Costs, Charges, and Expences of proceeding for and obtaining the said Warrant and of the Proceedings incident and relating thereto, making together the Sum of \_\_\_\_\_; And it now appearing to me, by the Oath of the said *C. D.*, that no sufficient Distress can be found wherewith to levy the said Duty, Costs, and Charges, [or, in case no sufficient Distress shall have been taken, And whereas the said *C. D.* hath certified to me that he hath, under the said Warrant, levied and raised the Sum of \_\_\_\_\_ only; and it now appearing to me by the Oath of the said *C. D.*, that no sufficient Distress can be found wherewith to levy the Residue of the said Duty, Costs, and Charges,] therefore I command you the said Constable of \_\_\_\_\_ to apprehend and take the said *E. F.*, and safely to convey him to the Common Gaol [or House of Correction] of the said \_\_\_\_\_ at \_\_\_\_\_ in the said \_\_\_\_\_, and there to deliver him to the Keeper thereof, together with this Warrant; And I do hereby command you the said Keeper to receive into your Custody in the said Gaol [or House of Correction] him the said *E. F.*, and him therein safely to keep until the said Sum of \_\_\_\_\_ or until the Sum of \_\_\_\_\_, the Residue of the said Duty, Costs, and Charges, shall be fully paid and satisfied. Given under my Hand and Seal this \_\_\_\_\_ Day of \_\_\_\_\_

(Signed)

One of His Majesty's Justices of the Peace for the said \_\_\_\_\_ of \_\_\_\_\_

C A P. XXVL

An Act for the Appointment of convenient Places for the holding of Assizes in Ireland.

[21st August 1835.]

WHEREAS, by a Statute made in the Sixth Year of the Reign of King Richard the Second, it was ordained, that the Justices assigned to take Assizes and deliver the Gaols should hold their Sessions in the principal and chief Towns of every of the Counties where the Shire Courts of the same Counties should be holden; And whereas by a Statute made in the Eleventh Year of the same Reign, reciting so much of the said Statute of the Sixth Year as is herein before recited, and making that the said Statute was in part prejudicial and grievous to the People of divers Counties in England, it was provided that the Chancellor of England for the Time being should have Power thereof to make and provide Remedy, by Advice of the Justices, from Time to Time when Need should be, notwithstanding the said Statute; And whereas the Places at which the Assizes are now held in various Counties of Ireland are inconvenient to the Inhabitants thereof, and it would conduce to the more cheap, speedy, and effectual Administration of Justice to appoint other Places instead thereof for the holding of Assizes; but Doubts may be entertained whether that Object can be fully effected by virtue of the Statutes herein-before referred to: He is therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of each of the said Statutes as relates or may be construed to relate to holding Assizes or Sessions in Ireland shall be and the same is hereby repealed.

It And be it declared and enacted, That the Lord Lieutenant or other Chief Governor or Governors of Ireland, by and with the Advice of the Privy Council of Ireland, shall have Power from Time to Time to order and direct at what Place or Places in any County in Ireland the Assizes and Sessions under the Commissioners of Gaol Delivery, and other Commissioners for the Dispatch of Civil and Criminal Business, shall be holden, and to order and direct such Assizes and Sessions for the Dispatch of Criminal and Civil Business to be holden at more than One Place in the same County, and to order and direct the Assizes and Sessions under such Commissioners for the Dispatch of Criminal and Civil Business to be holden at One or more Place or Places in such County; and further to order and direct any Special Commissioners of Oyer and Terminer and Gaol Delivery to be holden at any One or more Places in any such County.

III. Provided always, and be it enacted, That it shall not be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, and the Privy Council there, to make any Order for changing the Place for holding the Assizes in any County, or for dividing any County, for the Purposes of this

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C. 25.

11 Geo. 2. c. 11.

Revised Statutes in part repealed.

Lord Lieutenant, he may direct at what Place Assizes and Sessions shall be held, &amp;c.;

as also Special Commissioners.

Power for holding Assizes not to be changed, or Counties divided, unless

acted by  
Grand Jury.  
Power to divide  
Counties for the  
Purpose of  
holding Assizes  
in different  
Divisions of the  
same County.

Act, unless a Memorial shall have been presented to him or them by a Majority of the Grand Jury of the Assizes of such County, praying that such Change or Division may be made.

IV. And he enacted, That in case the Lord Lieutenant or other Chief Governor or Governors of Ireland, by and with the Advice of the Privy Council of Ireland, shall think fit to order and direct that the Assizes or any such Special Commissions shall be holden at more than One Place in any One County, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors, by and with the Advice aforesaid, to divide any such County for the Purposes of this Act, and to make Rules and Regulations touching the Venue in all Cases, Civil and Criminal, then pending or thereafter to be pending and to be tried within any Division of such County so to be made as aforesaid; and touching the Liability and Attendance of Jurors, whether Grand Jurors, Special Jurors, or Common Jurors, at the Assizes and Sessions as aforesaid, or at any Sessions under any Special Commissions, to be holden within any such Division; and touching the Use of any House of Correction or Prison as a Common Gaol, and the Government and Keeping thereof; and touching the Alterations of any Commissions, Writs, Precepts, or other Proceedings whatsoever for carrying into effect the Purposes of this Act; and touching any other Matters that may be requisite for carrying into effect the Purposes of this Act; and all such Rules and Regulations shall be of the like Force and Effect as if the same had been made by the Authority of Parliament, and shall be notified in the *Dublin Gazette*, or in such other Manner as the Lord Lieutenant or other Chief Governor or Governors of Ireland, by and with the Advice of the Privy Council of Ireland, shall think fit to direct.

## C A P. XXVII.

An Act to continue and amend certain Regulations for the Linnen and Hempen Manufactures in Ireland. [21st August 1803.]

TA. 5W. 4. 77.

All Flax sold  
or exposed for  
Sale in Fair or  
Market to be of  
equal Cleanness  
and Quality  
throughout,  
Penalty not ex-  
ceeding 10. per  
Stone.

Regulations as  
to reeling and  
counting Linnen  
Yarn when sold  
in Fair or  
Market.

WHEREAS several Acts from Time to Time have passed, containing Regulations for the Linnen and Hempen Manufactures in Ireland, and such Regulations were, by an Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act for the better Regulation of the Linnen and Hempen Manufactures in Ireland*, continued in force until the End of the present Session of Parliament, when the same will expire; and it is expedient that such Regulations should be, with certain Modifications, continued for a Time to be limited: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Common, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act all Flax sold by Sample or otherwise, or exposed for Sale in open Fair or Market, at Ireland, shall be of equal Cleanness and Quality throughout each Parcel, upon pain that any Person selling or exposing for Sale such Flax, or the Owner thereof at the Time of Sale, shall forfeit and pay a Sum not exceeding the Amount of One Shilling for every Stone of Flax so sold or exposed for Sale which shall not be of equal Cleanness and Quality throughout each Parcel.

II. And be it further enacted, That all hroses, or unbleached or unpergared Linnen Yarn sold in open Fair or Market in Ireland shall be well and sufficiently spun and made up into Hanks, such Hank to consist of Twelve Cuts and no more, save and except in the Case of Yarn or Grout of Two Hanks in the Pound, commonly called Pound Yarn or Head Yarn, which last-mentioned Description of Yarn shall be made up in Half Hanks of Six Cuts and no less; and every such Cut shall contain One hundred and twenty Threads, and no more; and every such Hank shall be One Yard and One Quarter in Length, or Two Yards and One Half in Circumference, and no more; and each such Cut in every such Hank shall be separated as the same shall be reeled, and not afterwards; and in reeling such Linnen Yarn no more than One Thread at a Time shall be reeled; and all the Yarn contained in every such Hank shall be of Flax Yarn only, or Tow Yarn only, of the same Colour and Fineness throughout each Hank; and when the Hank or Twelve Cuts are reeled, the same shall be made up in such Manner as to admit of opening thereof at every Part at Ten Inches at least, for the Purpose of spreading on the Bleach Green; and in case any Person or Persons shall sell or expose for Sale in open Fair or Market any Yarn which shall not be conformable to the above Regulations, or which shall be deficient in Quality, Length, or Count, such Person or Persons, or the Owner or Owners of such Yarn at the Time of Sale, shall forfeit a Sum after the Rate of not less than One Penny nor more than Four-pence for every Hank of such Yarn so sold or exposed for Sale as aforesaid; and that in all Cases of Fraud or wilful Default in the Preparation of Linnen Yarn which shall be sold or exposed for Sale in open Fair or Market, the Person or Persons selling or exposing for Sale such Yarn, or the Owner or Owners thereof, shall forfeit a Sum not less than One Penny nor more than Four-pence for every Hank of such Yarn so sold as aforesaid: Provided always, that nothing herein-before contained shall extend or be construed to extend to Mill-spun Yarn, and that no Mill-spun Yarn shall be subject to the Regulations aforesaid.

III. And be it further enacted, That for the Purposes of this Act all Flax or Linnen Yarn which shall be sold or exposed for Sale in the public or usual Market Place of any Fair or Market, between the Hours of Eight of the Clock in the Forenoon and Two of the Clock in the Afternoon of any Fair or Market Day, shall be dressed and taken to be sold or offered for Sale in open Fair or Market, and none other; any Law, Usage, or Custom to the contrary notwithstanding.

Flax and  
Hroses of Sale  
of Linnen Yarn  
and Flax.

IV. And be it further enacted, That across each End of every Piece of Linnen Cloth sold or exposed for Sale in open Fair or Market in England, there shall be woven Two course Threads or Cords, distant from each other about One Fourth Part of an Inch; and there shall be written with Pen and Ink, close to each course Threads or Cords on each End, in legible Characters, the Christian Name, Surname, and Place of Residence of the Weaver or Manufacturer thereof, and there shall be also written or marked upon the Outside Fold of every such Piece of Linnen the Length and Breadth thereof; and in case any Person shall sell or offer for Sale in open Fair or Market any Piece of Linnen wherein such Threads or Cords shall not be so woven, or whereon the Name and Residence of the Weaver or Manufacturer, and the Length and Breadth thereof, shall not be so written, such Person so offending shall, upon Complaint and Proof thereof, forfeit a Sum not exceeding Five Shillings for every such Offence, according to the Judgment and Discretion of the Justice or Chief Magistrate before whom any such Complaint shall be made.

V. And be it further enacted, That no Person shall sell or expose for Sale in open Fair or Market in England any Piece of brown Linnen Cloth being of or exceeding the Set of Twelve hundred, made or intended to be of the Denomination commonly called Yard wide, that shall not be, when brown and before the same shall be bleached, Thirty-seven Inches and a Hair broad or least, and that all Cloth of the Denomination of Yard wide, being under the Set of Twelve hundred, shall be, when brown, Thirty-six Inches broad at least; and that no Person shall sell or expose for Sale in any public Market any Piece of plain Linnen Cloth being of the Denomination commonly called Seven Eighths wide, that shall not be, when brown and before the same shall be bleached, Thirty-two Inches broad at least; and that no Person shall sell or expose for Sale in any public Market any Piece of plain Linnen Cloth being of the Denomination commonly called Three Quarters wide, that shall not be, when brown and before the same shall be bleached, Twenty-eight Inches broad at least; and that no Person shall sell or expose for Sale in any public Market any Piece of plain Linnen Cloth of the Denomination of Nine Eighths wide Sheeting, that shall not be, when brown and before the same shall be bleached, Forty-one Inches broad at least; and that no Person shall sell or expose for Sale in any public Fair or Market any Piece of plain Linnen Cloth of the Denomination of Five Quarters wide Sheeting, that shall not be, when brown and before the same shall be bleached, Forty-five Inches broad at least; and that no Person shall sell or expose for Sale in any public Fair or Market any Piece of plain Linnen Cloth of the Denomination of Six Quarters wide Sheeting, that shall not be, when brown and before the same shall be bleached, Fifty-four Inches broad at least; and that if any Person shall sell or expose for Sale in any Fair or Market any Linnen Cloth or Sheetings of the Denominations above mentioned, which shall not be respectively of the Widths above directed and specified, every such Person shall be subject to a Penalty of not less than Five Shillings nor more than Ten Shillings for each such Piece so sold in open Fair or Market.

VI. And be it further enacted, That every Piece of brown or unbleached Linnen Cloth which shall be exposed to Sale in open Fair or Market shall be so exposed in open Folds, and no ways tied at either End or in the Middle, upon pain that any Person selling or exposing for Sale any such Linnen Cloth contrary to the Directions aforesaid shall forfeit not less than Two Shillings and Sixpence nor more than Five Shillings for every such Piece so sold or exposed for Sale as aforesaid.

VII. And be it further enacted, That no Person shall in open Fair or Market sell or expose for Sale any Piece of brown or unbleached plain Linnen Cloth which shall be thicker or finer in the Selvage than in the Body of such Piece, or which shall not be of equal Fineness and Thickness throughout every Part of the Length and Breadth of such Piece, under a Penalty of a Sum not less than Two Shillings and Sixpence nor more than Twenty Shillings for every such Piece of Linnen so sold or exposed for Sale as aforesaid.

VIII. And be it further enacted, That no Person shall sell or expose for Sale in open Fair or Market any Piece of brown or unbleached Linnen any Part whereof shall have been glazed, pasted, or spouted, after it is woven, or dyed or stained, either in the Yarn or Cloth, with any Material which has a Tendency to render the Part so glazed, pasted, spouted, dyed, or stained more difficult to bleach, or to deceive the Buyer as to Quality, on pain of forfeiting not less than Five Shillings nor more than Twenty Shillings for every such Piece so sold or exposed as aforesaid.

IX. And be it further enacted, That for the Purposes of this Act all Linnen which shall be sold or exposed for Sale within the Custom Gaps or Custom Gates of any Fair or Market, on the respective Fair or Market Days, between the Hours herein-after mentioned, (that is to say,) between Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon from the Twenty-fifth Day of March until the Twenty-fifth Day of September in each Year, and between Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon from the Twenty-fifth Day of September until the Twenty-fifth Day of March in each Year, shall be deemed and taken to be sold or exposed for Sale in open Fair or Market, and upon other any Law, Usage, or Custom to the contrary notwithstanding.

X. And be it further enacted, That it shall and may be lawful for any Justice of the Peace, or the Chief Magistrate of any Town, before whom a Complaint on Oath shall be made against any Person or Persons for selling or offering for Sale at Fair or Market any Flax, Yarn, or Linnen not conformable to the Regulations in this Act contained, or for any Fraud or wilful Default in the Preparation or Manufacture of such Flax, Yarn, or Linnen so sold or offered for Sale, and such Justice or Chief Magistrate in hereby required and empowered, to summon before him Three Persons skilled in Flax, Yarn, or Linnen, as the Case may be, of whom One shall be named by the Party making such Complaint, another by the

Wearer to  
woven Two  
course Threads,  
and write his  
Name and Resi-  
dence on every  
Piece of Linnen,  
with its Length  
and Breadth.

Penalty for  
Neglect.

Widths of  
Linnen Cloth.

Yard wide.

74ths wide.

84ths wide.

94ths wide.

5 Qrs. wide.

6 Qrs. wide.

Penalty.

How Linnen  
Cloth shall be  
exposed to Sale  
in Fair or  
Market.

Linnen to be of  
equal Fineness  
throughout.

Linnen not to be  
glazed or  
spouted.

When shall be  
deemed a Sale  
or Exposure for  
Sale of Linnen in  
Fair or Market.

Proceedings  
before Justice  
or Chief Magis-  
trate upon  
Complaints on  
Oath.

Party against whom such Complaint may be made, and the Third by such Justice or Chief Magistrate; and in default of either Party making such Nomination, such Justice or Chief Magistrate shall nominate a Person on behalf of the Party so making default; and the Three Persons so nominated shall be sworn by such Justice or Chief Magistrate well and truly to examine the Flax, Yarn, or Linnen, as the Case may be, which is the Subject of such Complaint, and a true Verdict to give whether such Complaint be or be not well-founded; and such Verdict shall be conclusive on the Subject of such Complaint; and if such Complaint shall be declared to be ill-founded, then and in such Case the said Three Persons shall award such Compensation as they may deem just to be paid by the Party making such Complaint to the Person or Persons against whom such Complaint may have been made, for his or her or their Trouble and Loss of Time and Expenses occasioned by such ill-founded Complaint; and the Money so awarded shall and may be recovered by all such Means as any Penalty might have been recovered in case the said Complaint had been proved to be well-founded.

XI. And whereas Disputes frequently arise between the Buyer and Seller, in respect of Flax, Yarn, or Cloth sold or agreed to be sold in Fairs or Markets; for Remedy whereof, be it enacted, That if the Buyer of any such Flax, Yarn, and Cloth sold or agreed to be sold in Fair or Market shall without just Cause refuse to pay to the Person selling the same the Price agreed upon between them, or if the Seller shall without just Cause refuse to deliver such Flax, Yarn, or Cloth to the Person buying the same, or shall wilfully neglect to present the same for Payment at the usual Place of Payment of the Buyer within Five Hours after having sold the same, being duly informed of such Place of Payment, it shall be lawful for the Buyer or Seller of the same respectively to complain, at any Time within Twenty-four Hours, to the next Justice of the Peace, or to the Chief Magistrate of any Town where such Dispute shall have arisen; and every such Justice of the Peace or Magistrate is hereby required and authorized forthwith to summon the Parties to appear before such Justice and some other Justice or Chief Magistrate; and if it shall appear to such Justice, or Chief Magistrate and Justice, that the Buyer shall without just and reasonable Cause refuse or have refused to pay the Seller the Price first agreed upon between such Buyer and Seller at such Fair or Market, such Justice of the Peace, or Magistrate and Justice, may, by Warrant under their Hands and Seals respectively, order such Flax, Yarn, or Cloth to be returned to the Seller thereof, and may by such Warrant direct any Penalty not exceeding the Sum of Ten Shillings to be levied off the Goods and Chattels of the Buyer thereof; and if it shall appear to such Justice of the Peace, or to such Chief Magistrate and Justice, that the Seller shall without reasonable Cause refuse or have refused to deliver up such Flax, Yarn, or Cloth to the Person or Persons to whom he had sold or agreed to sell the same, or shall have wilfully neglected to present the same for Payment at the usual Place of Payment of the Buyer within Five Hours after having sold the same, being duly informed of such Place of Payment, such Justice of the Peace, or Chief Magistrate and Justice, may, by Warrant under their Hands and Seals, order the same to be delivered up to the Person who had bought or agreed to buy the same, and may also by such Warrant direct any Penalty not exceeding the Sum of Ten Shillings to be levied off the Goods and Chattels of the Seller.

XII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to or shall affect any Flax, Yarn, or Linnen not sold nor exposed for Sale in open Fair or Market, it being the true Intent and Meaning of this Act that all Persons any manufacture and make up Flax, Yarn, or Linnen in any Manner they may think proper, and sell the same, without being subject to any Regulations, Penalties, or Provisions in this Act contained, unless they sell or expose for Sale the same in open Fair or Market.

XIII. And whereas it is expedient and necessary that fit and proper Persons should be provided to examine, measure, and stamp all brown or mottled Linens sold in public Markets, in all Cases where the Buyers of any such Linens shall require the said Linens to be examined, measured, and stamped by any such Persons, before they pay for the same; and to the end that no Inconvenience should be felt from the Want of any such Persons upon and immediately after the Commencement of this Act, be it enacted, That all Persons who at any Time before the Commencement of this Act have been appointed or authorized to act as Sealmasters of brown Linens under the Provisions of the said recited Act of the Second and Third Years of His present Majesty's Reign, and who shall be acting in that Capacity at the Time of the Commencement of this Act, shall continue to act thereon until the Appointment or Appointment of every such Sealmaster respectively shall be afterwards confirmed or renewed in manner directed by this Act.

XIV. And be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being from Time to Time to nominate and appoint, in any and every County in which the Linnen Manufacture or any Branch thereof is or shall be carried on, Twelve such Persons, residing in such County, or buying or selling Linens therein, as shall appear to be fit and proper Persons, to be a Committee for appointing, directing, and controlling the Inspectors and Brown Linen Sealmasters of such County, conformably to the Regulations, Provisions, and Directions prescribed by this Act, at which Nomination and Appointment public Notice shall be given in the Dublin Gazette, and in some Paper published in every such County respectively; and in case of the Death or Resignation of any Person appointed to be a Member of such Committee, and in case of any Removal made by the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being of any Person from the Station of Member of the said Committee, which Removal the said Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being is and are Printed image deposited by the University of Southampton Library Digitisation Unit hereby

1. A writing  
to be signed  
by the Buyer  
and Seller in  
Fairs and  
Markets.

Flax, Yarn, and  
Linnen not to  
be subject to  
Regulations  
unless sold in  
open Market

Sealmasters of  
brown Linens  
formerly ap-  
pointed to be  
continued.

Lord Lieuten-  
ant to appoint  
a Committee in  
each County for  
regulating  
Sealmasters.

herely empowered to make, it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being as aforesaid to nominate and appoint such other Persons or Persons as he or they shall think fit to be a Member or Members of such Committee in the Room and Stead of the Person or Persons who shall have died or resigned, or who shall have been so removed; and Notice of every such Nomination or Appointment shall be given in the *Dublin Gazette* and in any Newspaper of the County to which such Nomination shall relate.

XV. Provided always, and he it enacted, That the Persons appointed or authorized under the herein-before recited Act of the Second and Third Years of His present Majesty to nominate and appoint Committees in their several Counties for the Purposes of such Act, and who shall be acting in that Capacity at or previous to the Commencement of this Act, shall be and continue, without further Nomination or Appointment, the respective Committees in such Counties for the Purposes of this Act, and shall be deemed and taken to be and so have been appointed hereunder, and shall have Power and Authority accordingly to act in execution of this Act until or unless the Lord Lieutenant or other Chief Governor or Governors shall think fit to supersede such Persons.

XVI. And he it further enacted, That every such Committee, having formed a List of all Persons acting as Sealmasters in the County for which such Committee shall be appointed, shall then proceed to revise the said List, and it shall and may be lawful for every such Committee, or any Five or more of them, upon such Revision, to dismiss any Person from the Situation of Sealmaster whom they shall consider to be unfit for such Situation, and to appoint another in place of the Person so dismissed, and so from Time to Time to dismiss and appoint every such Person as such Committee, or any Five or more of them, shall deem it right to dismiss from or appoint to the Office and Situation of a Sealmaster of brown Linen, having or extending the Number of such Sealmasters according as it shall seem to such Committee to be expedient and necessary; and it shall and may be lawful for every such Committee, or any Five or more of them, to regulate the Duties and Authorities of every Sealmaster to such particular Lanes Market or Markets in their respective Counties, as they shall think proper, and to dismiss any Sealmaster who shall refuse or neglect to obey any such Rules, Regulations, and Directions as such Committee shall lay down for the Government of such Sealmaster; provided that nothing contained in the said Rules, Regulations, and Directions shall be contrary to any of the Provisions of this Act.

XVII. Provided always, and he it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, in his or their Discretion, to order and direct that such Committee as aforesaid shall, within a Time to be specified, make a Report of the Grounds upon which any Dismissal of any Sealmaster may have taken place by or under the Orders of such Committee, and such Report such Committee are hereby required to make accordingly, within such Time as shall be specified for that Purpose; and it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being to direct that the Matter of such Report shall be inquired into by any Person or Persons to be named and appointed for that Purpose by such Lord Lieutenant or other Chief Governor or Governors of Ireland; and according to the Result of such Inquiry, or in case no Report shall be made by such Committee within the Time so specified, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, either to confirm such Dismissal or to revoke the same, and to direct that the Person so dismissed shall be restored in his Situation of Sealmaster.

XVIII. And he it further enacted, That every Person who shall at or previous to the Commencement of this Act be acting as a Sealmaster in any County, and desirous of continuing so to do, shall within Twenty Days after the passing hereof, enter, with Two sufficient Sureties, into such Security as hereinafter mentioned; and that every Person who shall be at any Time after the passing of this Act appointed a Sealmaster shall, before doing any Act by virtue of such Appointment, enter, with Two sufficient Sureties, into such Security as hereinafter mentioned; (that is to say,) a Security by Writing Obligatory to our Sovereign Lord the King in such penal Sum or Sums as shall be directed by the Committee for the County wherein such Sealmaster shall act, such Writing Obligatory to be in such Form of Words as Obligations to the King's Majesty use and to be made, for the Performance of the Conditions therein written; and the Committee for each County shall have Power and Authority to take and cause such Writing Obligatory to be made and entered into, and all Obligations so made shall be good and effectual in Law to all Intents and Purposes as any Obligation made to our Sovereign Lord hath heretofore been or may be adjudged or taken to be; and the Condition of every such Security shall be, that the Person so appointed a Sealmaster shall duly and diligently execute his Office according to the Regulations of this Act; and that such Sealmaster, his Executors or Administrators, shall duly and without Delay pay all such Fines as shall be imposed on him from Time to Time by any Justice or Chief Magistrate, and all such Damages as may be awarded against him in any Suit or Proceeding under this Act; and that in case of the Death of any of his Sureties, such Sealmaster will, within One Month after such Death shall have cause to his Knowledge, procure another sufficient Person to enter into a like Security; and that such Sealmaster, his Executors or Administrators, will surrender and give up his Seal or Stamp when thereunto required by such Committee, or any Five or more of them; and that he will not at any Time lose, give out, or sell his Stamp or Seal, or suffer the same to be used by any Person but himself, or his known Servant or Assistant at his usual Place of Residence: Provided always, that no such Writing Obligatory to be made or entered into as aforesaid by any Person who shall at the Commencement of this Act (but see otherwise) be acting as a Sealmaster in any County, and who shall

Committee appointed under 5<sup>o</sup> & 6<sup>o</sup> VI. to nominate and appoint committees.

Committee may remove Sealmasters and appoint others.

Lord Lieutenant may direct the Committee to report the Grounds upon which they have dismissed any Sealmaster, and cause such Report to be inquired into, and order or revoke such Dismissal.

Sealmaster shall give Security.



be detested of continuing so to do, shall be subject to any Stamp Duty whatsoever imposed by any Act or Act now in force, or to be imposed by any future Act or Acts, unless the same be specially subjected thereto in and by such future Act or Acts.

Committee to  
prevent Seals to  
be used by  
Sealmasters.

Forging Seals.

XIX. And be it further enacted, That it shall and may be lawful for every such Committee, or any Five or more of them, to choose and prescribe the Form and Device of the Seal or Seals to be used by the Sealmaster of their respective County, and to alter the same as often as such Committee shall think fit; and if any Person shall forge or counterfeit any Seal or Stamp of any Sealmaster appointed or to be appointed by such Committee, or any Five or more of them, to any Piece or Part of a Piece of brown Linen, such Person, being thereof lawfully convicted, shall be imprisoned, with or without hard Labour, for any Period not exceeding One Year, or the Discretion of the Judge or Judges who shall try such Offence.

Regulation of  
Sealmasters.

XX. And be it further enacted, That every Sealmaster of brown Linen, except such as are or shall be appointed to particular Markets, shall reside within the Parish mentioned in his Seal; and that One of the Persons who shall enter into Security for him as aforesaid shall be resident within the same Parish, or in or within One Mile of the next Market Town thereto within the same County; and that a Sealmaster appointed for any particular Market shall be at liberty to use his Seal or Stamp in respect to all Lanes prepared for Sale in such Market, without reference to his Place of Residence.

Device of Seal  
masters.

XXI. And be it further enacted, That every Sealmaster of brown or unbleached Linen, appointed as aforesaid, shall carefully sew, examine, and measure every Piece of such Linen which shall be produced and offered to him to be sealed; and if the same shall appear to him to be merchantable, and to be conformable to the Directions in this Act contained, then, and not otherwise, such Sealmaster shall affix or cause to be affixed a fair Impression of such Seal as shall be appointed for him by the said Committee, with Lump Black, or Vermilion, or Stone Blue, and Star or common Oil, on the Middle of such Fold, at no more than Three Inches from the End of such Piece, and shall likewise mark or cause to be marked with such Ingredients as aforesaid, on the Back or Outside of every such Piece, the Length of such Piece, and the Number of Inches it contains in Breadth, and also the Half Inch if the same shall be in Breadth Half an Inch more than any Number of Inches (without regard to any lesser Fractions of an Inch), together with the Name of such Sealmaster, and the Parish and County where he resides, or the Name of the Market Town for which he may be appointed to act; and if any Part of such Piece shall be damaged or faulty, but not so damaged or faulty as to render the same unmerchantable, every such damaged or faulty Part shall be fairly exposed in the Lap or Bosom of such Piece, as so that the same may be easily seen; and opposite to such damaged or faulty Part, upon the Bosom of every such Piece, such Sealmaster shall affix or cause to be affixed an Impression of his Seal, with such Ingredients as aforesaid, to denote such damaged or faulty Part; and such Sealmaster shall and may demand and take the Sum of One Penny, and no more, for every Piece of brown or unbleached Linen containing Twenty-five Yards or under which shall be by him sealed as aforesaid, and as is proportion for a greater Quantity, and if any such Sealmaster shall offend by neglecting or transgressing any One of the Regulations aforesaid, every such Sealmaster shall forfeit a Sum not less than Five Shillings nor exceeding Twenty Shillings for every such Offence.

Their Fees.

Penalty for  
Neglect.

No Person to  
sell or buy any  
unbleached Linen  
not sealed.

XXII. And be it further enacted, That no Person shall in open Fair or Market in Ireland sell or expose to Sale, buy or agree to buy, any Pieces of brown or unbleached Linen which shall not, at the Time of selling or exposing the same to Sale, be sealed and marked as required by this Act, upon pain of forfeiting the Sum of Five Shillings for every Piece of Linen so sold or exposed to Sale.

Sealmasters to  
measure Bayes  
and Yards.

XXIII. And be it further enacted, That all brown Linen shall be measured between Seal and Seal, and had and sufficient Ends shall not be taken into the Length thereof; and such Linen shall be bought and sold by no other Measure than the Statute Yard containing Thirty-two Inches; and no extraordinary Measure or Allowance, except the Breadth of a Thread, as is now generally practised, to every Yard in the measuring thereof, shall be made therein by the Seller to the Buyer, or required or accepted of or taken by the Buyer from the Seller, upon pain that every Person buying or selling any such Linen contrary to the true Intent and Meaning of this Act shall forfeit not less than Two Shillings and Sixpence nor more than Five Shillings for every such Offence.

Buyers may  
recover from  
Sealmasters for  
Damage or  
Deficiency in  
Linen.

XXIV. And be it further enacted, That if any Person shall sustain any Loss or Damage in the buying any Piece of brown or unbleached Linen, by any damaged Part being concealed in the Folds thereof, or by its not answering the Measure as to the Length or Breadth contained thereon by any Sealmaster, it shall and may be lawful to and for such Person to sue for and recover from the Sealmaster of such Piece, or the Person who shall at the Time of such selling be bound as Security for his faithful Discharge of the Office of Sealmaster, the full Value of the Loss or Damage so sustained.

Committee shall  
appoint  
Inspectors.

XXV. And be it further enacted, That it shall and may be lawful for the Committees aforesaid, or any Five of their Body, to appoint Inspectors for such brown Linen and Linnen Yarn and Flax Markets within each of their said Counties as may appear to such Committees necessary for the better Regulation of such brown Linen, Linnen Yarn, and Flax Markets within such Counties; and that it shall and may be lawful for such Committees at any Time to dismiss or discontinue such Inspectors, and to appoint others in their Places; provided that it shall not be lawful for such Committees to impose any Fine, Charge, or Impost whatsoever for the Reimbursement or Encouragement of such Inspectors.

Duty of In-  
spectors.

XXVI. And be it further enacted, That every such Inspector so appointed shall have full Power and Authority to inspect and examine all brown Linen, Linnen Yarn, or Flax exposed for Sale in any public Market, or Fair to which he shall have been appointed as aforesaid; and he is hereby authorized and required

to seize any Linnen Yarn, or Flax so sold or exposed for Sale in public Fair or Market not conformable to the Regulations prescribed in this Act; and such Inspector shall forthwith carry such Linnen Yarn, or Flax before the next Justice of the Peace or other Chief Magistrate within their respective Jurisdictions to be dealt with according to Law; and in case a Justice of the Peace or other Magistrate cannot be forthwith found, then such Inspector may detain such Linnen Yarn, or Flax so seized, if necessary, for Forty-eight Hours, but so long, to be dealt with as aforesaid; and such Inspector shall, as often as he may be called on by the Comptroller of the County for which he shall act, return a Dory or Journal of his Proceedings, and a true Account of all Linnen Yarn, and Flax by him seized or informed against, and also a true Account of the Fees imposed and levied or paid on such Linnen Yarn, or Flax, and also pay the Amount of the said Fees received by him to such Comptroller, when required so to do.

XXVII. And be it further enacted, That if any Person entrusted with any Linnen Yarn, Hempen Yarn, Cotton Yarn, or any One or more of those Materials mixed with each other, or any Tools, Materials, or Apparatus for manufacturing the same, shall fraudulently sell, pawn, or embeddable such Linnen Yarn, Hempen Yarn, Cotton Yarn, or each or any of them respectively, or such Tools, Materials, or Apparatus, every such Offender, and the Receiver of any such Article knowing the same to be or have been so fraudulently sold, pawned, or embeddable, shall forfeit Three Times the Value of the same.

XXVIII. And be it further enacted, That every Weaver shall well and skilfully weave all sound and sufficient Linnen Yarn and Cotton Yarn and Hempen Yarn to him delivered to be woven, within such Time, and in such Roads, and into Cloth of such Breadths, as shall be agreed upon between the Owner or Owners of such Yarn and such Weaver, upon pain of forfeiting the full Value of such Yarn, or the full Price agreed upon for weaving the same.

XXIX. And be it further enacted, That if any Person or Persons who shall be entrusted with any Linnen or Cotton Yarn or Hempen Yarn, or Materials or Tools or Apparatus for manufacturing the same, shall refuse or neglect to return such Yarn, Materials, Tools, or Apparatus within Fourteen Days after the same shall have been demanded by or in behalf of the Owner thereof, with Neglect or Refusal shall be deemed and taken as embeddable under this Act.

XXX. And be it further enacted, That in case any Manufacturer shall make Oath before a Justice of the Peace that he has entrusted any Linnen Yarn, Hempen or Cotton Yarn, or the Materials, Tools, or Apparatus for manufacturing the same, to any Person or Persons, and that he has just Cause to suspect and does suspect that such Person is about to abscond with the same, then such Justice shall have Power and Authority, at his Discretion, to issue his Warrant requiring such Person or Persons to restore the Article or Thing entrusted to him or them, and in default thereof to apprehend such Person or Persons, and bring him or them before him, or some other Justice of the Peace for the same County; and unless such Person or Persons shall give Security for the Return of the Article or Thing so entrusted to him or them within a Time then mentioned, such Justice shall, by Warrant, order any Constable to enter the House of such Person or Persons, and give Possession of such Article or Thing to the Owner thereof, such Owner making such reasonable Compensation for any Labour expended therein or thereupon as to such Justice shall seem proper.

XXXI. And be it further enacted, That in all Cases where by the Provisions of this Act any Oath or Affidavit is authorized or required to be taken, the solemn Affirmation of any Person being a Quaker or Moravian shall be sufficient in the Place of such Oath or Affidavit; and every Person who shall knowingly swear or affirm any thing false in any such Oath or Affirmation shall be deemed and taken to be guilty of Perjury, and being lawfully convicted thereof, suffer such Punishment as Persons convicted of wilful and corrupt Perjury are by the Laws in force as aforesaid subject to.

XXXII. And be it further enacted, That all Complainants which shall be made of any Offence or Offences committed against any of the Regulations or Directives contained in this Act, the Penalty or Forfeiture in respect whereof shall not exceed in Amount or Value the Sum of Five Pounds, shall and may be heard by any One Justice of the Peace acting within his Jurisdiction, or by the Chief Magistrate of any Town presiding in his Court in such Town, and for that Purpose such Justice or Magistrate shall and may examine any Person or Persons upon Oath; and in default of the Payment of any such Penalty or Sum of Money as shall be awarded by any such Justice or Chief Magistrate by virtue of this Act upon the hearing of any such Complaint, it shall and may be lawful for such Justice or Chief Magistrate to levy the same, by Warrant of Distress under his Hand and Seal, on and of the Goods and Chattels of the Person liable to the Payment of such Penalty or Sum of Money, rendering the Overplus, if any, after Payment of the Costs and Expenses of such Distress, to such Person; and in case no sufficient Distress shall be found, then to commit such Person to Goal or to the House of Correction for any Period not exceeding One Calendar Month, unless such Penalty or Sum of Money shall be sooner paid.

XXXIII. And be it further enacted, That in all Cases where any Sealsman shall be complained against for having committed any Offence under this Act, if such Sealsman shall reside more than Five Miles distant from the Place in which such Complaint shall be made, it shall be sufficient if the Summons issued against him to answer such Complaint be proved on Oath to be put into the Post Office of the Town in which such Complaint has been so made, and addressed to such Sealsman by his Name, Residence, and Occupation; provided such Summons be so put in the Post Office of such Town aforesaid Four Days previous to the Day appointed for the hearing of such Complaint.

Persons entrusted with Linnen Yarn, &c. shall forfeit Three Times the Value of the same.

Weavers to fulfil their Agreements on pain of forfeiting Value of Yarn.

Neglect to return Yarn, &c. deemed as embeddable.

Manufacturers making Complaint on Oath. Justices may enter Search, and restore Possession.

Affirmation of Quaker or Moravian to be taken in lieu of Oath. Perjury.

Complaints where Penalty does not exceed 10<sup>l</sup> may be heard before a Justice or a Chief Magistrate of a Town.

Proceedings upon Complaint against Sealsman.

Offence to be  
tried where the  
Crime is usual.

XXXIV. And be it further enacted, That if any Sealerster of any One County shall commit any Offence punishable by this Act, and the Piece of Linnen in respect whereof such Offence shall have been committed be sold or exposed for Sale and soaped in another County, the Complainant made against such Sealerster shall be heard before and determined by, and the Penalty levied under the Warrant of any Justice of the Peace of the County in which such Piece of Linnen shall be sold, offered for Sale, or soaped, as if the Default or Neglect of such Sealerster in respect of such Piece of Linnen had been committed in the County in which such Piece of Linnen was soaped.

Application of  
Penalties.

XXXV. And be it further enacted, That any Penalty which shall be awarded and levied by any Justice of the Peace or Chief Magistrate, in pursuance of the Provisions of this Act, shall and may be directed by such Justice or Chief Magistrate to be applied in manner following, (that is to say,) in every Case where the Person preferring the Complaint shall appear to have suffered any Damage, Costs, Loss of Time, or other Injury in the Matter being the Subject of Complaint, any such Penalty shall and may be paid to such Person; or if no Damage, Costs, Loss of Time, or other Injury shall appear to have been sustained by such Person, then such Penalty shall be paid to the Committee appointed in manner herein before directed in the County in which the Complaint originated, to be applied by such Committee towards forming a Fund for defraying any Expenses in executing the Duties assigned to them by this Act; or it shall and may be lawful for such Justice or Chief Magistrate to direct any Portion of any such Penalty so levied to be paid to the Party aggrieved, and the remaining Portion of such Penalty to be paid to such Committee.

Penalty ex-  
ceeding 10. An  
assessable  
before Justices  
Barristers.

XXXVI. And be it further enacted, That all Penalties and Forfeitures incurred under any Clause or Article in this Act, exceeding 10 Shillings or Value Five Pounds, and not exceeding 100 Shillings or Value Twenty Pounds, shall and may be sued for and recovered, by any Person who will sue for the same, by Civil Bill before the Assizes or Barister of the County in which the Penalty or Forfeiture shall have been incurred; and that all such Penalties and Forfeitures exceeding 100 Shillings or Value Twenty Pounds shall and may be sued for and recovered, by any Person who will sue for the same, by Suit or Action at Law, or by Bill, Plea, or Information in any of His Majesty's Courts of King's Bench, Common Pleas, or Exchequer in England, whereas in Scotland, Protection, nor Wager of Law, nor more than One Imparliament, shall be allowed; and that in all such Actions, Suits, or Prosecutions which shall be brought or prosecuted for Recovery of such Penalties or Forfeitures, the Venue shall be laid in the County or in the County of the City or the County of the Town wherein such Forfeitures or Penalties were incurred, and in some other.

Exceeding 100.  
by Action, &c.  
in Superior  
Courts.

Venue in Coun-  
ty, &c. where the  
offence occurred.

Defendant may  
plead the Gene-  
ral Issue.

XXXVII. And be it further enacted, That if any Action or Suit shall be commenced or brought against any Person for doing or causing to be done any Act, Matter, or Thing in pursuance of this Act, the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence; and if upon such Action or in such Suit Judgment shall be given for the Defendant or Defendants, or the Plaintiff or Plaintiffs therein shall become Necessit, or discontinu his, her, or their Action or Suit, the Defendant or Defendants therein shall have Double Costs.

Commence-  
ment of Act.

XXXVIII. And be it further enacted, That this Act shall commence and take effect, &c. &c. after the End of this present Session of Parliament, and shall continue and be in force for Two Years, and from thence to the End of the then next Session of Parliament.

#### C A P. XXVIII.

An Act for removing Doubts as to the Declaration to be made and Oaths to be taken by Persons appointed to the Office of Sheriff of any City or Town being a County of itself.

[21st August 1835.]

5 G. 4. c. 12.

WHEREAS by an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, entitled *An Act for requiring in such several Acts as impose the Necessity of receiving the Oath of the Lord's Supper as a Qualification to certain Offices and Employments*, it is enacted that every Person who should thereafter be placed, elected, or chosen in or to the Office of Mayor, Alderman, Recorder, Bailiff, Town Clerk, or Common Councilman, or in or to any Office of Magistracy, or of Peace, Trust, or Employment relating to the Government of any City, Corporation, Borough, or Cinque Port within England and Wales, or the Town of Berwick-upon-Tweed, should, within One Calendar Month next before or upon his Admission into any of the aforesaid Offices or Trusts, make and subscribe the Declaration therein mentioned; and it is thereby further enacted, that if any Person placed, elected, or chosen into any of the aforesaid Offices or Places should omit or neglect to make and subscribe the said Declaration in manner therein mentioned, such placing, Election, or Choice should be void, and that it should not be lawful for such Person to do any Act in the Execution of the Office or Place into which he should be so chosen, elected, or placed; And whereas Doubts have been entertained whether the aforesaid Provisions may be held to extend to Persons elected or chosen to the Office of Sheriff of any City or Town being a County of itself; and it is expedient that such Doubts should be removed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person who has already been or who shall hereafter be elected or chosen to the Office of Sheriff of any City or Town being a County of itself shall by reason thereof be liable to make or subscribe the aforesaid Declaration within

No Person who  
is a Sheriff, &c.  
liable to make  
the Declaration  
in recited Act.

One Calendar Month next before or upon his Admission to the said Office: Provided always, that every Person so elected or chosen to the said Office of Sheriff shall take, make, and subscribe, within the Time required by Law, all Oaths and Declarations which Sheriffs of Counties are bound to take, make, and subscribe.

## C A P. XXIX.

An Act for investing in Government Securities a Portion of the Cash lying unemployed in the Bank of England belonging to Bankrupt Estates, and applying the Interest thereon in discharge of the Expenses of the Court of Bankruptcy, and for the Relief of the Debtors in the said Court; and for removing Doubts as to the Extent of the Powers of the Court of Review and of the Subdivision Courts. [21st August 1835.]

WHEREAS by an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to establish a Court in Bankruptcy*, it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, to establish a Court of Judicature, which should be called "The Court of Bankruptcy;" and to appoint Judges, Commissioners, and other Officers of the said Court; and that it should be lawful for the Lord Chancellor to choose Official Assignees to act in all Bankruptcies prosecuted in the said Court, and to collect the Effects of Bankrupts, and to pay the Proceeds thereof into the Bank of England to the Credit of the Accountant General of the High Court of Chancery, subject to the Order of the Lord High Chancellor, or the said Fees and Sums of Money thereof, as therein mentioned; and it was further enacted, that certain Fees and Sums of Money specified in the said Act should be received by the Lord Chancellor's Secretary of Bankrupts, and paid by him into the Bank of England, to the Credit of the said Accountant General, to an Account to be intituled "The Secretary of Bankrupts Account," and that there should be paid out of the Monies standing to that Account certain yearly Sums specified in the said Act as and for Salaries to the Judges and other Officers of the said Court for the Time being, and it was further enacted by the said Act, that certain Annuities, the Amount thereof to be ascertained and certified as in the said Act is mentioned, should be respectively paid to the Persons for the Execution of the Laws and Statutes concerning Bankrupts, to certain Persons then acting as Commissioners of Bankrupts in London, and to certain Officers of the Lord Chancellor and of the High Court of Chancery mentioned in the said Act, in lieu of and as Compensation for certain Fees and Emoluments accustomed to be received by them, and which would by the Provisions of the said Act be wholly discontinued and abolished, out of the Monies and Securities standing to an Account to be opened by the said Accountant General, to be intituled "The Secretary of Bankrupts Compensation Account;" and that certain Fees and Sums of Money specified by the said Act should be paid by the said Official Assignees into the Bank of England to the Credit of the said Accountant General, to be carried to the said Account respectively. And whereas His Majesty did, by virtue and in pursuance of the said Act, establish the said Court of Bankruptcy, and did appoint Judges and Commissioners and Registrars and Deputy Registrars of the said Court. And whereas Official Assignees have been chosen by the Lord Chancellor to act in Bankruptcies as aforesaid: And whereas the Amount of certain Annuities have been duly ascertained and certified, in pursuance of the said Act, to be due and payable to the Persons therein mentioned, in lieu of the Fees and Emoluments aforesaid. And whereas an Account has been opened in the Bank of England by the said Accountant General, intituled "The Secretary of Bankrupts Account," and another Account has been opened in the Bank of England by the said Accountant General, intituled "The Secretary of Bankrupts Compensation Account:" And whereas the said Official Assignees have paid into the Bank of England in the Name of the said Accountant General divers large Sums of Money, which have been placed to the Credit of the several Bankrupt Estates: And whereas there now is and has been for a long Time a very large Sum of Money belonging to Bankrupt Estates, or to Debtors in Matters of Bankruptcy standing in the Name of the said Accountant General, which lies dead and unemployed in the said Bank of England: And whereas it was necessary for the said Accountant General to appoint certain Persons to act as Clerks in the Performance and Execution of the Duties imposed upon him by the said Act; but no Provision is made by the said Act for the Salaries of the said Clerks and the other Expenses necessarily incident to the Performance of the said Duties, other than out of certain Fees directed to be paid to the Chief Registrar of the said Court: And whereas the Business arising from the Duties imposed upon the said Accountant General by the said Act is gradually increasing, and the present Establishment of Clerks is likely to become inadequate to transact the same with that Accuracy and Dispatch which is necessary for the Public Service: And whereas the Payment of the Fees authorized by the said Act, or a Part thereof, will become unnecessary, and the same may be discontinued if another Fund is provided for the Payments now made out of the said Fees by the Authority of the said Act: So it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of the Cash belonging to the Estates of Bankrupts, or to Debtors in Matters of Bankruptcy, that now lies or shall hereafter lie dead and unemployed on Scrutiny in the Bank of England, in the Name of the said Accountant General, or of the Accountant in Bankruptcy hereafter mentioned, any Sum or Sums not exceeding in the whole the Sum of Three hundred thousand Pounds shall and may, by virtue of any Order or Orders of the Lord High Chancellor

1835 W. 4. c. 28.

Part of the Money in the Bank belonging to Bankrupt Estates to be carried to an

Account to be  
called "The  
Bankruptcy  
Fund Account."

to be made for that Purpose, from Time to Time be placed out in One entire Sum or in Parcels, in the Name of the said Accountant General or of the said Accountant in Bankruptcy, after the Appointment of the said last-mentioned Accountant, on such Government or Parliamentary Securities as is and by such Order or Orders shall be directed; and such Securities shall be carried to an Account to be intitled "The Bankruptcy Fund Account," subject to such Rules and Orders as the Lord High Chancellor shall think fit to prescribe for the Purposes herein mentioned.

Sum advanced  
to Credit of  
Bankruptcy  
Commissioner  
Account to be  
repaid by Order  
of Lord Chan-  
cellor.

II. And whereas the Monies and Securities standing to the Credit of the said Account, intitled "The Secretary of Bankrupts Compensation Account," were in the Month of August One thousand eight hundred and thirty-four found inadequate to meet the several Payments then due and payable thereout, and the Sum of Two thousand four hundred Pounds was, on Application to the Lords Commissioners of His Majesty's Treasury, then advanced and paid by them, through the Lord Chancellor's Secretary of Bankrupts, into the Bank of England to the Credit of the said Account, for the Purpose of enabling the several Payments then due to be paid and discharged to the Parties entitled thereto; but no Power or Authority exists under the Provisions of the said first-mentioned Act, or otherwise, for the Repayment of such Sum out of the Monies and Securities standing to the Credit of the said Account; be it therefore enacted, That it shall be lawful for the Lord High Chancellor to order that the said Sum of Two thousand four hundred Pounds so advanced and paid by the Lords Commissioners of His Majesty's Treasury to the Credit of the said Account, intitled "The Secretary of Bankrupts Compensation Account," shall be repaid out of the Monies and Securities which now are or hereafter may be standing to the Credit of such Account, and the same shall be repayable and repaid accordingly, and until so repaid be considered a Charge on such Account; any thing in the said first-mentioned or other Act or Acts contained to the contrary notwithstanding.

Lord Chan-  
cellor to appoint  
Accountant in  
Bankruptcy.

III. And whereas from the increased Amount of the Funds belonging to Bankrupts Estates, and the large Number of Accounts to which such Funds belong, and which are daily augmenting, it appears that such Funds and such Accounts cannot be properly protected and managed by the said Accountant General of the High Court of Chancery, and it is expedient therefore that an Officer experienced in and conversant with the Mode of keeping Accounts, to be called "The Accountant in Bankruptcy," shall be forthwith appointed to superintend and control the Care and Management of the said Funds; be it therefore enacted, That it shall be lawful for the Lord High Chancellor for the Time being to nominate from Time to Time as Occasion may require some fit and proper Person to be the Accountant in Bankruptcy; which Officer so to be appointed shall hold his Office during good Behaviour, notwithstanding the Demise of His Majesty, or any of His Heirs or Successors: Provided always, that it shall be lawful for the Lord High Chancellor by any Order to remove any such Officer for some sufficient Reason to be in such Order expressed.

Bankrupt  
Estate to be  
incorporated into  
the Name of the  
Accountant in  
Bankruptcy.

IV. And be it further enacted, That at any Time after the Appointment of the said Accountant in Bankruptcy it shall and may be lawful for the Lord High Chancellor, by any general or other Order or Orders, to direct that the Whole or any Part of the Cash, Funds, or Securities belonging to Bankrupts Estates or to Bailors in Matters of Bankruptcy, and then standing in the Name or to the Credit of the said Accountant General of the High Court of Chancery at the Bank of England, to the Credit of any Bankrupt's Estate, or of any Assignee or Assignees of such Estate, or in the Matter of any Bankruptcy, be forthwith paid and transferred into the Name and to the Credit of the said Accountant in Bankruptcy; and all such Payments or Transfers as now are or heretofore have been made into the Bank in the Name or to the Credit of the Accountant General of the High Court of Chancery in Matters of Bankruptcy shall, from and after the Appointment of the said Accountant in Bankruptcy, be made in the Name or to the Credit of the said Accountant in Bankruptcy; and all Cash, Funds, or Securities to be so paid or transferred as aforesaid shall be subject to such and the like Provisions, Regulations, Rules, and Orders as the same now or would have been subject to if paid or transferred in the Name or to the Credit of the said Accountant General of the Court of Chancery, except as the same may be altered by this Act, or any Rule or Order to be made by the Lord High Chancellor in respect of the same.

So much of  
P. 4 c. 16. as  
directs the  
Wing of the  
Creditors, and  
the Investment  
&c. of undivided  
Dividends,  
repealed.

V. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to amend the Laws relating to Bankrupts*, it is amongst other Things enacted, that the Assignees shall file a Certificate in the Office of the Lord Chancellor's Secretary of Bankrupts, containing an Account of the Names of Creditors to whom undivided Dividends are due, and of the Amount of such Dividends; and Power is thereby given for the Investment of such Dividends; and after the Expiration of Three Years this Lord Chancellor is empowered to order the same to be divided amongst and paid to the other Creditors in manner therein mentioned; be it enacted, That so much of the said Act as directs the filing of the said Certificate, and the Investment, Division, and Payment of such undivided Dividends, be and the same is hereby repealed.

Undivided  
Dividends to be  
paid into the  
Bank to the  
Credit of the  
Accountant Gene-  
ral, or, when  
appointed, to the  
Accountant  
in Bankruptcy.

VI. And be it further enacted, That all Dividends successively aforesaid mentioned, and also any undivided Surplus of a Bankrupt's Estate, over and above the Amount finally directed to be divided amongst the Creditors of any Bankrupt, shall be paid into the Bank of England to the Credit of the Accountant General of the High Court of Chancery, or of the Accountant in Bankruptcy, when such last-mentioned Officer shall have been appointed, to be carried to an Account to be intitled "The Undivided Dividend Account," subject to the Order of the Lord High Chancellor, or of the Court of Exchequer in Bankruptcy, or of any Commissioner of the said Court, for the Payment thereof of any Dividend or Dividends due to any Creditor or Creditors, and subject also to the Order of the Lord  
Printed image digitized by the University of Southampton Library Digitisation Unit Chancellor

Chancellor for the laying out and Investment thereof in the Purchase of Government or Parliamentary Securities, which Securities shall be earned to the before-mentioned Account to be intitled "The Bankruptcy Fund Account," and shall be subject to such Rules and Regulations as the said Lord Chancellor shall direct: Provided always, that any Order of any Commissioner for Payment of any Dividend, under the Provisions aforesaid, shall be subject to Appeal to the said Court of Review.

VII. And be it further enacted, That if any Assignee under any Commission of Bankrupt or Part in Bankruptcy now issued or hereafter to be issued shall have, either in his own Hands, or at any Bankers, or otherwise subject to his Order or Disposition, or shall know that there is or are in the Hands or subject to the Order and Disposition of himself and any Co-assignee or Co-assignees, or of any or either of them, any unclaimed Dividend or Dividends amounting in the whole to the Sum of Twenty Pounds, or any such undivided Surplus as aforesaid amounting to the Sum of Twenty Pounds, such Assignee shall, as to any such now existing unclaimed Dividend or Dividends, within One Year after the passing of this Act, and as to any future Dividend or Dividends within Three Calendar Months next after the Expiration of One Year from the Time of the Declaration and Order of Payment of such future Dividend or Dividends, either pay the same to the Creditor or Creditors or other the Person or Persons entitled to the same respectively, or cause a Certificate thereof respectively to be filed in the Office of the Lord Chancellor's Secretary of Bankrupts, containing a full and true Account of the Name or Names of the Creditor or Creditors to whom such unclaimed Dividend or Dividends is or are respectively due, and of the Amount of such Dividend or Dividends respectively, and shall in like Manner, as to any such now existing undivided Surplus as aforesaid, within One Year after the passing of this Act, and as to any such future undivided Surplus as aforesaid within Three Calendar Months next after the Expiration of One Year after the final Declaration of Dividends, cause a Certificate stating the full and true Amount of such Surplus to be filed in the Office of the said Secretary of Bankrupts; and every Certificate to be filed as aforesaid shall be signed by the Assignee or Assignees filing the same; and every Assignee who shall, according to the Provisions of this Act, be bound to file such Certificate as aforesaid, and who shall make default in filing the same, shall be charged, in Account with the Estate of the Bankrupt, with Interest upon the Amount of such unclaimed Dividend or Dividends or undivided Surplus as aforesaid, to be computed from the Time at which such Certificate is hereby required to be filed, at the Rate of Five Pounds per Centum per Annum, for such Time as he shall therewith, either solely or together with any Co-assignee or Co-assignees, or other Person or Persons, retain such Dividend or Dividends or undivided Surplus, as the Case may be, and also with such further Sum as the Lord Chancellor or the Court of Review shall direct, not exceeding to the whole at the Rate of Twenty Pounds per Centum per Annum, to be computed from the Time aforesaid; and every Assignee shall, within One Year next after the filing of any such Certificate as aforesaid, pay or cause to be paid into the Bank of England to the Name of the Accountant General of the High Court of Chancery, or of the Accountant to Bankruptcy, when such last-mentioned Officer shall have been appointed, to be carried to the said Account to be intitled "The Unclaimed Dividend Account," the full Amount of the unclaimed Dividends mentioned in such Certificate, or so much thereof as shall not have been then paid to the Creditor or Creditors or other Person or Persons entitled thereto, and also the full Amount of such undivided Surplus as aforesaid; and if any Assignee shall make default in such Payment it shall be lawful for the Lord Chancellor or the said Court of Review, or Petition or otherwise, to order that such Sum or Sums be forthwith paid into the Bank of England in manner aforesaid, together with such further Sum to be charged on such Assignee or Assignees, or other Party or Parties personally, as to the said Lord Chancellor or to the said Court may seem fit, not exceeding at and after the Rate of Twenty Pounds per Centum per Annum on the Sum or Sums so withheld, to be computed from the filing of such Certificate up to the Time of Payment of such Sum or Sums, and also to make such further Order as to Costs as the Justice of the Case shall seem to require: Provided always, that no such Certificate as aforesaid of any unclaimed Dividend or Dividends shall be filed until the Expiration of One Year after the Declaration and Order for Payment of such Dividend or Dividends.

VIII. And be it further enacted, That the said Accountant General in Chancery or the said Accountant in Bankruptcy, as the Case may be, shall, on the Application of any Assignee or Assignees, give to him or them a Certificate or Certificates stating the Amount of any Sum or Sums of Money which he or they may be desirous of paying into the Bank of England under the Provisions aforesaid; and on the Production of such last-mentioned Certificate or Certificates the Governor and Company of the Bank of England shall receive the Sum or Sums therein mentioned, and give a Receipt or Receipts for the same, and shall forthwith carry the same to the Credit of the said Accountant General or the Accountant in Bankruptcy, as the Case may be, to the said Account intitled "The Unclaimed Dividend Account;" and every such Certificate and Receipt shall be given without Fee or Reward.

IX. And be it further enacted, That the Interest and Dividends of all the Securities to be purchased under the Authority of this Act shall from Time to Time be received by the Governor and Company of the Bank of England, and be carried to an Account to be intitled "Interest arising from the Bankruptcy Fund Account," to the Credit of the Accountant General in Chancery or the Accountant in Bankruptcy, as the Circumstances may require.

X. And be it further enacted, That out of the Interest and Dividends of the Government or Parliamentary Securities to be purchased under the Authority of this Act, and out of the Interest and Dividends of any Government or Parliamentary Securities to be hereafter purchased and placed to the said Account to be intitled "The Bankruptcy Fund Account," there shall be paid by the Governor

How unclaimed Dividends, &c. to be paid to the Assignee in the Account of

Certificate to be given to Assignee, on Production of which Bank of England shall receive the Sum therein mentioned, and give Receipts.

Interest to be received by the Governor and Company of the Bank.

Interest and other Expenses to be paid out of the same by Direction of

the Lord Chan-  
cellor.

and Company of the Bank of England, by virtue of any Order or Orders of the Lord Chancellor to be made for that Purpose, to the said Accountant in Bankruptcy, such Salary or yearly Sum as the Lord High Chancellor may by any Order or Orders direct, not exceeding the yearly Sum of Eight hundred Pounds, and also to the Clerks of the said Accountant in Bankruptcy such Sums by way of Salary as the Lord Chancellor shall by Order direct, and also any farther Sum to the said Accountant in Bankruptcy which may be necessary or expedient to defray the Expenses of Stationery, and other necessary Expenses of the said Accountant, if any, to be by him recovered in discharge of the Duties imposed upon him by this Act; such several Salaries or yearly Sums before mentioned to be paid quarterly, free of Charges: the first quarterly Payment to the Accountant in Bankruptcy for the Term being to commence from the Day of his Appointment, and as to the said Clerks to commence from the Eleventh Day of January One thousand eight hundred and thirty-five, or from such other Day as may in any such Order be specified: Provided always, that nothing herein before contained shall authorize the Lord Chancellor to order the Payment in any One Year of any Sum exceeding the Sum of One thousand Pounds for the Payment of the Salaries of the said Clerks, and the Discharge of such Expenses of Stationery and other incidental Expenses as aforesaid.

Lord Chan-  
cellor may ap-  
point additional  
Clerks.

XI. And he is further enacted, That it shall and may be lawful to and for the Lord High Chancellor, upon the Requisition of the said Accountant in Bankruptcy for that Purpose, to appoint One or more, not exceeding Five, Persons to be Clerks to the said Accountant, and to order such yearly Salaries as aforesaid to be paid to them.

Accountant not  
to receive Fees.

XII. And he is further enacted, That the Salaries herein-before provided shall be in lieu of all Fees and Emoluments whatsoever; and that all such Fees and Emoluments, whether for Commission, Brokerage, or otherwise, as are now receivable by the said Accountant General of the Court of Chancery in Matters of Bankruptcy, shall, from and after the Appointment of the said Accountant in Bankruptcy, be removed by him, and paid into the Bank in the Name of the said last-mentioned Accountant, and be carried to the Credit of the said Accountant to be intitled "Interest arising from the Bankruptcy Fund Account," and be applicable to all the Purposes of the said Account.

Residing Al-  
lowance to  
Charles Elley.

XIII. And whereas Charles Elley, the Chief Clerk in the Office of the Lord Chancellor's Secretary of Bankruptcy, is now of the Age of Seventy Years and upwards, and has been upwards of Fifty Years in the above Office, and from Rheumatism and other bodily Infirmities is become incapable of giving full Attendance so as effectually to discharge the Duties of the said Office, and the Emoluments of his said Office were very much reduced by the Operation of the said first-recited Act, and the said Charles Elley is desirous to be allowed to retire from the said Office by reason of such Infirmities: he it is therefore enacted, That it shall and may be lawful for the Lord High Chancellor, upon the Retirement or Removal from his said Office of the said Charles Elley, to order and direct that there shall be paid to him during his Life such annual Sum not exceeding Four hundred Pounds per Annum as to the said Lord Chancellor shall seem fit, such annual Sum to commence on the Retirement or Removal of the said Charles Elley as aforesaid, and be payable on such Terms or Times as the said Lord Chancellor shall direct; which said annual Sum shall be chargeable upon and payable out of the said Account intitled "The Secretary of Bankruptcy Compensation Account."

Lord Chan-  
cellor may  
direct Interest  
from Securities  
to be carried to  
the Secretary  
of Bankruptcy  
Account.

XIV. And he is further enacted, That it shall be lawful for the said Lord High Chancellor, by any Order or Orders to be by him from Time to Time made for that Purpose, to order and direct that all or any Part of the Interest and Dividends to be carried to the said Account to be intitled "Interest arising from the Bankruptcy Fund Account" may be carried over to the said Account respectively intitled "The Secretary of Bankruptcy Account" and "The Secretary of Bankruptcy Compensation Account," or either of them, and that the same may be applied in Payment or in part Satisfaction of the annual and other Sums now or hereafter to be chargeable upon and made payable out of the Sums directed to be carried to the said last-mentioned Accounts or either of them, and also to direct that the Salaries and other Sums by the said first-recited Act directed to be chargeable upon or payable out of the Fees by the said Act directed to be paid to the Chief Registrar of the Court of Bankruptcy may be paid out of the said Interest and Dividends, as the said Lord High Chancellor shall in his Discretion see fit, so that the Salaries and other Expenses of the said Court being provided for out of the Interest and Dividends to be raised as aforesaid, the Fees and other Sums by the said Act directed to be paid may be abolished or reduced as the said Lord High Chancellor may see himself from Time to Time enabled to establish or reduce the same.

Salaries to be  
paid on such  
Days as the  
Chancellor shall  
direct.

XV. And he is further enacted, That it shall and may be lawful to and for the said Lord High Chancellor, by any Order or Orders, to direct that all and every or any of the Salaries by this Act, or the Annuities by way of Compensation by the said first-recited Act, made payable, or any Part of any such Salary or Annuity, shall and may be paid respectively on such Days and by such yearly or other Payments as in the said Order or Orders shall be specified, and in case of the Death, Resignation, or Removal of any of the Officers or Persons entitled to Salaries or Annuities as aforesaid, by the same or other Order or Orders to direct that the Proportion of any Salary or Annuity payable as aforesaid which may become due to any Officer or Person as aforesaid between the Time to which any such Salary or Annuity may have been then last paid or payable and the Time of any such Death, Resignation, or Removal, shall be paid to the said Officer or other Person so resigning or being removed, his Executors, Administrators, or Assigns, or to the Executors or Administrators of any Officer or other such Person so dying.

XVI. And

XVI. And be it further enacted, That if at any Time hereafter the Whole or any Part of the Money placed out in pursuance of this Act shall be wanted to answer any of the Demands due in respect of the said Bankrupt Estates, then and in such Case the said Lord High Chancellor may and shall direct the Whole or any Part of the Securities in which the same may be pledged to be sold and disposed of, and the Money arising from such Sale to be paid into the Bank of England in the Name of the said Accountant General in Chancery or the Accountant in Bankruptcy, in such Manner as the said Lord Chancellor shall direct, in order that the Demands due in respect of the said Bankrupt Estates may at all Times be fully paid out of the common and general Cash belonging to such Estates.

XVII. And be it further enacted, That it shall be lawful for the Lord High Chancellor, by any Order or Orders, to authorize the Change of the Securities to be purchased pursuant in this Act, or any Part of the same.

XVIII. And to the end that no Suits or Sutes of the said Court of Bankruptcy may be delayed in payment of any Money due to him, her, or them, but that every one may receive his or her full Demand whomsoever he or she shall apply for the same, in the most easy and expeditious Way; be it enacted, That all the Money and Cash now deposited in the Bank, or that shall at any Time hereafter be paid into or deposited in the Bank, on the Account of Bankrupt Estates or in any Matter of Bankruptcy, shall be and be accounted and taken to be one common and general Cash, and shall be promiscuously issued and available for the answering, paying, and clearing the Debts and Demands thereon.

XIX. And be it further enacted, That out of the Interest and Dividends of the said Government or Post-office Securities to be purchased as aforesaid the Costs, Charges, and Expenses of all Proceedings to be had under this Act shall be paid by the Governor and Company of the Bank of England by virtue of any Order of the said Lord High Chancellor.

XX. Provided always, and be it further enacted, That if at any Time hereafter the Whole or any Part of the Money to be laid out in pursuance of this Act shall be wanted to answer the Demand of any Bankrupt or their Creditors or other Persons interested therein, and the Stocks, Funds, and Cash then standing in the Name of the said Accountant General in Chancery or the Accountant in Bankruptcy to the several Accounts before mentioned and created by this Act, or either of them, shall not be sufficient to answer and satisfy the said Demands, then the same Money taken for the Purposes and by virtue of this Act shall be and shall be considered a Debt due from the Public, and to such Extent as may be necessary shall be awarded and made good by Parliament accordingly.

XXI. And whereas by the lastly herein-before recited Act it is enacted that there shall be a Chief Judge and Three other Judges of the said Court of Bankruptcy, and that there shall be Two Registrars and Eight Deputy Registrars of the said Court: And whereas a Vacancy having occurred by the Death of One of such Judges, such Vacancy has not been supplied, and it appears that the Duties of the said Court may be effectually performed by the Chief Judge and Two other Judges: be it therefore enacted, That hereafter there shall be only Two Judges of the said Court other than the Chief Judge; and it also appearing that upon the Appointments hereby authorized being made of an Accountant in Bankruptcy, Part of the Duties now performed by the Chief Registrar of the said Court may be discharged by such Accountant, so that the Duties now performed by the Two Registrars and the Two Deputy Registrars not attached to the Commissioners of the said Court may be discharged by Two Registrars and One Deputy Registrar; be it therefore enacted, That as and when any Vacancy may occur by the Death, Removal, or Retirement of any one of the said Registrars, such Vacancy shall be supplied by the Deputy Registrar acting under the Register by whose Death, Removal, or Retirement such Vacancy shall occur; and that when any Vacancy shall occur by the Death, Removal, or Retirement of either of the said Two last-mentioned Deputy Registrars, such Vacancy shall not be supplied so as to provide altogether for more than Two such Registrars and One such Deputy Registrar, other than the Six Deputy Registrars attached to the Commissioners aforesaid; and it shall be lawful for the Court of Review, when and as any such Vacancy shall occur, to make such general Orders as to the Duties to be performed by such Registrars and Deputy Registrar as they shall think fit.

XXII. And be it enacted, That within Two Months from the First Day of January in every Year Returns shall be presented to Parliament if then sitting, and if not, then within One Month after Parliament shall have assembled, by the said Accountant General of the Court of Chancery or the Accountant in Bankruptcy (as the Case may be), of the net Amounts at the Credit of the said Accountant on the said First Day of January on each of the following distinct Accounts, which Returns shall respectively specify the Amount transferred and paid out as Dividends, and the Amount paid by Orders of Court or of the Judges, and shall also show the unappropriated Balance then existing on each Account; to-wit, First, The Bankruptcy Fund Account; Second, The Interest arising from the Bankruptcy Fund Account; Third, The Unclaimed Dividend Account; Fourth, The Secretary of Bankrupts Account; Fifth, The Secretary of Bankrupts Composition Account; the Fourth and Fifth of such Accounts to have Appendixes attached to them, detailing all Payments made from such Accounts, and to whom made, and whether in Salaries, Commissions, or other Allowances.

XXIII. And whereas by the said first-recited Act it is enacted, that the Six Commissioners therein mentioned may be formed into Two Subdivision Courts, consisting of Three Commissioners for each Court for the Purposes therein mentioned; and that all References and Adjournments by a single Commissioner to a Subdivision Court by virtue of the said Act shall be to the Subdivision Court to

If the Fund is not sufficient to pay There, then the Dividends to be paid

Securities may be changed.

Cash in the Bank belonging to Bankrupt Estates to be one common and general Cash.

Expenses of Proceedings to be paid out of the Fund.

If Money not sufficient for the Purpose of this Act, the same to be made good by Parliament.

Court in future to consist of One Chief Judge and Two Judges.

In the Event of Death or Retirement of any one of the Registrars, Vacancy to be supplied by Deputy Registrar acting under him.

Annual Returns to Parliament.

Mode of forming Subdivision Courts to be one of Commissioners of any



Commissioner  
of the Division  
to which Case  
is referred.

which he belongs, unless the said Commissioner, in case of the Sickness of some One or more of the Commissioners of such Subdivision Court, or for other sufficient Cause, shall think fit otherwise to direct; be it enacted, That in case of the Nonattendance of any One or more of the Commissioners of either of the said Subdivision Courts, to be duly summoned for that Purpose, the Reference shall not be of Necessity to the other Subdivision Court, but it shall and may be lawful for the remaining Commissioner or Commissioners of such Subdivision Court to call in and require the Attendance of either or any of the Commissioners of the other of the said Subdivision Courts, and that such Commissioners may form a Subdivision Court for the Purpose of the said recited Act as fully and effectually as either of the Two Subdivision Courts so now authorised to be formed as aforesaid.

Power given to  
Courts to all  
administer Oaths  
as Affidavits.

XXIV. And be it enacted, That the said Court of Review and either of the said Subdivision Courts, and also any Judge or Commissioner of the Court of Bankruptcy, shall have Power to administer Oaths on Affidavits to be sworn before them respectively in Matters of Bankruptcy in all Cases where the same may be administered by a Master in Ordinary or Extraordinary of the High Court of Chancery, and to take for every such Oath, except where such Oath shall be administered to an Affidavit entered in the Court of Bankruptcy or in the Court of Review, the Fee of One Shilling and Sixpence, which said Fee shall be payable and paid accordingly; and that all such Fees shall be accounted for and paid over to the Chief Registrar of the said Court of Bankruptcy, and be carried to the Account of the Second Schedule of Fees annexed to the said first-recited Act, and be applied to the Purpose of the said Schedule.

Fees.

Courts of Review  
and Subdivision  
Courts declared  
to have been  
Courts of  
Record from  
the passing of  
2A & 3W 4. c. 10

XXV. And whereas Doubts have been entertained whether, by the Terms of the said first-recited Act, the said Court of Review and Subdivision Courts have been effectually made Courts of Record; and whether the said Courts have upon Examination before them the same Powers of Commitment for the Purpose of enforcing Discovery as were vested in Commissioners of Bankrupt under the Acts of Parliament relating to Bankrupts in force at the Time of the passing of the said first-recited Act; and it is expedient that such Doubts be removed, and that such Powers as are herein after mentioned should be given to the several Judges and Commissioners acting under the Authority of the said first-recited Act; be it enacted, and it is hereby declared, That the said Court of Review and the said several Subdivision Courts respectively shall henceforth be, and shall be deemed and taken from and after the passing of the said first-recited Act to have been, Courts of Record, and shall and may have and exercise all such Powers of Commitment as were vested in Commissioners of Bankrupt acting as such at the Time of the passing of the said first-recited Act, and shall and may have, use, and exercise all the Powers, Rights, Privileges, and Incidents of a Court of Record, as fully to all Intents and Purposes as the same are now, exercised, and enjoyed by any of His Majesty's Courts of Law at Westminster; and all Orders heretofore pronounced and all Acts done by the said Court of Review and Subdivision Courts respectively shall be deemed and taken to have been pronounced and done by the said Courts respectively as Courts of Record; and every Judge or Commissioner appointed or to be appointed by virtue of the said first-recited Act sitting alone and acting in execution of the Duties imposed upon him as such Judge or Commissioner shall have, use, exercise, and enjoy all the Powers, Rights, Privileges, and Exemptions of a Court of Record: Provided always, that nothing herein contained shall be deemed or taken to authorise or empower any such Judge or Commissioner sitting alone to impose any Fine or penalty for a Contempt of Court, but every Contempt of any such Judge or Commissioner sitting alone and acting as aforesaid shall be cognizable by the said Court of Review, to which the same may be referred by any such Judge or Commissioner as aforesaid; and the said Court of Review shall have full Power to deal with the same as a Contempt of the said Court of Review: Provided also, that nothing herein contained shall be deemed or taken to diminish or affect the Power by the said first-recited Act given to any such Judge or Commissioner of committing any Person examined before him to any Messenger or other Officer of the Court of Bankruptcy.

How Powers  
of the Act to be  
exercised.

XXVI. And be it further enacted, That the Powers and Authorities given by this Act to the Lord High Chancellor shall and may be exercised in like Manner and use hereby given to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal respectively for the Time being.

Act may be  
divided, &c.  
Public Act.

XXVII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act to be passed in this Session.

XXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judiciously taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

#### C A P. XXX.

An Act for protecting the Revenues of vacant Ecclesiastical Dignities, Prebends, Canonries, and Benefices without Cure of Souls, and for preventing the Lapse thereof, during the pending Inquiries respecting the State of the Established Church in England and Wales.

[21st August 1835.]

WHEREAS His Majesty was pleased, on the Fourth Day of February last, to issue a Commission to certain Persons therein named for considering the State of the Established Church in England and Wales with reference to Ecclesiastical Duties and Revenues, which Commission has since been renewed, and such renewed Commission is now in force, and the Inquiries thereby directed are now in progress, and some Time must elapse before the same can be brought to a Termination: Printed image digitized by the University of Southampton Library Digitisation Unit. And



## C A P. XXXI.

An Act to give Effect and Validity to certain Contracts and Presentments for repairing and keeping in repair certain Public Roads in Ireland and the Securities entered into for the Execution thereof. [21st August 1835.]

WHEREAS at certain Special Sessions held in the County of Kildare and in other Counties in Ireland previous to the last Spring Assizes, in pursuance of the Provisions of an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intitled *An Act to amend the Laws relating to Grand Juries in Ireland*, certain Applications for Presentments for the Repair of and for keeping in repair certain Public Roads in those Counties respectively were made, and such Applications having been assessed of, certain Contracts for executing such Works were entered into, and Security for the Performance thereof given: And whereas such Applications and Contracts were afterwards submitted to the Grand Jurors of such Counties respectively, and allowed and approved of by them, and certain Presentments were thereupon made by such Grand Jurors, for raising of the said Counties respectively the Sums under such Contracts payable to the Persons therein named for executing the Public Works therein mentioned: and such Sums, or some Parts thereof, have by virtue of such Presentments been levied by the several Collectors of Grand Jury Cess in such Counties, and considerable Portions of such Works have been executed by the Persons named in such Contracts: And whereas Doubts have been entertained whether such Contracts and Presentments have been made in strict Conformity with the Provisions of the said in part recited Act; and as Part of the Public Works therein mentioned has been done, and Part of the Money thereby presented has been raised, and cannot be now repaid, and as there is no other Fund save the Money so presented out of which the Persons who executed such Public Works can be paid, it is expedient to give Validity to such Contracts and Presentments: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Contracts for the Repair of Public Roads in Ireland, or keeping them in repair, entered into at any Special Sessions held before the last Spring Assizes in any County in Ireland, and all Applications for Presentments for such Works made at such Sessions, and all Presentments founded thereon made by any Grand Jury at any Assizes held before the passing of this Act, shall be and the same are hereby declared to be valid and effectual in Law: (that is to say,) such Contracts shall be valid and effectual as Contracts for One Year, and such Presentments as Presentments for levying the Sums necessary for paying the Sums by such Contracts payable for each Year, and that so much of the several Sums by such Presentments directed to be levied as has not been already levied and raised shall be levied and raised in the same Manner and with the like Powers as any Sum legally presented by a Grand Jury in Ireland may be levied or raised; and that the Sums so to be levied, and any Sums heretofore levied or raised under such Presentments, shall be applied as the same would be if such several Presentments had been made legally and in conformity with the Provisions of such in part recited Act; and that the several Persons who would be entitled to be paid the Sums so presented if such Presentments and Contracts had been legally made, shall and may apply for Payment out of the Sums levied or to be levied under such Presentments in the same Manner as any Contractors would be entitled to apply for Payment of any Sum contracted to be paid under the Provisions of the said Act for doing any Public Works, and such Application shall be allowed or rejected and be in all respects treated as any Application under the said Act for Payment of any Sum contracted to be paid and presented under the said Act, and the Decision thereon shall be liable to be reversed as any Decision or any Application under the said Act: and the Money which shall be payable under such Contracts, or such Part thereof as shall, upon such Application, be payable, shall be paid in the same Manner as any Money presented and payable under the said Act would be paid.

It And be it further enacted, That all Securities given for the due Performance of any such Contracts shall be and the same are hereby declared to be valid Securities, and binding on the several Persons who entered into the same, as fully and effectually, as all Intents and Purposes, as if they were entered into under the Provisions of the said Act as Securities for the due Performance of any Public Work.

## C A P. XXXII.

An Act to impose certain Duties on Tea.

[21st August 1835.]

WHEREAS an Act was passed in the Third and Fourth Year of the Reign of His present Majesty, intitled *An Act to provide for the Collection and Management of the Duties on Tea*; And whereas it is found expedient to alter the Rates of Duty thereby imposed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of July One thousand eight hundred and thirty-six the several Duties on Tea imposed by the said recited Act shall cease and determine, save and except as to any Arrears of such Duties which may then be due and payable and unpaid; and in lieu and instead thereof there shall be charged a Duty of Two Shillings and One Penny on every Pound Weight of Tea which after the said Day shall be imported, or which, having been previously imported, shall after that Day be entered for Public Use, and by the University of Southampton Library Digitisation Unit

The several Contracts for the Repair of Public Roads in Ireland, and all Presentments relating thereto, entered into before the passing of this Act, to be valid and effectual in Law.

Securities for such Contracts declared to be valid.

224 W. 4. c. 31.

After 1st July 1835 the present Duties on Tea to cease, and a Duty of 2s 1d per Pound to be

Home Consumption in the United Kingdom, which said Duty shall be raised, levied, collected, and paid under the like Rules and Regulations, so far as the same may be applicable, and shall be appropriated and applied in such and the like Manner, as the Duties on Tea imposed by the said recited Act.

## C A P. XXXIII.

An Act for preventing the vexatious Removal of Indictments into the Court of King's Bench; and for extending the Provisions of an Act of the Fifth Year of King William and Queen Mary, for preventing Delays at the Quarter Sessions of the Peace, to other Indictments; and for extending the Provisions of an Act of the Seventh Year of King George the Fourth as to taking Bail in Cases of Felony. [21st August 1835.]

WHEREAS it is expedient to prevent Prosecutors of Indictments and Presentments from vexatiously removing the same out of inferior Courts into His Majesty's Court of King's Bench: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Writ of Certiorari shall issue from the Court of King's Bench or Westminster for removing into that Court any Indictment or Presentment from any Court of Session, Assize, Oyer and Terminer, or Goal Delivery, or any other Court, or the Instance of the Prosecutor or any other Person (except His Majesty's Attorney General), without Notice first made in the Court of King's Bench, or before some Judge of that Court, and Leave obtained to remove such Indictment or Presentment, in the same Manner as similar Motions may now be made and Leave given where such Application is made on the Part of Defendants: any Law, Practice, or Usage to the contrary in anywise notwithstanding.

II. And whereas it is expedient to extend the Powers of an Act passed in the Fifth Year of the Reign of King William the Third and Queen Mary, intitled *An Act to prevent Delays of Proceedings at the Quarter Sessions of the Peace*; be it therefore enacted, That instead of the Recognizance now by Law required to be entered into before the Allowance of a Writ of Certiorari, every Person indicted or presented in any Court of Session, Assize, Oyer and Terminer, Goal Delivery or any other Court, who shall obtain a Writ of Certiorari for removing any Indictment or Presentment whatever into the Court of King's Bench, not being in Custody for Want of Bail to answer such Indictment or Presentment, shall, before the Allowance of such Writ, enter into a Recognizance before One of His Majesty's Justices of the Court of King's Bench, or before a Justice of the Peace of the County or Place in which the Offence is charged to have been committed, or in which such Person shall reside, in such Sum and with such Sureties as the said Court of King's Bench, or One of His Majesty's Justices of the said Court, shall by Indorsement on the said Writ order and direct; which Recognizance shall contain the same Conditions as are now by the said Act, and another Act passed in the Eighth and Ninth Year of the Reign of King William the Third, intitled *An Act to make personal and more effectual an Act, entitled 'An Act to prevent Delays at the Quarter Sessions of the Peace'*, required in Cases of Indictments removed from the General or Quarter Sessions of the Peace; and thereupon all the Clauses and Provisions contained in the said several Acts with respect to Costs or otherwise shall extend to such last-mentioned Recognizances; and every Person being in Custody for Want of Bail to answer the Charge contained in such Indictment or Presentment shall be detained in Custody until the like Recognizance as aforesaid directed to be entered into (previous to the Allowance of such Writ of Certiorari) shall have been entered into, or until such Person be discharged by due Course of Law.

III. Whereas in many Cases the taking Bail for the Appearance of Persons charged with Felony may be safely admitted without endangering the Appearance of such Persons to take their Trial in due Course of Law, and it is therefore expedient in such Cases to amend and extend the Provisions in this respect of an Act passed in the Seventh Year of King George the Fourth, intitled *An Act for amending the Administration of Criminal Justice in England*; be it therefore enacted, That it shall be lawful for any Two Justices of the Peace, if they shall think fit, of whom one or other shall have signed the Warrant of Commitment, to admit any Person or Persons charged with Felony, or against whom any Warrant of Commitment for Felony is signed, to Bail, in the Manner and according to the Provisions directed by the said recited Act, in such Sum or Sums of Money and with such Surety or Sureties as they shall think fit, and notwithstanding such Person or Persons shall have conferred the Matter laid to his or their Charge, or notwithstanding such Justice shall not think that such Charge is groundless, or shall think that the Circumstances are such as to raise a Presumption of Guilt.

## C A P. XXXIV.

An Act to amend Two clerical Errors contained in an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith*. [21st August 1835.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith*: And whereas the said Act contains a Provision in the printed image deposited by the University of Southampton Library Digitisation Unit

No Certiorari shall issue to remove Indictments, or from inferior Courts to the Court of King's Bench, or the Instance of a Prosecutor, without Leave from that Court.

Defendants to enter into certain Recognizances before obtaining Writ of Certiorari to remove Indictment, &c. 2 R. 2 W. & M. 6-11.

24 27. 5. 2-25.

Extending Provisions of Act 7 G. 4. c. 21, as to taking of Bail in Cases of Felony.

3 G. 4. c. 21.

Words following; that is to say, "Provided always, that if upon the Trial of any Person indicted for such Misdemeanor it shall be proved that he obtained the Property in question in any such Manner as in and to the Intent of the Statute in that behalf made, he shall be deemed to be guilty of such Misdemeanor": And whereas the Word "not" has by a clerical Error been inserted between the Words "shall" and "by" in the said Proviso: Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said heretofore recited Proviso of the said Act of Parliament shall be deemed, construed, and taken to have such and the same Effect to all Intents and Purposes whatsoever, as if the said Word "not" had been originally inserted between the Words "shall" and "by".

II. And whereas in another Clause of the said recited Act the Words following are contained; that is to say, "And to encourage the Prosecution of Offenders, be it enacted, That if any Person guilty of any such Felony or Misdemeanor as aforesaid, in stealing, taking, obtaining, or converting, or in knowingly receiving, any Chattel, Money, valuable Security, or other Property whatsoever, shall be indicted for any Offence by or on the Behalf of the Owner of the Property, or his Executor or Administrator, and convicted thereof, in such Case the Property shall be restored to the Owner or his Representative": And whereas the Word "such" has by a clerical Error been omitted between the Words "say" and "Offence" in the said Clause: Be it enacted, That the heretofore recited Clause of the said Act of Parliament shall be deemed, construed, and taken to have such and the same Effect to all Intents and Purposes whatsoever as if the said Word "such" had been originally inserted between the said Words "say" and "Offence".

## C A P. XXXV.

An Act for consolidating the Offices of Paymaster General, Paymaster and Treasurer of Chelsea Hospital, Treasurer of the Navy, and Treasurer of the Ordnance. [25th August 1835.]

WHEREAS various Acts have been passed from Time to Time for the better Regulation of the Offices of Receiver and Paymaster General of His Majesty's Guards, Garrison, and Land Forces, of Paymaster and Treasurer of all Monies for the Maintenance or Relief of the disabled and supernumerated Non-commissioned Officers and Soldiers entertained in His Majesty's Royal Hospital near Chelsea, of the Office of Treasurer of His Majesty's Royal Navy, and of the Office of Treasurer of His Majesty's Ordnance: And whereas it is expedient to consolidate into One Establishment those four several Offices, and to make Provision for the proper Dispatch of the Public Business when such Consolidation shall have taken place: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for His Majesty, His Heirs and Successors, by Warrant under the Royal Sign Manual, countersigned by the Lord High Treasurer, or the Commissioners of the Treasury of the United Kingdom of Great Britain and Ireland for the Time being, or any Three or more of them, to abolish the said Offices of Receiver and Paymaster General of His Majesty's Guards, Garrison, and Land Forces, of Paymaster and Treasurer of all Monies for the Maintenance or Relief of the disabled and supernumerated Non-commissioned Officers and Soldiers entertained in His Majesty's Royal Hospital near Chelsea, of Treasurer of His Majesty's Royal Navy, and of Treasurer of His Majesty's Ordnance; and in place of the said several Offices to constitute and appoint One Office for the Discharge of the Duties now executed in the several Offices so authorized to be abolished.

II. And be it further enacted, That from and after the Date of such Warrant directing the Abolition of the said Offices the several Patents, Warrants, and Authorities under which the same have been and are or shall be held shall cease and determine and become absolutely null and void.

III. And be it further enacted, That the Office to be created in exercise of the several Duties now discharged in the said Office so to be abolished shall be styled "The Office of His Majesty's Paymaster General"; and that the Establishment thereof shall consist of a Paymaster General, with such Number of Officers, Clerks, and Assistants, and with such Salaries, as shall be fixed and regulated from Time to Time by the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them.

IV. And be it further enacted, That the said Office of Paymaster General shall be granted by Warrant under the Royal Sign Manual, countersigned by the Lord High Treasurer, or the Commissioners of the Treasury for the Time being, or any Three or more of them, and that such Grant when made shall be and continue in force during His Majesty's Pleasure, in the same Manner as the Offices by this Act authorized to be abolished are granted and held.

V. And be it further enacted, That the said Office of Paymaster General shall not be deemed or taken to be a new Office within the Meaning of an Act passed in the Ninth Year of the Reign of Her Majesty Queen Anne, intituled *An Act for the Security of Her Majesty's Person and Government, and of the Successors of the Crown of Great Britain in the Protestant Line*.

VI. Provided always, and be it further enacted, That the Person who may be appointed to the said Office of Paymaster General, if he shall at the Time of the Abolition of the Offices by this Act authorized to be abolished be in possession of any of the said Offices, shall not, by reason of such Appointment, be deemed to have vacated any of the said Offices, but shall continue to hold the same as if the said Offices had not been abolished.

Proviso in 9 G. 4. c. 35. s. 45. to have the recited Effect notwithstanding the Omission.

Clause 30 of 9 G. 4. c. 35. s. 45. to have the intended Effect notwithstanding the Omission therein.

Certain Offices abolished, and One Office constituted in place thereof.

Patents, &c. to cease.

Establishment of the Office of Paymaster General.

Appointment to Office.

Office not to be deemed a new Office. 4 Ann. c. 7.

Paymaster General, if he shall at the Time of the Abolition of the Offices, be in possession of any of the said Offices, shall not, by reason of such Appointment, be deemed to have vacated any of the said Offices, but shall continue to hold the same as if the said Offices had not been abolished.

most thereby vacate his Seat in Parliament which any such Person may then hold; any thing in the said Act of Queen Anne or of any other Act or Acts to the contrary notwithstanding.

not to execute his Stat.  
Duties transferred to new Office.

VII. And be it further enacted, That from and after the Abolition of the said Offices, and in so soon as the Appointment of a Paymaster General shall have been made under the Authority of this Act by His Majesty, His Heirs or Successors, all the Interest, Titles, Powers, Authorities, Privileges, and Duties now exercised by or vested, either by Law or Usage, in any of the said Offices so abolished, shall be and the same are hereby declared to be transferred to, exercised by, and vested in the said Paymaster General, in as full and simple a Manner to all Intents and Purposes as they were exercised by or vested in the Persons holding the said Offices so abolished, except only so far as any of such Interests, Titles, Powers, Authorities, Privileges, and Duties are or shall be by this Act controlled, diminished, or varied.

Actions to continue.

VIII. Provided always, and be it further enacted, That nothing hereto contained shall extend or be construed to extend to abate any Suits or other Proceedings either at Law or in Equity which are now or shall at the Period of the Abolition of the said Offices be depending in the Name or on behalf of any of the said Offices whose Offices shall be so abolished, but all such Suits and Proceedings shall and may continue to be carried on in their respective Names in the same Manner as if this Act had not been passed, for and on behalf of the Paymaster General to be appointed under the Authority of this Act.

Bonds to remain in force.

IX. And be it further enacted, That all Bonds which shall have been entered into and given to the Crown, or otherwise, by any Deputies or other Officers or Clerks, or by any other Person or Persons whatsoever, and their respective Sureties, for the faithful Discharge of their Duty in any of the said Offices intended to be hereby abolished, shall notwithstanding such Abolition be and continue in force against the Parties to such Bonds, as well in respect of the Duties, Matters, and Things therein mentioned or referred unto, as of all Duties, Matters, and Things hereafter to be done and performed, which the said Deputies or other Officers or Clerks or Persons would have been liable to do and perform, before the Abolition of the Offices intended to be abolished under the Authority of this Act.

Treasury may make Regulations for new Office.

X. And whereas by reason of the Abolition of the said Offices it will be necessary that new Regulations should be prescribed for the Government of the Office to be created under the Authority of this Act; be it therefore enacted, That it shall be lawful for the Lord High Treasurer or for the Commissioners of the Treasury for the Time being, or any Three or more of them, and he and they are hereby empowered to prescribe such Rules and Regulations, and to issue such Orders, from Time to Time, in all Matters and Things relating to the said Office, for the Safety, Economy, and Advantage of the Public Service, as he or they shall see fit, which Rules, Regulations, and Orders shall be of full Force and Authority, and shall be observed by the Comptroller General of His Majesty's Exchequer, and by the Governor and Company of the Bank of England, when certified to them by the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, and by all Bodies and Persons whatsoever, in relation to all Matters and Things therein contained, any thing in any Act or Acts to the contrary notwithstanding.

Regulations to be laid before Parliament.

XI. And be it further enacted, That a Return, setting forth all Rules, Orders, and Regulations which shall have been issued and prescribed by the Commissioners of the Treasury, shall be laid before Parliament within Six Weeks from the Date of their being presented, if Parliament be then sitting, and if not then sitting within Six Weeks from the Day of the next ensuing Meeting of Parliament.

Act may be altered.

XII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

#### C A P. XXXVI.

An Act to limit the Time of taking the Poll in Boroughs at contested Elections of Members to serve in Parliament to One Day. [25th August 1835.]

WHEREAS it would tend to promote the Parity of Elections and the Diminution of Expence if the Poll at all contested Elections of Members to serve in Parliament for Cities, Boroughs, and Towns, or for Counties of Cities or Counties of Towns, were taken as One Day: And whereas by an Act passed in the Second Year of the Reign of His present Majesty King WILLIAM the Fourth, entitled An Act to amend the Representation of the People in England and Wales, it is among other Things enacted, that such Poll may remain open during the Space of Two Days: And whereas it is expedient to repeal that Part of the said recited Act which allows the Poll so to continue open during the Space of Two Days: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act each Part of the said recited Act as allows the Poll to continue open during Two Days in Cities, Boroughs, and Towns, or in Counties of Cities or Counties of Towns, be repealed, and the same is hereby repealed.

25 & W. 4. c. 45.

So much of recited Act as allows the Poll to be kept open Two Days repealed.

II. And be it further enacted, That at every contested Election of a Member or Members to serve in Parliament for any City, Borough, or Town, or County of a City or County of a Town, the polling shall commence at Eight of the Clock in the Forenoon of the Day next following the Day next before the Election: and the polling shall continue during such One Day only; and no Poll shall be kept open later than Four of the Clock in the Afternoon: Provided always, that when such Day next

Period of polling.



Majesty, by an Order in Council, at any Time before the Tenth Day of September One thousand eight hundred and thirty-five, to direct that a Proportion of the Sergeants of each Regiment, Battalion, or Corps of Militia, such Proportion not to be less than One Third of the Number of Sergeants (not including the Sergeant-Major) borne on the existing Establishment of the Disbanded Staff, shall be reduced on the Tenth Day of October One thousand eight hundred and thirty-five: Provided always, that the whole Number of Sergeants as to be reduced shall not exceed One Half of the whole Number serving on the First Day of August in the present Year.

II. And be it further enacted, That all the Dress-Majors and Drummers of the Militia of Great Britain and Ireland shall be reduced on the said Tenth Day of October in the present Year.

III. And be it further enacted, That it shall be lawful for His Majesty, by an Order signed by One of His Majesty's Principal Secretaries of State in Great Britain, and in Ireland by the Lord Lieutenant or other Chief Governor or Governors of Ireland, for the Time being respectively, to direct the Lord Lieutenant of any County in Great Britain, and the Lieutenants of any County in Ireland, to cause the Arms and other Stores belonging to any Regiment, Battalion, or Corps of Militia of such County in Great Britain and Ireland respectively to be delivered over to His Majesty's Ordnance Department.

IV. And whereas it is expedient to suspend for a further Period the making of Lists and the Ballots and Returns for the Militia of the United Kingdom ( be it therefore enacted, That all General and Subdivision Meetings relating to the Militia of the United Kingdom, and all Proceedings relating to the procuring any Returns, or preparing or making out Lists for such Militia, or any Parts thereof, or relating to the balloting for or enrolling any Militiamen or Substitutes, or supplying any Vacancies in such Militia, except as herein-after excepted, shall remain suspended until the End of the next Session of Parliament, any thing in any Act or Acts to the contrary notwithstanding.

V. Provided always, and to be enacted, That it shall be lawful for His Majesty by any Order in Council to direct that any Proceedings shall be had, at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia of the United Kingdom or any Part thereof, as His Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in England, Scotland, and Ireland respectively relating to the giving Notices for and Returns of Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to the Lord Lieutenants or Deputy Lieutenants acting for Lord Lieutenants of the several Counties, Shires, Ridings, Cities, and Places in Great Britain, or to the Lieutenants and Deputy Lieutenants of Counties and Places in Ireland, or to the Wardens and Special Deputy Wardens of the Stewarries; and all the Provisions of the several Acts in force in England, Scotland, and Ireland respectively relating to the Militia and Corps of Miners of Cornwall and Devon shall upon any such Order, and Direction given in pursuance thereof, become and be in full force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Period had been fixed in the Acts relating to such Militia and Miners.

VI. And be it further enacted, That it shall and may be lawful for His Majesty, by Order signified by One of His Majesty's Principal Secretaries of State, to direct that in case of any Vacancy occurring among the Adjutants of the Disbanded Militia, such Vacancy, if it be thought proper, shall not be filled up.

VII. And be it further enacted, That this Act, and all the Clauses, Provisions, and Authorities therein contained, shall be construed to extend to the Wardens and Special Deputy Wardens of the Stewarries, and Corps of Miners of Cornwall and Devon, as fully as if they were respectively and severally repeated in every such Clause, Provision, Direction, and Authority.

## C A P. XXXVIII

An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales; and for appointing Inspectors of Prisons in Great Britain

[With August 1835.]

WHEREAS by the Laws now in force Rules and Regulations made for the Government of certain Prisons, and for the Duties to be performed by the Officers of the same, are in London and Middlesex required to be submitted to the Two Chief Justices, and elsewhere to certain other Justices, for Approval, and to be approved of by them before they can be enforced: Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That as such Rules and Regulations made after the passing of this Act shall be required to be submitted for Approval, or to be approved of, otherwise than as herein-after mentioned.

II. And be it enacted, That all Rules and Regulations which shall be made after the passing of this Act by the Court of Mayor and Aldermen of the City of London, Justices of the Peace, or other Persons whatsoever, which they are use by Law authorized to make for the Government of any Prisons in England and Wales, or for the Duties to be performed by the Officers of such Prisons, shall be sub-

Dress-Majors, &c. reduced  
Disposal of the Arms and Stores.

General and Subdivision Meetings relating to the Militia suspended.

Proceedings may be had during such Suspense by Order in Council.

His Majesty may direct that certain Vacancies shall not be filled up.

Act to extend to Wardens of Stewarries, &c.

Rules for Government of Prisons to be approved only as hereinafter provided.

Manner in which such Rules are to be made and approved.



mitted to One of His Majesty's Principal Secretaries of State, and it shall be lawful for such Secretary of State, if he thinks fit, to alter such Rules and Regulations, or to make additional Rules and Regulations thereto, and to subscribe a Certificate or Declaration that such Rules and Regulations so submitted to him, or altered or added to, are proper to be enforced; and when such Secretary of State shall have subscribed such Certificate or Declaration, such Rules and Regulations, Alterations and Additions, shall be binding upon the Sheriff and all other Persons, without any other Sanctions or Approvals: Provided also, that no Rule or Regulation, save as herein-after is mentioned, which, after the passing of this Act, shall be made for any Prison within England and Wales, or for the Offices to be performed by the Officers of such Prison, shall be enforced until a Certificate or Declaration shall have been duly subscribed by One of His Majesty's Principal Secretaries of State in manner aforesaid.

III. Whereas great Inconvenience and Expence have been found to result from the Practice of  
 ' consisting to the Common Goal of the County Persons charged with the Offences intended to be  
 ' tried at the Assizes or Sessions holden for such County where such Assizes or Sessions are holden at  
 ' Places distant from such Common Goal, and it is expedient that the Law should be altered and  
 ' amended; for Remedy thereof, be it enacted, That from and after the passing of this Act it shall be  
 ' lawful for any Justice of the Peace or Coroner, acting within their several Jurisdictions in England and  
 ' Wales, to commit for safe Custody to any House of Correction, situate near to the Place where such  
 ' Assizes and Sessions are intended to be holden, any Person or Persons charged before them with any  
 ' Offence triable at such Assizes or Sessions; and that whosoever any such Person shall be committed to  
 ' any such House of Correction for Trial at such Assizes or Sessions, the Keeper of such House of  
 ' Correction shall deliver to the Judges of Assize or Justices at Sessions a Calendar of all Prisoners  
 ' in his Custody for Trial at such Assizes or Sessions respectively, in the same Way that the Sheriff of  
 ' the County would be by Law required to do if such Prisoners had been committed to the Common Goal  
 ' of the County.

IV. And be it further enacted, That whenever any Person shall be convicted at any Assize or  
 Sessions of any Offence for which he or she shall be liable either to the Punishment of Death, Transpor-  
 tation, or Imprisonment, it shall be lawful for the Court (if it shall so think fit) to commit such  
 Person to any House of Correction for such County, in execution of his or her Judgment; and so case  
 of the Commitment of any Person sentenced to Death, Execution of such Judgment shall and may be  
 had and done by the Sheriff of the County, and in case of the Commitment of any Person either  
 sentenced to Transportation, or pardoned for any Capital Offence on Condition of Transportation, all  
 the Powers, Privileges, and Authorities for the Removal of Offenders sentenced to Transportation, given  
 or granted by any former Act or Acts of Parliament to Sheriffs or Gaolers, shall be and the same are  
 hereby extended and given to the Keepers of Houses of Correction in whose Custody such last-mentioned  
 Offenders shall be.

V. And be it enacted, That on or before the First Day of November in every Year the Clerks of the  
 Peace for every County, Riding, or Division of a County in England and Wales, the Clerks of every  
 Goal Sessions, and the Chief Magistrates of every City, Town, Borough, Port, or Liberty within England  
 and Wales, now having any Prisons, shall transmit Copies of all Rules and Regulations in force on the  
 Twenty-fifth Day of September in each Year for the Government of every Prison for and belonging to  
 their respective Counties, Ridings, or Divisions of Counties, Cities, Towns, Boroughs, Ports, and  
 Liberties, to One of His Majesty's Principal Secretaries of State, together with Copies of such new or  
 additional Rules and Regulations as may be proposed for the Government thereof; and that it shall be  
 lawful for such Secretary of State to alter such Rules or Regulations, Copies whereof shall be trans-  
 mitted to him in pursuance of this Act, and to make additional Rules or Regulations thereto, and to  
 subscribe a Certificate or Declaration that such Rules and Regulations as transmitted to him, or altered  
 or added to, are proper to be enforced; and the Rules and Regulations, Alterations and Additions so  
 certified shall be binding upon Sheriffs and all other Persons; and the Clerks of the Peace for every  
 County, Riding, or Division of a County in England and Wales, the Clerks of every Goal Sessions, and  
 the Chief Magistrates of every such City, Town, Borough, Port, and Liberty, are hereby required to lay  
 before the Court of Quarter Sessions holden next after the Twenty-fifth Day of September in every  
 Year for their respective Counties, Ridings, Divisions of Counties, Cities, Towns, Boroughs, Ports, and  
 Liberties on the first Day of such Sessions, like Copies of all Rules and Regulations in force on the  
 Twenty-fifth Day of September in every Year for the Government of their respective Prisons.

VI. And be it further enacted, That in case of any Clerk of the Peace, Clerk of Goal Sessions, or  
 Chief Magistrate of any City, Town, Borough, Port, or Liberty, neglecting or omitting to transmit to  
 One of His Majesty's Principal Secretaries of State Copies of the Rules or Regulations in force for the  
 Government of any Prison which he is required by this Act to transmit, it shall be lawful for One of  
 His Majesty's Principal Secretaries of State after the First Day of December in every Year to certify  
 what Rules and Regulations he deems necessary for the Government of such Prison; and the Rules and  
 Regulations so certified by such Secretary of State shall thenceforth be binding upon Sheriffs and all  
 other Persons, and shall be the only Rules in force for the Government of such Prison.

VII. And be it enacted, That it shall be lawful for One of His Majesty's Principal Secretaries of  
 State to nominate and appoint a sufficient Number of fit and proper Persons, not exceeding Five, to  
 visit and inspect, either singly or together, every Goal, Bridewell, House of Correction, Penitentiary,  
 or other Prison or Place kept or used for the Confinement of Prisoners, in any Part of the Kingdom of  
 Great Britain; and every Person so appointed shall have Authority to examine any Person holding  
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Justices of Peace  
 empowered to  
 commit Offend-  
 ers to any  
 House of Cor-  
 rection near the  
 Place where the  
 Assizes are to  
 be holden or  
 which they are  
 to be tried.

How Persons  
 convicted of  
 Offences for  
 which they are  
 liable to Death  
 &c. shall be  
 disposed of.

Clerks of Peace,  
 to transmit  
 Copies of Prison  
 Rules to Secre-  
 tary of State,  
 who may add to  
 or alter the  
 same.

Clerks of Peace,  
 to lay Co-  
 pies of Prison  
 Rules before  
 the Court of  
 Quarter Ses-  
 sions.

In case Clerks  
 of Peace, &c.  
 neglect to trans-  
 mit such Rules  
 to the Secre-  
 tary of State he  
 may certify  
 what Rules he  
 may deem ne-  
 cessary, &c.

Power to in-  
 spect Houses  
 of Prisons.

any Office or receiving any Salary or Emolument in any such Goal, Bridewell, House of Correction, Penitentiary, Prison, or other Place of Confinement as aforesaid, and to call for and inspect all Books and Papers relating thereto, and to inquire into all Matters touching and concerning such Goal, Bridewell, House of Correction, Penitentiary, Prison, or other Place of Confinement; and every such Person so appointed shall, on or before the First Day of February in every Year, make a separate and distinct Report in Writing of the State of every Goal, Bridewell, House of Correction, Penitentiary, Prison, or other Place of Confinement visited by him, and shall transmit the same to One of His Majesty's Principal Secretaries of State; and a Copy of every such Report shall be laid before both Houses of Parliament within Fourteen Days after such First Day of February, if they shall be then assembled; or if Parliament shall not be then assembled, within Fourteen Days after the Meeting thereof after such First Day of February.

VIII. And be it further enacted, That if any Person shall knowingly and wilfully obstruct any Person so appointed in the Execution of any of the Powers intimated to him by this Act, such Person shall, on Conviction before a Justice of the Peace, forfeit and pay for each and every such Offence any Sum not exceeding Twenty Pounds, and in default of Payment of any Penalty so adjudged, immediately, or within such Time as the said Justice shall appoint, shall be committed to Prison for any Period not exceeding One Calendar Month.

IX. And be it further enacted, That it shall be lawful for a Justice of the Peace, on any Complaint made to him against any Person for any such Offence, to issue his Summons for the Appearance of such Person.

X. And be it enacted, That it shall be lawful for any One of His Majesty's Principal Secretaries of State to visit and inspect, or to authorize in Writing any Person or Persons to visit and inspect, any Prison or Prisons or any Penitentiary or other Place of Confinement for Prisoners in Great Britain upon any Occasion which such Secretary of State may think expedient.

XI. And be it enacted, That it shall be lawful for His Majesty by an Order in Writing, to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that any Persons in Prisons within England and Wales, under Sentence of any Court or of any competent Authority for any Offence committed by them, shall be removed from the Prison in which they are confined to any other of His Majesty's Prisons or Penitentiaries within England and Wales, there to be imprisoned for and during their respective Terms of Imprisonment.

XII. And be it enacted, That every Person confined in any Prison whose Term of Imprisonment would according to his or her Sentence have expired on any Lord's Day shall be entitled to his or her Discharge from such Prison on the Saturday next preceding such Lord's Day; and every Keeper, Governor, or other Officer of any Prison having the Custody of any such Prisoner as aforesaid is hereby authorized and required to discharge such Prisoner on the Saturday next preceding any such Lord's Day.

XIII. And whereas by an Act passed in the Fourth and Fifth Years of the Reign of His present Majesty, intitled *An Act for establishing a new Court for the Trial of Offences committed in the Metropolis and Parts adjoining*, it was among other Things enacted, that it shall be lawful for His Majesty, by an Order in Writing, to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that Persons who may be sentenced to Imprisonment by any Court or competent Authority for any Offence committed beyond the Limits of that Act, and who, having been examined by an experienced Surgeon or Apothecary, shall appear to be free from any pueril or infectious Disorder, and fit to be removed, shall be removed to the Penitentiary at Milbank, there to be imprisoned for and during their respective Terms of Imprisonment: And whereas it is expedient that the like Power should be given for directing Persons who shall be sentenced by any Court, or ordered by any competent Authority, to be imprisoned for Offences committed within the Limits of the said Act, no less than for Offences committed beyond the Limits of the said Act; be it therefore enacted, That it shall be lawful for His Majesty by an Order in Writing, to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that Persons who shall be sentenced by any Court, or ordered by any competent Authority, subjecting such Person to hard Labour, to be imprisoned for any Offence committed within the Limits of the before-mentioned Act, and who, having been examined by an experienced Surgeon or Apothecary, shall appear to be free from any pueril or infectious Disorder, and fit to be removed, shall be removed to the Penitentiary at Milbank, there to be imprisoned for and during their respective Terms of Imprisonment.

XIV. And be it further enacted, That all Provisions and Regulations expressed and contained in any Act made for the Government of the General Penitentiary at Milbank, and all Powers given by such Act for the Confinement, Employment, and Management of Convicts confined therein, shall be applicable and made available in respect to all Persons removed to and confined in the said Penitentiary by virtue of this Act, and the Act before recited.

XV. And whereas by an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King George the Third, intitled *An Act for the better Regulation of the General Penitentiary for Convicts at Milbank*, it was among other Things enacted, that any Number of Convicts not exceeding Six hundred Males and Four hundred Female Convicts may, with the Approbation of One of His Majesty's Principal Secretaries of State for the Time being, be at One Time imprisoned, confined, employed, and managed in the said Penitentiary, under the Provisions of the said Act and of a certain other Act therein recited: And whereas it is expedient that Power should be given to increase the Number of

Penalty on obstructing Inspectors.

A Justice may summon Offenders, &c.

Secretary of State may visit Prisons, &c.

His Majesty may order Prisoners to be removed from one Prison to another.

When Term of Imprisonment expires on Sunday, Prisoner to be discharged on preceding Day.

Power given by 18th Sess. 4. c. 20. to His Majesty to direct Persons sentenced to Imprisonment in England, west of OE. to be removed beyond Limits of that Act to be removed to Penitentiary, extended to OE. Limits committed within the Limits.

Powers extended to Penitentiary Act extended to all Prisons, &c.

Statute Convicts may be confined in Penitentiary, intitled of 60, as amended by 20G. 3. c. 130.

Male Convicts to be confined in the said Penitentiary; be it therefore enacted, That any Number of Male Convicts not exceeding Eight hundred may, with the Approbation of One of His Majesty's Principal Secretaries of State for the Time being, be at One Time imprisoned, confined, employed, and managed as the said Penitentiary, under the Provisions of the said last-mentioned Act and a certain other Act therein recited.

XVI. And be it enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

## C A P. XXXIX.

An Act to exempt certain Retailers of Spirits to a small Amount from the additional Duties on Licences; and to discontinue the Excise Survey on Wine, and the Use of Permits for the Removal thereof. [Mat. August 1835.]

WHEREAS by an Act passed in the Fourth and Fifth Years of the Reign of His present Majesty, intitled *An Act to repeal the Duties on Spirits made in Ireland, and to impose other Duties in lieu thereof*, and to impose additional Duties on Licences to Retailers of Spirits, certain additional Rates and Duties of Excise were granted and imposed on Excise Licences taken out by Retailers of Spirits; And whereas it is expedient to exempt from the Payment of such additional Rates and Duties such Retailers of Spirits as do not receive or consume more than Fifty Gallons of Spirits in the course of a Year; And whereas it is deemed unnecessary to continue the keeping Accounts by the Officers of Excise of the Stocks of Dealers in and Retailers of Foreign Wine, or the Survey by the Officers of Excise of such Dealers and Retailers as shall deal in or retail Wine only, and shall not be Dealers in or Retailers of Spirits, or to continue the Use of Permits in the Removal of Wine; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of October One thousand eight hundred and thirty five no Retailer of Spirits not receiving or consuming more than Fifty Gallons of Spirits in the Year shall be obliged or required to pay the said additional Rates and Duties on taking out or renewing his Licence to retail Spirits; but every such Retailer shall be entitled to receive, and the Commissioners and Officers of Excise are hereby authorized, empowered, and required to grant, such Licence on Payment of the Rates and Duties payable before the passing of the said recited Act.

II. And be it further enacted, That the Quantity of Spirits received and consumed by any Retailer of Spirits shall for the Purpose of this Act be ascertained and determined by the Quantity of Spirits received into the Stock of such Retailer during the Year next preceding the Application by such Retailer to take out or renew his Licence, as appearing either by the Permit granted by or delivered to the Officers of Excise, or by any Stock Account of any Officer of Excise.

III. And be it further enacted, That from and after the passing of this Act so much of any Act or Acts as requires any Dealer in or Retailer of Wine to make Entry of the Premises by him occupied for dealing in or retailing Wine, and as requires the keeping an Account by the Officers of Excise of the Stocks of Wine in the Possession of Dealers or Retailers, and as authorizes the Survey by Officers of Excise of such Stocks and of the Premises in which the same are kept, shall be and the same is hereby repealed.

IV. Provided always, and be it further enacted, That where any Dealer in or Retailer of Wine shall also be a Dealer in or Retailer of Foreign or British Spirits in the same House or Premises, or in any other House or Premises within Five hundred Yards, such Dealer or Retailer shall continue to make Entry with the Officers of Excise of every House, Room, Cellar, Vault, or Place made use of by him for the keeping or storing of or dealing in or retailing Wine, on pain of forfeiting for every unentered House, Room, Cellar, Vault, or Place, Fifty Pounds, together with all Wine and other Liquors which may be found therein; and it shall be lawful for any Officer of Excise at any Time to enter into any House, Room, Cellar, Vault, or Place used by any such Dealer or Retailer for keeping or storing, dealing in or retailing Wine, and to examine all Wine therein.

V. And be it further enacted, That so much of any Act or Acts as relates to the requiring of Permits for the Removal of Wine shall be and the same is hereby repealed.

VI. Provided always, That nothing in this Act contained shall extend, or be deemed or construed to extend, to affect the Duties on Licences required to be taken out by Dealers in and Retailers of Wine; but that every Dealer in and Retailer of Wine shall take out a Licence or Licences, and pay for the same in the same Manner as if this Act had not been passed.

VII. And be it further enacted, That it shall be lawful for the Commissioners and Officers of Excise, and they are hereby authorized and empowered, to grant Retail Licences to any Person to sell Beer, Spirits, and Wine in any Theatre established under a Royal Patent, or in any Theatre or other Place of Public Entertainment licensed by the Lord Chamberlain or by Justices of the Peace, without the Production by the Person applying for such Licence or Licences of any Certificate or Authority for such Person to keep a Common Law, Alehouse, or Victualling House; any thing in any Act or Acts to the contrary notwithstanding.

VIII. And be it further enacted, That this Act or any of the Provisions thereof may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

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## C A P. XL.

An Act to provide for the better Collection of the Duties on Wood the Produce of Plants in Europe.

[31st August 1835.]

WHEREAS by an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act for granting Duties of Customs*, certain Duties are made payable upon Wood imported from Europe, and certain other Duties are made payable upon Wood imported from the British Possessions in America; and it is expedient to enforce in all Cases the Payment of the said first-mentioned Duties on all Wood the Produce of Europe; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Duties payable under the Authority of the said Act upon Wood imported from Europe shall be due and payable upon Wood the Produce of Europe although imported from some British Possession in America, and that such Duties shall be raised, levied, collected, and paid unto His Majesty in like Manner as if the same had been made so payable in and by the said Act; any thing in that Act, or in any other Act or Acts, to the contrary notwithstanding.

22 & 24 v. c. 20.

Duty to be payable upon Wood the Produce of Europe, although imported from some British Possession in America.

## C A P. XLII.

An Act to amend the Law relating to Securities given for Considerations arising out of gaming, wagers, and certain other illegal Transactions.

[31st August 1835.]

WHEREAS by an Act passed in the Sixteenth Year of the Reign of His late Majesty King Charles the Second, and by an Act passed in the Parliament of Ireland in the Tenth Year of the Reign of His late Majesty King William the Third, each of such Acts being intituled *An Act against deceitful, seditious, and criminal Gaming*, it was enacted, that all and singular Judgments, Statutes, Recognizances, Mortgages, Assignments, Bonds, Bills, Specialties, Promises, Covenants, Agreements, and other Acts, Deeds, and Securities whatsoever, which should be obtained, made, given, acknowledged, or entered into for Security or Satisfaction of or for any Money or other Thing lost at Play or otherwise as in the said Acts respectively is mentioned, or for any Part thereof, should be utterly void and of none effect: And whereas by an Act passed in the Ninth Year of the Reign of Her late Majesty Queen Anne, and also by an Act passed in the Parliament of Ireland in the Eleventh Year of the Reign of Her said late Majesty, each of such Acts being intituled *An Act for the better preventing of criminal and deceitful Gaming*, it was enacted, that from and after the several Days therein respectively mentioned all Notes, Bills, Bonds, Judgments, Mortgages, or other Securities or Conveyances whatsoever, given, granted, drawn, or entered into or executed by any Person or Persons whatsoever, where the Whole or any Part of the Consideration of such Conveyances or Securities should be for any Money or other valuable Thing whatsoever won by gaming or playing at Cards, Dice, Tables, Tennis, Bowls, or other Game or Games whatsoever, or by betting on the Sides or Heads of such as did game or any of the Games aforesaid, or for the reimbursing or repaying any Money knowingly law or advanced for such gaming or betting as aforesaid, or lent or advanced at the Time and Place of such Play to any Person or Persons so gaming or betting as aforesaid, or that should, during such Play, so play or bet, should be utterly void, frustrate, and of none effect, to all Intents and Purposes whatsoever; and that where such Mortgages, Securities, or other Conveyances should be of Lands, Tenements, or Hereditaments, or should be such as should incumber or affect the same, such Mortgages, Securities, or other Conveyances should cease and be to and for the sole Use and Benefit of and should devolve upon such Person or Persons as should or might have or be entitled to such Lands or Hereditaments in case the said Game or Games thereof, or the Person or Persons so incumbering the same, had been naturally dead, and as if such Mortgages, Securities, or other Conveyances had been made to such Person or Persons so as entitled after the Decesse of the Person or Persons so incumbering the same; and that all Grants or Conveyances to be made for the preventing of such Lands, Tenements, or Hereditaments from coming to or devolving upon such Person or Persons thereby intended to enjoy the same as aforesaid should be deemed fraudulent and void and of none effect, in all Intents and Purposes whatsoever: And whereas by an Act passed in the Twelfth Year of the Reign of Her said late Majesty Queen Anne, intituled *An Act to reduce the Rate of Interest without any Prejudice to Parliamentary Securities*, it was enacted, that all Bills, Contracts, and Assignments whatsoever made after the Twenty-third Day of September One thousand seven hundred and fourteen for Payment of any Principal or Money to be lent or advanced to be performed upon or for any Usury, whereupon or whereby there should be reserved or taken above the Rate of Five Penns in the Hundred, as therein mentioned, should be utterly void: And whereas by an Act passed in the Parliament of Ireland in the Fifth Year of the Reign of His late Majesty King George the Second, intituled *An Act for relieving the Interest of Money to Six per Cent*, it was enacted, that all Bills, Contracts, and Assignments whatsoever made after the First Day of May One thousand seven hundred and thirty-two for Payment of any Principal or Money to be lent or advanced to be performed upon or for any Loan, whereupon or whereby there should be taken or reserved above the Rate of Six Penns in the Hundred, should be utterly void: And whereas by an Act passed in the Fifty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend the Law in the said late Statute of*

16 Geo. 2. c. 7.

30 W. 3. (1.)

9 Ann. c. 14.

11 Ann. (1.)

12 Ann. c. 2. c. 14.

5 G. 2. (1.)

29 G. 3. c. 20.

that no Bill of Exchange or Promissory Note that should be drawn or made after the passing of that Act should, though it might have been given for a serious Consideration or upon a serious Contract, be void in the Hands of an Indorsee for valuable Consideration, unless such Indorsee had at the Time of discounting or paying such Consideration for the same actual Notice that such Bill of Exchange or Promissory Note had been originally given for a serious Consideration or upon a serious Contract. And whereas by an Act passed in the Parliament of Great Britain in the Eleventh and Twelfth Years of the Reign of His said late Majesty King George the Third, intituled *An Act to prevent Frauds committed by Bankrupts*, it was enacted, that every Bond, Bill, Note, Contract, Agreement, or other Security whatsoever to be made or given by any Bankrupt or by any other Person unto or to the Use of or in Trust for any Creditor or Creditors, or for the Security of the Payment of any Debt or Sum of Money due from such Bankrupt at the Time of his becoming bankrupt, or any Part thereof, between the Time of his becoming bankrupt and such Bankrupt's Discharge, as a Consideration or to the Intent to persuade him, her, or them to consent to or sign any such Allowance or Certificate, should be wholly void and of no effect, and the Monies therein secured or agreed to be paid should not be recovered or recoverable. And whereas by an Act passed in the Party-fifth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for the Encouragement of Savings*, and for the better and more effectually executing His Majesty's Navy during the present War, it was enacted, that all Contracts and Agreements which should be entered into, and all Bills, Notes, and other Securities which should be given, by any Person or Persons for Barren of any Ship or Vessel, or of any Merchandise or Goods on board the same, contrary to that Act, should be absolutely void and void in Law, and of no effect whatsoever: And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to amend the Laws relating to Bankrupts*, it was enacted, that any Contract or Security made or given by any Bankrupt or other Person unto or in Trust for any Creditor, or for securing the Payment of any Money due by such Bankrupt, at his Bankruptcy, as a Consideration or with Intent to persuade such Creditor to consent to or sign the Certificate of any such Bankrupt, should be void, and the Money thereby secured or agreed to be paid should not be recoverable, and the Party sued on such Contract or Security might plead the General Issue, and give that Act and the special Matter in Evidence: And whereas Securities and Instruments made void by virtue of the several heretofore recited Acts of the Sixteenth Year of the Reign of His said late Majesty King Charles the Second, the Tenth Year of the Reign of His said late Majesty King William the Third, the Ninth and Eleventh Years of the Reign of Her said late Majesty Queen Anne, the Eleventh and Twelfth Years of the Reign of His said late Majesty King George the Third, the Forty-fifth Year of the Reign of His said late Majesty King George the Third, and the Sixth Year of the Reign of His said late Majesty King George the Fourth, and Securities and Instruments made void by virtue of the said Act of the Twelfth Year of the Reign of Her said late Majesty Queen Anne and the Fifth Year of the Reign of His said late Majesty King George the Second, other than Bills of Exchange or Promissory Notes made void by the said Act of the Fifty-eighth Year of the Reign of His said late Majesty King George the Third, are sometimes sold, transferred, assigned, or conveyed to Purchasers or other Persons for a valuable Consideration, without Notice of the original Consideration for which such Securities or Instruments were given, and the Avoidance of such Securities or Instruments in the Hands of such Purchasers or other Persons is often attended with great Hardship and Injustice: For Remedy thereof he is enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the herein before recited Acts of the Sixteenth Year of the Reign of His said late Majesty King Charles the Second, the Tenth Year of the Reign of His said late Majesty King William the Third, the Ninth, Eleventh, and Twelfth Years of the Reign of Her said late Majesty Queen Anne, the Fifth Year of the Reign of His said late Majesty King George the Second, the Eleventh and Twelfth and the Forty-fifth Years of the Reign of His said late Majesty King George the Third, and the Sixth Year of the Reign of His said late Majesty King George the Fourth, as enacts that any Note, Bill, or Mortgage shall be absolutely void, shall be and the same is hereby repealed; but nevertheless every Note, Bill, or Mortgage which if this Act had not been passed would, by virtue of the said several lastly herein before recited Acts or any of them, have been absolutely void, shall be deemed and taken to have been made, drawn, accepted, given, or executed for an illegal Consideration, and the said several Acts shall have the same Force and Effect which they would respectively have had if instead of enacting that any such Note, Bill, or Mortgage should be absolutely void, such Acts had respectively provided that every such Note, Bill, or Mortgage should be deemed and taken to have been made, drawn, accepted, given, or executed for an illegal Consideration: Provided always, that nothing herein contained shall prejudice or affect any Note, Bill, or Mortgage which would have been good and valid if this Act had not been passed.

II. And be it further enacted, That in case any Person shall, after the passing of this Act, make, draw, give, or execute any Note, Bill, or Mortgage for any Consideration on account of which the same is by the herein before recited Acts of the Sixteenth Year of the Reign of His said late Majesty King Charles the Second, the Tenth Year of the Reign of His said late Majesty King William the Third, and the Ninth and Eleventh Years of the Reign of Her said late Majesty Queen Anne, or by any one or more of such Acts, declared to be void, and such Person shall actually pay to any Indorsee, Holder, or Assignee of such Note, Bill, or Mortgage the Amount of the Money thereby secured, or any Part thereof, such Person shall not be deemed and taken to have been liable to any Indorsee or Assignee of the

11 & 17 G. 1.  
(5.)

15 G. 5. c. 72.

5 G. 4. c. 12.

Securities given for Consideration being void if illegal Transactions are to be void, but to be deemed to have been given for an illegal Consideration.

Money paid to the Holder of such Securities shall be deemed to be paid on account of the Person to whom the same was originally given.

Persons to whom such Note, Bill, or Mortgage was originally given upon such legal Consideration as aforesaid, and shall be deemed and taken to be a Debt due and owing from such last-mentioned Person to the Person who shall so have paid such Money, and shall accordingly be recoverable by Action at Law in any of His Majesty's Courts of Record.

III. And be it further enacted, That in respect of the said Acts of the Ninth and Eleventh Years of the Reign of Her said late Majesty Queen Anne or either that where such Mortgages, Securities, or other Conveyances as therein mentioned should be of Lands, Tenements, or Hereditaments, or should be such as should in anywise or affect the same, such Mortgages, Securities, or other Conveyances should cease and be to and for the sole Use and Benefit of and should devolve upon such Person or Persons as should or might lawfully be entitled to such Lands or Hereditaments in case the Grantor or Grantors thereof, or the Person or Persons incurring the same, had been naturally dead, and so if such Mortgages, Securities, or other Conveyances had been made to such Person or Persons so to be entitled after the Decease of the Person or Persons so incurring the same, and that all Grants or Conveyances to be made for the preventing of such Lands, Tenements, or Hereditaments from coming to or devolving upon such Person or Persons thereby intended to enjoy the same as aforesaid, should be deemed fraudulent and void, and of none effect, to all Intents and Purposes whatsoever, shall be and the same is hereby repeated; saving to all Persons all Rights acquired by virtue thereof previously to the passing of this Act.

IV. And be it further enacted, That this Act may be altered or repealed by any other Act during this present Session of Parliament.

## C A P. XLII.

An Act to authorize the granting of Superannuation Allowances to the Commissioners and Officers of the Courts for the Relief of Insolvent Debtors. [31st August 1835.]

WHEREAS by an Act passed in the Fourth and Fifth Years of the Reign of His present Majesty, intitled *An Act to alter, amend, and consolidate the Laws for regulating the Penalties, Compensation, and Allowances to be made to Persons in respect of their having held Office as His Majesty's Clerks, Officers, and Departments as set forth and enumerated in the Schedule to that Act assessed, and that it should be lawful for the Commissioners of His Majesty's Treasury, by any Order or Warrant under the Hands of any Three or more of them, to add to the List of Offices and Departments enumerated in the said Schedule any other Offices which then existed or might thereafter be created or established, and to place the same and the Officers and Persons employed therein under the Provisions of that Act; and a Power was thereby given to the Commissioners of His Majesty's Treasury, in case it should appear to them that any special Circumstances afforded to any Officer or Clerk in the several Offices or Departments mentioned in the Schedule to the Act, or in the Addition authorized to be made thereto, a just Claim to an Amount of Superannuation Allowance not authorized by the Act, or exceeding the Amount therein specified with reference to the Length of his Services, to grant or give Authority for granting any special Superannuation which such Officer or Clerk should appear to them to deserve; and it was further provided and enacted, that nothing in that Act contained should authorize the adding to such List any Officers in any of His Majesty's Courts at Westminster or Dublin, or any other His Majesty's Courts of Justice elsewhere: And whereas by an Act passed in the first Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Relief of Insolvent Debtors in England*, it was enacted that it should be lawful for His Majesty to appoint a Chief and Two other Commissioners for the Relief of Insolvent Debtors, to preside in a Court to be called "The Court for the Relief of Insolvent Debtors," and certain Officers of such Court were to be appointed as therein mentioned, and the said Act was afterwards continued and amended, and further Provisions made in relation to said Court, by certain other Acts of Parliament: And whereas by an Act passed in the First and Second Years of the Reign of His late Majesty King George the Fourth, intitled *An Act for the Relief of Insolvent Debtors in Ireland*, the Lord Lieutenant or other Chief Governor or Governors of Ireland were empowered to appoint any Number of Persons, not exceeding Two, being Barristers at Law of Ten Years standing at the least, to be His Majesty's Commissioners for the Relief of Insolvent Debtors in Ireland, to preside in a Court to be called "The Court for the Relief of Insolvent Debtors," to be held at such Place in Dublin as should be appointed for that Purpose by the Order of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, the Salary of each of such Commissioners to be paid out of the Consolidated Fund, as mentioned in such Act: And whereas no Provision has been made by the said recited Acts made in the Reign of His late Majesty for granting any Superannuation Allowance to any Commissioner or Officer of the said Courts respectively, and Doubts have been entertained whether any such Superannuation Allowance can be now granted under the Provisions of the said in part recited Act of the Fourth and Fifth Years of the Reign of His present Majesty, in consequence of the Exception therein contained as to Officers in any of His Majesty's Courts of Justice at Westminster or Dublin; and it is expedient to provide for the granting of such Superannuation Allowance: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the*

Respectively to each of recited Acts of 5 & 6 Geo. 4. as means that Securities shall issue for the Benefit of Parties in Bankruptcy.

Act may be altered, &c.

4 & 5 W. 4. c. 24.

1 G. 4. c. 110

14 & 15 G. 4. c. 20.

Commissioners of the Treasury



• His Majesty's Treasury and divers Persons willing to contribute the said Sum of Fifteen Millions, • bearing Date the Third Day of August in this present Year, for carrying into effect the Purposes of • the said recited Act; and it is expedient to make Provisions and Regulations whereby the Payments • to be made to the several Persons entitled to Compensation under the Provisions of the said Act may • be so arranged as to fall due and become payable from Time to Time out of the Monies received from • Time to Time under the said Contract as Instalments of the said Sum of Fifteen Millions as such • several Instalments shall become due: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners for the Reduction of the National Debt may and they are hereby empowered to issue, under such Forms and Regulations as the said Commissioners shall think proper to adopt for that Purpose, Certificates payable to the Bearer thereof, carrying Interest after the Rate of Two-pence Farthing per Centum per Annum; and the Principal Sum specified in such Certificates shall be charged upon and shall be payable out of the Monies received from Time to Time on account of the said Sum of Fifteen Millions standing upon the Account of the said Commissioners for the Reduction of the National Debt in the Books of the Bank of England, under the Title of "The West India Compensation Account"; and such Certificates shall be made out from Time to Time for a Sum not exceeding in the whole the Principal Sum of Thirteen millions five hundred thousand Pounds Sterling.

II. Provided always, and be it enacted, That the Interest which shall be payable upon the Principal Sums specified in the said Certificates shall be charged upon and made payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland; and the said Commissioners for the Reduction of the National Debt, or the Comptroller General or Assistant Comptroller acting under them, shall certify to the Lords of the Treasury from Time to Time the Sums required to be issued out of the said Consolidated Fund for that Purpose; and upon Receipt of the said Certificate the said Lords of the Treasury, or any Three or more of them, shall by Warrant under their Hands cause the Sum stated in the said Certificate to be issued from Time to Time to the Governor and Company of the Bank of England, to be by them placed to the said "West India Compensation Account," standing in the Names of the said Commissioners in the Books of the said Bank.

III. And be it further enacted, That the said Certificates shall be made out for the whole Amount of the Sum of Money awarded to any Person or Persons under the Provisions of the said recited Act, or in Sums of even Pounds, or the fractional Parts of a Pound Sterling, (save and except that no Fraction less than One Penny shall be contained in any such Certificate,) as the said Commissioners, or the Comptroller General or Assistant Comptroller acting under them, shall deem most convenient; and previous to the issue of any such Certificates such respective Certificates shall be signed by the said Comptroller General or said Assistant Comptroller, and be countersigned by the Attorney or other Check Officer acting under the said Commissioners, and shall be entered in proper Books kept at the National Debt Office for that Purpose.

IV. And be it enacted, That upon Demand being made for the Payment of any Award for Compensation under the Provisions of the said Act the said Comptroller General or Assistant Comptroller, or other proper Officer of the said Commissioners, may draw upon the Cashiers of the Bank of England, on account of the West India Compensation, for the Payment of the Sum so demanded, together with the Interest due thereon, (save and except that Interest shall not be computed or allowed upon any fractional Part of a Pound Sterling,) or issue a Certificate or Certificates, made out and signed as herein-before directed, to the Person or Persons, or to his, her, or their Attorney or Attorneys, Executors or Administrators, to whom any Sum shall be awarded for Compensation, of the like Amount as the Sum so awarded (the Fractions of a Penny excepted), for the Payment of and in full Satisfaction for the Sum of Money awarded to such Person or Persons respectively under the Provisions of the said Act; and the Principal Sum specified in such Certificate or Certificates together with the Interest due thereon, (save and except that Interest shall not be computed or allowed on any fractional Part of a Pound Sterling,) shall be payable at the Bank of England upon the Production of such Certificate or Certificates to the Cashiers of the said Bank; and the said Cashiers are hereby required, upon the Production of the same, to pay the Principal contained in such Certificate or Certificates accordingly, together with the Interest thereon, out of the Monies standing in the Names of the said Commissioners for the Reduction of the National Debt under the Title of "The West India Compensation Account" aforesaid, after which the said Certificates shall be countersigned by such Cashier or Cashiers, and delivered up to the said Commissioners.

V. Provided always, and be it enacted, That the Cashier or Cashiers of the Bank shall receive as Money from Time to Time from any Person or Persons any of the said Certificates which shall be presented to them in payment of the Whole or of any Part of any Instalment due from Time to Time upon the said Fifteen Millions; and in all such Cases the Interest which shall happen to be then due upon the said Certificate or Certificates presented to such Cashier or Cashiers at the Time of paying up any Instalment shall be added to the Principal Sum stated in such Certificate, and shall be received and accounted as one entire Sum.

VI. And whereas it is expedient to make Provision for the Payment of the Interest which will become payable in respect of the Sum of Twenty Millions of Pounds Sterling directed by the said recited Act to be paid to the Persons entitled to Compensation under the Provisions of the said Act: Be it therefore enacted, That the Interest upon the said Sum of Twenty Millions shall be after the Rate

Certificates may be issued by the Commissioners for the Reduction of the National Debt, carrying Interest thereon chargeable on the Treasurers of the Loan.

Interest of the Certificates chargeable on the Consolidated Fund.

Certificates to be made out for the whole Amount, and signed by the Comptroller General or Assistant Comptroller.

Comptroller General or Assistant Comptroller, and other of the Commissioners of the National Debt, may draw for Payment of Money, or issue Certificates.

Certificates may be received towards Payment of Instalments on the Loan.

The Interest of the Compensation Twenty Millions to be chargeable on.



the Consolidated Fund from the 1st day of 1835.

of Three Pounds Seven Shillings and Eight-pence per Centum per Annum, which Interest shall commence and be paid to such Person or Persons from the First Day of August One thousand eight hundred and thirty-four exclusive, up to and including the Day of the Payment of the Principal Sum awarded to such Person respectively, or up to and including the Date of the said Certificate or Certificates (in case a Certificate shall be issued to such Person or Persons in lieu of paying the Sum awarded in Money), as the Case may be, and except that Interest shall not be computed or allowed upon any fractional Part of a Pound Sterling; and the said Interest shall be charged upon and payable out of the said Consolidated Fund of the United Kingdom of Great Britain and Ireland; and the said Comptroller General or Assistant Comptroller shall certify to the Lords of the Treasury the Sum required for the Payment of all such Interest; and upon Receipt of the said Certificate the said Lords or any Three or more of them shall thereupon, by Warrant under their Hands, cause the Sum mentioned in the said Certificate to be issued out of the said Consolidated Fund to the Governor and Company of the Bank of England, to be by them placed to the said Account of the Commissioners for the Reduction of the National Debt, on account of "The West India Compensation"; and the said Comptroller General or Assistant Comptroller, or other proper Officer of the said Commissioners, are hereby respectively authorized to draw upon the said Account from Time to Time for the Payment of the said Interest to the several Persons entitled thereto, or to his, her, or their respective Attorney or Attorneys, Executors or Administrators.

Expenses of the Execution of the Act of 7 A 1 W. 4. to be defrayed out of the Interest.

VII. And whereas the Lords Commissioners of the Treasury are by the said recited Act authorized to cause to be advanced out of the said Sum of Twenty Millions all such Sums as may be necessary for the Payment of all Allowances, and defraying all other necessary Charges and Expenses in and about the Execution of the Commission under the said recited Act; be it therefore enacted, That the said Lords of the Treasury or any Three or more of them, previously to the issuing out of the said Consolidated Fund the Sum required for the Payment of the Interest on the said Sum of Twenty Millions, may order and direct to be set apart therefrom the Sum required to defray the Expenses attending the carrying into execution the Provisions of the said recited Act.

Provision has not been made by Parliament as required by recited Act.

VIII. And whereas it is enacted by the said recited Act, that no Part of the said Sum of Twenty Millions of Pounds Sterling shall be applied or shall be applicable to the Purposes aforesaid, for the Benefit of any Person now entitled to the Services of any State in any of the Colonies therein mentioned, unless an Order shall have been first made by His Majesty, with the Advice of His Privy Council, declaring that adequate and satisfactory Provision hath been made by Law in such Colony for giving effect to the said Act by such further and supplementary Enactments therein referred to, nor unless a Copy of such Order in Council, duly certified by One of the Clerks in Ordinary of His Majesty's Privy Council, shall by the Lord President of the Council have been transmitted to the Lords Commissioners of His Majesty's Treasury or to the Lord High Treasurer for the Time being, for their or his Guidance or Information: And whereas no Order of the King in Council has been made declaring that adequate and satisfactory Provision hath been made by Law in the Colony of Barbadoes for giving effect to the said recited Act by such further and supplementary Enactments as are specified in the said recited Act: be it therefore enacted, That in order to provide for the Payments of the several Sums which may be awarded to the several Persons in the said Colony entitled to Compensation under the Provisions of the said Act, when and as soon as the Provisions of the said Act shall have been duly complied with as aforesaid, that immediately after the passing of this Act there shall be written in and placed to the Credit of the said Commissioners for the Reduction of the National Debt, in the Books of the said Bank, by the Accountant General for the Time being of the said Governor and Company, in a new and separate Account under the Title of "The Compensation Account of the Colony of Barbadoes," the Sum of One million seven hundred and thirty-four thousand three hundred and fifty-three Pounds Twelve Shillings and Seven-pence of Capital of Reduced Annuities, bearing Interest after the Rate of Three Pounds and Ten Shillings per Centum per Annum, such Capital in the said Annuities being equivalent to the Sum of One million seven hundred and twenty-one thousand three hundred and forty-five Pounds Nineteen Shillings and Seven-pence Sterling, consisting the Price of such Three Pounds and Ten Shillings per Centum per Annum Annuities after the Rate of Ninety-nine Pounds Five Shillings Sterling for every One hundred Pounds of such Reduced Three Pounds Ten Shillings per Centum per Annum Annuities, such Price being the Average Price of the existing Reduced Three Pounds and Ten Shillings per Centum per Annum Bank Annuities on the Third Day of August One thousand eight hundred and thirty-five, being the Day so which the said Contract was entered into as aforesaid; which Sum of One million seven hundred and thirty-four thousand three hundred and fifty-three Pounds Twelve Shillings and Seven-pence shall be added to and consolidated with and shall be deemed and taken as Part of and be subject to all the Conditions attending the Reduced Three Pounds and Ten Shillings per Centum per Annum Annuities existing at the Time of the passing of this Act, forming Part of the Public Debt of the United Kingdom of Great Britain and Ireland, and shall be assignable and transferable and redeemable accordingly; and the Dividends and Charges of Management arising upon the said Sum of One million seven hundred and thirty-four thousand three hundred and fifty-three Pounds Twelve Shillings and Seven-pence Reduced Three Pounds and Ten Shillings per Centum per Annum Annuities shall be chargeable to the same as are hereby charged upon and made payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, the first half-yearly Payment whereof shall commence from the Tenth Day of October One

Creation of a Fund to provide Compensation for Barbadoes when the Provisions of the Act have been complied with.

thousand eight hundred and thirty-five exclusive; and the said half-yearly Payment shall be set apart

spent and issued at the Receipt of the Exchequer in England, out of the Consolidated Fund of Great Britain, to the said Cashier or Cashiers of the Governor and Company of the Bank of England, as shall be sufficient to satisfy and pay the said Annuities to be created in respect of the said Sum of One million seven hundred and twenty-one thousand three hundred and forty-five Pounds Nineteen Shillings and Seven pence, together with the Charges attending the same.

X. And be it further enacted, That upon Application to the said Commissioners for the Reduction of the National Debt for the Payment of any Sum which shall hereafter be awarded to any Person or Persons in the said Colony of Barbadoes for Compensation under the Provisions of the said Act, when the Provision of the said recited Act shall have been complied with as aforesaid, the said Commissioners shall transfer or cause to be transferred from the said Account to the Person or Persons entitled to such Compensation such a proportionate Amount of the said Reduced Three Pounds and Ten Shillings *per Centum per Annum* Annuities, in satisfaction of the Sum awarded to such Person or Persons, as the whole Sum of One million seven hundred and twenty-one thousand three hundred and forty-five Pounds Nineteen Shillings and Seven-pence Sterling shall bear to the whole Capital of the said Reduced Three Pounds and Ten Shillings *per Centum per Annum* Annuities to be created under the Provisions of this Act.

X. And be it further enacted, That the several Payments which shall be made by the said Commissioners for the Reduction of the National Debt, under the Provisions of the said Act or of this Act, to the Persons entitled to Compensation, or to his, her, or their respective Attorney or Attorneys, Executors or Administrators, shall be deemed to be a Good Payment (and against which there shall be no Appeal) in full of all Demands of the Sum of Money so awarded, and shall be a Bar to and against any Claim which may hereafter be set up or attempted to be set up or made by any other Person or Persons whatsoever against the said Commissioners or any Officer or Officers of the said Commissioners to the Sum so awarded: Provided always, that nothing herein contained shall prevent or prejudice any Person or Persons from prosecuting such Claim against the Person or Persons to whom Payment shall have been made by the said Commissioners as aforesaid under the Provisions of this Act; and the said Commissioners and the said Comptroller General and Assistant Comptroller, or other proper Officer acting under the said Commissioners, and also the said Governor and Company and their Cashier or Cashiers, shall be and they are hereby severally indemnified and saved harmless from all or any Suit or Action, at Law or in Equity, for any Act or Acts done or performed by them respectively in carrying into execution the Provisions of this Act or of the said recited Act.

XI. And be it further enacted, That the said Contract for raising the said Sum of Fifteen Millions, and all Receipts for Stock and Transfers of Stock, and all Certificates given or made under the Provisions of this Act, or issued by the Commissioners for the Reduction of the National Debt, or by the Comptroller General or Assistant Comptroller, or by any other Officer of the said Commissioners, shall be exempted from Stamp Duty.

XII. And be it further enacted, That if any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall wilfully act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or of any Part or Parts of the Contributions towards the said Sum of Fifteen Millions, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors therein, Payer or Payees thereof, or of any Part or Parts thereof, or any Certificate or other Instrument to be issued by the Commissioners for the Reduction of the National Debt, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, Certificates or Certificates, Instrument or Instruments, with intent to defraud the Governor and Company of the Bank of England, or the Commissioners for the Reduction of the National Debt, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or wilfully acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

XIII. And be it further enacted, That no Fee, Reward, or Gratuity whatsoever shall be demanded or taken of any of His Majesty's Subjects for receiving or paying the said Subscription or Contributions Money or any of them, or for any Receipt concerning the same, or for paying the said Annuities or any of them, or for any Transfer of any Sum, great or small, to be made in pursuance of this Act, upon pain that any Officer or Person offending by taking or demanding any such Fee, Reward, or Gratuity shall for every such Offence forfeit the Sum of Twenty Pounds to the Party aggrieved, with full Costs of Suit, to be recovered by Action of Debt, Bill, Plein, or Information in any of His Majesty's Courts of Record at Westminster, wherein no Escoign, Protection, Privilege, or Waiver of Law, Injunction, or Order of Restraint, or any more than One Imparison, shall be granted or allowed.

XIV. And whereas certain Claims for Compensation under the Provisions of the said recited Act may be subject to Litigation before the Commissioners of Arbitration appointed thereunder, and also in the Courts of the several Colonies, and the final Settlement of such Claims may therefore be postponed to a distant Period: And whereas it is expedient to authorize the Commissioners for the Reduction of the National Debt to transfer the said Compensative Funds so under Litigation as herein-after mentioned; be it enacted, That in all such Cases it shall be lawful for the Lords Commissioners of His Majesty's Treasury to direct the Commissioners for the Reduction of the National Debt to pay over from Time to Time, if the Lords of the Treasury shall deem it expedient

Bank may be transferred to Payment of Claimants in Barbadoes.

Indemnity to Commissioners, &c.

Exemption from Stamp Duty.

Persons causing Receipts for Contributions to be forged or counterfeited.

No Fee to be taken for receiving Contributions, or paying the said Annuities, or for any Transfer of any Sum, in Penalty of £20.

For settling the Compensative Funds of Litigated Claims.

so to do, into the Bank of England in the Name of the Accountant General of the Court of Chancery or the Accountant General of the Court of Exchequer, in Trust for the Purposes herein after mentioned, (any thing in any general Rules framed by the said Commissioners of Arbitration under any of the Clauses of the said recited Act to the contrary notwithstanding,) all such Sums of Money as shall from Time to Time be certified by the said Commissioners of Arbitration, according to the Provisions of the said Act, to be the Subject of any Suit in any of the said Courts of any of the said Colonies respectively, or of any Claim before the said Commissioners against which any counter Claim shall have been filed, without any special Order for that Purpose, or other Authority than the Act, and whether such Courts of Chancery or Exchequer respectively shall be sitting or not, and such Sums shall be carried to new Accounts in the Books of the said Bank of England under the Title of "The litigated *West India Compensation Account of the Court of Chancery*", or "The litigated *West India Compensation Account of the Court of Exchequer*", as the Case may be: and such Monies, when so paid in, shall be placed to the Account of the Number of the Claim as stated and specified in the said Certificate of the said Commissioners; and such Monies, and the half-yearly Dividends arising from the Investments thereof, and also the Dividends on all future Investments, as they arise and become due, shall be invested from Time to Time by the said Accountants General in their Names respectively, under the Authority of this Act, in Three per Cent. Consolidated Bank Annuities, to the said respective Accounts: and the said Bank Annuities purchased with the said Compensation Monies so invested as aforesaid, and the said Accumulations, shall be paid and transferred to the Person or Persons to whom the same shall be directed to be paid or transferred by any Adjudication or Award of the said Commissioners of Arbitration duly certified according to the Provisions of the said recited Act, or by the Decree, Order, or Judgment of the Court in the Colony made in the said Suit there depending, or any Court of Appeal; and a Copy of such Decree, Order, or Judgment of the Court in the Colony, or Court of Appeal, signed by the proper Officer of such Court, shall be sufficient Evidence of such Decree, Order, or Judgment to the Accountants General of the said Courts of Chancery or Exchequer: Provided always, that all Orders and Decrees made by any of the Courts in the said Colonies respectively, or the Courts of Appeal, or any Adjudication or Award of the said Commissioners of Arbitration duly certified according to the Provisions of the said Act, shall be valid and effectual for the Purpose of authorizing the Demand upon and Payment by the Accountants General respectively of the said Courts of Chancery and Exchequer of the Sums included in such Orders, Decrees, Adjudications, or Awards respectively.

Colonial Justice to Accountants General of Chancery and Exchequer.

XV. And be it further enacted, That the said Accountant General of the Court of Chancery and the said Accountant General of the Court of Exchequer shall be and they are hereby severally and respectively indemnified and saved harmless from all or any Suit or Action at Law or in Equity, for any Act to be done or performed by them in carrying into execution the Provisions of this Act or so acting under the same, and shall not be held or taken to be responsible for or liable to make good any Payment of Money or Transfer of Bank Annuities erroneously made by them respectively, unless the same shall have been occasioned by the wilful Default or Negligence of the said Accountant General respectively.

Accountants General may appoint a Deputy, &c.

XVI. And be it further enacted, That it shall and may be lawful for the said Accountant General of the Court of Chancery and the said Accountant General of the Court of Exchequer respectively to nominate and appoint a fit and proper Person to do and perform all or any of the Acts and Duties imposed upon the said Accountants General by this Act, and that the Acts of the said Deputies shall be as valid and effectual as if the same had been done by the said Accountants General themselves.

Persons and may plead the General Issue.

XVII. And be it further enacted, That if any Person or Persons shall be sued, molested, or prosecuted for any thing done by virtue or in pursuance of the Act, such Person or Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence in his, her, or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Prosecution, or be acquitted, or Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs awarded to him, her, or them against any such Plaintiff or Plaintiffs.

Treble Costs.

#### C A P. XLVI.

An Act to amend, until the End of the next Session of Parliament, an Act of the Second Year of His present Majesty, for making Provision for the Dispatch of the Business now done by the Court of Exchequer in Scotland. [31st August 1835.]

2W.4. c.24.

WHEREAS by an Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act for making Provision for the Dispatch of the Business now done by the Court of Exchequer* in Scotland, it is amongst other Things enacted, that if at any Time after the passing of the said Act the Number of the Barons of the said Court shall be reduced, or after the Retirement or Decease of the last remaining Baron, then and in such Case it shall and may be lawful during the Intersession or Absence of the Baron and Barons of such Court to which the same shall be reduced, or of the Judge of the Court of Session to be appointed to try the Suits and Causes in the said Court, so and for the Judge of the Court of Session, officiating as Lord Ordinary upon the Bills for the Time being, to grant Warrants for the issuing of all Commissions to find Debts, and Fees for the issuing of all Writs and Process, and other Process issuable out of the said Court of Exchequer, and also to receive such

Signatures

\* Signatures for the granting of Crown Charters as may be of an urgent Nature and require Dispatch, in like Manner and to as full Force and Effect as the Lord Chief Baron or other Parson of the said Court are by Law authorized to do: And whereas the Lord Chief Baron and One of the Barons of the said Court of Exchequer have retired since the passing of the said Act, and the Powers and Duties of the said Court of Exchequer are now discharged by the sole remaining Baron of the said Court: And whereas, in consequence of the continued Indisposition of the said sole remaining Baron, it has become expedient to provide more effectually for the proper Dispatch of the Business of the said Court of Exchequer: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time after the passing of this Act it shall and may be lawful, during the Indisposition or unavoidable Absence of the said sole remaining Baron of the Court of Exchequer, or of the Judge of the Court of Session, to be appointed to try the Same and Causes in the said Court, and perform the other Duties thereof in the said recited Act mentioned, and for the Judge of the Court of Session officiating as Lord Ordinary upon the Bills for the Time being to try all Suits and Causes in the said Court of Exchequer, either in Term or out of Term, as he shall appoint, to grant Warrant for the issuing of all Commission to End Debits, and Fines for the losing of all Writs of Extent and other Process issuable out of the said Court of Exchequer, and to revise, compound, and pass Signatures for the granting of Crown Charters, and generally to perform all the Powers and Duties of the said Court of Exchequer, as fully and effectually as the Lord Chief Baron, Barons, and sole remaining Baron of the said Court were and are by Law authorized to do; any thing in the said recited Act to the contrary notwithstanding.

II. And be it further enacted, That this Act shall continue in force until the End of the next Session of Parliament.

## C A P. XLVII.

An Act to repeal so much of an Act passed in the Third and Fourth Years of His present Majesty as relates to the Amount of the Salary granted to the Clerk of the Crown in Chancery; and to make other Provisions in relation to the said Office. [Sist August 1835.]

WHEREAS by an Act passed in the Third and Fourth Years of His present Majesty, intituled *An Act to provide for the Performance of the Duties of certain Offices connected with the Court of Chancery which have been abolished*, the Salary of the Clerk of the Crown in Chancery was fixed at Eight hundred Pounds per Annum, in full Satisfaction for the Duties of the said Office, and of all Expenses incident to the Performance thereof. And whereas the Expenses of the said Office vary, and in some Years may be so great as to leave a very inadequate Sum for the Salary of the Clerk of the Crown; and it is expedient to make Provision for securing to that Officer a proper Remuneration for the responsible Duties performed by him, and for the Payment of the reasonable and necessary Expenses of his Office: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act by which the yearly Salary of Eight hundred Pounds is granted to the Clerk of the Crown in Chancery, in full Satisfaction for the Duties of the said Office, and of all Expenses incident to the Performance thereof, shall be and the same is hereby repealed; and instead and in lieu thereof there shall be paid to the said Clerk of the Crown for the Time being the yearly Salary of Five hundred Pounds, free and clear from all Deductions on account of the Expenses incident to the Performance of the Duties of the said Office; and the said Salary of Five hundred Pounds shall be issued and payable out of and be charged and chargeable upon the same Fund as the before mentioned yearly Salary of Eight hundred Pounds was directed to be issued out of and made chargeable upon by the said recited Act.

II. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury, for the Time being, and he and they is and are hereby required, by Warrant under his or their Hands, to allow to the said Clerk of the Crown, for his Clerks, and for the other incidental and necessary Expenses of his Office, such Sum per Annum as he or they shall deem reasonable and proper; and the Sum so allowed as aforesaid shall be paid and payable out of and be charged and chargeable upon the Fees and Emoluments taken and received in the Office of the said Clerk of the Crown; and the Residue only of the said Fees and Emoluments, after Payment of the said Expenses, shall be paid and payable into the Receipt of His Majesty's Exchequer, and be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, any thing in the said recited Act to the contrary notwithstanding.

III. Provided always, and be it further enacted, That it shall be lawful for the said Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury, from Time to Time to reduce or increase the Amount to be allowed to the said Clerk of the Crown for such Expenses of his Office as Occasion may be or require.

IV. And be it further enacted, That the said yearly Salary of Five hundred Pounds hereby granted to the Clerk of the Crown in Chancery, together with such annual Sum as shall be allowed by the said Lord High Treasurer or Commissioners of His Majesty's Treasury for the Clerks and other incidental Expenses of the said Office as aforesaid, shall commence on and be payable from the Fifteenth Day of November One thousand eight hundred and thirty-four, when the present Clerk of the Crown was

In case of Indisposition of remaining Baron of Court of Exchequer, Judge of Court of Session to try Cases in the Exchequer Court.

Duties of Act.

28 C. 46, 47.

17 57

Repealing so much of recited Act as grants a Salary of 800*l.* to the Clerk of the Crown, and granting a salary of 500*l.* in lieu thereof.

The Treasury may allow the Expenses of the Office of the Clerk of the Crown, and direct the same to be paid out of the Fund.

Treasury may vary the Allowance for Expenses.

Salary and Sum allowed for Expenses to commence and be payable from the 15th November 1834.



and Recognizances shall be discharged in like Manner as if the Condition thereof had been fulfilled according to the Terms thereof.

IV. And be it enacted, and be it enacted, That the Clerk of the Peace for the County in which any such Extraordinary Court of Sessions shall be directed to be holden under the Authority of this Act shall cause the Time and Place appointed for holding the same to be notified in the usual Manner of notifying the holding of General or Quarter Sessions, or Adjournments thereof, or otherwise as the said Lord Lieutenant shall direct; and that the necessary and proper Expenses to be thereby incurred shall be raised by Payment of the Grand Jury at the Assizes of the County, in like Manner as the other Expenses incurred in the Discharge of the necessary and accustomed Duties of such Clerk of the Peace are defrayed.

V. And be it enacted, That each such Extraordinary Court of Sessions shall continue to sit, and shall adjourn from Time to Time and Place to Place as Convenience may require, and each Day as shall be specified for the Transaction thereof in and by a like Order to be made by the said Lord Lieutenant of Justice in Council; and that for the Purposes of each such Session, and during the Continuance thereof, such Precepts, Writs, Warrants, Processes, and other Means for enforcing the Attendance thereof of Grand Jurors, Petty Jurors, Witnesses, Transgressors, Offenders, and other Persons, shall and may be issued and returned, and Juries impanelled, in like Manner as in ordinary Courts of proceeding at any Court of Criminal Jurisdiction: Provided always, that the Names of the Persons returned to serve on the Grand Jury at any such Session shall be taken from the "Special Jurors List" of such County.

VI. And be it enacted, That no Transgrener in proci shall be received or allowed at any such Court, but that every Person charged with any Offence thereat shall plead forthwith, and the Trial be directly proceeded upon, unless the Court shall, upon sufficient Matter disclosed by Affidavit, think fit in its Discretion to postpone such Trial according to the Course of any Court of Oyer and Terminer, General Goal Delivery, or General or Quarter Sessions, either to any subsequent Sitting or Adjournment of such Extraordinary Court, or to any other Court of Oyer and Terminer and General Goal Delivery, or General or Quarter Sessions of the Peace, or Adjournment thereof, for the same County.

VII. And be it enacted, That no Proceeding of or at any Extraordinary Court of General Sessions holden under the Authority of this Act shall, before Trial and Judgment, be removed into His Majesty's Court of King's Bench by Writ of Certiorari or otherwise.

VIII. And be it enacted, That any Person not duly authorized by Law to keep Fire-arms who shall be found, between Sunset and Sunrise, with Fire-arms or other offensive Weapons in his Possession, in any Place save his own Dwelling House, or any Person not duly authorized by Law to keep Fire-arms who shall be found, at any Hour of the Day or Night, with any loaded or unloaded Fire-arms or offensive Weapon, within any County in which any Court holden under this Act shall be then acting, shall be deemed to be guilty of a Misdemeanor.

IX. And whereas Infringements of the Law and Violations of the Public Peace are frequently committed and committed by nocturnal Assemblies of disorderly Persons, and it is desirable to provide under proper Regulations some Check to such Meetings; be it therefore enacted, That if the Grand Jury impanelled at any such Sessions to be holden under this Act shall make a Proclamation to the Court that a Necessity exists for taking Measures to suppress nocturnal Meetings, such Proclamation shall be transmitted by the Chairman to the said Lord Lieutenant, together with the Opinion of the Court thereon; and it shall and may be thereupon lawful for the said Lord Lieutenant, with the Advice of His Majesty's Privy Council, to authorize and direct such Court to issue a Notice, enjoining the Inhabitants of such County, or any Part thereof, or of any adjacent County to be specified therein, to be and remain within their respective Lodgings and Habitations at all Hours between One Hour after Sunset and Sunrise, from and after such Day as shall be named and specified therein for that Purpose; and warning those that all Persons who may be found abroad or absent from their respective Habitations during such Hours, save upon some lawful and proper Occasion, will be liable to be punished as guilty of an Offence under the Provisions of this Act; and such Notice shall be printed and posted on some conspicuous Place in each Town and Village within each Barony or Half Barony of such County, or if the same be a County of a City or Town, on the principal Places for posting Notices within the same.

X. And be it enacted, That any Male Person who shall be between One Hour after Sunset and Sunrise, at any Time after the Day specified in any such Notice, abroad in any Field, Road, or elsewhere out of his Habitation or Lodging, within any County or District specified in such Notice, save upon some lawful and proper Occasion, shall be deemed to be guilty of a Misdemeanor; and that any Magistrate or Constable of Police who shall find any Person so abroad, within such Hours and within such County or District, shall, at his Discretion, have Power and Authority to apprehend such Person; and he shall be committed and detained until Trial, unless held to Bail by some Person thereat authorized.

XI. And be it enacted, That at any Time after the Day named and specified in such Notice it shall be lawful for the Court at any such Session to issue a Warrant, signed by the Chairman thereof, and countersigned by the Clerk of the Peace, and directed to One or more Magistrate or Magistrates, Chief Constable or Chief Constables of Police, authorizing him or them, at any Time from One Hour after Sunset until Sunrise, to demand and require that any or every Person being an Inhabitant or Inmate of any House or Building within the County or District specified in such Notice shall come forth and

Not to be given by the Clerk of the Peace of the Time and Place for holding such Court.

Court may adjourn from Time to Time and Place to Place, as directed by Order of Lord Lieutenant in Council. Grand Jury.

Offences to be tried before such Court shall otherwise order.

Proceedings not to be removed by Certiorari, &c.

Carrying or possessing Fire-arms in certain Cases to be deemed a Misdemeanor.

Lord Lieutenant, on Proclamation of Grand Jury, may direct such Court to issue a Notice enjoining the Inhabitants of Places therein specified to remain within their Habitations at Night.

Any Person found abroad in the Night after such Notice, in any Place specified therein, shall be deemed guilty of a Misdemeanor.

After the Day named in such Notice, Court may authorize by Warrant domestic Magistrate or Magistrates to inquire into the same.

show himself or themselves; and if any such Person shall not so come forth and show himself within Ten Minutes after he shall be so required he shall be deemed to be then absent, and shall be certified in Writing to be so to the said Court by the Person or Persons by whom he may have been so required to appear; and every Owner of any House within such District shall, within Twenty-four Hours after he shall have been required by any Magistrate or Chief Constable so to do, deliver to such Magistrate or Chief Constable a List of the Names of every Inmate or Inhabitant in his House; and every such Owner who shall neglect or refuse so to do shall forfeit for every such Neglect or Refusal a Sum not exceeding Ten Shillings, on Conviction before a Magistrate in a summary Manner for such Neglect or Refusal, and in default of Payment, or Deposit, of the Sum so forfeited, may be imprisoned for any Term not exceeding One Week; and the Amount of the Sum so forfeited shall and may be levied by a Sale of his Goods and Chattels in case he shall not suffer such Imprisonment.

XII. Provided always, and he it enacted, That no such Warrant as aforesaid shall be executed or proceeded upon in any County out of the ordinary Jurisdiction of such Court, unless the same shall be endorsed by One or more of the Magistrates of such adjacent County.

XIII. And he it enacted, That it shall be lawful for the Court to which such Certificate shall be returned to summon and require all Persons thereby certified to have been absent from their respective Dwellings to appear before such Court, and for such Court to examine such Person or any other Person who may be produced before them upon Oath as to such Absence and the Cause thereof, and if it shall be proved that any such Person was duly required to appear by the Person or Persons so authorized as aforesaid, and if any such Person so summoned shall not appear before such Court, or if, upon such Examination, the Non-compliance of such Person with the Demand of the Person or Persons so authorized as aforesaid shall not be explained to the Satisfaction of such Court, or if it shall appear to such Court that such Person was so absent from his Dwelling as aforesaid without some lawful and proper Cause or Excuse, such Person shall be deemed to be guilty of an Offence within this Act, and the Court shall have Power to correct him summarily thereof, and, in case of a First Offence, to commit him to such Place of Confinement within the County as such Court shall think proper for any Period not exceeding One Month, or to impose upon him a Fine not exceeding One Pound, or both, and for any subsequent Offence to award a like Imprisonment for a Period not exceeding Three Months, or to impose a Fine not exceeding Five Pounds, or both, and also to order that the Party convicted shall give Security for his good Behaviour for Twelve Calendar Months, or in default thereof he liable to an additional Imprisonment for any Term not exceeding One Month.

XIV. And he it enacted, That any Person who shall knowingly give false Information to any Person authorized by such Warrant, or shall obstruct any Person acting thereunder in the Execution thereof, after Notification of the Object and Nature thereof, shall be deemed to be guilty of a Misdemeanor.

XV. And he it enacted, That it shall and may be lawful for the Lord Lieutenant of Ireland, by his Warrant, to direct to be issued, out of the Produce of the Consolidated Fund arising in Ireland, such Sums of Money as may be necessary for the Remuneration of any of His Majesty's Sergeants or Counsel appointed under the Authority of this Act; and that on the Production to the Grand Jury at the Assizes of any County of the Certificate of the Chief or Under Secretary of the said Lieutenant of the Amount of the Money so advanced and issued in respect of the Remuneration of such Sergeant or Counsel so employed within the same County, such Grand Jury shall present the same to be levied of the County at large, and such Money, when levied, shall be paid to the Collector of Excise of the District within which such County may be situate, to be by him accounted for in like Manner as other Public Monies.

XVI. And he it enacted, That in the Interpretation of this Act the Words "Lord Lieutenant of Ireland" shall extend to and include any Lords Justices or other Chief Governor or Governors of Ireland for the Time being; and the Word "County" shall extend to and include any Borough, or County of a City, or County of a Town, or City and County; and every Word importing the Singular Number shall extend and be applied to several Persons or Things as well as to one Person or Thing; and every Word importing the Masculine Gender shall extend and be applied to a Female as well as to a Male; save and except where, in the Use of any such Expression as aforesaid, the Nature of the Provision or the Context shall exclude such Construction.

XVII. And he it enacted, That this Act shall continue and be in force for Five Years from and after the passing thereof, and no longer; and may be altered or repealed during this present Session of Parliament.

## C A P. XLIX.

An Act for continuing, until the First Day of June One thousand eight hundred and thirty-seven, the several Acts for regulating the Turnpike Roads in Great Britain which will expire on the First Day of June One thousand eight hundred and thirty-six, or with the next Session of Parliament. [31st August 1835.]

## C A P L

An Act to consolidate and amend the Laws relating to Highways in that Part of Great Britain called England. [31st August 1835.]

WHEREAS it is expedient to amend the Laws relating to Highways in that Part of Great Britain called England, and to consolidate the same in One Act, and to make other Provisions respecting Highways: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act passed in the Sixth Year of the Reign of King George the First, intitled *An Act for preventing the Carriage of excessive Loads of Meat, Malt, Bricks, and Coals within Ten Miles of the Cities of London and Westminster*, as relates to the Carriage of Bricks, except so far as the same relates to the City of London; and also an Act passed in the Eighteenth Year of the Reign of King George the Second, intitled *An Act to repeal a Clause made in the Third Year of the Reign of King William and Queen Mary, relating to Carts* as by Permits taking within the Limits of the Weekly Bills of Mortality, and to allow such Carts to be drawn with Three Horses, and to prevent the Misbehaviour of the Drivers of Carts in Streets within the said Limits, except so far as the same relates to the City of London; and also so much of an Act passed in the Twenty-fourth Year of the Reign of King George the Second, intitled *An Act for the more effectual Preservation of the Turnpike Roads in that Part of Great Britain called England, and for the Disposition of Penalties given by Acts of Parliament relating to the Highways in that Part of Great Britain called England, and for referring the Recovery thereof, and for the more effectual preventing the Mischiefs occasioned by the Drivers riding upon Carts, Drays, Cochs, and Waggon* in the City of London and within Ten Miles thereof, as relates to the preventing Mischiefs occasioned by the Drivers riding upon Carts, Drays, Cochs, and Waggon in the City of London or within Ten Miles thereof, except so far as the same relates to the City of London; and also an Act passed in the Thirtieth Year of the Reign of King George the Second, intitled *An Act to explain and amend an Act made in the Eighteenth Year of His present Majesty's Reign, to prevent the Misbehaviour of the Drivers of Carts in the Streets in London, Westminster, and the Limits of the Weekly Bills of Mortality, and for other Purposes in this Act mentioned, except so far as the same relates to the City of London; and also an Act passed in the Thirtieth Year of the Reign of King George the Third, intitled *An Act to explain, amend, and reduce into One Act of Parliament the Statutes now in being for the Amendment and Preservation of the public Highways within that Part of Great Britain called England, and for other Purposes*; and also an Act passed in the Thirty-fourth Year of the Reign of King George the Third, intitled *An Act for the more effectually repairing of such Parts of the Highways of this Kingdom as are to be repaired by Two Parishes*; and also an Act passed in the same Thirty-fourth Year of the Reign of George the Third, intitled *An Act for varying some of the Provisions in an Act of the Thirtieth Year of His present Majesty's Reign, respecting the public Highways within that Part of Great Britain called England, which relate to the Performance of Statute Duty*; and also so much of an Act passed in the Forty-second Year of the Reign of King George the Third, intitled *An Act for amending the Laws relating to the Militia in England, and for augmenting the Militia, as relates to the Exemption of any Sergeant, Corporal, Drummer, or Private of the Militia from performing Highway Duty, commonly called Statute Duty*; and also an Act passed in the Forty-fourth Year of the Reign of King George the Third, intitled *An Act to alter and amend as much of an Act passed in the Thirty-fourth Year of His present Majesty as relates to the Amount of the Taxes to be paid by Persons compensating for the Performance of Statute Duty*; and also an Act passed in the Fifty-fourth Year of the Reign of King George the Third, intitled *An Act to amend an Act of the Thirtieth Year of His present Majesty, to explain, amend, and reduce into One Act the Statutes now in force for the Amendment and Preservation of the public Highways within England, and for other Purposes*; and also an Act passed in the Fifty-fifth Year of the Reign of King George the Third, intitled *An Act to amend an Act of the Thirtieth Year of His present Majesty, for the Amendment and Preservation of the public Highways, in so far as the same relates to Notice of Appeal against turning or directing a public Highway, and to extend the Provisions of the same Act to the stopping up of assessorary Roads; shall be and the same are hereby repealed.**

II. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend as to or revive or give any Force or Effect to any Act repealed by the said recited Acts or any of them, but such Acts shall be and continue repealed in such and the like Manner as if this Act had not been made.

III. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or construed to interfere with any Acts done or Contracts or Agreements heretofore made under the Authority of any of the said recited Acts, or to extend to prevent the suing for or Recovery of any Penalty incurred by any Offence committed against the Provisions of the said recited Acts or any of them previous to the Repeal of the said Acts in and by this Act, or to prevent or defeat any Prosecution commenced or to be brought for such Offence; but all Penalties and Forfeitures incurred may be sued for and recovered, and all Contracts and Agreements may be enforced, and all Encroachments, Nusances, and other Offences made or committed previous to the Repeal of the said Acts, against the Provisions of the said Acts or any of them, may be shewn or prosecuted by the Surveyor appointed under this Act, in the same Manner to all Intents and Purposes as if this Act had not been passed.

Repeal of  
6 G. 1. c. 20. in  
part, except so  
far as London.  
18 G. 2. c. 11.  
except so  
far as  
London.

24 G. 2. c. 27.  
in part, except  
so far as London.

30 G. 2. c. 72.  
except so  
far as  
London.

33 G. 2. c. 75.

34 G. 2. c. 61.

34 G. 2. c. 74.

Part of  
32 G. 2. c. 95.

41 G. 2. c. 25.

54 G. 2. c. 109.

and  
35 G. 2. c. 25.

Not to revive  
repealed Acts.

As to the  
Recovery of  
Penalties in  
sued for  
Offences against  
Acts repealed.



Proves Sur-  
veyor to own  
Vestry, &c.

Incorporation  
Clause.

IV. Provided always, and be it further enacted, That the Surveyor appointed under the Authority of any of the said several Acts shall continue to act, and shall have the same Powers, Authorities, and be subject to the Discharge of the same Duty, and be liable to the same Penalties, as the Surveyor to be appointed under the Authority of this Act, until such Appointment shall have been made.

V. And be it further enacted, That in the Construction of this Act the Word "Surveyor" shall be understood to mean Surveyor of the Highways, or Waywarden; the Word "Parish" shall be construed to include Parish, Township, Tithing, Rapp, Vill, Waycote, Division, City, Borough, Liberty, Market Town, Franchise, Hamlet, Precinct, Chapelry, or any other Place or District maintaining its own Highways, and wherever any thing in this Act is prescribed to be done by the Inhabitants of any Parish in Vestry assembled, the same shall be construed to extend to any Meeting of Inhabitants contributing to the Highway Rates in Places where there shall be no Vestry Meeting, provided the same Notice shall have been given of the said Meeting as would be required by Law for the assembling of a Meeting in Vestry; and that the Word "Highways" shall be understood to mean all Roads, Bridges (not being County Bridges), Carriageways, Cartways, Harrowsays, Baulkways, Footways, Causeways, Churchways, and Pavements; and that the Word "Justices" shall be understood to mean Justices of the Peace for the County, Riding, Division, Shire, City, Town, Borough, Liberty, or Place in which the Highway may be situated or in which the Offence may be committed; and that the Word "Church" shall be understood to include Chapel; and that the Word "Division" shall be understood to include Luit; and that the Word "Owner" shall be understood to include Occupier, and "Inhabitant" to include any Person rated to the Highway Rate; and the Words "Petty Sessions" or "Petty Sessions" to mean the Petty Session or Petty Sessions held for the Division or Place; and wherever in this Act, is describing or referring to any Person or Party, Animal, Matter, or Thing, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include and shall be applied to several Persons or Parties as well as One Person or Party, and Females as well as Males, and several Animals, Matters, or Things as well as One Animal, Matter, or Thing, respectively, unless there be something to the Subject or Context repugnant to such Construction; and all the Powers hereby given to, and Notices, Matters, and Things required for, and Duties, Liabilities, and Forfeitures imposed on Surveyors, shall be applicable to all Persons, Bodies Politic or Corporate, liable to the Repair of any Highway.

Surveyor to be  
elected annually.

May be re-  
elected.

VI. And be it further enacted, That the Inhabitants of every Parish maintaining its own Highways, at their First Meeting in Vestry for the Nominating of Overseers of the Poor in every Year, shall proceed to the Election of One or more Persons to serve the Office of Surveyor in the said Parish for the Year then next ensuing: Provided always, that any outgoing Surveyor shall continue to act until his Successor shall be appointed, and shall be re-eligible, and may be re-elected, and shall in such Case continue to act and remain in Office, any thing herein contained to the contrary notwithstanding; and in such Case Notice of such Election shall be given by the Chairman to the Person elected and to the outgoing Surveyor; Provided always, that in any Parish where there is no Meeting in the Year for the Nominating of Overseers of the Poor, the Inhabitants contributing to the Highway Rate shall meet at their usual Place of public Meeting upon the Twenty-fifth Day of March, or if that should happen to be a Sunday or Good Friday, then on the Day next following, or within Fourteen Days next after the said Twenty-fifth Day of March in every Year, to elect One or more Persons to serve the Office of Surveyor for the said Parish; which Surveyor shall repair and keep in repair the several Highways in the said Parish for which he is appointed, and which are now or hereafter may become liable to be repaired by the said Parish.

Qualification of  
Surveyor.

VII. And be it further enacted, That any Person living within the Parish or any adjoining Parish, and having an Estate in Houses, Lands, Tenements, or Hereditaments lying within such Parish, in his own Right or in Right of his Wife, of the Value of Ten Pounds by the Year, or a Personal Estate of the Value of One hundred Pounds (such Person not living within the Parish being willing to serve the Office), or being an Occupier or Tenant of Houses, Lands, Tenements, or Hereditaments (whether resident within the Parish or within any adjoining Parish) of the yearly Value of Twenty Pounds, shall be eligible to be elected a Surveyor for the Purposes of this Act: Provided nevertheless, that no Person who is now exempted by Law from serving the Office of Overseer of the Poor shall be compellible to serve the Office of Surveyor: Provided also, that any Person who may be chosen and elected to serve the said Office of Surveyor may provide a sufficient Deputy, such Deputy to be approved of by the Justices at a Special Sessions for the Highways, who shall by Writing under their Hands testify their Consent thereto.

Proviso on Sur-  
veyor not acting  
when chosen.

VIII. And be it further enacted, That if any Person who shall be so chosen and elected, and who is not exempt as aforesaid from serving the said Office, shall refuse or neglect to take upon himself the Office of Surveyor, or to provide a sufficient Deputy, to be approved of as aforesaid, he shall forfeit, on Conviction before any Two Justices, any Sum not exceeding Twenty Pounds, unless he can show to the said Justices good and sufficient Cause why he should not be called upon to serve the said Office: Provided also, that every Deputy so provided and approved of shall have the same Powers and Authorities, and be subject to the Discharge of the same Duty, and be liable to the same Penalties as any Surveyor appointed under the Authority of this Act.

Surveyor may  
be appointed  
with a Salary.

IX. And be it further enacted, That, instead of electing such Surveyor as herein-before mentioned, it shall be lawful for the Majority of the Inhabitants so assembled as aforesaid in any Parish for the Purpose of repairing or maintaining any Highway, to nominate and elect any One Person, who shall, and he

serve the said Office of Surveyor of such Parish, and to fix such Salary for the Execution of such Office as they shall think fit; which said Appointment shall be in Writing on Paper without Stamp, and signed by the Chairman of such Meeting; and such Surveyor, when so appointed, shall be invested with the same Powers, and subject to the same Duties, Forfeitures, and Penalties as any Surveyor appointed under the Authority of this Act would have been; and such Salary shall be paid out of the Money raised under the Authority of this Act, at such Times and as such Manors as shall have been agreed upon between the Inhabitants so assembled as aforesaid and the Person so nominated and elected as aforesaid: Provided nevertheless, that if such Surveyor shall cease to act, and be dismissed in the Manner herein-after described, such Salary shall also in like Manner cease and determine.

X. And be it further enacted, That the Surveyor or Surveyors, at the Time of passing his or their Accounts as herein mentioned, shall deliver to the Justices in Writing of the Name and Residence of the Person appointed to succeed him or them as Surveyor or Surveyors.

XI. And be it further enacted, That in case it shall appear on Oath to the Justices at a Special Session for the Highways that the Inhabitants of any Parish have neglected or refused to nominate and elect a Surveyor or Surveyors to answer and for the Purposes aforesaid, or that the outgoing Surveyor, except he had been directed by the Inhabitants so to do, has delivered no Statement of the Name and Residence of his or their Successor or Successors, or that the Surveyor is dead, or has ceased to possess the Qualification, or is or has become disqualified in any Manner herein mentioned, or that he has neglected to act, or refused to carry into operation the Duties imposed upon him by this Act, it shall and may be lawful for such Justices, and they are hereby authorized and required, by Writing under their Hands, at their next succeeding Special Sessions for the Highways to dismiss such Surveyor so neglecting to act or refusing to carry into operation the Duties imposed upon him by this Act, and to appoint any Person whom they may think fit to be a Surveyor for such Parish till the Annual Meeting then next ensuing for the Nominations of Deputies or for the Election of Surveyors as aforesaid, and with or without such Salary, as to the said Justices shall seem fit and proper; and the said Surveyor, when so appointed, shall be invested with the same Powers, and be subject to the same Duties, Forfeitures, and Penalties as any Surveyor elected by the Inhabitants of any Parish as aforesaid would have been.

XII. And be it further enacted, That when a Parish is situated in more than One County, Division, or Liberty, the Surveyor so to be appointed as last aforesaid shall be appointed by the Justices at a Special Session for the Highways assembled in that County, Division, or Liberty in which the Church of the said Parish shall be situate.

XIII. And whereas it is expedient that in many Cases Parishes should be formed into Districts for the Purpose of having One sufficient Person to be the District Surveyor, who should have the Superintendance and Management of the Funds to be raised and levied under the Provisions of this Act in such Parish forming Part of such District; be it therefore enacted, That it shall and may be lawful for the Inhabitants of any Parish at Vestry assembled, if they shall think fit, to empower and direct One of the Churchwardens of such Parish, or the Chairman of the said Vestry, to make Application to the Justices assembled at the Quarter Sessions for the County, or, where the Parishes to be united shall be situated in the same Division, at some Special Session for the Division in which such Parish shall be situate, for the Purpose of being united with One or more Parishes to form a District for the Purposes aforesaid, and at the same Time to nominate One fit and proper Person to be returned to the said Justices to be appointed as such District Surveyor, together with the Amount of the yearly Salary which the said Inhabitants in such Vestry assembled shall agree to pay to such District Surveyor; which Application, with the Name of such last-mentioned Person, shall be forthwith made in Writing, signed by the Churchwardens of the said Parish, or by the Chairman of the said Vestry as aforesaid, and forwarded to the Clerk of the Peace in and for the said County, or to the Clerk of the Justices in and for the said Division, as the Case may be, who shall by the same before the Justices at the Quarter Sessions then next holden in and for the said County, or at the Special Sessions as aforesaid.

XIV. And be it further enacted, That as such Application as aforesaid being made by Two or more Parishes to the said Justices, they are hereby authorized at the said Quarter Sessions or at some Special Session as aforesaid to take the same into their Consideration, and to unite such and so many of the Parishes so applying as aforesaid, as they shall think fit, into a District or Districts for the Purposes of this Act, and the said Justices shall select and appoint out of the Persons so nominated as aforesaid by the several Parishes to be united into One District One fit and competent Person to be the Surveyor for such District composed as aforesaid, which Appointment shall be in Writing.

XV. And be it further enacted, That the Names of the said Parishes so united, and the Name of the Person so appointed as District Surveyor, shall be reduced into Writing, signed by the Chairman of the said Quarter Sessions, or by the Majority of the Magistrates present at such Special Session, and shall be transmitted by him or them to the Clerk of the Peace, who shall by the same before the Justices assembled at the Quarter Sessions as and for the said County, or at some Adjournment thereof, who are hereby authorized and required to cause the same to be enrolled with the Records of the Court, and a Copy thereof shall be sent by such Clerk of the Peace to each of the Churchwardens or the Surveyor of each of the said Parishes so united, and such Parishes so united shall continue to form a District for the Purposes of this Act for the Space of Three Years then next following, and from thenceforward until the Churchwardens of any one of the said Parishes so united, or the Chairman of the Vestry, shall

Surveyor to make Statement.

Power to Justices at special Sesss to appoint a Surveyor.

When Parish is situate in more than One County.

Parishes may elect Applicants to be made to Justices at Sessions for forming them into Districts.

Justices may unite such Parishes into Districts, and select and appoint a District Surveyor.

Names of Parishes and of District Surveyor to be recorded, &c.

Parishes when united to form a District for Three Years

Twelve Months after any new Parish shall give Notice in writing to some one of said Districts.

District Surveyor to have Power, for of Surveys, except as hereinafter.

Salary of District Surveyor how to be paid.

When Parishes are united, a Surveyor to be appointed to make Rates, &c.

Appointment of a Board to receive Reports in large Parishes.

Power of the Board.

Board may hire or purchase Premises.

by Direction and in presence of a Resolution of the Inhabitants in Vestry assembled, give Twelve Months Notice to the Churchwardens and Surveyor of each of the other Parishes, and to the said District Surveyor appointed by the said Justices, and to the Clerk of the Peace of the County in which the said Parishes are situate, of the Intention of the said Parish to cease to form a Part of the said District; in which Case, from and after the Expiration of the said Twelve Months Notice, the Union of the said Parishes into such District as aforesaid, and the Appointment of the said District Surveyor, shall cease and determine so far as may concern or be binding on the said Parish so giving such Notice as aforesaid.

XVI. And be it further enacted, That such District Surveyor when so appointed shall for all the Purposes of this Act, except the making, assessing, and levying the Rate in and by this Act authorized to be made, assessed, and levied, have, as far as the same are applicable, the same Powers, and be subject and liable to the same Duties, Penalties, and Forfeitures, as any Surveyor elected under the Provisions of this Act is invested with and liable to, and shall have the lying out and Application of all the Funds raised and levied under the Authority of this Act; Provided nevertheless, that such District Surveyor shall not expend any Moneys levied in any one of the said united Parishes except for the Use and Benefit of the Parish in which it is so levied, unless with the Consent of the Inhabitants of such Parish in Vestry assembled, for the Purpose of carrying on Repairs or beneficial Improvements under the Provisions of this Act for the common Benefit of the said united Parishes; and such District Surveyor shall annually receive from each of the Parishes composing his District respectively such Salary as shall have been agreed upon by the several Parishes as aforesaid, which Salary shall be paid to such District Surveyor by the Surveyor of the Highways, out of the Money raised in each of such Parishes under the Authority of this Act; and in case of Nonpayment thereof, the same shall be recoverable from the Surveyors of the Highways of such Parishes, to and for his own Use, in the same Manner as any Forfeiture is recoverable under this Act.

XVII. And be it further enacted, That in each of the Parishes so united into a District as aforesaid a Surveyor shall be elected, as herein mentioned, in addition to the District Surveyor so appointed as aforesaid: Provided nevertheless, that such Surveyor shall only be authorized and required to make, assess, and levy the Rate herein directed to be made, assessed, and levied, and that he shall pay over the Money arising therefrom to such District Surveyor.

XVIII. And whereas it is experienced in large and populous Parishes that the Repair of the Highways should be under the Direction and Control of a certain Number of Inhabitants, to be chosen and appointed as a Board for that Purpose, with necessary Powers: be it therefore further enacted, That in any Parish where the Population by the then last Census, taken from the Returns made to Parliament, exceeds the Number of Five thousand, if it shall be determined by a Majority of Two Thirds of the Votes of the Vestrymen present at such Meeting as aforesaid, to form a Board for the Superintendance of the Highways of the said Parish, and for the Purpose of carrying the Provisions of this Act into effect, it shall be lawful for the said Vestry to nominate and elect any Number of Persons, not exceeding Twenty nor less than Five, being respectively Householders and residing in and assessed to the Rate for the Relief of the Poor of the said Parish, and also liable to be rated to the Repair of the Highways in the said Parish under and by virtue of this Act, to serve the Office of Surveyors of the Highways for the Year ensuing, and such Persons so to be nominated and elected as such Surveyors, or any Three of them, shall and are hereby authorized to act as a Board, and to be called "The Board for Repair of the Highways in the Parish of" (as the Case may be), and to carry into effect the Powers, Authorities, and Directions in this Act contained; and such Board are hereby authorized to appoint a Collector, or any Number of Collectors, of the Rates to be made under the Authority of this Act, and also to employ a Person of Skill and Experience to act as an Assistant Surveyor to the said Board, and also a Clerk to attend the said Board, and to keep the Accounts and Minutes of the Proceedings thereof; such Assistant Surveyor and Clerk to be paid such reasonable Salaries out of the said Rates as the said Board shall determine; and upon such Board being so nominated and elected as aforesaid all and every the Powers and Authorities given and created by this Act, and granted to or vested in the Vestry, and in any Person or Persons as Surveyors, shall, for the Purposes of the Parish so nominating and electing such Board, be and the same are hereby declared to be vested in the said Persons so to be elected, or any Three of them acting as such Board as aforesaid; and such Persons or any Three of them, at a Meeting to be convened for that Purpose, may and they are hereby authorized to nominate and appoint a fit and proper Person to be Treasurer for the Deposit of the Moneys to be collected for the Purposes of this Act, and to take from such Person good and sufficient Security for the Moneys to be deposited in his Hands as aforesaid; and all Monies to be drawn from such Treasurer for the Purposes of this Act shall be drawn by Drafts or Cheques to be signed by the said Persons so to be nominated and elected as aforesaid, or any Three of them, in some one of their Meetings to be held under this Act, and such Drafts shall be respectively signed and entered in their Books by the said Clerk to be appointed as aforesaid: Provided always, and it is hereby declared, that upon the Expiration of the Year for which such Board shall be elected as aforesaid, and before or on the Day for the Nomination and Election of Persons as Surveyors under the Authority of this Act, the said Board shall and are hereby directed to present to the Vestry of the Parish for which they shall have acted Copies of all their Accounts and also of the Minutes of their Proceedings during the preceding Year.

XIX. And be it further enacted, That it shall and may be lawful for each Board so constituted, or any Three of them, to purchase or hire any Premises, to purchase or hire any other

other

other Premises for the keeping of the Implements and Materials necessary for the Reparation of the Highways, or for the preparing the Materials for the same respectively, and in determining and directing how and in what Manner the Highways in the said Parish, or any or either of them, or any and what Part or Parts thereof, shall be carted or paved with Stone or otherwise.

XX. And be it further enacted, That if any Surveyor or District Surveyor or Assistant Surveyor shall neglect his Duty in any thing required of him by this Act, for which no particular Penalty is imposed, he shall forfeit for every such Offence any Sum not exceeding Five Pounds.

XXI. And be it further enacted, That if any Bridge shall hereafter be built, which Bridge shall be liable by Law to be repaired by and at the Expence of any County or Part of any County, then and in such Case all Highways leading to, passing over, and next adjoining to such Bridge shall be from Time to Time repaired by the Parish, Person, or Body Politic or Corporate, or Trustees of a Turnpike Road, who were by Law before the Erection of the said Bridge bound to repair the said Highways: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to encroach or discharge any County or any Part of any County from repairing or keeping in repair the Walls, Banks, or Piers of the raised Causeways and raised Approaches to any such Bridge, or the Lead Arches thereof.

XXII. And be it further enacted, That the several Powers and Authorities hereby vested in the Surveyor of Highways, as well for the getting of Materials, as the preventing and removing of all Nuisances and Annoyances, shall be and the same are hereby vested in the Surveyor of County Bridges, and the Roads at the Ends thereof respectively; and the several Penalties, Forfeitures, Matters, and Things in this Act contained relating to Highways shall be and the same are hereby extended and applied, as far as the same are applicable, to such Bridges, and the Roads at the Ends thereof as aforesaid, and the said Surveyor or Surveyors of County Bridges making Satisfaction and Compensation for all Trespass and Damage done in the Execution of the Powers of this Act, as such and the same Matters as the Surveyors of Highways are required to make under the Provisions of this Act.

XXIII. And be it further enacted, That no Road or Occupation Way made or hereafter to be made by and at the Expence of any Individual or private Person, Body Politic or Corporate, nor any Roads already set out or to be hereafter set out as a private Turnpike or Horsepath or any Award of Commissioners under an Enclosure Act, shall be deemed or taken to be a Highway which the Inhabitants of any Parish shall be compellable or liable to repair, unless the Person, Body Politic or Corporate, proposing to dedicate such Highway to the Use of the Public shall give Three Calendar Months previous Notice in Writing to the Surveyor of the Parish of his Intention to dedicate such Highway to the Use of the Public, describing its Situation and Extent, and shall have made or shall make the same in a substantial Manner and of the Width required by this Act, and to the Satisfaction of the said Surveyor and of any Two Justices of the Peace of the Division in which such Highway is situate in Petty Sessions assembled, who are hereby required, on receiving Notice from such Person or Body Politic or Corporate, to view the same, and to certify that such Highway has been made in a substantial Manner, and of the Width required by this Act, at the Expence of the Party proposing such View, which Certificate shall be assented at the Quarter Sessions holden next after the granting thereof, then and in such Case, after the said Highway shall have been used by the Public, and duly repaired and kept in repair by the said Person, Body Politic or Corporate, for the Space of Twelve Calendar Months, such Highway shall for ever thereafter be kept in repair by the Parish in which it is situate: Provided nevertheless, that on Receipt of such Notice as aforesaid the Surveyor of the said Parish shall call a Vestry Meeting of the Inhabitants of such Parish, and if such Vestry shall deem such Highway not to be of sufficient Utility to the Inhabitants of the said Parish to justify its being kept in repair at the Expence of the said Parish, any One Justice of the Peace, on the Application of the said Surveyor, shall summon the Party proposing to make the new Highway to appear before the Justices at the next Special Sessions for the Highways to be hold in and for the Division in which the said intended Highway shall be situate; and the Question as to the Utility as aforesaid of such Highway shall be determined at the Discretion of such Justices.

XXIV. And be it further enacted, That the Surveyor of every Parish, other than a Parish the Whole or Part of which is within Three Miles of the General Post Office in the City of London, shall, with the Consent of the Inhabitants of any Parish in Vestry assembled, or by the Direction of the Justices at a Special Sessions for the Highways, cause (where there are no such Sessions or Posts) to be erected or fixed in the most convenient Place where Two or more Ways meet a Stone or Post, with Inscriptions thereon in large legible Letters, not less than One Inch in Height, and of a proper and proportionate Breadth, containing the Name of the next Market Town, Village, or other Place to which the said Highways respectively lead, as well as Stones or Posts to mark the Boundaries of the Highway, containing the Name of the Parish whereon situate; and that the Surveyor of every Parish shall, at the several Approaches or Entrances to such Parts of any Highways as are subject to deep or dangerous Floods, cause to be erected graduated Stones or Posts, or he shall judge to be necessary, for the guiding of Travellers in the best and safest Track through the Floods; and also to secure Horse Causeways and Foot Causeways, by Posts, Becks, or Stones fixed in the Ground, or by Banks of Earth cast up or otherwise, from being passed over and spoiled by Waggon, Wagon, Cart, or Carriage; and the said Surveyor shall be reimbursed, out of the Monies which shall be received by him pursuant

Penalty on Surveyors, &c. for Neglect of Duty.

As to Repair of Highways adjoining Bridges hereafter to be built.

Rated Causeways, &c.

Provision for getting Materials and preventing Nuisances to be made in County Bridges and Roads at the Ends thereof.

When new Highways are to be kept in repair by Parishes.

Parishes.

Division Posts, where and how to be erected.

to the Directions of this Act, the Expenses of providing and erecting and of keeping in repair such Stones, Posts, or Blocks already erected or fixed, or which may hereafter be erected or fixed.

Power to use adjoining Ground as a temporary Road.

XXV. And be it further enacted, That it shall be lawful for the Surveyor to make a Road through the Grounds adjoining to any highway or narrow Part of any Highway, (not being the Site or Ground whereon any House stands, nor being a Garden, Lawn, Yard, Court, Park, Fiddocks, Plantation, pleasure Walk or Avenue to any House, or inclosed Ground set apart for Building Ground, or as a Nursery for Trees,) to be made use of as a public Highway whilst the said Road is repairing or widening, making such Recompense to the Proprietor and Occupier of such Grounds for the Damages they may thereby sustain as the Justices at a Special Sessions for the Highways assembled may think reasonable, such Sum so awarded as a Recompense to be recoverable in the same Manner as any Fines and Forfeitures are recoverable under this Act.

Surveyor to remove Snow, &c.

XXVI. And be it further enacted, That if any Impediment or Obstruction shall arise in any Highways from Accumulation of Snow, or from the falling down of the Banks on the Side of such Highways, or from any other Cause, the Surveyor is required from Time to Time, and within Twenty-four Hours after Notice thereof from any Justice of the Peace of the County in which the Parish may be situate, to cause the same to be removed.

Surveyor to make Rates.

XXVII. And in order to raise Money for carrying the several Purposes of this Act into execution, be it further enacted, That a Rate shall be made, assessed, and levied by the Surveyor upon all Property now liable to be rated and assessed to the Relief of the Poor; provided that the same Rate shall also extend to such Woods, Mines, and Quarries of Stone, or other Hereditaments, as have heretofore been usually rated to the Highways; and provided also, that every such Rate shall be signed by the said Surveyor, and allowed by Two Justices of the Peace, and published in the same Way as Poor Rates are now allowed and published.

Rates to be allowed by Justices.

XXVIII. And in order to enable the Surveyor to form a proper Judgment of any Rate to be made in pursuance of this Act, be it further enacted, That it shall be lawful for the Surveyor, and he is hereby authorized and empowered, at all reasonable Times, to inspect, or by Writing signed by him to grant Authority to any Person appointed by him to inspect, any of the Rates made towards the Relief of the Poor of the Parish of which he is Surveyor, or the Books wherein the Assessments thereto shall be entered, without Fee or Reward; and the Surveyor, or Person by him authorized as aforesaid, shall be allowed to make a Copy of such Rate or Books, or to take any Extracts therefrom; and if any Person in whose Custody or Power any of the said Rates or Books shall be shall, when thereto required in manner aforesaid, refuse or neglect to produce the same to the Surveyor, or Person so by him authorized as aforesaid, as the Case may be, or to allow such Copy or Extract to be made or taken, at all reasonable Hours in the Daytime, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Surveyor may inspect Rate Books, and obtain Copies or Extracts.

Form and Amount of Rates.

XXIX. And be it further enacted, That every Rate shall contain the Names of the Occupiers, the Description of the Premises or Property they occupy, and the full annual Value of such Premises or Property, and shall also specify the Sum in the Pound at which it is made; and no Rate to be levied or assessed as aforesaid shall extend at any One Time the Sum of Ten pence in the Pound, or the Sum of Two Shillings and Sixpence in the Pound in the whole in any One Year: Provided nevertheless, that with the Consent of Four Fifths of the Inhabitants of any Parish contributing to the Highway Rate assembled at a Meeting specially called for that Purpose, Ten Days previous Notice of the same having been given by the Surveyor of the said Parish, the Rate to be levied and assessed as aforesaid may be increased to such Sum as the said Inhabitants so assembled may think proper.

Surveyor to have Power to enforce Composition in certain Parishes.

XXX. Provided always, and be it further enacted, That in Parishes in which the Overseers of the Poor have Power by Local Acts of Parliament to compound with or require Compositions for Poor Rates from the Landlords of certain Houses, Tenements, or Hereditaments, and, in case of their Refusal to compound, to rate such Landlords as the Occupiers, the Surveyors shall have the same Powers, Remedies, and Privileges to compound and enforce Composition, and, in case of Refusal by the Landlords, to assess them in the same Proportions as the Rates authorized to be made by this Act, as the Overseers of the Poor have by such Acts for assessing and recovering any Rate made for the Relief of the Poor, or the Compositions entered into for the same.

Errors in Rates may be rectified.

XXXI. And be it further enacted, That whenever it shall appear to the said Surveyor as aforesaid that there has been any Omission or Error in any Rate or Assessment made in pursuance of this Act or in the Name of any Person, Person, or Vicar, or of any House, Shop, Warehouse, Coach house, Stable, Cellar, Vault, Building, Workhouse, Manufactory, Garden Ground, Land, Tenement, Wood, Tithes, Mines, Pits or Quarries of any Mineral, Stone, or other Matter whatsoever, or Hereditament, liable to be rated for the Purposes of this Act, it shall be lawful for the said Surveyor or as aforesaid, with the Consent and Approbation of the Justices at a Special Sessions for the Highways, to cause to be added or corrected in the said Rate or Assessment the Name of the Person, Person, or Vicar assessed or erroneously stated, and a Description of the Property in respect of which he ought to be rated; and every such Addition or Correction made in any of the said Rates, and signed by such Justices, shall be as valid and effectual as if the same had been Part of the original Rate at the Time when it was first made.

Fines may be assessed by

XXXII. And be it further enacted, That it shall and may be lawful for the Justices at a Special Sessions for the Highways, on Application made to them by any Person rated to any Rate under the Printed image deposited by the University of Southampton Library Digitisation Unit Authority

Authority of this Act to be discharged thereon, on Proof of his Inability through Poverty to pay such Rate, the Surveyor having been first summoned to appear on the Part of the Parish, as aforesaid, and direct that such Person shall be exempt from the Payment of such Rate; and which Order of the said Justice is hereby declared to be final with respect to such Rate.

XXXIII. And be it further enacted, That when Property, or the Owner or Occupier in respect thereof, has, previous to the passing of this Act, been legally exempt from the Performance of Statute Duty, or from the Payment of any Compulsion in lieu thereof, or of Highway Rate, the said Property and the Owners and Occupiers thereof shall be exempt from the Payment of the Rate hereby imposed.

XXXIV. And be it further enacted, That, for levying and recovering the said Rate by this Act authorized to be made, the Surveyor shall have the same Powers, Remedies, and Privileges as the Overseers of the Poor in the Parish have by Law for the Recovery of any Rate made for the Relief of the Poor.

XXXV. And be it further enacted, That it shall be lawful for Two Rate-payers of any Parish, within Six Days next after the annual Appointment of the Surveyor, by a Notice in Writing, to require the said Surveyor to call a Meeting of the Rate-payers of the said Parish for the Purpose hereafter mentioned, and the said Surveyor shall call such Meeting within Eight Days after the Receipt of such Notice, and shall give Six Days previous Intimation of such Meeting; and if at such Meeting a Majority of the Rate payers then and there assembled shall signify their Consent thereto, it shall and may be lawful for the Rate payers keeping a Term or Terms of Two or more Horses or Beasts of Drayage to divide among themselves, in proportion to the Amount of Rate to which they may respectively be assessed, the carrying of the Material which may be required by the said Surveyor for the Repairs of the Highways within such Parish, and that they shall be paid by the said Surveyor for such carrying or Task-work, within One Calendar Month after having performed such Service, after such Rate per Cubic Yard of Material per Mile, and so in proportion for any less Distance than a Mile, as shall be fixed by the Justices at their first Meeting in Special Sessions for the Highways after the Twenty fifth Day of March in every Year, which Rate the said Justices are hereby required to fix at such Special Sessions: Provided always, that such carrying or Task work shall be performed at such Times and Places and in such Manner as the said Surveyor may direct (the Periods of Spring, Seed time, and Harvest always excepted); and that in case the said Surveyor shall not approve of the Manner in which such carrying or Task-work shall be performed, it shall be lawful for the Justice at a Special Session for the Highways to hear the Complaint of such Surveyor in that respect, and to award such pecuniary Redress or Satisfaction against the Party offending as to them shall appear reasonable.

XXXVI. And be it further enacted, That the Surveyor of any Parish, the Consent of the Majority of the Inhabitants in Vestry assembled being first had and obtained, may from Time to Time appoint any Number of Collectors of the said Rates, and may remove any such Collector and appoint another in his stead, and make such Allowance to such Collector, out of the Money to be received under this Act, as the said Inhabitants in Vestry assembled shall think reasonable; and the said Collector is hereby declared to have all the same Powers, Remedies, and Privileges for the levying and enforcing the Payment of such Rates as the Surveyor nominated or appointed under the Authority of this Act.

XXXVII. And be it further enacted, That it shall be lawful for the said Surveyor and he is hereby required to take Security from every Collector appointed by virtue of this Act, for the due Execution of his Office of Collector, which Security shall be to the full Assent of the Sum likely to be in the Hands of the said Collector at any One Time, and shall be Bond without Stay.

XXXVIII. And be it further enacted, That every Collector appointed by virtue of this Act shall under his Hand, and at such Time and in such Manner as the Surveyor may direct, deliver to the said Surveyor an affidavit true and perfect Accounts in Writing of all Moneys which shall have been by such Collector received by virtue of this Act, and also a List of the Names of all such Persons as shall have neglected or refused to pay their respective Rates, and of the Moneys due from them respectively; and that every such Collector shall pay all such Moneys as shall remain due from him to the said Surveyor as aforesaid; and if any such Collector shall refuse or neglect to make and render such Account, or to produce and deliver up the List of Persons neglecting and refusing to pay their Rates, as aforesaid, or to make Payments as aforesaid, or shall refuse or wilfully neglect to deliver to the said Surveyor as aforesaid, or to such Person as he shall appoint to receive the same, within Three Days after being distresses required by the said Surveyor or as aforesaid by Notice in Writing under his Hand given to or left at the usual Place of Abode of such Collector, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Surveyor or as aforesaid respecting the same, then and in every such Case, upon Complaint made by the said Surveyor or as aforesaid of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace, such Justice may and he is hereby authorized and required to issue a Summons under his Hand for the Collector so refusing or neglecting to appear before any Two Justices of the Peace; and upon the said Collector appearing, or having been so summoned and not appearing without some sufficient or reasonable Excuse, or not being found, it shall be lawful for the said Two Justices to hear and determine the Matter; and if, upon Confession of the Party, or by the Testimony of any credible Witness on Oath, it shall appear to such Justice that any Moneys remain due from such Collector, such Justice may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant under their Hands, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Collector; and if no Goods and Chattels of such Collector shall be found sufficient to answer and

Justice from Payment of Highway Rate.

Certain Persons not liable to Payment of Highway Rate.

Rates how to be recovered.

Rate-payers may divide among themselves the carrying of the Carriage of Stone, &c. for Repairs of Highways, which shall be paid for by the Surveyor.

Surveyor, with Consent of Vestry, may appoint Collector of Rates.

Security to be taken from Collectors.

Collector to make out Accounts of all Moneys received under this Act, &c.

satisfy the said Money, and the Charges of detaining and selling the said Goods and Chattels, then and in every such Case such Justices shall and they are hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to be kept to hard Labour for a Period not exceeding five Calendar Months, or until he shall have paid such Moneys as aforesaid, or compounded with the Surveyor as aforesaid for such Money (which Composition the said Surveyor, with the Consent of the Inhabitants in Vestry, or, in any Parish where they do not meet in Vestry, with the Consent of the Inhabitants contributing to the Highway Rate at a public Meeting assembled, is hereby empowered to make and receive); or if it shall appear to such Justices that such Collector had refused or wilfully neglected to render and give such Accounts, or to produce and deliver the List of Persons neglecting and refusing to pay their Rates as aforesaid, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Collector, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Collector shall, on Conviction thereof, forfeit for such Offence any Sum not exceeding Twenty Pounds, and in default of Payment thereof shall be committed to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to be kept to hard Labour for a Period not exceeding five Calendar Months, or until he shall have given a true and perfect Account as aforesaid, and delivered such List as aforesaid, and delivered up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Surveyor: Provided always, that no Conviction or Imprisonment of such Collector as aforesaid shall exonerate or discharge any Security taken from him on his Appointment as aforesaid.

XXXIX. And be it further enacted, That the Surveyor in every Parish shall keep separate and distinct Accounts of the Moneys levied for the Highway Rate; and such Accounts shall specify the different Sums, and the Times when and the Persons to whom and by whom the same shall have been collected and paid.

XL. And be it further enacted, That the said Surveyor, District Surveyor, or Assistant Surveyor, as the Case may be, shall and he is hereby required from Time to Time to keep a Book, in which shall be entered a just and true and particular Account of all Money which shall have come to his Hands as Surveyor, District Surveyor, or Assistant Surveyor of the Parish for the Purposes of this Act, and to whom, and on what Occasions, and for what Work, and in what Place, and on what Day he shall have paid or applied the same, and also an Account of all Tools, Materials, Implements, and other Things provided by him for the Repair of the said Highways; and such Book shall at all reasonable Times be open to the Inspection of every Inhabitant rated to the Highway Rate of the Parish, or of any of the Parishes united into a District, without Fee or Reward, and every such Inhabitant may take Copies or Extracts from the said Book, or any Part thereof, without paying for the same; and in case the said Surveyor, District Surveyor, or Assistant Surveyor shall neglect to provide such Book, or to enter therein every Sum received or paid by him within One Week after the same shall have been received or paid, or shall refuse to permit or shall not permit any such Inhabitant as aforesaid at any reasonable Time to inspect the same or take Copies or Extracts as aforesaid, such Surveyor, District Surveyor, or Assistant Surveyor shall forfeit and pay any Sum not exceeding Five Pounds for each Default, to be levied and applied in manner herein provided.

XLI. And be it further enacted, That all the said Books, Papers, Writings, and Accounts, and all Materials, Tools, and Implements which shall be provided in pursuance of this Act for repairing or preserving the Highways, and also the Scraps of the said Highways, shall be vested in the Surveyor for the Time being; or in case a District Surveyor shall be appointed, then all such Books, Papers, Writings, and Accounts, and all Materials, Tools, Implements, and Scraps, shall be vested in the District Surveyor.

XLII. And be it further enacted, That the said Surveyor, District Surveyor, or Assistant Surveyor shall, within Fourteen Days after leaving his Office, deliver such Books and Accounts verified as aforesaid, together with all such Sums of Money as shall be due from him, and likewise all Tools, Materials, Implements, and other Things as aforesaid, to his Successor in Office, or person the same in his Hands and account for them in his next Account if he shall be continued Surveyor or District Surveyor of such Parish in the succeeding Year; and in case such Surveyor or District Surveyor shall neglect to deliver within such Time as aforesaid the said Books, Papers, Writings, and Accounts, and such Tools, Materials, Implements, and other Things, in manner aforesaid, he shall for every such Offence forfeit any Sum not exceeding Five Pounds; and in case he shall make Default in the paying or accounting for the Money so due from him within the Time and according to the Directions aforesaid, he shall forfeit Double the Money so due.

XLIII. And be it further enacted, That in case of the Death of any such Surveyor, District Surveyor, or Assistant Surveyor, before he shall have paid and fully satisfied all the Moneys which he shall have received by virtue of this Act, then and in every such Case the Executors or Administrators of such Surveyor, District Surveyor, or Assistant Surveyor so dying shall pay and satisfy the same out of his Estate and Effects unto the succeeding Surveyor, District Surveyor, or Assistant Surveyor, in like Manner as other Debtors are directed by Law to be discharged by such Executors or Administrators, and also shall deliver up all Books, Papers, Writings, Accounts, Tools, Materials, and Implements, and other Things concerning his Office, which shall have come to the Hands of such Executors or Administrators, who shall and may plead such Payment in any Action or Suit which may be brought against

A private Act  
in force in the  
1835.

Surveyor to  
keep Books and  
Account of  
Moneys re-  
ceived, &c. ;

to be open to  
Inspection of  
every Inhab-  
itant.

The Property  
in all Books,  
&c. to be vested  
in Surveyor for  
the Time being.

Surveyor, on  
quitting Office,  
to deliver Books,  
&c. to succeed-  
ing Surveyor.

Penalty for  
Neglect.

In case of  
Death of Sur-  
veyor, Ex-  
ecutors to  
satisfy.

against them on account of the said Errors and Effects, and give the same in Evidence; and in case of the Nonpayment of such Monies, or the Nondelivery of such Books, Papers, Writings, Accounts, Tools, Materials, Implements, and Things, for the Space of One Calendar Month after Demand made thereof in Writing by or on behalf of the said succeeding Surveyor, it shall be lawful for the said succeeding Surveyor to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at Westminster against such Executors or Administrators for the Recovery of the said Monies, and for the Recovery of Damages for the Detention of such Books, Papers, Writings, Accounts, Tools, Materials, Implements, and Things, in which Action or Actions full Costs of Suit shall be recovered by the said succeeding Surveyor.

XLIV. And be it further enacted, That within Fourteen Days after the Election or Appointment of Surveyor as herein directed, the Accounts as aforesaid made in Writing and signed by the Surveyor, District Surveyor, or Assistant Surveyor for the Year preceding, of all Monies received and disbursed by virtue of this Act, ending on the Day of the Election or Appointment of Surveyor, shall be made up, indexed, and laid before the Parishes in Vestry assembled, who may, if they think fit, order an Abstract thereof to be printed and published; and within One Calendar Month after the Election or Appointment of Surveyor as herein directed the said Accounts shall be signed by the Surveyor, District Surveyor, or Assistant Surveyor for the Year preceding, and laid before the Justices of the Peace at a Special Sessions for the Highways holden at the Place nearest to the Parish or District for which such Surveyor shall have been appointed, and such Justices are hereby authorized and required to examine him as to the Truth of the said Accounts or of any Charge contained therein: Provided always, that if any Person chargeable on the Law authorized to be made by this Act has any Complaint against such Accounts or the Application of the Monies received by the said Surveyor, it shall be lawful for any such Inhabitant to make his Complaint thereof to such Justices at the Time of the Verification of such Accounts as aforesaid, and the said Justices are hereby required to hear such Complaint, and, if they shall think fit, to examine such Surveyor upon Oath, and to make such Order thereon as to them shall seem meet: Provided nevertheless that the several Surveyors appointed under the Authority of the said Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Third shall produce such Books and Statements and pass their Accounts before the Justices at a Special Sessions for the Highways to be holden at their respective Divisions in the Week next after that in which the Twenty-fifth Day of March shall be in the Year of our Lord One thousand eight hundred and thirty six, and pay the Balances thereof to the Surveyor to be chosen in pursuance of this Act, in the same Manner as they would have done to the Surveyors to have been appointed if this Act had not been passed.

XLV. And be it further enacted, That it shall and may be lawful for the Justices of the Peace within their respective Divisions, or any Two or more of them, and they are hereby required, so hold not less than eight nor more than Twelve Special Sessions in every Year for executing the Purposes of this Act, the Days of the holding thereof to be appointed at a Special Sessions to be held within Fourteen Days after the Twentieth Day of March in every Year: Provided always, that it shall not be necessary to cause any Notice to be given or sent to any Justice sitting and reading within such Limits of the Day or Time of the holding thereof, and at the said Special Sessions held next after the Twenty-fifth Day of March in every Year the Surveyor of each of the Parishes within their respective Divisions shall verify his Accounts, and shall make a Return in Writing to such Special Sessions of the State of all the Roads, common Highways, Bridges, Causeways, Bridges, Ditches, and Watercourses appertaining thereto, and of all Navigations and Encroachments, if any, made upon the several Highways within the Parish for which he was Surveyor, as well as the Extent of the different Highways which the said Parish is liable to repair, what Part thereof has been repaired, and with what Materials, at what Expence, and what was the Amount levied during the Time he was Surveyor of the said Parish.

XLVI. And be it further enacted, That in every Parish the Surveyor may, and is hereby authorized, with the Consent of the Inhabitants in Vestry assembled, to contract for purchasing, getting, and carrying the Materials required for the Repair of the Highway; and if any Surveyor shall have any Part, Share, or Interest, directly or indirectly, in any Contract or Bargain for Work or Materials to be made, done, or provided upon, for, or on account of any of the Highway or other Works whatsoever under his Care or Management, or shall upon his own Account, directly or indirectly, use or let to hire any Team, or cart or sledge or dispose of any Materials, to be used or employed in making or repairing such Highway or other Works as aforesaid, (unless a License in Writing for the Sale of any such Materials, or to let to hire any such Team, be first obtained from Two Justices of the Peace in Special Sessions assembled,) he shall forfeit for every such Offence, on Conviction, any Sum not exceeding Ten Pounds, and be for ever incapable of being employed as a Surveyor with a Salary under the Authority of this Act.

XLVII. And be it further enacted, That if any Person shall, without the Consent of the Surveyor, take away Materials which shall have been purchased, gotten, dug, or gathered for the Repair or Use of any Highway, or any Materials out of any Quarry which shall have been made, dug, or opened for the Purpose of getting Materials for any Highway, before the Surveyor and his Workmen shall have discontinued working therein for the Space of Six Weeks, (except the Owner of any private Grounds, and Persons authorized by such Owner to get Materials in such Quarry for his own private Use, and not for Sale,) every Person so offending shall for every such Offence forfeit and pay, on Conviction thereof, a Sum not exceeding Five Pounds.

Trusty Accounts to be made by Surveyors, &c. and laid before the Justices at a Special Sessions for the Highways.

Subject to Appeal.

Surveyors appointed under the Act of 1753, to pass their Accounts at Special Sessions after 25th March 1835.

Justices to hold Special Sessions for the Purpose of this Act.

At such Sessions Surveyors to verify Accounts, and make Returns of the State of the Roads, &c.

Surveyor may contract for getting and carrying Materials, but not to share in any Contract, &c. without License from Two Justices.

Penalty.

Penalty on taking away Materials belonging to Surveyor.



Land allotted to the Parish for Materials, when exhausted, may be sold.

**XLVIII.** And whereas, under Acts of Parliament heretofore made and which may hereafter be made for the inclosing of Waste Land, Parcels of Land have been and may be expressly allotted to Parishes or to the Surveyor of the Highways for the Purpose of obtaining Materials for the Repair of the Highways in such Parish, and the Materials in such Parcels of Land have been and may be exhausted, be it therefore enacted, That in such Cases it shall and may be lawful for the Surveyor of such Parish for the Time being by and with the Consent of the Vestry, and he is hereby authorized and required, with the Consent in Writing of the Justices of the Peace at a Special Sessions for the Highways, to sell and convey to some Person whose Land adjoins thereto, or, if he refuse to purchase, to any other Person, the said Parcels of Land from which the said Materials have been so exhausted as aforesaid, at and for such Price as the said Justices may deem fair and reasonable, and with the Money arising therefrom, and with such Consent as aforesaid, to purchase other Lands in lieu thereof.

Tenant for Life, &c. may remove Ditches.

**XLIX.** And be it further enacted, That it shall be in the Power of Tenants for Life, Easemental and Ley Corporations, and the Proprietors of Easemental Estates, and of the Trustees and Guardians of any Person under any legal Disability or Incapacity, to give up and renounce every Claim of Damage or Compensation for such Ground and Materials as any Highway may occupy on their respective Properties, and that such Renunciation shall be equally binding on the Heirs and Successors of such Person: Provided nevertheless, that such Renunciation of Claim of Damage or Compensation be in Writing, and signed by such Tenant for Life, Proprietor, Trustee, or Guardian, or the Promoter of Two Witnesses, or in the Case of Corporations in such Manner and Form as is usually adopted by such Corporations respectively; and such Renunciation shall be verified at the Quarter Sessions which shall be held next after the signing or Execution thereof.

Lands for Maintenance of Highways, to be let to Farms at the most improved Value, with Consent of Justices.

**L.** And be it further enacted, That when any Lands or Tenements have been or shall be given for Maintenance of Highways, the Profits and Proceeds of which are to be applied and disposed of for no other Use, Intend, or Purpose whatsoever, all Persons who are or shall be enfeoffed or treated with any such Lands or Tenements shall and they are hereby authorized and required to let them to farms at the most improved yearly Value, without Fine, for any Term not exceeding Ninety-one Years: Provided nevertheless, that previous to the granting of such Lease the Consent of the Justices at a Special Sessions for the Highways, neither of such Justices being interested therein, by Writing under their Hands, shall be obtained as to the Assent of Rent to be received and the Duration of the Term.

Materials where and in what Manner to be taken by Surveyors.

**LI.** And be it further enacted, That it shall and may be lawful for every such Surveyor, in any Waste Land or Common Ground, River or Beak, within the Parish for which he shall be Surveyor, or within any other Parish wherein Canal, Sand, Stone, or other Materials are respectively likely to be found, (in case sufficient cannot be conveniently had within the Parish where the same are to be employed, and sufficient shall be left for the Use of the Roads in such other Parish,) to search for, dig, get, and carry away the same, so that the said Surveyor doth not thereby divert or interrupt the Course of such River or Beak, or prejudice or damage any Building, Highway, or Ford, nor dig or get the same out of any River or Brook within the Distance of One hundred and fifty Feet above or below any Bridge, nor within the like Distance of any Dam or Weir; and likewise to gather Stones lying upon any Lands or Grounds within the Parish where such Highway shall be, for such Service and Purpose, and to take and carry away so much of the said Materials as by the Discretion of the said Surveyor shall be thought necessary to be employed in the Amendment of the said Highways, without making any Satisfaction for the said Materials, but Satisfaction shall be made for all Damages done to the Lands or Grounds of any Person or Persons by carrying away the same, in the Manner hereinafter directed for getting and carrying Materials to inclose Lands or Grounds; but no such Stones shall be gathered without the Consent of the Owner of such Lands or Grounds, or a License for that Purpose from Two Justices at a Special Sessions for the Highways, after having summoned such Owner to come before him, and heard his Reasons, if he shall appear and give any, for refusing his Consent.

Power to gather Stones without making Satisfaction, but Satisfaction to be made for Damages done by carrying them away.

**LII.** Provided always, and be it further enacted, That nothing in this Act contained relative to the gathering or getting of Stones or other Materials shall extend to any Quantity of Stones or other Materials thrown up by the Sea, commonly called Beach, where the Removal of the same would cause any Damage or Injury by Inundation to the Lands adjoining, or increased Danger of Encroachment by the Sea.

Notice to be given before Materials are taken from private Lands.

**LIII.** And be it further enacted, That it shall not be lawful for any Surveyor, or any other Person acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for making or repairing any Highway out of or from any inclosed Land or Ground, until One Calendar Month's Notice in Writing, signed by the Surveyor, shall have been given to the Owner of the Possession from which such Materials are intended to be taken, or to his known Agent, and to the Occupier of the Possession from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Agent, and also of such Occupier, to appear before the Justices at a Special Sessions for the Highways, to show Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Surveyor or other Person to dig, get, gather, take, and carry away such Materials at such Time or Times as is such Justices shall see proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear by himself or his Agent, the said Justices shall and may (upon Proof as Oath of the Service of such Notice) make such Order therein as they shall think fit as fully and effectually to all Intents and Purposes as if the said Owner or Agent or Occupier had appeared.

If the Occupier shows Cause against the Removal, Two Justices shall decide thereon.

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LIV. And be it further enacted, That it shall be lawful for every such Surveyor, for the Use aforesaid, by Licence in Writing from the Justices at a Special Sessions for the Highways, to search for, dig, and get Materials, if sufficient cannot be had conveniently within such Waste Lands, Common Grounds, Rivers, or Brooks, in or through any of the several or inclosed Lands or Grounds of any Person whatsoever (such Lands or Grounds not being a Garden, Yard, Avenue to a House, Lawn, Park, Paddock, or inclosed Plantation, or inclosed Wood not exceeding One hundred Acres in extent,) within the Parish where the same shall be wanted, or within any other Parish adjoining or lying near to the Highway for which such Materials shall be required, if it shall appear to such Justices that sufficient Materials cannot be conveniently had in the Parish where such Highways lie, or in the Waste Lands or Common Grounds, Rivers or Brooks of such adjacent Parish, and that a sufficient Quantity of Materials will be left for the Use of the Parish where the same shall be, and to take and carry away so much of the said Materials as by the Direction of the said Surveyor shall be thought necessary to be employed in the Amendment of the said Highways; the said Surveyor making such Satisfaction for the Materials which may be got or taken away, and also for the Damage done to such Lands or Grounds by the getting and carrying away the same, as shall be settled and ascertained by Order of the Justices at a Special Sessions for the Highway.

LV. And be it further enacted, That if any Surveyor or Person employed by him shall, by reason of the searching for, digging, or getting any Materials for repairing any Highways, make any Pit or Hole in Lands, Common Grounds, Rivers, or Brooks as aforesaid whereas such Materials shall be found, he shall forthwith cause the same to be sufficiently fenced off, and such Fence supported and repaired during such Time as the said Pit or Hole shall continue open, and within Three Days after such Pit or Hole shall be opened or made, where no Materials shall be found, cause the same to be forthwith filled up, levelled, and covered with the Turf or Clod which was dug out of the same, and where any such Materials shall be found, within Fourteen Days after having dug up sufficient Materials in such Pit or Hole, cause the same to be filled up or sloped down, and fenced off, if required by the Owner of the Land or Ground, and so continued: and every Surveyor shall within Twenty-one Days after he shall have been appointed to that Office cause all the said Pits and Holes which shall then be open and not likely to be further useful to be filled up or sloped down in manner aforesaid, and if they are likely to be further useful he shall secure the same by Posts and Rails or other Fences to prevent Accidents to Persons or Cattle; and in case such Surveyor or Person shall neglect to fill up, slope down, or fence off such Pit or Hole in manner and within the Time aforesaid, he shall forfeit the Sum of Ten Shillings for every such Default; and in case such Surveyor or Person shall neglect to fence off such Pit or Hole, or to slope down the same, as herein-before directed, for the Space of Six Days after he shall have received Notice for either of those Purposes from any Justice of the Peace, or from the Owner or Occupier of such several Ground, River, or Brook, or any Person having Right of Common within such Common or Waste Lands as aforesaid, and such Neglect and Notice shall be proved upon Oath before the Justices at a Special Sessions for the Highways, such Surveyor, Person, or Persons, shall forfeit and pay out of his own Pocket not exceeding Ten Pounds for such Neglect, to be determined and adjudged by such Justices, and to be laid out and applied in the fencing off, filling up, or sloping down such Pit or Hole, and toward the Repair of the Roads in the Parish where the Offence shall be committed, in such Manner as the said Justices shall direct and appoint; which Forfeiture, in case the same be not forthwith paid, shall be levied as other Forfeitures are herein-after directed to be levied.

LVI. And be it further enacted, That if any Surveyor or District Surveyor shall lay or cause to be laid any Heap of Stone or any other Matter or Thing whatsoever upon any Highway, and allow the same to remain there at Night to the Danger or personal Damage of any Person passing thereon, all due and reasonable Precaution not having been taken by the said Surveyor to guard against the same, he shall forfeit for every such Offence any Sum not exceeding Five Pounds.

LVII. And be it further enacted, That if any Surveyor shall dig or cause to be dug Materials for the Highways, whereby any Bridge, Mill, Building, Dam, Highway, Occupation Head, Ford, Meeze, or Tye Works, or other Work, may be damaged or endangered, he shall forfeit for every such Offence, on Conviction, any Sum not exceeding Five Pounds, at the Discretion of the Justices before whom the Complaint thereof shall be made, notwithstanding his Liability to any Civil Action to which he may make himself liable by such Act.

LVIII. And whereas it frequently happens that the Boundaries of Parishes pass across or through the Middle of a common Highway, and one Side of such Highway is situated in one Parish and the other Side in another Parish, whereby great Inconveniences often arise in repairing the same; be it enacted, That the Justices at a Special Sessions for the Highways, on Complaint of any Surveyor of any Parish, (stating in Writing, and on a Plan thereunto annexed, that there is such a Highway, one Side whereof ought to be repaired by one Parish, and the other Side by another, and particularly describing the same by Metes, Bounds, and Admeasurements thereof,) may issue their Summons, with a Copy of such Writing and Plan thereunto annexed, to the Surveyor of each other Parish, to appear before them on a Day mentioned in such Summons; and if the Parties appear such Justices may then proceed finally to decide the Matter in manner herein mentioned, in case all the Parties shall consent thereto; but in case the Surveyor concerned shall not appear on such first Summons, or appearing shall require further Time, such Justices shall adjourn the further Consideration of the Matter for any further Time, not more than Twenty-one Days more than Fourteen Days from the Date of such Adjournment.

If sufficient Materials cannot be found to Waste Lands, the Surveyor may take them from the several or inclosed Lands or Grounds, making Satisfaction to the Owners.

If Surveyor shall make Pit or Hole in getting Materials, he shall cause them to be filled up or sloped down, and fenced off.

Owner of the Land or Ground may fill up or slope down, and fence off.

Penalty on Surveyor or Person for Neglect herein.

Penalty on Surveyor for allowing Stones, &c. to remain on Highway at Night.

Surveyor damaging Mills, Dams, &c. to be liable not exceeding 5<sup>l</sup>.

When a Highway lies in Two Parishes, the Justices to determine what Part shall be repaired by each.

of which the Surveyor not appearing, or appearing shall require further Time, shall have Notice, on which Day the said Justices shall proceed to hear the Parties and their Witnesses, and, whether the Party summoned does or does not appear, shall proceed to examine and finally determine the Matter in form following: (that is to say,) that it shall and may be lawful for such Justices and they are hereby required to divide the whole of such Common Highway, by a transverse Line crossing such Highway, into equal Parts, or into such unequal Parts and Proportions, as in consideration of the Soil, Waters, Floods, and Inequality of such Highway, or any other Circumstances attending the same, they in their Discretion shall think just and right, and to declare, adjudge, and order that the whole of such Highway on both Sides thereof, in any of such Parts, shall be maintained and repaired by one of such Parishes, and that the whole thereof on both Sides, in the other of such Parts, shall be maintained and repaired by the other of such Parishes, and shall cause such their Order, and a Plan of such Highway, and the Allotment thereof as before mentioned, to be fairly delineated on Paper or Parchment, and filed with the Clerk of the Peace of the County in which such Highway shall happen to lie, and shall also cause such Posts, Stones, or other Boundaries to be placed and set up in such Highway as in their Judgment shall be necessary for ascertaining the Division and Allotment thereof: Provided nevertheless, that in the Case of any such last-mentioned Highway, the Repair of any Part of which belongs to any Body Politic or Corporate, or to any Person, by the Reason of Tenure of any Lands, or otherwise howsoever, the same Proceedings may be adopted, but the said Body Politic or Corporate, or Person, or some one on their Behalf, may appear before such Justices, and object to such last-mentioned Proceedings, to which Case the said Justices shall, before they divide such Highway as aforesaid, hear and consider the Objections so made, and determine the same.

Proviso in case of Highway repaired by Party summoned, &c.

Parishes, &c. bound to repair the Part so allotted.

How Costs of Proceedings to be defrayed, &c.

Boundary of Counties, &c. not to be changed, &c.

Highway repaired by Party summoned, &c. may be made a Parish Highway.

LIX. And be it further enacted, That from and after such Order and Plan shall be so filed with the Clerk of the Peace as aforesaid, such Parishes, and Body Politic or Corporate, or Person aforesaid respectively, shall be bound as of Common Right to maintain and keep in repair such Parts of such Highways so allotted to them as aforesaid, and shall be liable to be proceeded against for Neglect of such Duty, and shall in all respects whatsoever be liable and subject to all the Provisions, Regulations, and Penalties contained in this Act, and also shall be discharged from the Repair of such Part of such Highway as shall not be included in their respective Allotments.

LX. And be it further enacted, That all Costs, Charges, and Expenses to be incurred by reason of any of the Proceedings last mentioned shall be borne and defrayed by such Two Parishes, or Body Politic or Corporate, or Person aforesaid, the same being settled and ascertained and duly apportioned between such Parishes by such Justices; and in case the said Parties shall refuse or neglect to pay and discharge their respective Share of such Costs and Expenses, it shall and may be lawful for the Justices at a Special Session for the Highways to levy the same by Distress and Sale, with Costs of such Distress, on the Goods and Chattels of any Surveyor of the Parish, or of any Body Politic or Corporate, or Person aforesaid, so refusing or neglecting to defray such Costs and Charges as aforesaid.

LXI. And be it further enacted, That nothing herein contained shall extend or be construed to extend to affect, change, or alter in any Manner whatsoever any Boundaries of Counties, Lordships, Hundreds, Manors, or any other Divisions of public or private Property, nor the Boundaries of any Parishes or Townships, otherwise than for the Purpose of ascending and keeping in repair such particular Partion of the Highway in the Manner herein mentioned.

LXII. And be it further enacted, That any Body Politic or Corporate, or any Person, liable to repair any Highway by reason of Tenure of any Lands, or otherwise howsoever, or the Surveyor of the Parish so which the said Highway is situate, may, if he or either Party shall think proper, having first obtained the Consent of the Inhabitants in Vestry assembled, apply to any Justice for the Purpose of making the said Highway a Parish Highway, and to be repaired by the Surveyor of the said Parish, and the said Justice is hereby authorized and required to issue his Summons, requiring the said Surveyor, or the Party so liable to repair the said Highway as aforesaid, to appear before the Justice at the next Special Session for the Highways, and if both Parties appear such Justices may then proceed to determine the Matter: but in case the Surveyor or Party summoned shall not appear on such first Summons, or appearing shall require further Time, such Justices shall adjourn the further Consideration of the Matter to the next Special Session for the Highways, of which the said Surveyor or Party not appearing shall have Notice, on which Day the Justices so assembled at such Special Session shall proceed to hear the Parties and their Witnesses, and, whether the Surveyor or Party summoned do or do not appear, shall proceed to examine and determine the Matter, and in case they decide that the said Highway shall become a Parish Highway, and be thereafter repaired by the Surveyor of the said Parish, they shall, by an Order under their Hands, fix the Proportion of the Expenses of repairing the said Highway to be annually paid by such Body Politic or Corporate or Person as aforesaid to the Surveyor of the said Parish: and the said Justices shall, by writing on the Surveyor and the said Parish, and the said Body Politic or Corporate or Person as aforesaid, their Heirs, Successors, and Assigns: Provided nevertheless, that the said Justices, instead of fixing the Proportion of the Expenses of repairing the said Highway to be annually paid as aforesaid, may, by an Order under their Hands, fix a certain Sum to be paid by such Body Politic or Corporate or Person as aforesaid to the Surveyor of the said Parish in full Discharge of all Claims thereafter in respect of the Repair of such Highway; and in default of Payment of such last-mentioned Sum or of such annual Sum as aforesaid the said Surveyor may proceed for the Recovery thereof in the same Manner as any Penalties and Forfeitures

charge of all Claims thereafter in respect of the Repairs of such Highways shall exceed the Sum of One hundred Pounds, the said Sum when received shall be vested, in the Name of the Minister, Churchwardens, and Surveyors of the Highways of the Parish within which such Highway shall be situate, in some Public Government Securities, and the Interest and Dividends from Time to Time arising or accruing therefrom shall be applied towards the Repairs of the Highways within the said Parish: Provided also, that when the Sum so fixed to be paid in full Discharge of all Claims as aforesaid shall not exceed the Sum of One hundred Pounds, the said last-mentioned Sum, or any Part thereof, on the Application by and with the Consent of the Inhabitants of the Parish in Vestry assembled, and of the Justices at Special Sessions assembled, shall and may be paid to the Surveyor of the said Parish, to be applied towards the Repair of the Highways within the said Parish.

LXIII. And be it further enacted, That where in this Act any Matter or Thing is directed or forbidden to be done within a certain Distance of the Centre of the Highway, that Portion of Ground shall be deemed and taken to be the Highway which has been maintained by the Surveyor as Highway, and repaired with Stones or other Materials used in forming Highways, for the Six Months immediately preceding; and the Centre of the Highway shall be the Middle of each Highway, where a Line being drawn along the Highway, or a Point marked, an equal Number of Feet of Highway which have been so maintained and repaired as aforesaid for Twelve Months before shall be found on each Side of such Line or Mark.

LXIV. And be it further enacted, That no Tree, Bush, or Shrub shall hereafter be planted on any Carrage-way or Cartway, or within the Distance of Fifteen Feet from the Centre thereof; but the same shall respectively be cut down, grubbed up, and carried away by the Owner or Occupier of the Land or Soil within Twenty-two Days after Notice to him or his Agent by the Surveyor, on pain of forfeiting for every Neglect the Sum of Ten Shillings.

LXV. And be it further enacted, That if the Surveyor shall think that any Carrage-way or Cartway is prejudiced by the Shade of any Hedges, or by any Trees (except those Trees planted for Ornament or for Shelter to any Rap Ground, House, Building, or Court Yard of the Owner thereof,) growing to or near such Hedges or other Fences, and that the Sun and Wind are excluded from such Highway, to the Damage thereof, or if any Obstruction is caused in any Carrage-way or Cartway by any Hedge or Tree, it shall be lawful for any One Justice of the Peace, on the Application of the said Surveyor, to summon the Owner of the Land on which such Hedges or Trees are growing next adjoining to such Carrage-way or Cartway to appear before the Justices at a Special Session for the Highways to show Cause why the said Hedges are not cut, pruned, or plashed, or such Trees not pruned or topped, in such Manner that the Carrage-way or Cartway shall not be prejudiced by the Shade thereof, and that the Sun and Wind may not be excluded from such Carrage-way or Cartway to the Damage thereof, or why the Obstruction caused in such Carrage-way or Cartway should not be removed; and the Question as to the cutting, pruning, or plashing such Hedges, or the pruning and topping such Trees, or the Removal of such Obstruction as aforesaid, shall, upon Proof of the Service of such Summons, and whether the said Owner attend or not, be determined at the Discretion of such last-mentioned Justices; and if such Justices shall order and direct that such Hedges shall be cut, pruned, or plashed, or such Trees pruned or topped, in manner aforesaid, or such Obstruction removed, the said Owner shall comply therewith within Ten Days after a Copy of such Order shall have been left at the usual Place of Abode of the said Owner or of his Steward or Agent, and in default thereof shall forfeit, on Conviction, a Sum not exceeding Forty Shillings; and the said Surveyor, if the Order of the said Justices is not complied with, shall and he is hereby authorized and required to cut, prune, or plash such Hedges, and to prune and top such Trees, for the Benefit and Improvement of the Highway, and to remove such Obstruction as aforesaid, to the best of his Skill and Judgment, and according to the true Intent and Meaning of this Act; and the said Surveyor shall be reimbursed by the Owner as aforesaid what Charges and Expenses he shall be at in cutting, pruning, and plashing such Hedges, and pruning and topping such Trees, and the Removal of such Obstructions, over and above the said Forfeiture; and it shall and may be lawful for the Justices at a Special Session for the Highways, upon Proof to them made upon Oath, to levy as well the Expenses of cutting, pruning, and plashing such Hedges, or pruning and topping such Trees, or Removal of such Obstructions as aforesaid, as the removal and respective Penalties hereby imposed, by Distress and Sale of the Offender's Goods and Chattels, in such Manner as Distresses and Sales for Forfeitures are authorized and directed to be levied by virtue of this Act.

LXVI. Provided always, and be it further enacted, That no Person shall be compelled nor any Surveyor permitted to cut or prune any Hedge at any other Time than between the last Day of September and the last Day of March; and that no Person shall be obliged to fell any Timber Trees growing in Hedges at any Time whatsoever except where the Highways shall be ordered to be widened or enlarged as heretofore mentioned, or then to cut down or grub up any Oak Trees growing in such Highway or in such Hedges except in the Months of April, May, or June, or any Ash, Elm, or other Trees in any other Months than December, January, February, or March.

LXVII. And be it further enacted, That the said Surveyor, District Surveyor, or Assistant Surveyor shall have Power to make, across, cleanse, and keep open all Ditches, Gutter, Dens, or Watercourses, and also to make and lay such Trunks, Tunnels, Flats, or Bridges, as he shall deem necessary, in and through any Lands or Grounds adjoining or lying near to any Highway, upon paying the Owner or Occupier

What shall be deemed the Centre of the Highway.

No Tree, &c. to be planted in Foot of the Centre of the Carrage-way.

Mode of pruning & Highway to be pruned by Hedges, &c.

Time of cutting Hedges and Trees.

Surveyor to make and keep open Ditches, &c., and to lay Trunks, &c.

Occupier of such Lands or Grounds, provided they are not Waste or Common, for the Damages which he shall sustain thereby, as he settled and paid in such Manner as the Justices for getting Materials in enclosed Lands or Grounds are herein directed to be settled and paid.

Owner, Occupier, &c. not to alter such Highways without Consent.

LXVIII. And be it further enacted, That if any Owner, Occupier, or other Person shall alter, abstract, or in any Manner interfere with any such Ditches, Gutter, or Watercourse, Trench, Tunnels, Piers, or Bridges, after they shall have been made by or taken under the Charge of such Surveyor or District Surveyor, and without his Authority and Consent, such Owner, Occupier, or other Person shall be liable to reimburse all Charges and Expenses which may be occasioned by restoring and making good the Work so altered, obstructed, or interfered with, and shall also forfeit any Sum not exceeding Three Times the Amount of such Charges and Expenses.

Penalty for encroaching on Highway.

Encroachment to be taken down by the Surveyor.

LXIX. And be it further enacted, That if any Person shall encroach by making or causing to be made any Building, Hedge, Ditch, or other Fence on any Carriageway or Cartway within the Distance of Fifteen Feet from the Centre thereof, every Person so offending shall forfeit, on Conviction, for every such Offence any Sum not exceeding Fifty Shillings; and the Surveyor who hath the Care of any such Carriageway or Cartway shall and he is hereby required to cause such Building, Hedge, Ditch, or Fence to be taken down or filled up at the Expense of the Person to whom the same shall belong; and it shall and may be lawful for the Justices as a Special Sessions for the Highways, upon Proof to them made upon Oath, to levy as well the Expenses of taking down such Building, Hedge, or Fence, or filling up such Ditch as aforesaid, as the several and respective Penalties hereby imposed, by Writ and Sale of the Offender's Goods and Chattels, in such Manner as Justices and Sales for Forfeitures are authorized and directed to be levied by virtue of this Act.

Steam Engines, &c. not to be erected within a certain Distance of Roads.

LXX. And be it further enacted, That from and after the Commencement of this Act it shall not be lawful for any Person to sink any Pit or Shaft, or to erect or cause to be erected any Steam Engine, Gin, or other like Machine, or any Machinery attached thereto, within the Distance of Twenty-five Yards, nor any Windmill within Fifty Yards, from any Part of any Carriageway or Cartway, unless such Pit or Shaft or Steam Engine, Gin, or other like Engine or Machinery, shall be within some House or other Building, or behind some Wall, or Fence, sufficient to enclose or screen the same from the said Carriageway or Cartway, so that the same may not be dangerous to Passengers, Horses, or Cattle; nor shall it be lawful for any Person to make or cause to be made any Fire for calcining or burning of Ironstone, Limestone, Bricks, or Clay, or the making of Cokes, within the Distance of Fifteen Yards from any Part of the said Carriageway or Cartway, unless the same shall be within some House or other Building, or behind some Wall or Fence, sufficient to screen the same from the said Carriageway or Cartway as aforesaid; and in case any Person shall offend in any of the Cases aforesaid, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for each and every Day such Pit, Shaft, Windmill, Steam Engine, Gin, Machine, or Fire shall be permitted to continue contrary to the Provisions of this Act; which said Penalties shall be levied, recovered, and applied in such and the same Manner as any Penalty or Forfeiture for any other Offence on any Highway may be levied, recovered, and applied: Provided that nothing herein contained shall be construed to restrain any Person or Persons from using, repairing, rebuilding, or enlarging any Windmill, Steam Engine, Gin, or other like Machine, or any Kilm or other Erection used for the Purpose of calcining or burning of Ironstone, Limestone, Bricks, or Clay, or the making of Cokes, which may have been erected and may be in existence at the passing of this Act.

Proprietors of Railways to erect Gates, &c. where they cross Highways.

LXXI. And be it further enacted, That whenever a Railroad shall cross any Highway for Carts or Carriages, the Proprietors of the said Railroad shall make and maintain good and sufficient Gates at each of the said Crossings, and shall employ good and proper Persons to attend to the opening and shutting of such Gates, so that the Persons, Carts, or Carriages passing along such Road shall not be exposed to any Danger or Damage by the passing of any Carriages or Engines along the said Railroad; and any Complaint for any Neglect in respect of the said Gates shall be made within Ten Days after the said Neglect, to One Justice, who may summon the Party so complained against to appear before the Justices at their next Special Sessions for the Highways, who shall hear and decide upon the said Complaint, and the Proprietor so offending shall forfeit any Sum not exceeding Five Pounds.

Penalty on Persons committing Nuisance by killing or injuring the Road.

By damaging Posts, Posts, &c. on Footpaths, &c.

LXXII. And be it further enacted, That if any Person shall wilfully ride upon any Footpath or Greenway by the Side of any Road made or set apart for the Use or Accommodation of Foot Passengers; or shall wilfully lead or drive any Horse, Ass, Sheep, Mule, Swine, or Cattle, or Carriage of any Description, or any Truck or Nudge upon any such Footpath or Greenway; or shall tether any Horse, Ass, Mule, Swine, or Cattle on any Highway, as in to suffer or permit the tethered Animal to be skinned; or shall cause any Injury or Damage to be done to the said Highway, or to the Hedges, Posts, Rails, Walls, or Fences thereof; or shall wilfully obstruct the Passage of any Footway; or wilfully destroy or injure the Surface of any Highway; or shall wilfully or wantonly pull up, cut down, remove, or damage the Posts, Blocks, or Stakes fixed by the said Surveyor as herein directed; or dig or cut down the Banks which are the Securities and Defence of the said Highways; or break, damage, or throw down the Stakes, Posts, or Wood fixed upon the Parapets or Battlements of Bridges, or otherwise injure or deface the same; or pull down, destroy, obliterate, or deface any Milestone or Post, Grubbed or Direction Post or Stone, erected upon any Highway; or shall play at Football or any other Game on any Part of the said Highways, or the Amusement of any Passenger or Passengers; or if any Hawker, Higgler, Gipsy, or other Person travelling shall pick any Tray, Scoop, Staff, or Sword, or

encamp, upon any Part of any Highway; or if any Person shall make or assist in making any Fire, or shall wantonly fire off any Gun or Pistol, or shall set fire to or wantonly let off or throw any Squibs, Rockets, Serpents, or other Firework whatsoever, within Fifty Feet of the Centre of such Carriageway or Cartway; or bark, or use for the Purpose of boiling, any Bull upon or near any Highway; or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Linn, Soil, Ashes, Rubbish, or other Matter or Thing whatsoever upon such Highway, to the Injury of such Highway, or to the Injury, Interruption, or personal Danger of any Person travelling thereon; or shall suffer any Fish, Deer, Lamb, or other offensive Matter or Thing whatsoever to run or flow into or upon any Highway from any House, Building, Enclosure, Linn, or Premises adjacent thereto; or shall in any Way wilfully obstruct the free Passage of any such Highway; every Person so offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above the Damages occasioned thereby.

LXXXIII. And be it further enacted, That if any Timber, Stone, Hay, Straw, Dung, Manure, Linn, Soil, Ashes, Rubbish, or other Matter or Thing whatsoever shall be laid upon any Highway so as to be a Nuisance, and shall not, after Notice given by the Surveyor, Assistant Surveyor, or District Surveyor, be forthwith removed, it shall and may be lawful for the Surveyor, Assistant Surveyor, or District Surveyor, by Order in Writing from any One Justice, to clear the said Highway by removing the said Stone, Hay, Straw, Dung, Manure, Soil, Ashes, Rubbish, or other Matter or Thing as aforesaid, and to dispose of the same, and to apply the Proceeds arising therefrom towards the Repair of the Highway within the Parish in which such Highway may be situate: Provided nevertheless, that if any Soil, Ashes, or Rubbish shall be laid on any Highway, and such Soil, Ashes, or Rubbish shall not be of sufficient Value to defray the Expence of removing them, the Person who laid or deposited such Soil, Ashes, or Rubbish shall repay to the said Surveyor, Assistant Surveyor, or District Surveyor the Money which he shall have necessarily expended for the Removal thereof, which Money, in case the same shall not be forthwith repaid, shall be levied as Fines due here is herein directed to be levied.

LXXXIV. And be it further enacted, That if any Horse, Ass, Sheep, Swine, or other Beast or Cattle of any Kind shall at any Time be found wandering, straying, or lying, or being depastured, on any Highway or on the Sides thereof, without a Keeper, (except on such Parts of any Road as lead or pass through or over any Common or Waste or uninclosed Ground,) any Surveyor, or any other Person authorized by him, is hereby required to seize and impound every such Horse, Ass, Sheep, Swine, or other Beast or Cattle in the Common Pound (if any) of the Parish where the same shall be found, or in such other Place as the Surveyor shall have provided or shall provide for that Purpose, and the said Horse, Ass, Sheep, Swine, or other Beast or Cattle there to detain until the Owner thereof shall for every and each Horse, Ass, Sheep, Swine, or other Beast or Cattle so impounded pay any Sum not exceeding One Shilling, together with the reasonable Charges and Expences, such Charges and Expences to be settled by any Two Justices of the Peace, of impounding and keeping the same, to the Surveyor of the Parish in which the Beast so impounded shall have been found, the said Sum so paid for each Beast to be applied to the Repair of the said Highway; and in case the said Penalty, Charges, and Expences shall not be paid within Five Days after such impounding, (Notice being thereof first given to the Owner, if known at the Time,) it shall and may be lawful for any Two Justices of the Peace to order every such Horse, Ass, Sheep, Swine, or other Beast or Cattle to be sold, except where it shall be made to appear to such Justices that the Horse, Ass, Sheep, Swine, or other Beast or Cattle impounded escaped from any Inclosure by any Gate or Fence being wilfully or negligently left open or destroyed by any Person not being the Owner of such Inclosure, nor employed by such Owner, or that it arose from Accident, and was not wilful, in which Case such Justices may retain the said Beast; and the Money arising from such Sale, after deducting the said Penalty, and Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been; and in case the Owner thereof shall not be known, and no Application shall be made for the Money arising from such Sale within One Calendar Month after such Sale shall have taken place, the said Money shall be applied, after deducting the said Charges and Expences, in the same Manner as the said Penalty of One Shilling is herein directed to be applied: Provided always, that no Owner of any Horse, Ass, Sheep, Swine, or other Beast or Cattle impounded as aforesaid shall in any Case pay more than the Sum of Twenty Shillings, over and above the Charges and Expences of impounding and keeping the same, for any Number of Horses, Asses, Sheep, Swine, or other Beast or Cattle impounded at One Time: And provided always, that nothing in this Act shall be deemed, taken, or construed to extend to take away any Right of Pasturage which may exist on the Sides of any Highway.

LXXXV. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Ass, Sheep, Swine, or other Beast or Cattle which shall be seized for the Purpose of being impounded under the Authority of this Act from the Pound or Place where the same shall be so impounded, or in the Way to or from any such Pound or Place, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall recuse or refuse, or attempt to recuse or release, any Distress or Levy which shall be made under the Authority of this Act, and or before such Horse, Ass, Sheep, Swine, or other Beast or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any Two of His Majesty's

by making  
Fines;  
by taking  
Bulls;  
by laying Tim-  
ber, &c.;  
by moving of  
Fish.

Manure laid on  
or near High-  
ways, may be  
a Nuisance, to  
be removed on  
Notice, or an  
Offence, the  
Person so dis-  
posed of the  
same by Order  
of a Justice.

Surveyors to  
impound Cattle  
found straying  
on Highways  
within Parishes  
herein provided  
and the Charges  
are paid.

Limiting the  
Extent of  
Distress.  
Right of Pas-  
turage not to be  
taken away.

Penalty for  
non-compliance  
with the  
Provisions of  
this Act.

Justices of the Peace, either upon Confession of the Party or Parties offending, or upon Oath of One credible Witness, forfeit and pay any Sum not exceeding Twenty Pounds, at the Discretion of the said Justices and in default thereof to be exacted by such Justices, by Warrant under their Hands and Seals, to the House of Correction of the County wherein the said Offence shall have been committed, there to be kept to hard Labour for any Time, at the Discretion of the Justices, not exceeding Three Calendar Months.

LXXVI. And be it further enacted, That the Owner of every Waggon, Cart, or other such Carriage shall paint or cause to be painted in One or more straight Lines or Lines, upon some conspicuous Part of the Right or Off Side of his Waggon, Cart, or other such Carriage, or upon the Off-side Shafts thereof, before the same shall be used on any Highway, his Christian Name and Surname, or the Style and Title by which he is commonly designated, and the Place of his Trade or Abode, or the Christian and Surname and Place of Trade or Abode of a Partner or Owner thereof, at full Length, in large legible Letters in White upon Black or Black upon White, not less than One Inch in Height, and continue the same throughout so long as such Waggon, Cart, or other such Carriage shall be used upon any Highway; and every Owner of any Waggon, Cart, or other such Carriage who shall use or allow the same to be used on any Highway without the Name and Descriptions painted thereon as aforesaid, or who shall suffer the same to become illegible, or who shall pass or cause to be passed any false or fictitious Name or Place of Trade or Abode on such Waggon or Cart or other such Carriage, shall forfeit and pay, on Conviction, for every such Offence a Sum not exceeding Forty Shillings, with or without Costs, as to the Justices before whom the Conviction shall take place shall think fit.

LXXVII. And be it further enacted, That no One Person shall act as the Driver of more than Two Carts, Waggons, or other such Carriages on any Highway: Provided always, that it shall and may be lawful for any One Person to act as the Driver of Two Carts, Waggons, or other such Carriages on any Highway, and for such Carts to pass and travel on any Highway being only under the Care and Superintendance of such single Person: Provided always, that such Carts, Waggons, or other Carriages, when under the Care of only One Person, shall not be drawn by more than One Horse each, and the Horse of the hinder Cart, Waggon, or other Carriage shall be attached by a Rota in Length not exceeding Four Feet to the Back of the Cart, Waggon, or other Carriage which shall be foremost, and in case the said Horse shall not be so attached, the Driver of the said Cart, Waggon, or other Carriages shall forfeit, on Conviction, the Sum of Twenty Shillings, to be recovered as other Penalties are by this Act to be recovered.

LXXVIII. And be it further enacted, That if the Driver of any Waggon, Cart, or other Carriage of any Kind shall ride upon any such Carriage, or upon any Horse or Harness drawing the same, on any Highway, not having some other Person on Foot or on Horseback to guide the same (such Carriages and Carts as are driven with Reins, and are conducted by some Person holding the Reins of all the Horses drawing the same, excepted); or if the Driver of any Carriage whatsoever on any Part of any Highway shall, by Negligence or wilful Mischance, or cause any Hurt or Damage to any Person, Horse, Cattle, or Goods conveyed in any Carriage passing or being upon such Highway, or shall quit the same and go on the other Side of the Hedge or Fence inclosing the same, or negligently or wilfully be at such Distance from such Carriage or in such a Situation whilst it shall be passing upon such Highway that he cannot hear the Direction and Government of the Horses or Cattle drawing the same, or shall leave any Cart or Carriage on such Highway so as to obstruct the Passage thereof; or if any Person shall drive or act as the Driver of any Waggon, Cart, or other such Carriage not having the Owner's Name as hereby required painted and remaining legible thereon, and shall refuse to tell or to discover the true Christian and Surname of the Owner or principal Owners of such Waggon, Cart, or Carriage; or if the Driver of any Waggon, Cart, or other Carriage whatsoever, or of any Horses, Mules, or other Beasts of Draught or Harness, assisting any other Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Harness, shall not keep his Waggon, Cart, or Carriage, or Horses, Mules, or other Beasts of Burthen, on the Left or Near Side of the Road; or if any Person shall in any Manner wilfully prevent any other Person from passing him, or any Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Burthen, under his Care, upon such Highway, or by Negligence or Mischance prevent, hinder, or interrupt the free Passage of any Person, Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Burthen, on any Highway, or shall not keep his Waggon, Cart, or other Carriage, or Horses, Mules, or other Beasts of Burthen, on the Left or Near Side of the Road, for the Purpose of allowing such Passage, or if any Person riding any Horse or Beast, or driving any Sort of Carriage, shall ride or drive the same furiously so as to endanger the Life or Limb of any Passenger; every Person so offending in any of the Cases aforesaid, and being convicted of any such Offence, either by his own Confession, the Verdict of a Justice, or by the Oath of One or more credible Witnesses, before any Two Justices of the Peace, shall, in addition to any Civil Action to which he may make himself liable, for every such Offence forfeit any Sum not exceeding Five Pounds in case such Driver shall not be the Owner of such Waggon, Cart, or other Carriage, and in case the Offender be the Owner of such Waggon, Cart, or other Carriage, then any Sum not exceeding Ten Pounds, and in either of the said Cases shall, in default of Payment, be committed to the Common Goal or House of Correction, there to be kept to hard Labour, for any Time not exceeding Six Weeks, unless such Forfeitures shall be sooner paid; and every such Driver offending in either of the said Cases shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be conveyed before any Justice of the Peace,

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Names of Owners to be painted on all Waggons, &c. on the Matter to come next.

Who shall quit the Highway of any Cart, Waggon, &c. shall forfeit any Sum, to be recovered as other Penalties are by this Act to be recovered.

Drivers of Waggons or Carts not to ride forward, &c.

Drivers coming from or through to others, or quitting the Road, or driving Carriage without Owner's Name, or not keeping the Left or Near Side, or endangering free Passage of such Owners to be liable to be convicted, &c.

to be dealt with according to Law; and if any such Driver in any of the Cases aforesaid shall refuse to discover his Name, it shall and may be lawful for the said Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the Common Goal or House of Correction, there to be kept to hard Labour, for any Term not exceeding Three Months, or to proceed against him for the Penalty aforesaid by a Description of his Person and the Office only, without adding any Name or Designation, but expressing in the Proceedings that he refused to discover his Name.

Proceeding if Driver will not discover his Name.

LXXXIX. And whereas Offences may be committed against this Act by Persons whose Names are unknown to the Surveyor, Assistant Surveyor, or District Surveyor, it is therefore enacted, That it shall be lawful for the Surveyor, Assistant Surveyor, or District Surveyor, or any Person acting under his Authority, and each other Person as he shall call to his Assistance, or any other Person witnessing the Commission of the Offence, without any other Authority than this Act, to seize and detain such unknown Person who shall commit any such Offence, and take him forthwith before any Justice of the Peace, who shall proceed and act with respect to such Offence according to the Provisions of this Act.

For seizing unknown Offenders.

LXXX. And be it further enacted, That the said Surveyor shall and he is hereby required to make, support, and maintain, or cause to be made, supported, and maintained, every public Cartway leading to any Market Town Twenty Feet wide at the least, and every public Highway Eight Feet wide at the least, and to support and maintain every public Footway by the Side of any Cartway or Cartway Three Feet at the least, if the Ground between the Fences including the same will admit thereof; Provided notwithstanding, that nothing herein contained shall require any Surveyor to make or form any public Footway without the Consent of the Inhabitants in Vestry assembled.

Cartways to be Twenty Feet wide, Highways Eight Feet, and Footways Three Feet.

LXXXI. And be it further enacted, That if any Gate across any public Cartway shall be less than Ten Feet wide, or any Gate across any public Highway shall be less than Five Feet wide, clear between the Posts thereof, then and in every such Case, upon Notice in Writing from the Surveyor to the Person to whom such Gate shall belong, left at the Dwelling House of such Person or his Steward or Agent, requiring him to enlarge the same, if such Person shall neglect for the Space of Twenty-two Days after such Notice shall have been left as aforesaid to remove or enlarge such Gate, he shall forfeit a Sum not exceeding Two Shillings for every Day he shall so neglect to remove or to enlarge such Gate as aforesaid.

Width of Gates across public Cartways and Highways.

LXXXII. Provided always, and be it further enacted, That where it shall appear, upon the View of Two Justices of the Peace, that any Highway is not of sufficient Breadth, and might be widened and enlarged, such Justices shall and they are hereby empowered, when their respective Divisions, to order such Highway respectively to be widened and enlarged in such Manner as they shall think fit, so that the said Highway, when widened and enlarged, shall not exceed Thirty Feet in Breadth; and that neither of the said Powers do extend to pull down any House or Building, or to take away the Ground of any Garden, Lawn, Yard, Court, Park, Pall Mall, planted Walk, Plantation, or Avenue in any House, or any enclosed Ground set apart for Building Ground or as a Nursery for Trees; and for the Satisfaction of the Person, Body Politic or Corporate, who is seized or possessed of or interested in their own Right, or in Trust for any other Person, in the said Ground that shall be laid out the said Highway respectively as to be widened and enlarged, the said Surveyor, under the Direction and with the Approbation of the said Justices in Writing, shall and is hereby empowered to make an Agreement with him for the Recompense to be made for such Ground, and for the making such new Ditches and Fences as shall be necessary, according and in proportion to their several and respective Interests therein, and also with any other Person, Body Politic or Corporate, that may be injured by the widening and enlarging such Highway, for the Satisfaction to be made to him respectively as aforesaid; and if the said Surveyor, under the Direction and with the Approbation of the said Justices, cannot agree with the said Person, Body Politic or Corporate, or if he cannot be found, or shall refuse to treat or take such Recompense or Satisfaction as shall be offered to them respectively by such Surveyor, then the Justices of the Peace at any General Quarter Sessions to be holden for the Least whereof such Ground shall lie, upon Certificate in Writing signed by the Justices making such View as aforesaid of their Proceedings, in the Presence, and upon Proof of Fourteen Days Notice in Writing having been given by the Surveyor of such Parish to the Owner, Occupier, or other Person, Body Politic or Corporate, interested in such Ground, or to his Guardian, Trustee, Clerk, or Agent, signifying an Intention to apply to such Quarter Sessions for the Purpose of taking such Ground, shall appoint a Jury of Twelve disinterested Men out of the Persons returned as sworn Jurymen at such Quarter Sessions; and the said Jury shall, upon their Oath, to the best of their Judgment, assess the Damages to be given and Recompense to be made to the Owners and others interested as aforesaid in the said Ground for their respective Interests, as they shall think reasonable, not exceeding Forty Years Purchase for the clear yearly Value of the Ground so laid out, and likewise such Recompense as they shall think reasonable for the making of new Ditches and Fences on the Side of the said Highway that shall be so widened and enlarged, and also Satisfaction to any Person, Body Politic or Corporate, that may be otherwise injured by the widening and enlarging the said Highways respectively; and upon Payment or Tender of the Money so to be awarded and assessed to the Person, Body Politic or Corporate, entitled to receive the same, or leaving it in the Hands of the Clerk of the Peace of such Limit, in case such Person, Body Politic or Corporate, cannot be found or shall refuse to accept the

Justices may order narrow Highways to be widened.

Surveyor to agree with Owners of Land for Recompense, and if they cannot agree the same may be assessed by a Jury at the Quarter Sessions.

On Payment of Money assessed, Ground to be delivered a public Highway.



same, for the Use of the Owner of or others interested in the said Ground, the Interest of the said Person, Body Politic or Corporate, in the said Ground shall be for ever divested out of them; and the said Ground, after such Agreement or Verdict as aforesaid, shall be enclosed and taken to be a public Highway to all Intents and Purposes whatsoever; among nevertheless to the Owner of such Ground all Mines, Minerals and Fossils lying under the same which can or may be got without breaking the Surface of the said Highway, and also all Timber and Wood growing upon such Ground, to be felled and taken by such Owner within One Month after such Order shall have been made, or in default thereof to be felled by the said Surveyor within the respective Months aforesaid, and laid upon the Land adjoining, for the Benefit of the said Owner, and where there shall not appear sufficient Money in the Hands of the Surveyor for the Purpose aforesaid, then the said Two Justices in Cases of Agreement, or the said Court of Quarter Sessions after such Verdict as aforesaid, shall direct the Surveyor to make, collect, and levy an equal Rate in the same Manner as the Rate by this Act authorized to be made, and to pay the Money to the Person, Body Politic or Corporate, so interested, in such Manner as the said Justice or Court of Quarter Sessions respectively shall direct and appoint; and the Money thereby raised shall be employed and accounted for, according to the Order and Direction of the said Justice or Court of Quarter Sessions respectively, for and towards the purchasing the Land to widen and enlarge the said Highway, and for making the said Ditches and Fences, and also Satisfaction for the Damages sustained thereby; provided that no such Rate to be made in any One Year shall exceed One Third Part of the Rate by this Act authorized to be levied, in addition to the Rate for the Repair of the Highways.

Where there is not Money sufficient, a further Rate may be made, by Order of the Justice at their Quarter Sessions, not exceeding One Third of Rate.

Cost of Proceedings, by whom payable.

LXXXIII. And be it further enacted, That in case such Jury shall give and deliver a Verdict for more Money as a Recompense for the Right, Interest, or Property of any Person, Body Politic or Corporate, in such Lands or Grounds, or for the making such Fence, or for such Damage or Injury to be sustained by him as aforesaid, than when shall have been proposed and offered by the said Surveyor before such Application to the said Court of Quarter Sessions as aforesaid, then then and in such Case the Costs and Expenses attending the said several Proceedings shall be borne and paid by the Surveyor out of the Monies in his Hands or to be assessed and levied by virtue and under the Powers of this Act, but if such Jury shall give and deliver a Verdict for no more or for less Monies than shall have been as offered and proposed by the said Surveyor before such Application to the said Court of Quarter Sessions, then then the said Costs and Expenses shall be borne and paid by the Person, Body Politic or Corporate, who shall have refused to accept the Recompense and Satisfaction so offered to him as aforesaid.

Provision in a Highway being stopped up, by Surveyor to request Justice to view the same.

LXXXIV. And be it further enacted, That when the Inhabitants in Vestry assembled shall deem it expedient that any Highway should be stopped up, diverted, or turned, either entirely or reserving a Bridleway or Footway along the Whole or any Part or Parts thereof, the Chairman of such Meeting shall, by an Order in Writing, direct the Surveyor to apply to Two Justices to view the same, and shall authorize him to pay of the Expenses attending such View, and the stopping up, diverting, or turning such Highway, either entirely or subject to such Reservation as aforesaid, out of the Money received by him for the Purposes of this Act: Provided nevertheless, that if any other Party shall be desirous of stopping up, diverting, or turning any Highway as aforesaid, he shall, by a Notice in Writing, require the Surveyor to give Notice to the Churchwardens or assessable the Inhabitants in Vestry, and to submit to them the Wish of such Person; and if such Inhabitants shall agree to the Proposal, the said Surveyor shall apply to the Justices as last aforesaid for the Purposes aforesaid; and in such Case the Expenses aforesaid shall be paid to such Surveyor by the said Party, or be recoverable in the same Manner as any Forfeiture is recoverable under this Act; and the said Surveyor is hereby required to make such Application as aforesaid.

Proceedings for diverting, or turning Highways, and stopping up unnecessary Highways.

LXXXV. And be it further enacted, That when it shall appear upon such View of such Two Justices of the Peace, made or the Request of the said Surveyor as aforesaid, that any public Highway may be diverted and turned, either entirely or subject as aforesaid, so as to make the same more or more commodious to the Public, and the Owner of the Lands or Grounds through which such new Highway so proposed to be made shall consent thereto by Writing under his Hand, or if it shall appear upon such View that any public Highway is unnecessary, the said Justice shall direct the Surveyor to affix a Notice in the Form or to the Effect of Schedule (No. 15) to this Act annexed in legible Characters, at the Place and by the Side of each End of the said Highway from whence the same is proposed to be turned, diverted, or stopped up, either entirely or subject as aforesaid, and also to insert the same Notice in One Newspaper published or generally circulated in the County where the Highway so proposed to be diverted and turned or stopped up either entirely or subject as aforesaid, (as the Case may be,) shall be, for Four successive Weeks next after the said Justice have viewed such public Highway, and to affix a like Notice on the Door of the Church of every Parish in which such Highway so proposed to be diverted, turned, or stopped up, either entirely or subject as aforesaid, or any Part thereof, shall lie, on Four successive Sundays next after the making such View; and the said several Notices having been so published, and Proof thereof having been given to the Satisfaction of the said Justice, and a Plan having been delivered to them at the same Time particularly describing the old and the proposed new Highway, by Metes, Bounds, and Admeasurement thereof, which Plan shall be verified by some competent Surveyor, the said Justice shall proceed to certify under their Hands the Fact of their having viewed the said Highway as aforesaid, and that the proposed new Highway is newer or more convenient

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dious to the Public; and if nearer, the said Certificate shall state the Number of Yards or Feet it is nearer, or if more commodious, the Reasons why it is so; and if the Highway is proposed to be stopped up as unnecessary, either entirely or subject as aforesaid, then the Certificate shall state the Reason why it is unnecessary; and the said Certificate of the said Justices, together with the Proof and Plan so laid before them as aforesaid, shall, as soon as conveniently may be after the making of the said Certificate, be lodged with the Clerk of the Peace for the County in which the said Highway is situated, and shall (at the Quarter Sessions which shall be holden for the Limit within which the Highway so diverted and turned or stopped up, either entirely or subject as aforesaid, shall lie, next after the Expiration of Four Weeks from the Day of the said Certificate of the said Justices having been lodged with the Clerk of the Peace as aforesaid,) be read by the said Clerk of the Peace in open Court; and the said Certificate, together with the Proof and Plan as aforesaid, as well as the Consent in Writing of the Owner of the Land through which the new Highway is proposed to be made, shall be enrolled by the Clerk of the Peace amongst the Records of the said Court of Quarter Sessions: Provided always, that any Person whatever shall be at liberty, at any Time previous to the said Quarter Sessions, to inspect the said Certificate and Plan so as aforesaid lodged with the said Clerk of the Peace, and to have a Copy thereof, on Payment to the Clerk of the Peace at the Rate of Sixpence per Folio, and a reasonable Compensation for the Copy of the Plan.

LXXXVI. Provided always, and be it further enacted, That in any Case where it is proposed to stop up or divert more than One Highway, which Highways shall be deemed to be so connected together as that they cannot be separately stopped or diverted without interfering one with the other, it shall be lawful to include such different Highways in One Order or Certificate.

LXXXVII. Provided also, and be it further enacted, That in the Event of any Appeal being brought against the Whole or any Part or Parts of any Order or Certificate for diverting more Highways than One, it shall be lawful for the Court to decide upon the Propriety of confirming the Whole or any Part or Parts of such Order or Certificate without Prejudice to the remaining Part or Parts thereof.

LXXXVIII. Provided always, and be it further enacted, That when any such Certificate shall have been so given as aforesaid it shall and may be lawful for any Person who may think that he would be injured or aggrieved if any such Highway should be ordered to be diverted and turned or stopped up, either entirely or subject as aforesaid, and such new Highway set out and appropriated in lieu thereof as aforesaid, or if any unnecessary Highway should be ordered to be stopped up as aforesaid, to make his Complaint thereof by Appeal to the Justices of the Peace at the said Quarter Sessions, upon giving to the Surveyor Three Days Notice in Writing of such Appeal, together with a Statement in Writing of the Grounds of such Appeal, who is hereby required, within Forty-eight Hours after the Receipt of such Notice, to deliver a Copy of the same to the Party by whom he was required to apply to the Justices to view the said Highway; provided that in all Cases where the said Surveyor shall have been directed by the Inhabitants in Vestry assembled to apply to such Justices as aforesaid, then the said Surveyor shall not be required to deliver a Copy of such Notice to any Party: Provided also, that it shall not be lawful for the Appellant to be heard in support of such Appeal unless such Notice and Statement shall have been so given as aforesaid, nor as the Hearing of such Appeal to go into or give Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

LXXXIX. And be it further enacted, That in case of such Appeal the Justices at the said Quarter Sessions shall, for the Purpose of determining whether the proposed new Highway is nearer or more commodious to the Public, or whether the public Highway as intended to be stopped up, either entirely or subject as aforesaid, is unnecessary, or whether the said Party appealing would be injured or aggrieved, inquest a Jury of Twelve disinterested Men out of the Parishes returned to serve as Jurymen at such Quarter Sessions; and if, after hearing the Evidence produced before them, the said Jury shall return a Verdict that the proposed new Highway is nearer or more commodious to the Public, or that the public Highway as intended to be stopped up, either entirely or subject as aforesaid, is unnecessary, or that the Party appealing would not be injured or aggrieved, then the said Court of Quarter Sessions shall dismiss such Appeal, and make the Order herein mentioned for diverting and turning and stopping up such Highway either entirely or subject as aforesaid, or for diverting, turning, and stopping up of such old Highway, and purchasing the Ground and Soil for such new Highway, or for stopping up such unnecessary Highway either entirely or subject as aforesaid; but if the said Jury shall return a Verdict that the proposed new Highway is not nearer or not more commodious to the Public, or that the Highway so intended to be stopped up, either entirely or subject as aforesaid, is not unnecessary, or that the Party appealing would be injured or aggrieved, then the said Court of Quarter Sessions shall allow such Appeal, and shall not make such Order as aforesaid.

XC. And be it further enacted, That the Court of Quarter Sessions is hereby authorized and required to award to the Party giving or receiving Notice of Appeal such Costs and Expenses as shall be incurred in prosecuting or resisting such Appeal, whether the same shall be tried or not, and such Costs and Expenses shall be paid by the Surveyor or other Party as aforesaid at whose Instance the Notice for diverting and turning or stopping up the Highway, either entirely or subject as aforesaid, shall have been given: and in case the said Surveyor or other Party as aforesaid shall not appear in support thereof, the said Court of Quarter Sessions shall award the Costs of the Appellant to be paid by such Surveyor or other Party as aforesaid, and such Costs shall be recoverable in the same Manner as any Penalties or Forfeitures are recoverable under this Act.

As to stopping up more than One Highway.

Court may confirm Order for diverting whole or in part.

Persons who may think themselves aggrieved if such Highway should be ordered to be stopped up, &c. may appeal.

In case of Appeal, Jury of Twelve to be sworn whether new Highway is nearer, &c.

Costs to be awarded in Appeal against stopping up, &c. Highway.

If an Appeal be made, or if dismissed, Sentence to make Order for stopping, or the old Ways may be stopped.

New Highway shall afterwards continue a public Highway, &c.

Party liable to Repair of old Highways to repair new.

Provision as to widening of a Highway to extend to all Highways, &c.

Justice to fix amount of other Amount payable by Party bound to repair.

Made of proceeding before Justice if Highway is out of repair.

XCL. Provided always, and be it further enacted, That if no such Appeal be made, or being made shall be dismissed as aforesaid, then the Justices at the said Quarter Sessions shall make an Order to divert and turn and to stop up such Highway, either entirely or subject as aforesaid, or to divert, turn, and stop up such old Highway, and to purchase the Ground and Soil for such new Highway, or to stop up such unnecessary Highway, either entirely or subject as aforesaid, by such Ways and Means, and subject to such Exceptions and Conditions in all respects as in this Act is mentioned in regard to Highways to be widened; and the Proceedings thereupon shall be binding and conclusive on all Persons whatsoever: and the new Highways so to be appropriated and set out shall be and for ever after continue a public Highway to all intents and Purposes whatsoever; but no old Highway (except in the Case of stopping up of such useless Highway as herein is mentioned) shall be stopped until such new Highway shall be completed and put into good Condition and Repair, and so certified by Two Justices of the Peace upon View thereof, which Certificate shall be returned to the Clerk of the Peace, and by him enrolled amongst the Records of the Court of Quarter Sessions next after such Order as aforesaid shall have been made pursuant to the Directions herein-before contained.

XCLII. Provided always, and be it further enacted, That in every Case in which a Highway shall have been turned or diverted under the Provisions of this Act, the Parish or other Party which was liable to the Repair of the old Highway shall be liable to the Repair of the new Highway, without any Reference whatsoever to the parochial Locality.

XCLIII. And be it further enacted, That the Powers and Provisions in this Act contained with respect to the widening and enlarging, diverting, turning, or stopping up any Highway shall be applicable to all Highways which any Person, Bodies Politic or Corporate, or are bound to repair by reason of any Grant, Tenure, Limitation, or Appointment of any charitable Gift, or otherwise whatsoever; and that when such last-mentioned Highways are so widened or enlarged, turned or diverted, the same shall not only, by an Order of the Justices at a Special Sessions for the Highways, be placed under the Control and Care of the Surveyor of the Parish in which such Highways may be situate, and shall be from Time to Time thereafter repaired and kept in repair by the said Parish: Provided also, that the said Highways so widened, enlarged, diverted, or turned shall be viewed by Two Justices of the Peace, who shall make a Report thereof to the Justices at a Special Sessions for the Highways; and such last-mentioned Justices shall, by an Order under their Hands, fix the proportionate Sum which shall be annually paid, or shall fix a certain Sum to be paid, by such Person, Bodies Politic or Corporate, or their Heirs, Successors, or Assigns, to the said Surveyors of the Parish, in lieu of thereafter repairing the said Part of the said old Highway; and the Order of the said last-mentioned Justices shall be and continue binding on all such Person, Bodies Politic or Corporate, their Heirs, Successors, or Assigns; and in default of Payment thereof the said Surveyor shall proceed for the Recovery of the same in the Manner as any Penalties and Forfeitures are recoverable under this Act.

XCLIV. And be it further enacted, That from and after the Commencement of this Act, if any Highway is out of repair or is not well and sufficiently repaired and amended, and Information thereof, on the Oath of One credible Witness, is given to any Justice of the Peace, it shall and may be lawful for such Justice and he is hereby authorized and required to issue a Summons requiring the Surveyor of the Parish, or other Person or Body Politic or Corporate chargeable with such Repairs, to appear before the Justice at some Special Sessions for the Highways in the said Summons mentioned, to be held within the Division in which the said Highway may be situate; and the said Justice shall either appoint some competent Person to view the same, and report thereon to the Justice in Special Sessions assembled, on a certain Day and Place to be then and there fixed, at which the said Surveyor of the Highways or other Party as aforesaid shall be directed to attend, or the said Justice shall fix a Day whereas they or any Two of them shall attend to view the said Highway; and if to the Justice at such Special Sessions, on the Day and at the Place so fixed as aforesaid, it shall appear, either on the Report of the said Person so appointed by them to view, or on the View of such Justice, that the said Highway is not in a State of thorough and effectual Repair, they the said Justice in such last mentioned Special Sessions shall cause the said Surveyor or other Party liable to the Repair of the said Highway in any Penalty not exceeding Five Pounds, and shall make an Order on the said Surveyor, or other Person or Bodies Politic or Corporate liable to repair such Highway, by which Order they shall limit and appoint a Time for the repairing of the same; and in default of such Repairs being effectually made within the Time so limited, the said Surveyor, or such other Person or Body Politic or Corporate as aforesaid, shall forfeit and pay to some Person to be named and appointed in a Second Order a Sum of Money to be therein stated, and which shall be equal in Amount to the Sum which the said Justice shall, on the Evidence produced before them, judge requisite for repairing such Highway, which Money shall be recoverable in the same Manner as any Forfeiture is recoverable under this Act, and such Money when recovered shall be applied to the Repair of such Highway; and in case more Parties than One are bound to repair any such Highway, the said Justice shall direct in their said Order what Proportions shall be paid by each of the said Parties: Provided, that if the said Highway so out of repair is a Part of the Turnpike Road, the said Justice shall assign the Treasurer or Surveyor or other Officer of such Turnpike Road, and the Order herein directed to be made shall be made on such Treasurer or Surveyor or other Officer as aforesaid, and the Money therein stated shall be recoverable as aforesaid: Provided nevertheless, that the said Justice shall not have Power to make such Order as aforesaid in any Case where the Duty or Obligation of repairing the said Highway comes in question.

In what Cases Justices cannot interfere.

XCV. And

XCIV. And be it enacted, That if on the flooring of any such Summons respecting the Repair of any Highway the Duty or Obligation of such Repairs is denied by the Surveyor on behalf of the Inhabitants of the Parish, or by any other Party charged therewith, it shall then be lawful for such Justices and they are hereby required to direct a Bill of Indictment to be preferred, and the necessary Witnesses in support thereof to be subpoenaed, or the next Assizes to be holden in and for the said County, or at the next General Quarter Sessions of the Peace for the County, Riding, Division, or Place wherein such Highway shall be, against the Inhabitants of the Parish or the Party to be named in such Order for suffering and permitting the said Highway to be out of repair; and the Costs of such Prosecution shall be directed by the Judge of Assize before whom the said Indictment is tried, or by the Justices at such Quarter Sessions, to be paid out of the Rate made and levied in pursuance of this Act in the Parish in which such Highway shall be situate. Provided nevertheless, that it shall be lawful for the Party against whom such Indictment shall be so preferred at the Quarter Sessions as aforesaid to remove such Indictment by Certiorari or otherwise into His Majesty's Court of King's Bench.

XCVI. And be it further enacted, That no Fine, Loss, Penalty, or Forfeiture for not repairing the Highway, or not appearing to any Indictment for not repairing the same, shall hereafter be returned into the Court of Exchequer or other Court, but shall be levied by and paid into the Hands of such Person residing in or near the Parish where the Road shall lie, as the Justices or Court imposing such Fines, Losses, Penalties, or Forfeitures shall order and direct, to be applied towards the Repair and Amendment of such Highway; and the Person so ordered to receive such Fine shall and is hereby required to receive, apply, and account for the same according to the Direction of such Justices or Court, or in default thereof shall forfeit Double the Sum received; and if any Fine, Loss, Penalty, or Forfeiture to be imposed for not repairing the Highway, or not appearing as aforesaid, shall hereafter be levied on any Inhabitant of such Parish, Township, or Place, then such Inhabitant shall and may make his Complaint to the Justices at a Special Sessions for the Highways; and the said Justices are hereby empowered and authorized, by Warrant under their Hands, to make an Order on the Surveyor of the Parish for Payment of the same out of the Money receivable by him for the Highway Rate, and shall within Two Months next after Service of the said Order as him pay unto such Inhabitant the Money therein mentioned.

XCVII. And be it further enacted, That if any Surveyor or other Person shall be summoned before any Justice to answer any Information or Complaint exhibited or made against him touching or concerning any Offence committed or alleged to have been committed by such Surveyor or other Person against the Provisions of this Act, or for any supposed Neglect of Duty, in case such Surveyor or other Person be convicted thereof, such Justice shall be authorized and empowered to order the Payment by such Surveyor or other Person of all Costs or Proceedings against him; but in case such Information or Complaint shall afterwards be withdrawn or quashed or dismissed, or if the Defendant shall be acquitted of the Offence or Neglect of Duty charged against him, it shall be lawful for such Justice to order and award that the Person exhibiting or making such Information or Complaint shall pay to the Defendant all such Costs as to such Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded, it shall be lawful for such Justice to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person ordered to pay the same, together with the Costs of such Distress and Sale; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, with such Costs as aforesaid, cannot be found, it shall be lawful for such Justice to commit such Person to the Common Gaol or House of Correction, there to be kept to hard Labour, for any Time not exceeding One Calendar Month, unless the Sum so awarded, together with all Costs and Expenses, shall be sooner paid and satisfied.

XCVIII. And be it further enacted, That it shall and may be lawful for the Court before whom any Indictment shall be preferred for not repairing Highways to award Costs to the Prosecutor, to be paid by the Person so indicted, if it shall appear to the said Court that the Defence made to such Indictment was frivolous or vexatious.

XCIX. And be it further enacted, That from and after the Commencement of this Act it shall not be lawful to take or comment any legal Proceeding, by Prosecution, against the Inhabitants of any Parish, or other Person, on account of any Highway or Turnpike Road being out of repair.

C. And be it further enacted, That no Person shall be deemed incompetent to give Evidence or be disqualified from giving Testimony or Evidence in any Action, Suit, Prosecution, or other legal Proceedings to be brought or had in any Court of Law or Equity, or before any Justice or Justices of the Peace, under or by virtue of this Act, by reason of being an Inhabitant of the Parish in which any Offence shall be committed, or of being a Treasurer, Clerk, Surveyor, District Surveyor, Assistant Surveyor, Collector, or other Officer appointed by virtue of this Act, nor shall such Testimony or Evidence for any of the Reasons aforesaid be rejected or liable to be questioned or set aside.

CI. And be it further enacted, That in all Cases in which any Penalty or Forfeiture is recoverable before Justices of the Peace under this Act, it shall and may be lawful for any Justice to whom Complaint shall be made of any such Offence to summon the Party complained against before any Two Justices, and on such Summons the said Two Justices may hear and determine the Matter of such Complaint, and on Proof of the Offence convict the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and proceed to recover the same, although no Information in Writing shall have

Mode of proceeding if Indictment to repair is disputed.

Fines, Penalties, and Forfeitures here to be levied and applied.

Justice empowered to award Costs to Defendant whose Information, &c. is withdrawn or dismissed.

Court may award Costs to the Prosecutor.

No Proceedings against Inhabitants, &c. Inhabitants and Officers in Parish may give Evidence.

Justice may proceed by Summons in the Recovery of Penalties.

been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Informations shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

III. And be it further enacted, That if any Person, after having been paid or tendered a reasonable Sum of Money for his Costs, Charges, and Expenses, shall be summoned as a Witness to give Evidence before any Justice of the Peace touching any Matter or Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person accused, and shall refuse or neglect to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for his Refusal or Neglect, or appearing shall (after having been paid or tendered a reasonable Sum for his Costs, Charges, and Expenses,) refuse to be examined upon Oath and give Evidence before such Justice of the Peace, then and in either of such Cases such Person shall forfeit for every such Offence any Sum not exceeding Five Pounds.

III. And be it further enacted, That all Penalties and Forfeitures by this Act inflicted or authorized to be imposed for any Offence against the same, and all Balances due from a Surveyor, and all Costs and Charges to be allowed and ordered by the Authority of this Act, (the Manner of levying, recovering, and applying of which is not hereby otherwise particularly directed,) shall, upon Proof and Conviction of the Offence respectively before any Two or more Justices, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justices are in every Case hereby fully authorized to administer,) or upon Oath made as aforesaid, be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chateaux of the Offender or Person liable or ordered to pay the same respectively, by Warrant under the Hands of Two or more Justices before whom the Party may have been convicted (which Warrant such Justices are hereby empowered and required to grant,) and the Receipts (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chateaux; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices as aforesaid to order the Offender or Offenders as convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice as aforesaid, for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day not being later than Seven Days from the Time of taking any such Security, and which Security the said Justice as aforesaid are hereby empowered to take by way of Recognizance or otherwise; or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or otherwise, that he hath not Goods or Chateaux within the Jurisdiction of such Justice sufficient whereto to levy all such Penalties and Forfeitures, Costs and Charges, such Justice may, at their Discretion, without issuing any Warrant of Distress, commit the Offender for such Period of Time, and in such and like Manner, as if a Warrant of Distress had been issued, and Nolle been returned thereon; but if a Warrant of Distress shall be issued, and upon the Return thereof it shall appear that no sufficient Distress can be had wherewith to levy the said Penalty, Forfeiture, or Fine, and Costs and Expenses aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, upon the Confession of the Offender, or otherwise, that he hath not sufficient Goods and Chateaux wherewith such Penalty, Forfeiture, or Fine, Costs and Expenses, could be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant, but in such Case such Justice are hereby required, by Warrant under their Hands, to cause such Offender or Offenders to be committed to the Common Goal or House of Correction of the County, Riding, or Place where the Offender shall be or reside, there to be kept to hard Labour for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Penalties and Forfeitures, when so levied, shall be paid, the one Half to the Informer, and the other Half to the Surveyor of the Parish where such Offence, Neglect, or Default shall happen, to be applied towards the Repair of the Highways thereof, unless otherwise directed by this Act; but in case the Surveyor shall be the Informer, then the whole shall be applied towards the Repair of such Highway.

IV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Default or Want of Force in any Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser at all on account of any Irregularity which shall be afterwards done in making the Distress, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff shall recover in any Action for any Irregularity, Trespass, or wrongful Proceedings, if Tender of sufficient Amount shall be made by or on behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit, wherewith such Proceedings or Offence and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

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**CV.** Provided also, and be it further enacted, That if any Person shall think himself aggrieved by any Rate made under or in pursuance of this Act, or by any Order, Cessation, Judgment, or Determination made, or by any Matter or Thing done, by any Justice or other Person in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices at the next General or Quarter Sessions of the Peace to be hold for the County, Division, Riding, or Place whereon the Cause of such Complaint shall arise, such Appellant first giving or causing to be given to the Surveyor or Surveyors, or to such Justice or other Person by whose Act such Person shall think himself aggrieved, Notice in Writing of his Intention to bring such Appeal, together with a Statement in Writing of the Grounds of such Appeal, within Fourteen Days after such Rate shall have been made, or Cause of Complaint shall have arisen, and within Four Days after such Notice coming into a Recognizance before some Justice, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and such Justices, upon hearing and finally determining the Matter of such Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever: Provided nevertheless, that in case there shall not be Time to give such Notice and enter into such Recognizance as aforesaid before the next Sessions to be holden after the making of any Rate or the Cause of Complaint shall have arisen, then and in every such Case such Appeal may be made to the next following Sessions, and shall be then heard and determined: Provided also, that it shall not be lawful for the Appellant to be heard in support of such Appeal, unless such Notice and Statement shall have been so given as aforesaid, nor on the Hearing of such Appeal to go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

**CVI.** And be it further enacted, That in all Cases of Appeal against the Rate or Assessment made in pursuance of this Act the several Provisions and Enforcements contained in a certain Act made and passed in the Forty-first Year of the Reign of His late Majesty King George the Third, intitled *An Act for the better Collection of the Rates made for the Relief of the Poor*, shall be applicable thereto, as if the same had been reprinted and re-enacted in this Act with respect to such Appeals.

**CVII.** Provided always, and be it further enacted, That no Rate, nor any Proceeding to be had touching the Conviction of any Offender against this Act, or any Order made, or any other Matter or Thing done or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed or removable (except as herein mentioned) by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster.

**CVIII.** And be it further enacted, That in any Case of Appeal the Court of Quarter Sessions before whom the cause is heard and determined may, if they think fit, state the Facts specially for the Determination of His Majesty's Court of King's Bench thereon, in which Case it shall be lawful to remove the Proceedings, by Writ of Certiorari or otherwise, into the said Court of King's Bench.

**CIX.** And be it further enacted, That no Action or Suit shall be commenced against any Person for any thing done in pursuance of or under the Authority of this Act until Twenty-one Days Notice has been given thereof in Writing to the Justice, Surveyor, or Person against whom such Action is intended to be brought, nor after sufficient Satisfaction or Tender of Satisfaction has been made to the Party aggrieved, nor after Three Calendar Months next after the Fact committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and every several Matter in Evidence at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become Nonsuit, or suffer a Discontinuance of such Action, or if upon any Demurrer in such Action, Judgment shall be given for the Defendant therein, then and in any of the Cases aforesaid such Defendant shall have Costs as between Attorney and Client, and shall have such Remedy for recovering the same as any Defendant may have for his or her Costs in any other Cause by Law.

**X.** And be it further enacted, That the several Fees hereafter limited and expressed, and no others, shall be taken by the Clerk of the Peace, Clerk to the Justices, or others, for their several respective Services in the Execution of this Act: (that is to say,) the Sum of Sixpence for every Information; the Sum of One Shilling for every Summons or Warrant, and Sixpence for the Service thereof; the Sum of Sixpence for every Notice, and Sixpence for the Service thereof; the Sum of One Shilling for every Order, and Sixpence for the Service thereof; the Sum of Two Shillings for every Warrant of Distress; the Sum of One Shilling for every Appointment; and the Sum of Two Shillings for every Conviction: Provided always, that in all Places regulated by a Local Act of Parliament, when the Assent of the Fees to be taken by the Clerk to the Justices, or others, in any Proceeding for the Recovery of any Rate shall be less than the Fees herebefore mentioned, shall it be lawful for such Clerk to the Justices, or others so demanded or take a greater Fee for any several Proceeding under this Act than the Fee which may be mentioned or directed to be taken by such Local Act.

Appeal may be made to Quarter Sessions against Rates Act.

Provisions of 41 G. 3. c. 25. applicable to this Act.

Rates and Proceedings not to be quashed for Want of Form.

In case of Appeal, Sessions may grant a special Com.

Limitation of Actions.

Defendant may plead the General Issue.

Costs.

Amount of Fees.

Expenses for  
defending Pro-  
secutions agreed  
upon at a Vestry  
Meeting, how  
to be paid.

CXL. And be it further enacted, That if the Inhabitants of any Parish shall agree as a Vestry to defend any Indictment found against any such Parish, or to appeal against any Order made by or Proceeding of any Justice of the Peace in the Execution of any Powers given by this Act, or to defend any Appeal, it shall and may be lawful for the Surveyor of such Parish to charge in his Account the reasonable Expenses incurred in defending such Prosecution, or prosecuting or defending such Appeal, after the same shall have been agreed to by such Inhabitants at a Vestry or public Meeting as aforesaid, and allowed by Two Justices of the Peace within the Division where such Highway shall be; which Expenses, when so agreed to or allowed, shall be paid by such Parish out of the Fines, Forfeitures, Payments, and Rates authorized to be collected and raised by virtue of this Act: Provided nevertheless, that if the Money so collected and raised is not sufficient to defray the Expenses of repairing the Highways in the said Parish, as well as of defending such Prosecutions, or prosecuting or defending such Appeal as aforesaid, the said Surveyor or a Justice authorized to raise, collect, and levy an additional Rate in the same Manner as the Rate by this Act is authorized to be made for the Repair of the Highway.

Linking  
Powers of  
§ 4. s. 6. 13.

CXII. And be it further enacted, That nothing in this Act contained shall be construed to abridge, repeal, alter, amend, or interfere with the Powers and Provisions contained in an Act passed in the Fifth-month Year of the King of King George the Third, intituled *An Act for better paving, improving, and repairing the Streets of the Metropolis, and removing and preventing Obstructions therein*, or the Powers and Provisions contained in any Act relating to any particular Parish or Place for any of the Purposes in this Act mentioned.

Not to extend  
to Turnpike  
Roads, or to  
Roads under  
Local Acts.

CXIII. Provided always, and be it further enacted, That nothing in this Act contained shall apply to any Turnpike Roads, except where expressly mentioned, or to any Roads, Bridges, Carriageways, Cartways, Horseways, Bridleways, Footways, Causeways, Churchways, or Pavements, which now are or may hereafter be paved, repaired, or dressed, broken up, or diverted, under or by virtue of the Provisions of any Local or Personal Act or Acts of Parliament.

Not to affect  
the Universities.

CXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of Oxford or Cambridge, or any of the Powers vested by Charter or otherwise in the Chancellors, Masters, and Scholars, and their Successors, of the said Universities.

Not the Rights  
and Liberties of  
the City of  
London.

CXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner affect the City of London and the Liberties thereof, or the Rights, Interests, Privileges, Franchises, or Authorities of the Mayor and Commonalty and Citizens of the City of London, or their Successors, or the Lord Mayor and Aldermen of the said City, or the Lord Mayor of the said City for the Time being as Conservator of the River Thames or otherwise, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of making this Act the said Mayor and Commonalty and Citizens, the said Lord Mayor and Aldermen of the said City, or the said Lord Mayor for the Time being as Conservator of the River Thames or otherwise, did or might lawfully claim, use, or exercise by any Act of Parliament or otherwise, or to vary or alter any of the Provisions or Regulations thereby made, directed, or provided, within the said City of London and the Liberties thereof, any thing herein contained to the contrary thereof in anywise notwithstanding.

Not the Act  
1 G. 4. c. 64.

CXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner affect the Provisions of an Act passed in the First Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for repairing the Repairs of Bridges in the County of Montgomery*, so far as the same relate to the Repairs of so much of the Highways as are next adjoining to any Ends of any Bridges within the said County of Montgomery, the Repairs of which have already been made chargeable upon the Rates of the said County under the Provisions of the said recited Act.

Powers of  
Commissioners  
of Sewers not  
abridged.

CXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to or be deemed or construed to extend to alter, affect, restrain, or abridge the Powers or Authorities given to the Commissioners of Sewers by any Act of Parliament whatsoever, or to vary or alter any of the Provisions or Regulations thereby made, directed, or provided, any thing herein contained to the contrary thereof in anywise notwithstanding.

Concerning the  
Forms of Pro-  
ceedings.

CXVIII. And be it further enacted, That the Forms of Proceedings relative to the several Matters contained in this Act, which are set forth and expressed in the Schedule hereto annexed, shall be used upon all Occasions, with such Additions or Variations only as may be necessary to adapt them to the particular Circumstances of the Case; and that no Objections shall be made or Advantage taken for Want of Form in any such Proceedings by any Person whatsoever.

Commencement  
of Act.  
Act may be  
altered, &c.

CXIX. And be it further enacted, That this Act shall commence and take effect from and after the Twentieth Day of March One thousand eight hundred and thirty-six.

CXX. And be it further enacted, That this Act may be altered, amended, or repealed in this present Session of Parliament.

The SCHEDULE (stating the Forms) to which this Act refers.

## No. 1.

*Notice to Person of his having been elected Surveyor.*

A. B. Take notice, that you were, at a Meeting held at [insert the Name of the Parish, &c.] on the Day of elected and chosen Surveyor [or One of the Surveyors] of the Highways for the said [Parish, &c.] for the Year ensuing.  
Dated the Day of  
To A. B. of C. D. Chairman.

## No. 2.

*Appointment of Surveyor with Salary.*

At a Meeting of the Inhabitants of in Vestry assembled at on the Day of A. B. was nominated, elected, and appointed a Surveyor of such Parish, for the Purpose of carrying into execution the Provisions of an Act passed in the Fifth and Sixth Year of the Reign of King William the Fourth, intitled "An Act," &c. [see at end Title of Act], for the Year ensuing; and the Salary to be allowed to the said A. B. was fixed at the Sum of payable on  
Dated the Day of C. D. Chairman.

## No. 3.

*Appointment of Surveyor by Justices.*

At a Special Session for the Highways held at in the Division, &c. by Justices of the Peace for the said County acting within the said Division, &c. on the Day of

Whereas it hath appeared to us the said Justices, on the Oath of A. B. an Inhabitant of the Parish of that the Inhabitants of the said Parish in Vestry assembled have neglected [or refused] to nominate and elect a Surveyor in manner and for the Purpose contained in a certain Act made and passed in the Fifth and Sixth Year of the Reign of King William the Fourth, intitled "An Act," &c. [see at end Title of Act,] [or that the Surveyor appointed by the Inhabitants of the said Parish is dead, or has ceased to possess the Qualifications required by the said Act, or has become disqualified, or has neglected to act, or has refused to carry into operation the Duties imposed upon him by the said Act], we do therefore hereby appoint you C. D. of Surveyor for such Parish for the Year ensuing [or for the Space of ], with the Salary of for your Trouble; and you the said C. D. are faithfully and truly to execute the Office of Surveyor according to the Directions of the said Statute.

Given under our Hands the Day and Year first above mentioned.

E. F.

To C. D.

G. H.

## No. 4.

*Form of Highway Rate.*

| Name of Occupier or Tenant rated. | Description of the Premises and Property rated. | Annual Value.    | Sum assessed in the Pound. |
|-----------------------------------|---|------------------|----------------------------|
| A. B.                             | House and Garden                                | £ s. d.<br>5 0 0 | £ s. d.<br>0 4 2           |
| C. D.                             | A Farmhouse, Lands, and Buildings.              | 100 0 0          | 4 5 4                      |
| E. F.<br>and so forth.            | A Warehouse                                     | 90 0 0           | 0 18 8                     |

A. B. } Surveyor [or Surveyors] of the Parish  
C. D. } of



No. 5.

Weekly Account of Money expended on the Highways of the Parish of \_\_\_\_\_ from the \_\_\_\_\_  
to the \_\_\_\_\_ Day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_

| Day Labour, and when personal.               | Labourers Names. | No. of Days. | Rate per Day. | —     | Team Work, and when done.  | Rate.  | —     | Total Weekly Expenditure.  |
|--|------------------|--------------|---------------|-------|----------------------------|--------|-------|--|
|  |                  |              |               | £ s d |                            |        | £ s d | } £ s d<br>Day Labour<br>Contract Work<br>Materials<br>Team Work |
|  |                  |              |               |       |                            |        |       |  |
|  |                  |              |               |       |                            |        |       |  |
|  |                  |              |               |       |                            |        |       |  |
| Work executed by Contract.                   | Persons Names.   | No. of Days. | Rate per Day. | —     | Tradesmen's Bills.         | No.    | —     | } Tradesmen's Bills  |
|  |                  |              |               | £ s d |                            |        | £ s d |  |
|  |                  |              |               |       | Rate of Fines and Quizzes. | Names. | —     | } Rate of Fines and Quizzes                                      |
|  |                  |              |               |       |                            |        | £ s d |  |
| Materials got and prepared, and from whence. | Parties Names.   | Quantity.    | Rate per      | —     |                            |        |       | } Incidental Expenses  |
|  |                  |              |               | £ s d | Incidental Expenses.       | —      |       |  |
|  |                  |              |               |       |                            |        | £ s d |  |
|  |                  |              |               | £ s d |                            |        |       | £  |

No. 6.

## Notice of Intention to make Highway.

I do hereby give you Notice, That, after the Expiration of Three Calendar Months from the Date hereof I [or if given by the Clerk, &c. of a Body Politic or Corporate describe them.] do intend to make a certain Highway in the Parish of \_\_\_\_\_ [describing its Situation and Extent,] and to dedicate the same to the Use of the Public.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_

To E. F., &c.  
Surveyor of the Parish }  
of \_\_\_\_\_

A. B.  
or  
C. D. [Clerk, &c.]



from the Lands called or known by the Names of \_\_\_\_\_ and \_\_\_\_\_ in his Occupation [or of which he is the Owner, or in the Occupation of J. K., or of which J. K. is the Owner, and the said A. B. his Agent, within the said [Parish, &c.], for the Purposes aforesaid, and that the said Materials are necessary for the Repairs of the Highways, and that the said A. B. hath refused to permit the same to be dug, got, taken, and carried away; and the said A. B. having been duly summoned to appear before us, in show Cause why such Permission should not be granted, and having appeared before us accordingly, [or having sent his Steward or Agent, or C. D., on his Behalf, to attend us on that Occasion, or, but not having appeared,] we have heard what has been alleged, and taken the said Matter (non consideration, and are of opinion that the said Materials are necessary, and ought to be dug, got, taken, and carried away for the Purposes aforesaid: Therefore we do hereby give our Licence to the said Surveyor [or Surveyors] to dig, get, take, and carry away the same accordingly, the said Surveyor making Satisfaction for the same, and also for the Damage done to such Lands, in the Manner directed by the said Act. Given under our Hands the \_\_\_\_\_ Day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_

J. P.  
K. P.

No. 11.

*Licence from Justices at a Special Session for the Highways to get Materials for the Repair of the Highways to another Parish besides that wherein such Materials are to be employed.*

At a Special Session for the Highways held at \_\_\_\_\_ in the Hundred, &c. of \_\_\_\_\_ in the said County, by Justices of the Peace for the said County acting within the said Hundred, on the \_\_\_\_\_ Day of \_\_\_\_\_

It appearing to us, upon Evidence this Day received, that sufficient Materials cannot conveniently be had within the Waste Lands, Common Grounds, Rivers, or Brooks, nor in the inclosed Lands or Grounds, lying within the [Parish, &c.] of \_\_\_\_\_ in the said Hundred, for the Repairs of the Highways within the said [Parish], nor in the Waste Lands, Common Grounds, Rivers, or Brooks within the [Parish] of \_\_\_\_\_ adjoining to the said [Parish] of \_\_\_\_\_ we do hereby give our Licence to the Surveyor [or Surveyors] of the said [Parish] of \_\_\_\_\_ to search for, dig, get, and carry Materials within the inclosed Lands or Grounds of C. D. within the said [Parish] of \_\_\_\_\_ to be employed in the Repair of the Highways within the said [Parish] of \_\_\_\_\_

it appearing from Evidence before us, that there are proper Materials within the said Lands for the Purposes aforesaid lying convenient to the said Highways, and that after such Materials shall be so taken there will be sufficient left for the Use of the Highways within the said Parish of \_\_\_\_\_ upon the said Surveyor [or Surveyors] making Satisfaction for the same, and also for the Damage done to such Lands, in the Manner directed by the Act made and passed in the Fifth and Sixth Year of the Reign of King William the Fourth, intitled "An Act, &c. [set out at Foot of Act.] subject to such Restrictions as are therein contained. Given under our Hands the Day and Year above written.

J. P.  
K. P.

No. 12.

*Explication to enable Justices to fix Boundaries of Highway lying in Two Parishes.*

County of \_\_\_\_\_ } At a Special Session for the Highways holden, &c.

See Plan.

I. S. the Surveyor [or One of the Surveyors] of the Parish of A., came before the Justices aforesaid, and informed them, that there is in the said County a certain common Highway leading from M. to N., and that there is a certain Part of the said Highway, that is to say, so much thereof as lies between a certain Place called C. and a certain other Place called D., being in Length \_\_\_\_\_ [as the Case may be], one Side of which last mentioned Part of the said Highway adjoining to the Parish of A. lies within the said Parish of A., and is to be and of right ought to be repaired by the said Parish of A. [or by, &c., describing the Body Public or Corporate, or Private, to whom the Repair,] and that the other Side of the same Part of the said Highway adjoining to the Parish of B. lies within the Parish of B., and is to be and of right ought to be repaired by the said Parish of B. [or by, &c.], and stating that the Repair of such Part of the said Highway is very inconvenient to the Parishes aforesaid, and the Want thereof detrimental to the Public; and therefore praying, that such Part of the said Highway may be allotted and appropiated for the Repair thereof by the Justices aforesaid to the said several Parishes of A. and B. [or to, &c.], in the Manner directed by an Act passed in the Fifth and Sixth Year of the Reign of King William the Fourth, intitled "An Act, &c. [set out at Foot of Act.]

(Signed) I. S. One of the Surveyors of Parish of A.

The above Application was made to us the Day and Year first above written.

J. P.  
K. P.

No. 13.

*Summons to be enjoined to a Copy of the above Information.*

Copy of } To the Surveyor [or Surveyors] of the Parish of B. in the said County, any or either  
 } of them.

WHEREAS a certain Information has been given to us, His Majesty's Justices of the Peace for the said County at a Special Session for the Highways, by J.S., the Surveyor [or One of the Surveyors] of the Parish of A. in the said County, a true Copy whereof is above written These are, in His Majesty's Name, to summon you, any or either of you, to appear before us, at \_\_\_\_\_ so the said County, on the \_\_\_\_\_ Day of \_\_\_\_\_ to show Cause (if any) why an Abatement and Appointments of the Highways therein mentioned should not be made according to the Provisions of the Act referred to in the said Information. Hereof fail not. Given under our Hands this \_\_\_\_\_ Day of \_\_\_\_\_

J.P.  
K.P.

No. 14.

*Final Order and Adjunction, to be filed with the Clerk of the Peace.*

WHEREAS, &amp;c.

1.—That the original Application.

2.—The Summons.

3.—The Appearance, and that the Parties were heard, or their Representatives.

Now we, the Justices aforesaid, having fully heard and understood the Petition, do declare, adjudge, and order, that the said Highway shall be divided in the following Manner; (that is to say,) that at the Distance of \_\_\_\_\_ measuring from the Place called C., there shall be erected certain Posts or Stones, E. and F., on each Side of the said Highway, and the whole of the said Highway from the Place called C. to such Posts or Stones shall be from Time to Time and at all Times hereafter repaired by the Parish of A. [or by, &c.], and the whole of the said Highway from such Posts or Stones to the Place called D. shall from Time to Time and at all Times hereafter be repaired by the Parish of B. [or by, &c.]

In witness whereof we have hereunto set our Hands this \_\_\_\_\_ Day of \_\_\_\_\_

Day of \_\_\_\_\_

J.P. (1.A.)  
K.P. (1.B.)

No. 15.

*Notice from Surveyor to remove Nuisance.*

To C.D. of \_\_\_\_\_

In pursuance of the Directions given by an Act passed in the Fifth and Sixth Year of the Reign of King William the Fourth, intituled "An Act," &c., I, A.B. Esq., the Surveyor [or One of the Surveyors] of the Parish of \_\_\_\_\_ do hereby give you Notice forthwith to remove the [Wells, Dungs, Ashes, Rubbish, &c.] placed by you on a certain Part of the King's Highway, lying between \_\_\_\_\_ and \_\_\_\_\_ in the [Parish] of \_\_\_\_\_ to the Obstruction and Annoyance of the said Highway.

Dated this \_\_\_\_\_

Day of \_\_\_\_\_

A.B., &amp;c.

No. 16.

*Order of Two Justices for widening a Highway.*

} We, \_\_\_\_\_ Two of His Majesty's Justices of the Peace for the  
 } and County, acting within the [Hundred, &c.] of \_\_\_\_\_ within the said County, having, upon View, found that a certain Part of the Highway between \_\_\_\_\_ and \_\_\_\_\_ in the [Parish, &c.] of \_\_\_\_\_ in the said [Hundred], for the Length of \_\_\_\_\_ Yards or thereabouts, and particularly described in the Plan herunto annexed, is for the greatest Part thereof narrow, but may be conveniently enlarged and widened by adding thereto from the Lands and Grounds of \_\_\_\_\_ and \_\_\_\_\_ of the Length of \_\_\_\_\_ Yards or thereabouts, and of the Breadth of \_\_\_\_\_ Feet or thereabouts, particularly described in the Plan herunto annexed, which we think will widen and enlarge the same, and be much more commodious to the Public, do hereby order, that the said Highway be widened and enlarged accordingly, and that the Surveyor [or Surveyors] of the [Parish, &c.] of \_\_\_\_\_ where the said old Highway lies, do forthwith proceed to treat and make Agreement with the said \_\_\_\_\_ and \_\_\_\_\_ for the Recompense to be made for the said Ground, and for the making such Ditches and Fences as shall be necessary, in such Manner, with such Approbation, and by pursuing such Measures and Directions in all respects as are warranted and prescribed by the Statute made in the Fifth and Sixth Year of the Reign of King William the Fourth, intituled "An Act," &c., and in case such Agreement shall be made as aforesaid, we do order an equal Assessment, not exceeding the Rate of \_\_\_\_\_ in the Pound, to be made, levied, and collected upon all and every the Parties liable to the Payment of the Highway Rate in the said [Parish, &c.] of \_\_\_\_\_ and that the Money arising thereupon be paid and applied in making such Recompense and Satisfaction as aforesaid, pursuant to the Directions of the said Act.

A.B.  
C.D.

No. 17.

*Certificate from the said Justice to the Court of Quarter Sessions.*

This is to be written upon the above Order when no Agreement can be made.

To the Justices of the Peace at their General Quarter Sessions to be held at  
 in the said County, the Day of One thousand eight hundred  
 and  
 We, the within-named *A. B.* and *C. D.*, do hereby certify to the said Court of Quarter Sessions, that we made and signed the within Order, and that with our Approbation and by our Direction the said Surveyor [or Surveyors] has [or have] treated with the said and for the said Lands required for the Purposes aforesaid, but was not able to make any Agreement for that Purpose with them or either of them, and that he tendered to the said the Sum of as a Racompence and to the said the Sum of as a Racompence for the said Ground, and for the making the said Ditches and Fences, which he [or they and such of them] refused to receive.

*A. B.*  
*C. D.*

No. 18.

*Consent from the Owner of the Land through which a new Highway is proposed to be made.*

*I A. B.* of is the County of being the Owner of the Lands described in the Plan hereto annexed, through which Part of a certain Highway lying between and is intended to be diverted and turned, in consideration of the Sum of to be paid to me for the said Land and Soil thereof, do hereby consent to the making and continuing such new Highway through my said Lands.

Given under my Hand this Day of One thousand eight hundred and

No. 19.

*Form of Notice of diverting, &c. Highway.*

Notice is hereby given, That on the Day of next Application will be made to His Majesty's Justices of the Peace assembled at Quarter Sessions in and for the County of at for an Order for [if the Order be for turning, diverting, and stopping up, &c. here to state it, and describe the Road ordered to be turned, diverted, and stopped up; if the Order be for stopping up a waste Road, here to state it, and describe the Road ordered to be stopped up]; and that the Certificate of Two Justices having viewed the same, &c., with the Plan of the old and proposed new Highway, will be judged with the Clerk of the Peace for the said County on the Day of next.

*A. B.* } Surveyor [or Surveyors] of the  
*C. D. &c.* } Parish of

No. 20.

*Summons for any Person or Persons to attend a Justice or Justices*To *A. B.*

WHEREAS Complaint and Information hath been made upon Oath before me, *C. D.* One of His Majesty's Justices of the Peace for the said [County, &c.] by *E. F.* of that, &c. [here state the Nature and Circumstances of the Case, as far as it shall be necessary to show the Offence and to bring it within the Authority of the Justice; and, in doing that, follow the Words of the Act or Statute as may be]: There are therefore to require you personally to appear before me [or the Justices to be assembled at their Petty Sessions (or Special Sessions for the Highway)] to be holden at in the said County, &c.] on the Day of next, at the Hour of in the noon, to answer to the said Complaint and Information made by the said *E. F.*, who is likewise directed to be then and there present to make good the same. Herein fail not.

Given under my Hand this Day of

No. 21.

*Information.*

It is remembered, That on the Day of *A. B.* of One of His Majesty's Justices of the Peace for the said County, that of in the said County [here describe the Offence, with the Time and Place, and follow the Words of the Act as near as may be] contrary to the Statute in the Fifth and Sixth Year of His Majesty King William the Fourth, intituled, "An Act," &c. [here set out Title of Act.] which hath imposed a Forfeiture for the said Offence.

Taken and sworn the Day of before me, *A. B.*

No 22.

## Form of Conviction.

(*in vic.*) } Be it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our  
 Lord \_\_\_\_\_ at \_\_\_\_\_ in the County aforesaid, *A. B.* came  
 before us of His Majesty's Justices of the Peace for the said County, and informed us,  
 that *E. F.* of \_\_\_\_\_ on the \_\_\_\_\_ Day of \_\_\_\_\_ now last past, at  
 \_\_\_\_\_ in the said County, did [not forth the Peace in the Manner described by the Act],  
 whereupon the said *E. F.*, after being duly summoned to answer the said Charge, appeared before us  
 on the \_\_\_\_\_ Day of \_\_\_\_\_ in the said County, and, having heard  
 the Charge alleged against him, declared that he was not guilty of the said Offence; but the same  
 being fully proved upon the Oath of *G. H.* a credible Witness, it manifestly appears to us the said  
 Justices that he the said *E. F.* is guilty of the Offence charged upon him in the said Information: It is  
 therefore considered and adjudged by us the said Justices, that the said *E. F.* be convicted, and we  
 do hereby convict him of the Offence aforesaid; and we do hereby declare and adjudge that he the  
 said *E. F.* hath forfeited the Sum of \_\_\_\_\_ of lawful Money of Great Britain, for the  
 Offence aforesaid, to be distributed as the Law directs, according to the Form of the Statute in that  
 Case made and provided. Given, &c.

[After the Words, "being duly summoned to answer the said Charge," insert "did not appear before us pursuant to the said Summons," or "did neglect and refuse to make any Defence against the said Charge," but the same being fully proved, &c. or before.]

[After the Words "Charge alleged against him," insert "acknowledged and voluntarily confessed the same to be true;" and it manifestly appears to us the said Justices, &c. or above.]

To be inserted when Duty is to appear.

To be inserted when Duty is to answer the Charge.

No 23.

## Warrant to distress for the Forfeiture.

(*in vic.*) } To the Constable [Headborough or Tithingman] of \_\_\_\_\_  
 WHEREAS *A. B.* of \_\_\_\_\_ in the said County [Yeoman, &c.] is this Day convicted before us,  
 Two of His Majesty's Justices of the Peace in and for the said County, upon the Oath of *G. H.* a  
 credible Witness, for that the said *A. B.* hath [here set forth the Offence, describing it particularly in the  
 Words of the Act, as near as may be], contrary to the Statute in that Case made and provided; by  
 reason whereof the said *A. B.* hath forfeited the Sum of \_\_\_\_\_ to be distributed as herein  
 is mentioned, which he hath refused to pay: These are therefore in His Majesty's Name to command  
 you to levy the said Sum of \_\_\_\_\_ by Distress of the Goods and Chattels of him the said *A. B.*;  
 and if within the Space of Four Days next after such Distress by you taken, the said Sum of \_\_\_\_\_  
 together with the reasonable Charges of taking and keeping the same, shall not be paid, that then you  
 do sell the said Goods and Chattels so by you distrained, and out of the Money arising by such Sale  
 that you do pay one Half of the said Sum of \_\_\_\_\_ to *E. F.* of \_\_\_\_\_ who informed  
 me of the Offence, and the other Half of the said Sum of \_\_\_\_\_ to *I. K.* the Surveyor of the  
 Parish [Township or Place] where the said Offence [Neglect or Default] happened, to be employed  
 towards the Repair of the said Highways, returning the Overplus, upon Demand, to him the said *A. B.*;  
 the reasonable Charges of taking, keeping, and selling the said Distress being first deducted, and if  
 sufficient Distress cannot be found of the Goods and Chattels of the said *A. B.* whereon to levy the  
 said Sum of \_\_\_\_\_ that then you certify the same to us, together with the Warrant.  
 Given under our Hands the \_\_\_\_\_ Day of \_\_\_\_\_

C. D.  
E. F.

This to be inserted according to the Act in such particular Case.

No 24.

## Returns of the Constable to be made upon the Warrant of Distress when there are no Efforts.

*I. A. B.*, Constable of the [Parish, &c.] of \_\_\_\_\_ in the County of \_\_\_\_\_ do hereby  
 certify and make Oath, That by virtue of this Warrant I have made diligent Search for the Goods of  
 the within-named \_\_\_\_\_ and that I can find no sufficient Goods whereon to levy the within  
 Sum of \_\_\_\_\_  
 As witness my Hand the \_\_\_\_\_ Day of \_\_\_\_\_ *A. B.*  
 Sworn before me this Day and Year, &c.  
*C. D.*

No 25.

## Commitment for Want of Distress.

(*in vic.*) } To the [Constable] of \_\_\_\_\_ in the said County, and to the Keeper of the Common  
 Gaol [or House of Confinement] at \_\_\_\_\_ in the said County.  
 WHEREAS *A. B.* of \_\_\_\_\_ in the said County, Yeoman, was on the \_\_\_\_\_ Day  
 convicted before us, Two of His Majesty's Justices of the Peace in and for the said

County, upon the Oath of *K. P.* a credible Witness, for that he the said *A. B.* [see at forth de Officio], contrary to the Statute made in the Fifth and Sixth Year of the Reign of King William the Fourth, intituled "An Act," &c. [see at end Title of Act.] by reason whereof the said *A. B.* hath forfeited the Sum of \_\_\_\_\_ And whereas on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year aforesaid we did issue our Warrant to the [Constable] of \_\_\_\_\_ to levy the said Sum of \_\_\_\_\_ by Distress and Sale of the Goods and Chattels of him the said *A. B.*, and to distribute the same according to the Directions of the said Statute: And whereas it duly appears to us upon the Oath of the said [Constable] that the said [Constable] both used his best Endeavours to levy the said Sum on the Goods and Chattels of the said *A. B.* as aforesaid, but that no sufficient Distress can be had whereon to levy the same: These are therefore comanded you the said [Constable] of \_\_\_\_\_ aforesaid to apprehend the said *A. B.*, and him safely convey to the Common Goal [or House of Correction] at \_\_\_\_\_ in the said County, and there deliver him to the Keeper thereof, together with this Precept: And we do hereby also comand you the said Keeper to receive and keep in your Custody, and to keep to hard Labour, the said *A. B.* for the Space of \_\_\_\_\_ unless the said Sum shall be sooner paid, pursuant to the said Conviction and Warrant; and for so doing this shall be your sufficient Warrant.

Given under our Hands the \_\_\_\_\_

Day of \_\_\_\_\_

in the Year of our Lord \_\_\_\_\_

*C. D.*

*E. F.*

C A P. LL

An Act for granting Relief to the Island of *Dominica*; and to amend an Act of the Second and Third Years of His present Majesty, for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes therein mentioned. [31st August 1835.]

**W**HEREAS in consideration of the heavy Losses which have been sustained in the Island of *Dominica*, in consequence of Hurricanes, it is expedient that immediate Relief should be granted to the Inhabitants of that Island: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury, for the Time being, by any Warrant or Warrants under his or their Hands, to direct any Sum or Sums not exceeding Twelve thousand Pounds in the whole to be raised and paid out of and charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland for the immediate Relief of the Inhabitants of the said Island of *Dominica* who have suffered Losses in consequence of the late Hurricanes there; and such Sum or Sums not exceeding Twelve thousand Pounds in the whole shall and may be paid to such Person or Persons at such Time or Times, and in such Proportions, and under such Conditions and Restrictions, as the said Lord High Treasurer or Commissioners of His Majesty's Treasury shall think fit to direct.

It is therefore enacted by the Second and Third Years of His present Majesty's Reign, intituled *An Act for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount, for the Purposes and in the Manner therein mentioned, and for giving Relief to Trinidad, British Guiana, and Saint Lucia*, it was lawful for His Majesty, in consideration of the heavy Losses which had been sustained in the Islands of *Jamaica*, *Barbadoes*, *Saint Vincent's*, and *Saint Lucia*, in consequence of the late Hurricanes in the Island of *Jamaica* and of Hurricanes in the other Islands, to authorize and empower the Commissioners of His Majesty's Treasury to direct any Number of Exchequer Bills to the Amount of One Million to be issued to certain Commissioners constituted and appointed by that Act, to be by them advanced, under certain Regulations and Restrictions and in the Manner therein mentioned, for the Assistance and Accommodation of the said Islands, and of such Persons having Property therein and connected therewith or trading thereto as should be deemed of receiving the same, on due Security being given for the Repayment of the Sums so advanced within a limited Time: And whereas the said Commissioners, in the Execution of the said as aforesaid Act, have lent and advanced divers Sums of Money in the Manner by the said Act authorized, but have not yet disposed of the whole Sum of One Million by the said Act authorized to be advanced: And whereas, for the Reasons before mentioned, it is expedient that Provision should be made for granting further Relief to the said Island of *Dominica*; be it therefore further enacted, That it shall and may be lawful for the Commissioners acting in the Execution of the said recited Act to advance any Sum or Sums not exceeding in the whole Eighty thousand Pounds of Exchequer Bills, for the Assistance and Accommodation of the said Island of *Dominica*, out of such Part of the said Sum of One Million Exchequer Bills by the said Act authorized to be issued which has not already been or shall not hereafter be paid, advanced, or lent by the said Commissioners; and it shall and may be lawful for the said Commissioners to appropriate any Sum or Sums, not exceeding in the whole Eighty thousand Pounds, to the said Island of *Dominica*, and any Part of the said Sum of Eighty thousand Pounds not exceeding Ten thousand Pounds shall and may be advanced by the said Commissioners to such Persons as may be duly authorized and appointed by any Act passed or to be passed by the Legislature of the said Island of *Dominica* to borrow the same for the Public Service and as the Credit of the Revenues or Public Property of the said Island, upon the said Commissioners being satisfied that the said Sum so

Treasurer may issue 12,000*l.* out of Consolidated Fund for Relief of the Sufferers by the Hurricanes in the Islands.

Commissioners which may be appointed for the Public Service on certain Conditions.

80,000*l.* which may be appropriated for the Public Service on certain Conditions.

be advanced, together with Interest thereon at the Rate of Four Pounds *per Centum per Annum*, is duly secured by some Act passed or to be passed by the Legislature of the said Island.

III. And be it further enacted, That the said Sum of Eighty thousand Pounds of the said Exchequer Bills, after deducting therefrom such Part (if any) as shall be less for the Public Service of the said Island of *Dominica*, shall be advanced and lent by the said Commissioners for the Purpose of enabling the Owners of said Estates interested in the Estates and Property which have sustained Injury in the said Island from Hurricanes to restore the Cultivation and Habitation of such Estates and Property, and the Manufacture of the Produce of such Estates, by restoring the Works and Machinery destroyed or injured, and providing the requisite *Consignments and Supplies* for such Estates and the appointed Labourers belonging thereto, and returning (as far as the same can be accomplished) such Estates and Property to the Condition in which the same were before the said Injuries were sustained: Provided always, that the Amount so to be advanced and lent to such Owners of Estates and Property, and Persons interested therein, in the said Island of *Dominica*, shall not in any Case be less than the Sum of Three hundred Pounds; any thing in the said in part recited Act to the contrary notwithstanding.

IV. And be it further enacted, That all such Advances shall be made in such and the same Manner, and under and subject to such and the same Conditions, Provisions, and Restrictions, and on such Securities, and on all respects whatsoever as is provided and directed by the said in part recited Act with regard to Advances to be made to Owners and Persons interested in the Estates in the said Islands of *Jamaica, Barbadoes, Saint Vincent's and Saint Lucia*, and in all respects whatsoever, so far as the same can be made applicable and are not varied by this Act, as if the said Island of *Dominica* had been included in the said Act as one of the Islands to be relieved, and as if the said Commissioners had been by the said Act authorized to appropriate to the said Island of *Dominica* such a Portion of the said Millions of Exchequer Bills as is hereby directed to be appropriated to the said Island of *Dominica*.

V. And be it further enacted, That all and every the several Clauses, Powers, Provisions, Enactments, Penalties, and Restrictions in the said Act contained, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act and to every thing to be done in pursuance of this Act, and as if all such Clauses, Powers, Provisions, and Enactments were herein repeated and made applicable to the said Island of *Dominica*, and to the Loans and Grants to be made in pursuance of this Act, and to every Matter and Thing to be done in pursuance of this Act; and all and every the Securities to be taken in pursuance of this Act shall be taken in such Manner as by the said Act is directed with respect to the Securities thereby authorized or directed to be taken; and all and every such Securities shall have such Force, Priority, and Effect in all respects as if they were taken in pursuance of and under the Authorities of the said in part recited Act; and all and every the Rules, Orders, and Directions made or to be made by the said Commissioners shall apply to the said Island of *Dominica*, and the Loans to be granted and the Securities to be taken in pursuance of this Act, in all respects whatsoever, as if the Loans hereby authorized to be made had been authorized by the said Act.

VI. Provided always, and be it further enacted, That nothing herein contained shall prevent the said Commissioners from making, at any Time after the passing of this Act, any Loan or Advance to any of the Owners of Estates or other Persons interested therein in the Islands of *Jamaica, Barbadoes, Saint Vincent, and Saint Lucia* in pursuance of the said in part recited Act.

VII. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being to appoint Commissioners in the said Island of *Dominica* to act in their Aid and under their Directions, as in the said in part recited Act is provided with regard to Commissioners in Aid to be appointed in the Islands in that Act mentioned.

VIII. And whereas it was by the said in part recited Act enacted, that the said Commissioners should receive and send by the General Post free and to Places within the United Kingdom all Letters and Packets relating solely and exclusively to the Business of the said Act, free from the Duty of Postage, under the Regulations and in manner in the said Act provided; and it is expedient to extend such Privilege to be it therefore enacted, That the said Commissioners shall and may receive and send, by the General Post or otherwise, not only from and to Places within the United Kingdom, but also from and to Places within any of His Majesty's Colonies or Dominions, all Letters and Packets relating solely and exclusively to the Execution of the said recited Act or this Act free from the Duty of Postage, subject nevertheless to the Provisions and Regulations in the said Act contained with respect to the Letters and Packets thereby authorized to be sent and received free from the Duty of Postage.

IX. And be it further enacted, That it shall be lawful for any Two or more of the said Commissioners acting in the Execution of the said in part recited Act or of this Act to re-convey or re-assign all or any of the Securities taken or to be taken to His Majesty or otherwise under the Authority of the said in part recited Act or of this Act, or any of them, on Payment of the Monies thereby secured, or to release any Part of the Estates or Effects charged as a Security for any Loan made or to be made, in case the said Commissioners shall think fit that any of the Securities for the same should be released, either on the Satisfaction of any further or other Security or not, as the Case shall be.

X. And be it further enacted, That in any Case where any Mortgage or other Securities may have been made to His Majesty in pursuance of the Powers contained in the said in part recited Act, and which said Mortgage or other Securities included any Slaves, it shall not be necessary for His Majesty, or any Person on His Behalf, unless the said Commissioners shall think fit, to make any Claim to the Monies payable by Way of Compensation for the Services of such Slaves, or by virtue of the Provisions of an Act passed in the Third and Fourth Years of the Reign of His present Majesty for the

Powers for which the MONIES shall be advanced.

Not less than 2000, to be advanced in any Case.

Advances under this Act to be made in the same Manner as Advances under related Acts.

Provisions of related Act to extend to this Act.

Commissioners may make Loans under related Act.

Commissioners may appoint Commissioners in Aid.

Commissioners may send and receive Letters free of Postage.

Commissioners may re-convey Securities on Payment of the Money secured, &c.

Where Mortgage made to His Majesty include Slaves, it shall not be necessary for His Majesty to make



Claim for Compensation for their Services under 5th W. 4. c. 75.

Act may be altered, &c.

Abolition of Slavery throughout the British Colonies; and that where no Claim shall have been made by or on the Behalf of His Majesty, such Compensation Money shall be in all respects freed and discharged from all Claims and Demands whatsoever of His said Majesty: Provided nevertheless, that the Omission to make such Claim by or on behalf of His Majesty shall not in anywise prejudice or affect any Security made to His Majesty, or the Priority obtained thereby, as regards the Plantations, Estates, or other Property comprised in such Security.

XI. And he it further enacted, That this Act, or any of the Provisions thereof, may be amended, altered, or repealed by any Act or Acts to be passed in this Session of Parliament.

#### C A P. LII.

An Act to authorize the Court of Directors of the East India Company to suspend the Execution of the Provisions of the Act of the Third and Fourth Sessions the Fourth, Chapter Eighty-five, so far as they relate to the Creation of the Government of *Agra*. [31st August 1835.]

31 & W. 4. c. 81.

East India Company may suspend Provisions of certain Act as to the Division of the Territories into Two Presidencies.

WHEREAS by an Act of Parliament made and passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for effecting an Arrangement with the East India Company, and for the better Government of His Majesty's Indian Territories, till the Thirtieth Day of April One thousand eight hundred and fifty-four*, it is among other Things enacted, that the Territories then subject to the Government of the Presidency of Fort William in Bengal shall be divided into Two distinct Presidencies, one of such Presidencies, in which shall be included Fort William aforesaid, to be styled the Presidency of *Agra*; And whereas such Difficulty has arisen in carrying such Enactment into effect, and the same would be attended with a large Increase of Charge: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Court of Directors of the East India Company, under the Direction and Control of the Board of Commissioners for the Affairs of India, to suspend the Execution of the Provisions of the said in part recited Act so far as the same relate to the Division of the said Territories into Two distinct Presidencies, and to the Measures consequent thereupon, for such Time and from Time to Time as the said Court of Directors, under the Direction and Control of the said Board of Commissioners, shall think fit.

Governor General, during such Suspension, may appoint a Lieutenant Governor of the North-western Provinces.

II. And he it further enacted, That for and during such Time as the Execution of such Provisions aforesaid shall be suspended by the Authority aforesaid it shall and may be lawful for the Governor General of India in Council to appoint from Time to Time any Servant of the East India Company, who shall have been Ten Years in their Service in India, to the Office of Lieutenant Governor of the North-western Provinces now under the Presidency of Fort William in Bengal, and from Time to Time to declare and limit the Extent of the Territories so placed under such Lieutenant Governor, and the Extent of the Authority so to be exercised by such Lieutenant Governor, as to the said Governor General in Council may seem fit.

#### C A P. LIII.

An Act to repeal an Act of the Ninth Year of His late Majesty, for regulating the Carriage of Passengers in Merchant Vessels from the United Kingdom to the British Possessions on the Continent and Islands of North America; and to make further Provision for regulating the Carriage of Passengers from the United Kingdom. [31st August 1835.]

9 G. 4. c. 11.

Repeal of certain Act except as to Passengers in certain Cases, and as to Rights of Action which may here be recovered.

No Ship to sail with more than Three Persons on board for every Five Tons of Burthen. Ship carrying Passengers to be 25 Feet between Decks.

WHEREAS it is expedient to make Provision respecting the Carriage of Passengers from the United Kingdom to distant Countries, and for that Purpose to repeal certain Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to regulate the Carriage of Passengers in Merchant Vessels from the United Kingdom to the Continent and Islands of North America*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby repealed: Provided nevertheless, that all Fines, Penalties, and Forfeitures to which any Person or Persons may have become liable under the said Act shall and may be used for, prosecuted, and recovered; and that any Right of Action which may have accrued to any Person or Persons by virtue of the said Act shall and may be enforced hereafter in such and the same Manner in all respects as if the present Act had not been made.

II. And he it further enacted, That no Ship carrying Passengers from any Port or Place in the United Kingdom, or to the Islands of Guernsey, Jersey, Alderney, Sark, or Man, on any Voyage to or for any Port or Place out of Europe, and not being within the Mediterranean Sea, shall proceed on her Voyage with more Persons on board than in the Proportion of Three Persons for every Five Tons of the registered Burthen of such Ship, the Master and Crew being included in and forming a Part of such prescribed Number; and that no such Ship having more than One Deck shall carry any Passengers upon any such Voyage as aforesaid unless she shall be of the Height of Five Feet and a Half at the least between Decks; and that no such Ship having only One Deck shall carry any Passengers upon any such Voyage as aforesaid unless a Platform shall be laid beneath such Deck in such a Manner

as to afford a Space of the Height of at least Five Feet and a Half; and that no such Ship shall have more than Two Tiers of Berths; and that no such Ship having Two Tiers of Berths shall carry any Passengers on any such Voyage as aforesaid unless there shall be an Interval of Six Inches at the least between the Deck or Platform and the Floor of the lower Tier throughout the whole Extent thereof: Provided always, that, whatever may be the Tonnage of the Ship, no greater Number of Persons as Passengers shall be taken on board than shall be after the Rate of One such Person for every Ten Superficial Feet of the lower Deck or Platform encompassed by Girds or Stoms, not being the personal Luggage of such Persons, if such Ship shall not have to pass the Line on her Voyage, or after the Rate of One such Person for every Fifteen such clear Superficial Feet if such Ship shall have to pass the Line.

III. And be it further enacted, That no Ship carrying Passengers on any such Voyage as aforesaid shall be cleared out for such Voyage from any Port in the United Kingdom, or in the said Islands of Guernsey, Jersey, Alderney, Sark, or Man, unless and until there shall be actually laden and on board such Ship good and wholesome Provisions for the Use and Consumption of the said Passengers, over and above the victualling of the Crew, to the Amount or in the Proportion following; that is to say, a Supply of pure Water to the Amount of Five Gallons to every Week of the computed Voyage for every Passenger on board such Ship, such Water being carried in Tanks or sweet Casks, and a Supply of Bread, Biscuit, Oatmeal, or Bread Stuffs to the Amount of Seven Pounds Weight, to every Week of the computed Voyage for every such Passenger: Provided always, that to the Rate of One Third of such Supply, and no more, Seven Pounds Weight of Potatoes may be decreed and computed to be equivalent to One Pound Weight of Bread, Biscuit, Oatmeal, or Bread Stuffs in the Supply of any Ship bound to some Place in North America: Provided also, that when any Ship shall be destined to call at a Port or Place in the Course of her Voyage for the Purpose of filling up her Water, a Supply of Water at the Rate before mentioned for every Week of the computed Voyage to such Port or Place of calling shall be deemed to be a Compliance with the Provisions of this Act.

IV. And be it further enacted, That the Number of Weeks deemed to be necessary for the Voyage of any such Ship, according to her Destination, shall be determined by the following Rule of Computation; (that is to say,)

For a Voyage to North America, Ten Weeks:

For a Voyage to South America on the Atlantic Ocean, or to the West Coast of Africa, Twelve Weeks:

For a Voyage to the Cape of Good Hope, Fifteen Weeks:

For a Voyage to the Indies, Eighteen Weeks:

For any other Voyage, Twenty-four Weeks.

V. And be it further enacted, That, before any such Ship shall be cleared out for the Voyage, the Officers of the Customs shall survey, or cause to be surveyed by some competent Person, the Provisions and Water herein before required for the Consumption of the Passengers, and shall ascertain that the same are in a sweet and good Condition, and shall also ascertain that, over and above the same, there is on board an ample Supply of Water and Stores for the victualling of the Crew of the Ship; and such Officers shall also ascertain that the Directions herein before contained in respect of the Situation of Berths have been complied with.

VI. And be it further enacted, That the Master of every such Ship shall cause a Table to be drawn up of the respective Prices at which any Provisions or Stores that may be sold by any Person on board to any of the Passengers during the Voyage are to be supplied; and that a Copy of the same, printed or written in a fair and legible Manner, shall be affixed in some convenient and conspicuous Place on board the said Ship for the Perusal of all Parties, and that the same shall be maintained for continual Reference as well during the Period in which Passengers shall be engaged as during the whole of the Voyage; and that no higher Prices than are stated in such Table shall in any Case be charged for such Provisions or Stores as may be so supplied during the Voyage: Provided nevertheless, that nothing herein contained shall be construed as requiring the Master of any Ship to provide Provisions or Stores for the Purpose of Sale to any Passengers who may have contracted to victual themselves during the Voyage.

VII. And be it further enacted, That if Doubts shall arise whether any Ship about to proceed with Passengers as aforesaid is Sea-worthy, so as to be fit for her intended Voyage, and such Doubts shall not be removed to the Satisfaction of the Collector and Comptroller of the Customs at the Port from which such Vessel is to be cleared out, it shall be lawful for such Collector and Comptroller at any Time to cause such Ship to be surveyed by Two competent Persons; and if it shall be reported by those Persons that such Ship is not in their Opinion Sea-worthy with reference to such Voyage, such Ship shall not be cleared out unless the Contents of such Report be disproved to the Satisfaction of the Commissioners of the Customs, or until such Ship shall have been rendered Sea-worthy.

VIII. And be it further enacted, That Two Copies of this Act, or Abstracts of the same, made, provided, and issued by the Authority of the Commissioners of the Customs, and authenticated by the Signature of the Collector or Comptroller of the Customs at the Port of Clearance of the Ship, shall be delivered to the Master, as Demanded, by such Collector or Comptroller at the Time of Clearance, and shall be kept on board every Ship proceeding with Passengers as aforesaid, and that One of such Copies or Abstracts shall, upon Request made at reasonable Times to the Master of the Ship, be produced to any Passenger for his Perusal.

When only Two Tiers of Berths, the Floor of the lower Tier to be Six Inches above the Deck.

Registering the Quantity of Water and Provisions to be carried by every Vessel with Passengers on board.

Number of Weeks requisite for Voyage.

Officers of Customs to examine Provisions and Water before Departure of Vessel.

A Table to be made of the Prices of Provisions to be sold on board.

Sea-worthiness of the Ship may be ascertained by Survey.

Copies or Abstracts of this Act to be kept on board the Vessel of Passengers.

With every Ship carrying 100 Passengers a Medical Practitioner to sail in every Ship, and a smaller Number, Medicines of sufficient Amount and Kind to be stored.

Ships carrying Passengers as aforesaid prohibited from entering Puerto, &c. or Merchandise.

Masters to deliver List of Passengers to Collector of Customs, who shall give to the Master a Counterpart, to be retained in the Chief Office of Customs at the Port of landing.

Penalty on Master who improperly landing Passengers, &c.

How Children may be enumerated in the Enumeration of Passengers.

Fines in case of Detention.

Penalties to be sustained for 48 Hours after their Arrival.

IX. And be it further enacted, That no Ship carrying Passengers in any such Voyage as aforesaid to any such Port or Place as aforesaid, except any Port or Place in North America, if the Number of such Passengers shall amount to or exceed One hundred, shall clear out for such Voyage from any Port in the United Kingdom, or to the said Islands of Guernsey, Jersey, Alderney, Sark, or Man, unless there shall be rated upon the Ship's Company, and shall be actually serving on board such Ship, some Person duly authorized by Law to practise in this Kingdom as a Physician or Surgeon or Apothecary, and that on such Ship shall actually put to Sea or proceed on such Voyage, unless such Medical Practitioner shall be thereto, and shall load, stow, proceed on such Voyage, taking with him a Medicine Chest, and a proper Supply of Medicines, Instruments, and other Things suitable to the intended Voyage; and no Ship carrying Passengers under the Provisions of this Act shall clear out for any Voyage from any such Port as aforesaid unless and until there shall be actually laden and on board such Ship Medicines and other Things necessary for the Medical Treatment of the Passengers on board during such intended Voyage, and available for that Purpose, nor unless such Medicines and other Things shall be adequate in Amount and Kind to the probable Exigencies of any such Voyage; and, together with such Medicines and other Things, shall also be put on board every such Ship previously to her clearing out for any such Voyage as aforesaid a Certificate under the Hands of any Two or more such Medical Practitioners as aforesaid, to the Effect that such Medicines and other Things have been inspected by them, and are, in their Judgment, adequate to meet any such probable Exigencies as aforesaid.

X. And be it further enacted, That no Ship carrying Passengers to any Place as aforesaid shall be cleared out if there shall be laden on board such Ship by way of Stores, Onco and above the Stores proper for the Crew of such Ship, any Quantity of Spirits or Strong Waters beyond One Tenth Part of such Quantity as would, except for this Restriction, be allowed by the Officers of the Customs upon the Vetting Bill of such Ship for the Outward Voyage only, according to the Number of Persons going the Voyage.

XI. And be it further enacted, That the Master of every Ship carrying Passengers on any such Voyage as aforesaid shall, before clearing out his said Ship for such Voyage from any Port or Place in the United Kingdom, or in the said Islands of Guernsey, Jersey, Alderney, Sark, or Man, deliver to the Collector or other Principal Officer of His Majesty's Customs at such Port or Place, a List in Writing, together with a Duplicate of the same, specifying, as accurately as may be, the Names, Ages, and Professions or Occupations of all and every the Passengers on board such Ship, with the Names of the Port or Place at which he the said Master hath contracted to land each of the said Passengers; and such Collector or other Chief Officer of Customs shall thereupon deliver to the said Master a Counterpart of such List signed by him, the said Collector or other Chief Officer as aforesaid, and the said Master shall exhibit the said Counterpart of his said List to the Collector or other Chief Officer of His Majesty's Customs at any Port or Place in His Majesty's Possessions, or to His Majesty's Consul at any Foreign Port, at which the said Passengers, or any of them, shall be landed, and shall deposit the same with such Collector or Chief Officer of Customs, or such Consul, as the Case may be, at his final Part of Discharge in the said Possessions.

XII. And, for the Prevention of Frauds which might be practised upon Persons originating from the United Kingdom, be it further enacted, That the Master of any Ship carrying any Passengers as aforesaid shall not, without his or her previous Consent, land or put on shore, or cause to be landed or put on shore, any Passenger at any Port or Place other than the Port or Place at which he may have contracted to land or put such Passenger on shore.

XIII. Provided always, and be it further enacted and declared, That for the Purpose and within the Meaning of this Act Two Children, each being under the Age of Fourteen Years, but above the Age of Seven Years, or Three Children, each being under the Age of Seven Years, shall in all Cases be computed as One Person only, and that Children under the Age of Twelve Months shall not be included in the Computation of the Number of Persons.

XIV. And be it further enacted, That if any Ship shall not actually put to Sea and proceed upon any such intended Voyage as aforesaid on the Day for that Purpose appointed in and by any Contract made by the Owner, Master, or Charterer of such Ship, or by their Agent, with any Passenger who shall on that Day be on board the same, or ready to proceed on such intended Voyage, then and in every such Case the Master of such Ship shall pay to each and every such Passenger as shall have contracted to visit himself a Fine, to be computed at and after the Rate of One Shilling in respect of each Day during which he or she shall be so detained previously to the actual clearing out and final Departure of such Ship on such Voyage, and that the same may be recovered daily; and the Master of such Ship shall actual each and every such Passenger as shall have contracted to be visited by the Ship Owner on and from the Day which shall be so appointed: Provided always, that no such Fine as aforesaid shall be incurred or be payable in respect of any Detention of any such Vessel which shall be so detained by Stress of Weather or other unavoidable Cause.

XV. And be it further enacted, That at the Close of any such Voyage as aforesaid every Person arriving as a Passenger at any Port or Place shall, during the Space of Forty-eight Hours next after such Arrival, be entitled to continue on board such Ship, and to be provided for and maintained on board the same in such and the same Manner as during such Voyage, unless in any Case it shall have been expressly stipulated and agreed between any such Passenger and the Master of such Ship that such Passenger shall not be entitled to such Provision or Maintenance during the said Period of Forty-

eight Hours, or unless in the strict Prosecution of her Voyage any such Ship shall quit any such Port or Place within the said Period of Forty-eight Hours.

XVI. And be it further enacted, That if any Ship carrying Passengers on any Voyage from any Part or Place in the United Kingdom, or in the Islands of Guernsey, Jersey, Alderney, Sark, or Man, on any Voyage to or for any Port or Place out of Europe, and not being in the Mediterranean Sea, shall carry any Number of Passengers exceeding by more than One Person as Fifty the Proportion authorized and allowed by this present Act; or if such Ship shall not be of the Height between Decks hereto-before required; or if such a Platform as hereto-before directed shall not be laid and fastened throughout the whole Duration of any such Voyage in such Manner as is hereto-before required; or if there shall be more than Two Tiers of Berths; or if there shall not be throughout the whole Duration of any such Voyage such an Interval as is hereto-before prescribed between the Deck and the Floor of the lower Tier of Berths; or if any such Ship shall clear out and put to Sea not having on board such Water and Provisions as aforesaid, for the Use and Consumption of the said Passengers, of the Kind and to the Amount and in the Proportions hereto-before required; or if a Table of the Prices of Provisions or Stores shall not be exhibited as hereto-before required; or if any higher Prices than are named in such Table shall be charged; or if there shall not be on board any such Vessel such Medical Practitioners as aforesaid, or such Medicines and other Things necessary to the Medical Treatment of the Passengers, as is hereto-before required; or if any such Ship shall be cleared out before such Lists of Passengers as hereto-before mentioned shall have been delivered in manner and form aforesaid to such Officer as aforesaid; or if any such List shall be wilfully false; or if the Copy or Abstract of this Act be not produced as hereto-before required; or if any Passenger shall not be allowed to eat and drink on board such Ship in manner hereto-before provided; or if any Passenger shall without his or her previous Consent, be put on shore at any Place other than the Place at which the Master had contracted to land such Passenger; the Master of any such Ship shall for and in respect of each and every such Offence be liable, as such necessary Correction as hereto before mentioned, to the Payment of a Fine of not less than Five Pounds nor more than Twenty Pounds Sterling British Money.

XVII. Provided nevertheless, and be it further enacted, That nothing herein contained shall take away or abridge any Right of Suit or Action which may accrue to any Passenger in any such Ship, or to any other Person, in respect of the Breach or Non-performance of any Contract made or entered into between or on the Behalf of any such Passenger or other Person, and the Master, Owner or Owners of any such Ship.

XVIII. And be it further enacted, That all Indictments or Informations against any Person or Persons for or in respect of any Offences by these committed or alleged to have been committed under this Act, and that all Proceedings for the Recovery of any Fines, Penalties, or Forfeitures incurred or alleged to have been incurred by any Person or Persons under this Act, shall be preferred and prosecuted by any Person or Persons whomsoever, and shall be proceeded with and determined before such two or more Courts, Magistrates, and Justices of the Peace, and in such and the same Manner, and by such and the same Persons, and with, under, and subject to all such and the same Rules, Provisions, Conditions, and Restrictions, as in the Case of any Indictments or Informations preferred or Proceedings taken for or in respect of any Offence committed, or for the Recovery of any Fines, Penalties, or Forfeitures incurred, under any Act of Parliament now in force for the Prevention of Smuggling, or relating to the Customs or to Trade or Navigation: Provided always, that in order to the preferring, prosecuting, proceeding with, or determining any such Indictments or Informations under this present Act, the Direction or Consent of the Commissioners of Customs shall not be necessary or required, any thing in such Acts of Parliament as aforesaid to the contrary in anywise notwithstanding.

XIX. And, for the more effectually securing the Observance of the aforesaid Rules, and the Payment of the Penalties aforesaid, be it further enacted, That before any Ship carrying Passengers shall clear out for any such Voyage as aforesaid from any Port or Place in the United Kingdom, or in the Islands of Guernsey, Jersey, Alderney, Sark, or Man, to or for any Port or Place out of Europe, and not being in the Mediterranean Sea, the Master of the said Ship shall enter into a Bond to His Majesty, His Heirs and Successors, with One good and sufficient Surety, to be approved by the Collector or other Chief Officer of Customs at such Port, in the Sum of One thousand Pounds, the Condition of which Bond shall be that the said Ship is Sea-worthy, and that all and every the Rules and Regulations made and prescribed by this Act for the Carriage of Passengers shall be well and truly performed before and during each intended Voyage, and that all Penalties, Fines, and Forfeitures which the Master of such Ship may be sentenced or adjudged to pay for or in respect of the Breach or Non-performance, before or during such Voyage of any such Rules and Regulations, shall be well and truly paid: Provided always, that such Bond shall be without Stamp, and that no such Bond shall be put in Suit, and that no Prosecution, Suit, Action, or Information shall be brought under or by virtue of this Act, or upon or by reason of the Breach of any of the Provisions thereof, in any of His Majesty's Possessions Abroad after the Expiration of Twelve Calendar Months next succeeding the Commencement of any such Voyage as aforesaid, nor in the United Kingdom or any of the Islands before mentioned after the Expiration of Twelve Calendar Months next after the Return of the Master to the Port or Place from which he sailed on such Voyage.

XX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to Ships carrying Passengers in Cases in which the Number of Persons, computed in respect

Penalties in case of Infringement of the preceding enactments.

The Right of Actions not to be taken away or abridged.

Prosecution and Recovery of Penalties.

Masters of Vessels to enter into Bond (without Stamp) for the due Performance of the Regulations prescribed by this Act.

Exemption of Prosecutions.

Exception of particular Modes of Ships.

herein before provided, shall not exceed One Penny for every Five Tons of the registered Burthen of each Ship; nor shall any thing in this Act contained extend to any Ship in the Service of the Lords Commissioners of His Majesty's Admiralty, or in the Service of His Majesty's Postmaster General, or in the Service of the East India Company.

XXI. And be it further enacted and declared, That the *Bahama Islands*, and all Places in *America* Southward of the same, shall be deemed to be in *South America* for the Purposes of this Act.

XXII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this Session of Parliament.

## C A P. LIV.

An Act to render certain Marriages valid, and to alter the Law with respect to certain voidable Marriages. [31st August 1835.]

WHEREAS Marriages between Persons within the prohibited Degrees are voidable only by Sentence of the Ecclesiastical Court pronounced during the Lifetime of both the Parties; and it is unreasonable that the State and Condition of the Children of Marriages between Persons within the prohibited Degrees of Affinity should remain unsettled during so long a Period; and it is fitting that all Marriages which may hereafter be celebrated between Persons within the prohibited Degrees of Consanguinity or Affinity should be *ipso facto* void, and not merely voidable; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Marriages which shall have been celebrated before the passing of this Act between Persons being within the prohibited Degrees of Affinity shall not hereafter be assailed for that Cause by any Sentence of the Ecclesiastical Court, unless pronounced in a Suit which shall be depending at the Time of the passing of this Act: Provided that nothing herein-before enacted shall affect Marriages between Persons being within the prohibited Degrees of Consanguinity.

II. And be it further enacted, That all Marriages which shall hereafter be celebrated between Persons within the prohibited Degrees of Consanguinity or Affinity shall be absolutely null and void to all Intents and Purposes whatsoever.

III. Provided always, and be it further enacted, That nothing in this Act shall be construed to extend to that Part of the United Kingdom called Scotland.

IV. And be it enacted, That this Act may be altered or repealed by any Act or Acts to be passed in this present Session of Parliament.

## C A P. LV.

An Act for facilitating the Appointment of Sheriffs in *Ireland*, and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognizances, Penalties, and Decretals; and to abolish certain Offices in the Court of Exchequer in *Ireland*; and to amend the Laws relating to Grants in custodians and Recovery of Debts as *Ireland*; and to amend an Act of the Second and Third Years of His present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in *Ireland* to the Commissioners for auditing the Public Accounts of Great Britain. [9th September 1835.]

WHEREAS it appears by the Twelfth Report made to His Majesty by the Commissioners appointed to enquire into the Duties, Salaries, and Emoluments of the Officers, Clerks, and Ministers of Justice in all Temporal and Ecclesiastical Courts in *Ireland*, that it is expedient to make Provisions for the better taking of the Accounts of Sheriffs and of Custodians in Trust for His Majesty; and to abolish the Proceedings by Custodians for the Recovery of Debts due by Subject to Subject, and to substitute another Remedy for it, and that certain Offices in the Court of Exchequer in *Ireland* may be abolished: And whereas it is expedient so extend to *Ireland* certain Provisions of an Act passed in the Third and Fourth Years of His Majesty's Reign, intitled *An Act for facilitating the Appointment of Sheriffs, and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognizances, Penalties, and Decretals; and to abolish certain Offices in the Court of Exchequer*: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act it shall not be necessary for any Sheriff or Sheriffs of any County, City, or Town in *Ireland* to sue out any Patent or Writ of Assistance, or to make or pay Proffers, nor shall he or they be assailed or take any Oath or Oaths before the Bureau of the said Court in account or be cited out of Court, as now or herebefore in use in His Majesty's Court of Exchequer in *Ireland*; any Law, Statute, or Usage to the contrary notwithstanding.

II. And be it further enacted, That whenever any Person shall be duly nominated by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for and to be Sheriff of any County in *Ireland*, such Appointment shall be forthwith notified in the *Dublin Gazette*, and the Appointment of every such Sheriff shall be made by a Warrant under the Signature or Signatures of the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, according to the Form set forth in the Schedule

dale hereto annexed, which Schedules and every thing therein contained shall be deemed and be Part of this Act; and every such Warrant shall be made out by the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors, and shall be by him transmitted to the Person so nominated and appointed Sheriff as aforesaid; and the Appointment of Sheriff thereby made shall be as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if the same had been made by Patent under the Great Seal of Ireland, or by any Writs and Means heretofore in use; and the Sheriff and Sheriffs so nominated and appointed as aforesaid shall therewith, and upon taking the Oath of Office hereafter mentioned, but not before, have and exercise all Powers, Privileges, and Authorities whatsoever usually exercised and enjoyed by Sheriffs of Counties in Ireland, without any Patent, Writ of Assistance, or other Writ whatsoever, or entering into Recognizance by himself or Sureties, and without Payment of or being liable to pay any Fees whatsoever for the same.

III. Provided always, and be it further enacted, That a Duplicate of the said Warrant shall within Ten Days next after the Date thereof be transmitted by the said Chief or Under Secretary to the Secretary of the Chief Remembrancer of the said Court of Exchequer, to be by him enrolled, and which he is hereby required forthwith to seal, and to keep without Fee or Reward.

IV. And be it further enacted, That soon after the Commencement of this Act any Person so appointed Sheriff as aforesaid who shall nominate and appoint any Person to be his Under Sheriff shall make such Appointment by Writing under his Hand, and shall within One Month after such Appointment transmit a Duplicate thereof to the said Secretary, to be by him filed, and which he is hereby required to file, among the Records of his Office, and for which he shall be entitled to demand and have from such Under Sheriff the Sum of Five Shillings, and no more; and such Appointment and Duplicate shall not be liable to any Stamp Duty whatever; and any Sheriff neglecting so to do shall forfeit a Sum of One hundred Pounds to any Person who will sue for the same; and no such Appointment to the Office of Under Sheriff shall be invalid for or by reason of the Person so appointed having exercised, executed, or officiated as Under Sheriff within Three preceding Years; nor shall the High Sheriff appointing, or the Person so appointed by him, be liable to any Fine or Penalty for exercising, executing, or officiating in the said Office of Under Sheriff under such Appointment; any Law or Statute heretofore made to the contrary notwithstanding.

V. And be it further enacted, That each and every Person so appointed Sheriff and Under Sheriff as aforesaid shall before he enter upon the Execution of his Office take the Oath heretofore and now required by Law, which Oath shall be fully written on Parchment, without being subject to Stamp Duty, and signed by him, and shall and may be sworn before the Barons of His Majesty's Exchequer, or any of them, or before the said Chief Remembrancer, or any Commissioner for taking Affidavits in said Court, and the same shall be therewith transmitted to the said Secretary, who is hereby required to file the same among the Records of his Office, for which he shall be entitled to demand and have from such Sheriff or Under Sheriff the Sum of Five Shillings, and no more; and no Sheriff or Under Sheriff shall not be so sworn until such Affidavit shall be lodged with such Secretary, on pain of Forfeiture for any Act to do so a Sum of One hundred Pounds to any Person who shall sue for the same.

VI. And be it further enacted, That every Sheriff of any County, City, Liberty, Division, Town Corporate, or Place shall at the Expiration of his Office make out and deliver to the new or incoming Sheriff a true and correct List and Account under his Hand of all Possessors in his Custody, and of all Writs and other Process in his Hands not wholly executed by him, with all such Particulars as shall be necessary to explain to the said incoming Sheriff the several Matters intended to be transferred to him, and shall therewith turn over and transfer to the Care and Custody of the said incoming Sheriff all such Prisoners, Writs, and Process, and all Records, Books, and Matters appertaining to the said Office of Sheriff; and the said incoming Sheriff shall therewith sign and give a Duplicate of such List and Account to the Sheriff going out of Office, to whom the same shall be a good and sufficient Discharge of and from all the Prisoners therein mentioned and transferred to the said incoming Sheriff, and the further Charge of the Execution of the Writs, Process, and other Matters therein contained, without any Writ of Discharge or other Writ whatsoever; and the said outgoing Sheriff shall therewith read and be charged with the said Prisoners, and also with the Execution and Care of the said Writs, Process, and other Matters contained in the said List and Account, as fully and effectually as if the same Writs and Process had been turned over by Indenture and Schedule; and in case any Sheriff shall refuse or neglect at the Expiration of his Office to make out, sign, and deliver such List and Account as aforesaid, or shall make out as untrue or incorrect List or Account, or shall refuse or neglect to turn over the Process aforesaid in manner aforesaid, every such Sheriff so neglecting or refusing shall be liable to make such Satisfaction by Damages and Costs to the Party aggrieved as he, she, or they shall sustain by such Neglect or Refusal.

VII. And be it further enacted, That the Accounts of the present and future Sheriffs of Counties, Cities, and Towns within Ireland shall from and after the Commencement of this Act be examined and audited by the said Chief Remembrancer, who shall possess all such Power, Authority, and Jurisdiction in respect thereof as is now possessed by the said Court.

VIII. And be it further enacted, That every the Person and Persons who now is or are or who hereafter shall be Sheriff or Sheriffs of any County, City, or Town within Ireland, or his or their Representatives, shall within Two Calendar Months next after the Expiration of his or their Office, or in case of the Death of any Sheriff or Sheriffs, the Under Sheriff by him or them appointed, or the Repre-

Duplicate of Warrant to be transmitted to the Secretary.

Sheriff to transmit Duplicate of Appointment of Under Sheriff to the said Secretary.

Oath of Office may be taken before a Baron, or the Bar Remembrancer, or a Commissioner for taking Affidavits.

Outgoing Sheriff to give a List of Prisoners, Writs, &c. to the Incoming Sheriff.

Accounts to be audited by Chief Remembrancer.

Sheriff to transmit Account to the Remembrancer.

accounts of such Sheriff or Sheriffs, shall within Two Calendar Months next after the Death of such Sheriff or Sheriffs, make out and transmit to the said Remembrancer a just and true Account under his or their Hand or Hands of all Sums received by such Sheriff or Sheriffs to or for the Use of His Majesty, or with which he was or is chargeable, and of all Sums paid or claimed by him or them, or on his or their Behalf, with all such Particulars as shall be needful to explain the same: Provided always, that such Under Sheriff shall not be personally responsible for any Sum or Sums received by such deceased Sheriff, but that the same shall be answered by the Representatives of the said deceased Sheriff, or otherwise in due Course of Law.

Sheriff may make Oath to the Account before any Baron, &c.

Accounts to be delivered by the Remembrancer in the Court of Exchequer

X. And be it further enacted, That in case it shall be necessary for any such Sheriff or Sheriffs, or his or their Under Sheriff, to make Oath or Affidavit to any such Account, or any Matter or Thing relating thereto, such Oath or Affidavit, except when the said Remembrancer shall require his or their personal Examination before him, shall and may be sworn before any of the Barons of the Court of Exchequer, or before the said Remembrancer, or before any Commissioner of the said Court of Exchequer for taking Affidavits therein.

XI. Provided always, and be it further enacted, That the Accounts by this Act required to be audited by the said Remembrancer shall be declared and certified by him in the said Court, and he shall have Power to charge in such Account such Sums to such Sheriff as he shall appear to be properly chargeable with, and every Sheriff shall pay into the Receipt of His Majesty's Exchequer at Dublin the Balance due by him so such Account at such Time as shall be specified in such Rule or Order as the said Remembrancer shall make therein; and the said Remembrancer shall thereupon, or as soon as conveniently may be, cause a Certificate thereof, in the Nature of a Quittance, to be made out and delivered to such Sheriff without Fee or Reward, which shall be equally valid and effectual as a Quittance to discharge the Accountant, and to all other Intents and Purposes.

Remembrancer to cause Treasurers to issue Procees for recovering Fines, &c.

XII. And be it further enacted, That the said Remembrancer shall cause to be made out and issued, according to the Practice of the said Court, and without Fee or Reward, Procees for duly levying and enforcing of all such Fines, Issues, Amerciaments, Penalties, Forfeitures, Recognizances, and Deadlands payable to His Majesty, His Heirs and Successors, (except as herein after mentioned,) which shall not have theretofore been levied, recovered, vacated, or discharged, and so from Time to Time until the same shall be fully paid or levied, vacated or discharged.

Treasury may stay Procees, &c.

XIII. And be it further enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury, and he or they are hereby authorized, by Warrant under their Hands directed to the proper Officer or Officers, to stay the issuing or Execution of all or any of such Procees as aforesaid, and to vacate and discharge such Fines, Issues, Amerciaments, Penalties, forfeited Recognizances, or Deadlands, or any of them, or any Part thereof: Provided that nothing in this Act contained shall extend to enable the Lord Treasurer or the Commissioners of His Majesty's Treasury to remit or restore any Fines, Issues, Amerciaments, Penalty, forfeited Recognizance, or Deadland to which any Body Corporate or Politic, Person or Persons, shall or may be entitled, which shall have been actually levied by or paid to them; and provided further, that nothing herein contained shall prevent the Lord Lieutenant or other Chief Governor or Governors of Ireland from remitting any Fine imposed on any Person or Persons as a Punishment for any Offence.

Persons to be removed or Fines, &c. may stand in Vacancy.

XIV. And be it further enacted, That all Bodies Corporate and Politic, and all and every other Person and Persons, having or claiming Title to any Fines, Issues, Amerciaments, Penalties, Forfeitures, Recognizances, Deadlands, Sums or Sums of Money contained in any Account transmitted by virtue of this Act to the said Remembrancer, shall and may, by themselves, or their Heirs, or her Heirs, Steward, or Agent, at all reasonable Times, have Access to the said Accounts, and take Minutes or Extracts therefrom.

Treasury may direct Payment in Person wanted.

XV. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury, from Time to Time to order and direct Payment, by Warrant under his or their Hand or Hands, of the said Fines, Issues, Amerciaments, Penalties, forfeited Recognizances, Deadlands, Sums and Sums of Money, or any of them, to any Body Corporate or Politic, Person or Persons entitled to the same, or to their Heirs, or her Heirs, Steward, or Agent: Provided always, that notwithstanding such Payment any Body Politic or Corporate, or Person or Persons aggrieved thereby shall and may apply by Petition in the Manner herein after mentioned against the Party or Parties to whom such Payment shall have been made, to restore or refund the Sum or Sums by him or them so received.

If Treasury refuse, Application may be made to the Exchequer.

XVI. Provided always, and be it further enacted, That in case the Commissioners of His Majesty's Treasury shall neglect, refuse, or decline to order the Payment of any Fines, Issues, Amerciaments, Penalties, forfeited Recognizances, Deadlands, Sums or Sums of Money so claimed as aforesaid, or if any Party shall be aggrieved by any Order made by the said Commissioners, it shall be lawful for any such Body or Bodies Corporate or Politic, Person or Persons, to apply in a summary Way by Petition to the Lord Chief Baron and the other Barons of His Majesty's Court of Exchequer in Ireland, setting forth the Nature of the Claim or Title of the Petitioner or Petitioners, and thereupon the said Barons of His Majesty's Court of Exchequer shall and they are hereby authorized to proceed to call the proper Parties before them, and to hear and determine the Matter of the said Petition, and to give such Costs and to make such Order and Orders therein as they shall deem just.

Saving of Rights by Great Brittain Crown.

XVII. Provided also, and be it further enacted, That nothing herein contained shall extend or be prejudicial to the Rights, Privileges, and Remedies of any Bodies Corporate or Politic, or of any Lord

of any Masse, Liberty, or Franchise whatsoever, or of any Person or Persons claiming Title under and by virtue of any Grant from the Crown, any thing herein contained to the contrary notwithstanding.

XVII. Provided always, and be it further enacted, That nothing herein contained shall extend to prejudice or affect the Power, Jurisdiction, or Authority of the Lord Chief Baron and the other Barons of His Majesty's Court of Exchequer in Ireland, as to the said Fees, Issues, Accruments, Provisions, Forfeitures, Recognizances, and Entrants, or any Process or Proceedings thereon.

XVIII. And be it further enacted, That the following Offices of the said Court of Exchequer in Ireland shall from and after the Commencement of this Act be and the same are hereby abolished: (that is to say,) the Office of the Comptroller of the Pipe, Clerk of the Pipe, Receivemaster and Clerk of the Entries, and Transcripter and Foreign Apposer, and the Office of Secretary in the Office of Lord Treasurer's Remembrancer.

XIX. And whereas the Office of Second or Lord Treasurer's Remembrancer of the said Court is at present held by Sir Hugh Stewart Baronet and Morgan Stewart Esquire, and the Duties thereof are performed by Deputy; and it is expedient that the Duties of the said Office should in future be performed in Person; be it therefore enacted, That the Grant of the Office of Second or Lord Treasurer's Remembrancer made to the said Sir Hugh Stewart Baronet and Morgan Stewart Esquire shall from and after the Commencement of this Act cease and determine: and that the Person to whom the said Office shall hereafter be granted shall perform the Duties thereof in Person, and be a Barrister at Law of Ten Years standing at the least, who shall have practised as such in His Majesty's Court at Dublin or Westminster, and such Person shall hold his Office during good Behaviour.

XX. And whereas it is reasonable and fit that Compensation should be made to Persons deprived of their Offices, or of any lawful Fees and Emoluments, by virtue of this Act, be it therefore enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, by Warrant under his or their Hand or Hands, in order or direct that such annual or other Compensation shall be made to the said Persons for such Loss as they will respectively sustain by reason of the Provisions of this Act as shall be just and reasonable; and such Compensation shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided always, that an Account of all such Compenations shall within Fourteen Days next after the same shall be so granted be laid upon the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, within Fourteen Days after the Meeting of Parliament then next following.

XXI. And be it further enacted, That, for the better enabling of His Majesty's Treasury to form a correct Judgment of the Nature and Amount of the Compenations which it may be reasonable and proper to make to the said Officers whose Fees may be taken away or diminished as aforesaid, for the Loss thereof, it shall and may be lawful for the Commissioners of His Majesty's Treasury, if they shall think fit, from Time to Time to refer to the Barons of the said Court of Exchequer in Ireland to report their Opinion as to the Amount of such Compensation.

XXII. And be it further enacted, That the several Records, Books, and other public Documents of and concerning the Duties and Business of the said Offices as abolished as aforesaid, and also of and concerning the said Office of Second Remembrancer of the said Court, shall, upon or immediately after the Commencement of this Act, be delivered by the several Officers or Persons having Custody of the same into the Hands and Care of the said Chief Remembrancer, to be by him preserved and kept, subject nevertheless to such Rules, Orders, and Regulations as the Chief Remembrancer, by and with the Approbation of the Lord Chief Baron and the other Barons of the said Court of Exchequer, and the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury, shall or may from Time to Time ordain or make touching the same.

XXIII. And be it further enacted, That from and after the Commencement of this Act all Process and other Proceedings, Writs, Taxations of Costs, Matters and Things, usually issued, had, done, received, filed, recorded, returnable to or taken by the Officers whose Offices are hereby abolished, or any of them, or by the said Chief or Second Remembrancer, which shall from thenceforth be by Law required, or needful to be issued, done, had, received, filed, recorded, or taken, shall be issued, done, had, received, filed, recorded, returnable to, and taken by the said Chief Remembrancer, or by the Second Remembrancer, by and under his Direction, as fully and effectually, as all Writs, Constitutions, or Purposes, as the same might or could have been issued, done, had, or taken by the said Officers, or the said Chief or Second Remembrancer, before the passing of this Act, subject nevertheless to all such Rules, Orders, and Regulations as shall or may be made from Time to Time for regulating or discontinuing the same by the said Chief Remembrancer with the Approbation of the Lord Chief Baron and the other Barons of the Court, and which he is hereby authorized to make and ordain accordingly; and all Returns which now should be made of Fines and Execruts to any of such abolished Offices shall be made to the Office of such Chief Remembrancer in future.

XXIV. And be it further enacted, That Searches may be made, and Copies or Extracts of and from all Records, Books, and Documents in or which shall hereafter be in the Office of the Chief Remembrancer shall and may be had and taken, at such Times and in such Manner as the said Chief Remembrancer shall, by and with the Approbation of the said Lord Chief Baron and the other Barons of the said Court, direct; and all such Copies or Extracts, signed and authenticated by such Chief Remembrancer, or such Person or Persons as shall or may be appointed by the said Remembrancer for

Ending of Jurisdiction of Barons of the Exchequer

Offices to be abolished

Duties of Second Remembrancer to be performed in Person, and process Grant to cease.

Compensation to be made to Persons deprived of their Offices.

Claims for Compensation may be referred to the Barons.

Records herebefore kept in abolished Offices to be delivered to the Chief Remembrancer

Proceedings herebefore had in abolished Offices to be had in Chief Remembrancer's Office.

Copies and Extracts may be taken



that Purpose, shall be available in Evidence, and so valid and effectual to all Intents and Purposes as the same would by Law have been if the same had been signed, authenticated, and given before the passing of this Act by the Officer having the Custody thereof.

XXV. And he it enacted, That it shall be lawful for the Secretary of the said Chief Remembrancer, upon Application so long on behalf of the Lord High Treasurer or the Commissioners of His Majesty's Treasury in the Matter of any Debtor to His Majesty whose Debt shall be a Debt of Record in the said Court, and on the Certificate of the Attorney or Solicitor General for Avowed that such Debt is ever due to the Crown, to enter a Rule in such Matter that a Custodian be made to such Person as shall be named on behalf of the said Lord High Treasurer or Commissioners, in Trust for His Majesty, of the Lands, Tenements, and Hereditaments of such Debtor, to hold to such Trustee until such Debt be discharged, unless Cause to the contrary be shown to the said Chief Remembrancer at such Time as shall be appointed by such Rule for that Purpose; and upon Proof that a Copy of such Rule hath been served upon the Debtor, or left at his last Place of Residence, or that he hath absconded, or that his last Place of Residence cannot be discovered, and that such Rule or Order has been served in such Matter as the said Chief Remembrancer may have directed, it shall be lawful for the said Chief Remembrancer, at the Time appointed by the said Rule for that Purpose, to make the same absolute, or to allow any Cause shown against the same, in the whole or in part, or to make such further Order in the Matter as he shall deem just, and to confine the Grant in custodiam to so much of the Lands, Tenements, or Hereditaments of the Debtor as may be sufficient for securing a due and prompt Payment of the Debt; and he shall by every such Order direct that the Custodee shall come in and account before him at such Time or Times as he shall in every such Order direct; and every Grant in custodiam shall be made out by his said Secretary, and shall be signed and sealed by him, and for which he shall receive a Fee of One Pound.

XXVI. And he it enacted, That it shall be the Office and Duty of the said Second Remembrancer to receive and report upon all such References as shall be made to him by the said Court in any Cause or Matter pending at the Equity Side thereof, and to do and perform such other ministerial Duties there as he shall be required to perform by any Order of the said Court, and he shall have Power to examine Witnesses upon Oath, and take Evidence *in* *ex* *parte*, or on written Interrogatories, or by Affidavits.

XXVII. And he it enacted, That the Examiner of the Chief Remembrancer shall be also Examiner of the said Second Remembrancer, and shall perform all such Duties and possess all such Rights and Powers as Examiner of the said Second Remembrancer as he now performs or possesses as Examiner of the Chief Remembrancer.

XXVIII. And he it enacted, That it shall be lawful for any Person or Persons to whom any Grant in custodiam hath heretofore been made, in his or their own Right, or his or their Representatives or Assigns, to apply to the Court of Eschequer at the Equity Side thereof, by a Petition stating such Grant and his Rights under the same, for an Order for the Appointment of a Receiver over the Lands or other Property granted in custodiam to him, or to apply to the said Court or to the Court of Chancery, as the Case may be, by a like Petition, that any Receiver already appointed over the said Lands or Property, or any of them, be extended to the Matter of his said Petition; and such Court shall thereupon, in case it shall appear that any Sum is due on account of the Demand for which such Grant in custodiam was made, make an Order for appointing or extending a Receiver over the Whole or a competent Part of the Lands or Property granted in custodiam; and such Receiver shall be authorized to apply the Rents and Profits of the said Lands or Property to the Payment of the Debt for which such Grant in custodiam was made, and such other Charges upon the said Lands or Property, and in such Priority as the Court in which such Receiver is appointed may direct.

XXIX. Provided always, and he it enacted, That every such Petition shall be on the filing thereof verified by Affidavit, in which the Petitor claiming the Benefit of the said Grant in custodiam shall state the Sum due upon or under such Grant for Principal, Interest, and Costs, after all just and fair Allowances whatsoever; and the Court shall, notwithstanding such Statement, or the Application of any Person interested in the Lands granted in custodiam, make an Order referring it to the proper Officers of the Court to take an Account of what is due to the Custodee for Principal, Interest, and Costs, charging him with all Sums which shall have been received, or which, without wilful Default or Neglect, might have been received, under or by virtue of the said Grant in custodiam; and if any such Custodee, or his Representatives or Assigns, shall neglect to present such Petition before the Twelfth Day of February next, for the Appointment of a Receiver, or to have a Receiver already appointed extended to the Matter of his Petition, or to verify such Petition, and procure an Order thereon as aforesaid, then and in every such Case the Grant in custodiam of such Custodee shall thereupon cease and be dissolved, and the Lands or other Property extended shall be discharged from the same; provided however, that it shall be lawful for the said Court of Eschequer, if it shall think fit, to extend for a further Period of Three Months the Time for presenting such Petition or obtaining such Order, upon a special Application for that Purpose made.

XXX. And he it enacted, That from and after the promulgating of any absolute Order for appointing or extending a Receiver to the Matter of a Petition founded on a Grant in custodiam obtained before the passing of this Act all further Proceedings in such Custodiam shall be stayed, but the Court of Eschequer shall have Power to make such Order in such Custodian Matter for enforcing the Payment of any Rent due out of the Lands granted in custodiam at the passing of this Act, or the enforcing of any Attachment theretofore awarded, or any Order theretofore made in such Custodian Matter, as Printed image deposited by the University of Southampton Library Digitisation Unit fully

Grants in custodiam for Debt to be made on Application of Commissioners of the Treasury, unless Cause shown to the contrary.

Duties of the Second Remembrancer.

Examiner.

Receiver may be appointed of Lands heretofore granted in custodiam on Petition to Court of Chancery.

Contents of such Petitions and Proceedings thereon.

After Appointment of Receiver in Matter of Grant in custodiam, further

fully as if this Act had not been passed; and every Person who shall at the Time of the passing of this Act hold any Lands under a Letting made on such Custodian Matter shall be entitled to hold the same for the Residue of his Term as if the Act had not been passed, but not further or otherwise; and the Recognizance of such Tenant and his Sureties shall continue and be valid and binding on them respectively, and he, if necessary, put in Suit, and the Rent payable by such Tenant and not actually paid to the Custodian shall be paid to such Receiver, and the Rights of every Person who at the Time of passing this Act shall be a Party in any Suit then pending in a Court of Equity in consequence of a Grant in custodiam theretofore made, or of the Representative of a Person so made a Party in a Suit then pending shall be determined as it would be if this Act had not been made: Provided, and be it enacted, that in any Case in which a Receiver has been appointed by the Court of Exchequer in any Custodian Matter, any Person interested in the Continuance of such Receiver shall be at Liberty to present a Petition stating that Fact, and thereupon the Court shall make an Order declaring that such Receiver shall be continued in the Matter of such Petition, and the Recognizances of such Receiver and his Sureties shall be considered valid and binding on them as if they were entered into in the Matter of such Petition, and all such Proceedings shall be had in such Matter as would under this Act be had in case a Receiver was for the first Time appointed or extended under the Provisions hereof.

XXXI. And be it enacted, That from and after the Commencement of this Act no Grant in custodiam for Recovery of any Debt or Demand shall be made, save in Trust for His Majesty, and for a Debt due to the Crown, and certified to be so by the Attorney or Solicitor General for England; and it shall be lawful for any Person entitled to sue out or who has already sued out a Writ of Eject upon any Judgment recovered in any of His Majesty's Courts at Westminster, or to issue or who has issued Executions in any Suit or Proceeding in any Recognizance there, to apply by Petition to the Court of Chancery or to the Court of Exchequer at the Equity Side thereof for an Order that a Receiver may be appointed of the Rents and Profits of the Estate and not of a Moiety only of all Lands, Tenements, or Hereditaments which he would be entitled to have extended or appraised under a Writ of Eject, or extended, seized, or taken under a Writ of Levari facias, or other Proceeding, on such Recognizance, or to have a Receiver thereof appointed by that Court extended to that Matter; and it shall be lawful for the Court to appoint or extend a Receiver accordingly over the whole thereof, or over so much thereof as shall appear to it sufficient for the Purpose of paying the Sum due on such Judgment or Recognizance; and every such Petition shall state the Judgment or Recognizance, and the Sum due thereon, and shall be verified by the Affidavit of the Person interested, or such other Affidavit as the Court shall direct, stating the Sum due for Principal, Interest, and Costs, over and above all just and fair Allowances; and it shall be lawful for the said Court to require Proof by the Affidavit of the Party applying for such Order, or by such other Affidavit or Affidavits or Evidence as it shall require, of the Particulars and actual Rental or Value of the Lands over which such Receiver shall be sought.

XXXII. And be it enacted, That every Receiver so to be appointed as aforesaid shall apply all Sums which he shall receive as such according to such Order or Orders as the Court shall make for that Purpose; and that it shall be lawful for the Court to extend the Receiver from the Matter of the Petition of one Creditor to the Matter of the Petition of any other or others, and to order the Rents and Profits to be applied according to the Priority of each, as ascertained by the Date of the Entry of the Judgment or Enforcement of the Recognizance; and that no Proceeding in the Matter of any Petition under this Act shall determine by the Death of any of the Parties in such Matter, but the Court in which such Petition may have been filed shall and may, on a Motion for that Purpose made by or on behalf of any Person interested in such Proceeding, and on its appearing that any of such Parties has died, make an Order for continuing such Proceedings for and in the Name of or against the real or personal Representative or Representatives, or the Assignee or Assignees of such deceased Party, or the Person or Persons in whom the Interest of the deceased Party has become vested, or who claim the same, unless good Cause shall be shewn to the contrary within some Time to be specified in such Order, and give such Direction for the Service of such Order as the Parties named therein as to the Court shall seem meet, and shall and may make the same absolute, or discharge or vary such Order, as its appearing that such Order was duly served, and on hearing what may be offered on behalf of the Person so served.

XXXIII. And be it enacted, That in every Order made for the Appointment of a Receiver as aforesaid the Tenant shall be required to pay him all Rents due or which shall become due by him for or in respect of the Lands mentioned in such Order; and every such Order shall require the Receiver to enter into Security, by himself and Two Sureties, to such Amount as shall be therein specified, and such further Security as the Court shall from Time to Time direct, for the due Performance of his Duties; and every such Security shall be given by Recognizance, and such Recognizance may be acknowledged either before the Court or any Judge or Master thereof, or any Master Extraordinary or Commissioner authorized to take Affidavits or to take Special Bail therein, and shall be enrolled in such Court; and such Order shall not be served on the Tenant, nor shall such Receiver receive any of the Rents, until such Recognizance shall be enrolled; and the Recognizance of the Receiver and his Sureties shall not be discharged or affected in consequence of such Receiver being extended to any other Matter.

XXXIV. And be it enacted, That every Receiver to be appointed as aforesaid shall account once in every Year, and as often as the Court shall direct; and the Court in which he is appointed or assign

Proceedings in  
custodiam to  
be stayed.

Providing for  
Continuance of  
Receiver  
appointed by the  
Court of  
Exchequer.

In future all  
Grants in cus-  
todiam to be  
made only in  
Trust for His  
Majesty; and  
Receiver may  
be appointed, on  
Judgment or  
Recognizance,  
over so much of  
the Debtor's  
Lands as the  
Court shall  
direct.

Receiver to  
apply Rents as  
Court shall  
direct.

Tenant to  
pay Rents to  
Receiver.

Receiver to  
account.

shall exercise all Power, Authority, and Jurisdiction over him, and in the Matter in which he shall be appointed, which it might exercise if he were appointed in a Cause pending there.

Person applying to call Receiver to account is to be chargeable with the Loss.

XXXV. And be it enacted, That if any Receiver shall neglect to account as aforesaid, and the Person for whose Benefit he shall have been appointed or nominated shall neglect to take the necessary Proceedings for compelling him so to do, every such Person shall be chargeable with any Loss which may be sustained by any Default or Neglect of such Receiver: Provided always, that it shall not only be lawful for the Party at whose Suit he shall have been appointed, but also for any other Party interested in the Matter, to apply to the Court that he may be compelled to account.

Judgment to be satisfied when Debt is paid.

XXXVI. And be it enacted, That so soon as the Debt due on Foot of any Judgment or Recognizance shall have been paid off as aforesaid, or as it shall appear to the Court that it might have been paid off if it were not for the Default or Neglect of the Person entitled thereto, it shall be lawful for the Court to direct Satisfaction to be entered thereon, or that it shall be assigned as the Court shall direct, and thereupon, or so soon as every Judgment or Recognizance for recovering which the Receiver shall have been extended shall be satisfied, he shall be discharged.

Priority to be determined without reference to any Impignation.

XXXVII. And be it enacted, That in determining the Priority of the Demands of Creditors the Court in which any Question respecting such Priority shall arise shall not give to the Demand of any Creditor Priority over the Demand of another in consequence of his having obtained an Impignation on an Outlawry or other Proceeding taken by him, but shall determine such Priority as if no such Impignation was laid; and every Creditor who shall obtain an Order for the Appointment of a Receiver under the Provisions of this Act shall be considered to be a Creditor who has issued and executed an Execution on his Judgment or Recognizance from the Date of such Order, and so as not to be affected by the Bankruptcy of his Debtor, further or otherwise than he would be if his Debtor became bankrupt after Execution executed.

Money received by Receiver to be applied under the Orders of the Court.

XXXVIII. And be it enacted, That in case any Sum shall be received by any such Receiver before an Order shall be made to extend him to the Matter of another Petition, the Money so received by him shall be distributed and paid, under the Orders of the Court, as it would have been if such further Order extending him had not been made, but in distributing the Funds thereafter to be received the Court shall have regard to the Rights of the Persons or Persons at whose Instance the Order extending the Receiver was made: and the Court shall have Power, if it shall think fit, to direct in any Case that the Costs secured by the Person at whose Instance the Receiver was first appointed in procuring such Appointment be paid out of the Funds collected by the Receiver, without regard to the Priority of the Person on whose Application such Receiver was appointed.

Treasury authorized to refer Public Accounts to Chief Remembrancer.

XXXIX. And whereas it is expedient to alter and amend an Act passed in the Second and Third Years of the Reign of His present Majesty, intituled *An Act for transferring the Powers and Duties of the Commissioners of Public Accounts in Ireland to the Commissioners for auditing the Public Accounts of Great Britain*; be it therefore enacted, That it shall be lawful for the Lord High Treasurer or any Three or more of the Commissioners of His Majesty's Treasury, and he and they are hereby authorized, in all Cases in which he or they shall think fit, to refer it to the said Chief Remembrancer of the Court of Exchequer to be directed to inquire into the Matter of any Account or into any Question arising upon any Account of any Person, Body Corporate, or Board interested with the Care or Application of any Public Money in Ireland, and to report to the said Lord High Treasurer or the Commissioners of His Majesty's Treasury his Opinion thereupon; and the said Remembrancer is hereby required to inquire and report accordingly.

Chief Remembrancer may take Evidence with or without Affidavit.

XI. And be it enacted, That it shall be lawful for the said Chief Remembrancer in proceeding such Reference as aforesaid, or upon any of the Matters herein-before mentioned, to examine all such Persons and Persons as he shall deem proper upon Oath, and to take Evidence with or without Affidavit, or upon written Interrogatories, to be exhibited by his Examiner or any Commissioner to be by him appointed for that Purpose, and to issue Process to compel the Attendance and Examination of Parties and Witnesses, and the Production of Books, Papers, or Writings, before him, or such Commissioner or Examiner as aforesaid, and to that end to exercise all Powers vested for such Purposes in the said Court.

Order of Chief Remembrancer to be Order of the Court, but may be reversed, varied, or altered by the Barons.

XII. And be it enacted, That every Order made by the said Chief Remembrancer in proceeding upon any of the Matters aforesaid shall be entered by his Secondary, and shall be deemed and taken to be an Order of the said Court, and shall be executed as such: Provided always, that every such Order may be reversed, varied, or altered by the Chief Baron and the other Barons of the said Court, upon Motion or Petition, provided that such Motion or Petition be made or presented within the Term counting the Time at which the Party complaining shall have Notice of the Order complained of and otherwise that such Order shall be final and conclusive.

Fees for Second Remembrancer.

XIII. And be it further enacted, That such Fees as are specified in the Second Schedule to this Act aforesaid, and as shall be advised and authorized by any Order or Orders to be for that Purpose made by the said Court of Exchequer, and no other, shall be taken by the said Second Remembrancer; and it shall and may be lawful for the Lord Chief Baron of the said Court, and the Lord High Treasurer or any Three or more of the Commissioners of the Treasury for the Time being, and they are hereby required, by some Writing under their respective Hands, to ascertain for and allow to the said Second Remembrancer such annual Salary thereout as to them shall seem reasonable; and such Salary shall be paid and payable to him quarterly, (that is to say,) on every Fifth Day of January, Fifth Day of April, Fifth Day of July, and Fifth Day of October in every Year; and he shall keep One or more Book or Books, and shall cause all Fees by him received to be duly and regularly entered therein, and shall



|  | £ | s  | d |
|--|---|----|---|
| <b>REPORTS.</b> —Any Report under Interlocutory Order  | 1 | 1  | 0 |
| Under Decretal Order pronounced in a short Cause   | 2 | 0  | 0 |
| Under Decretal Order pronounced in a long Cause  | 3 | 3  | 0 |
| <b>NOTICES.</b> —Any Notice, Advertisement, or Posting to sell Lands pursuant to any Decree, or to set Lands pursuant to any Order or Decree   | 1 | 1  | 0 |
| <b>LETTERS AND DEEDS.</b> —Any Lease, and any Counterpart thereof, where the usual printed Form will suffice   | 0 | 6  | 0 |
| Any other Deed where the usual printed Form will suffice   | 0 | 10 | 0 |
| Any Lease, and any Counterpart thereof, where the Contract is of an special Nature that a special Conveyance shall be prepared and engraved  | 1 | 1  | 0 |
| Any other Contract of such special Nature  | 2 | 2  | 0 |
| Any Deed executed in the Name of any Party in a Cause refusing or declining to execute such Deed, or reading out of the Jurisdiction of the Court, for each Person as declining or refusing, or reading beyond such Jurisdiction | 0 | 5  | 0 |
| Any Deed of any other Sort   | 2 | 2  | 0 |
| For signing any Answer as Guardian of any Minor or Infirm Person   | 0 | 10 | 6 |
| Any Approbation for the Sale or Transfer of Stock  | 0 | 10 | 6 |
| Any Petition signed and approved of as Guardian of any Minor or other Person   | 0 | 6  | 6 |

C A P. LVI

An Act to regulate the Admeasurement of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom. [8th September 1835.]

2547. G. L. 25.

WHEREAS by an Act passed in the Third and Fourth Years of the Reign of His present Majesty, for the registering of British Vessels, certain Rules are established for ascertaining the Tonnage of Ships as well on those as afloat, and of Vessels propelled by Steam; and the Account of such Tonnage, whenever the same shall have been ascertained according to the Rules therein prescribed (except in the Case of Ships admeasured afloat), it is thereby enacted shall be deemed the Tonnage of such Ships, and shall be repeated in every subsequent Registry of such Ships, unless any Alteration shall have been made in their Form and Burthen, or unless it be discovered that the Tonnage had been erroneously computed: And whereas it is considered that the Capacity of a Ship is the fittest Standard by which to regulate her Tonnage, that several Measurements will afford the most accurate and convenient Method of ascertaining that Capacity, and that the Adoption of such a Mode of Admeasurement will tend to the Interests of the Ship Builder and the Owner, as well as to the proper Collection of the Duty which by Law are payable on Tonnage; and it is expedient to alter and amend the Law in this respect: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act so much of the said recited Act as establishes Rules for ascertaining the Tonnage of Ships shall be and the same is hereby repealed so far as respects the Merchant Shipping of the United Kingdom to be thereafter registered.

Rules established by recited Act for ascertaining Tonnage repealed.

The Rule by which Tonnage of Vessels is to be ascertained.

II. And be it further enacted, That from and after the Commencement of this Act the Tonnage of every Ship or Vessel required by Law to be registered shall, previous to her being registered, be measured and ascertained while her Hull is afloat, and according to the following Rule; (that is to say,) Divide the Length of the Upper Deck between the Afterpart of the Stern and the Forepart of the Stern post into Six equal Parts, Depths: At the foremast, the middle, and the aftermost of these Points of Division, measure in Feet and Decimal Parts of a Foot the Depths from the under Side of the Upper Deck to the Ceiling at the Lumber Strake. In the Case of a Break in the Upper Deck, the Depths are to be measured from a Line stretched in a Continuation of the Deck. Breadths: Divide each of these Three Depths into Five equal Parts, and measure the Inside Breadth at the following Points; *viz.* at One Fifth and at Four Fifths from the Upper Deck of the foremast and aftermost Depths, and at Two Fifths and Four Fifths from the Upper Deck of the middle Depth. Length: At Half the middle Depth measure the Length of the Vessel from the Afterpart of the Stern to the Forepart of the Stern-post, then to Twice the middle Depth add the foremast and the aftermost Depths for the Sum of the Depths; add together the upper and lower Breadths at the foremast Division, Three Times the upper Breadth, and the lower Breadth at the middle Division, and the upper and Twice the lower Breadth at the after Division, for the Sum of the Breadths; then multiply the Sum of the Depths by the Sum of the Breadths, and the Product by the Length, and divide the final Product by Three thousand five hundred, which will give the Number of Tons for Register. If the Vessel have a Poop or Half Deck, or a Break in the Upper Deck, measure the Inside Mean Length, Breadth, and Height of such Part thereof as may be included within the Bulk-head; multiply these Three Measurements together, and dividing the Product by 224, the Quotient will be the Number of Tons to be added to the Result as above found. In order to ascertain the Tonnage of open Vessels, the Depths are to be measured from the upper Edge of the upper Strake.

Tonnage to be entered on Register.

III. And be it further enacted, That the Tonnage or Burthen of every Ship belonging to the United Kingdom, ascertained in the Manner herein-before directed, shall, in respect of any such Ship which Printed image deposited by the University of Southampton Library Digitisation Unit shall

shall be registered after the Commencement of this Act (except as herein-after excepted), be inserted in the Certificate of the Registry thereof, and be taken and deemed to be the Tonnage or Burthen thereof for all the Purposes of the said recited Act.

IV. Provided always, and he it further enacted, That in each of the several Rules herein-before prescribed, when applied for the Purpose of ascertaining the Tonnage of any Ship or Vessel propelled by Steam, the Tonnage due to the Cubical Contents of the Engine Room shall be deducted from the Total Tonnage of the Vessel as determined by either of the Rules aforesaid, and the Remainder shall be deemed the true Register Tonnage of the said Ship or Vessel. The Tonnage due to the Cubical Contents of the Engine Room shall be determined in the following Manner; that is to say, measure the inside Length of the Engine Room in Feet and Decimal Parts of a Foot from the foremast to the aftermost Bulk-head, then multiply the said Length by the Depth of the Ship or Vessel at the said Ship or Vessel's Draught as aforesaid, and the Product by the inside Breadth at the same Draught as Two Fifths of the Depth from the Deck taken as aforesaid, and divide the last Product by 924, and the Quotient shall be deemed the Tonnage due to the Cubical Contents of the Engine Room.

V. Provided always, and he it further enacted, That the Tonnage due to the Cubical Contents of the Engine Room and also the Length of the Engine Room shall be set forth in the Certificate of Registry as Part of the Description of the Ship or Vessel, and that any Alteration of such Tonnage due to the Cubical Contents of the Engine Room or of such Length of the Engine Room, after Registry, shall be deemed to be an Alteration requiring Registry as aforesaid within the Meaning of the said Act for the registering of Ships or Vessels.

VI. And he it further enacted, That for the Purpose of ascertaining the Tonnage of all such Ships, whether belonging to the United Kingdom or otherwise, as there shall be Occasion to measure while their Cargoes are on board, the following Rule shall be observed and is hereby established: (that is to say,) Measure, first, the Length on the Upper Deck between the Afterpart of the Stern and the Forepart of the Stern-post; secondly, the inside Breadth as the Underwide of the Upper Deck at the middle Point of the Length; and, thirdly, the Depth from the Underwide of the Upper Deck down the Pump-well to the Main-beam; multiply these Three Dimensions together, and divide the Product by One hundred and thirty, and the Quotient will be the Amount of the Register Tonnage of such Ships.

VII. And he it further enacted, That the true Amount of the Register Tonnage of every Merchant Ship or Vessel belonging to the United Kingdom, to be ascertained according to the Rule by this Act established in respect of such Ships, shall be deeply carved or cut in Figures of at least Three Inches in Length on the Main Beam of every such Ship or Vessel, prior to her being registered.

VIII. Provided always, and he it further enacted, That nothing herein contained shall extend to alter the present Measure of Tonnage of any Ship or Vessel which shall have been registered prior to the Commencement of this Act, unless in Cases where the Owners of any such Ships shall request to have their Tonnage established according to the Rule herein-before provided, or unless there shall be Occasion to have any such Ship丈量 again as aforesaid or any Alteration which shall have been made in the Form or Burthen of the same, in which Cases only such Ships shall be re-measured according to the said Rule, and their Tonnage registered accordingly.

IX. And he it further enacted, That this Act shall commence and take effect upon and from the First Day of January One thousand eight hundred and thirty six.

X. And he it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in the present Session of Parliament.

## C A P. LVII.

An Act to extend to Scotland certain Provisions of an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks; and to consolidate and amend the Laws relating to Savings Banks in Scotland. [19th September 1836.]

WHEREAS it is expedient to repeal the Law relative to Savings Banks in Scotland, and to make other Provisions respecting Savings Banks in Scotland; he it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Clauses and Provisions of a certain Act made and passed in the Ninth Year of the Reign of His late Majesty, intituled *An Act to consolidate and amend the Laws relating to Savings Banks*, and also of a certain other Act made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act to enable Depositors at Savings Banks and others to purchase Government Annuities through the Medium of Savings Banks*; and to amend an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks, shall from and after the passing of this Act extend to Scotland.

II. And he it further enacted, That the Act passed in the Fifty-ninth Year of the Reign of King George the Third, intituled *An Act for the Provision of Banks for Savings in Scotland*, shall, so far as the same is applicable to any Savings Bank hereafter to be formed and established in Scotland from and after the passing of this Act, be repealed: Provided nevertheless, that the Provisions of the said last-mentioned Act shall continue in force as to all Savings Banks established under it before the passing of this Act unless and until they shall conform to and be established under the Provisions of the said Act of the Ninth Year of His late Majesty and the Third Year of His present Majesty.

Made of averaging Tonnage of Steam Vessels.

Length, &c. of Engine Room to be set forth in Description of Steam Vessel.

For ascertaining Tonnage of Vessels when laden.

Register Tonnage to be carved on Main-beam.

Not to alter Tonnage of Vessels already registered.

Commencement of Act. Act may be altered, &c.

Provisions of 8 G. 3. c. 32. & 2 W. 4. c. 34 extended to Scotland.

28 G. 3. c. 35. in part repealed, except as to Banks already established.

Existing Banks may continue to the last-mentioned Acts in preparing and depositing their Rules.

Application of the Law of Scotland in special Cases.

Act to extend to Scotland, and to be deemed a Public Act.

III. And be it further enacted, That it shall be competent to the Trustees, Managers, or Directors, or other Persons legally interested with the Management of any Savings Bank already established in Scotland under the Authority of the Act hereby repealed, or to the major Part of them assembled at any General Meeting to be convened according to the respective Rules and Regulations of such Savings Banks, to establish such Savings Banks under the said last-mentioned Acts by preparing, swelling, and depositing the Rules and Regulations thereof, in conformity to Law and with the Provisions of the said last-mentioned Acts, and such Savings Bank shall thereafter be deemed and taken to be established under the Provisions of the said last-mentioned Acts to all Intents and Purposes.

IV. And be it enacted, That where the said recited Act or Acts provide for Payments made to any of the Relations of any deceased intestate Depositor according to the Statute of Distributions, the Provisions thereof shall be held to apply to Payments made to Persons appearing to be next of Kin according to the Law of Scotland, and that where the said recited Act or Acts refer to Probate of the Will of the deceased, or Letters of Administration of his or her Estate and Effects, and provide that they shall or shall not be received in the Cases therein provided, the said Provisions in the said recited Act or Acts shall be held to apply to Administrations by the Law of Scotland, and the same shall be required or dispensed with as therein provided.

V. And be it further enacted, That this Act shall extend to all Savings Banks hereafter to be established in Scotland, and also to all Savings Banks already established in Scotland, as soon as they shall have been established under the Provisions thereof, and be deemed a Public Act, and be judicially taken notice of as such by all Judges, Justices and other Persons whatsoever, without the same being specially shown or pleaded.

#### C A P. LVIII.

An Act to amend the Acts relating to the Hereditary Land Revenues of the Crown in Scotland.

[9th September 1835.]

6 L. 4. c. 17.

10 G. 4. c. 20.

2 W. 4. c. 1.

6 G. 2. W. 4.

c. 110.

24 W. 4. c. 45.

WHEREAS an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to extend the Provisions of an Act of the Fifty-ninth Year of His late Majesty, concerning the Disposition of certain Real and Personal Property of His Majesty, His Heirs and Successors*: And whereas an Act passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; and of the Land Revenue of the Crown and of the Survey of the Enchopar in England; and of the Land Revenue of the Crown in Ireland; and for extending certain Provisions relating to the same to the Isles of Man, and Alderney*: And whereas an Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act for amending the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and for other Purposes relating to the Land Revenue*: And whereas an Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to authorize the Hereditary Land Revenues of the Crown in Scotland to be placed under the Management of the Commissioners of the Land Revenue*: And whereas an Act passed in the Third and Fourth Year of His present Majesty, intitled *An Act to extend and enlarge the Powers of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in relation to the Management and Disposition of the Land Revenue of the Crown in Scotland*: And whereas Doubts have arisen, in consequence of the said Acts, as to the Powers and Authorities of the Commissioners of His Majesty's Treasury in relation to the Recovery, Management, Superintendance, and Disposition of the Interests of His Majesty, His Heirs and Successors, in right of His Crown, as well as His Heirs, and in Cases of Bastardy in Scotland; and it is expedient that such Doubts should be removed: Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Powers and Authorities for the ascertaining and recovering, and for the Management, Superintendance, and Care of all Rights and Interests of His Majesty, His Heirs and Successors, in right of His Crown, in Scotland, as aforesaid Heirs, or in Cases of Bastardy, or by reason of any Forfeitures whatsoever, shall be and are hereby declared to be vested in the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, in the same Manner and to the same Extent as such Powers and Authorities were vested in the Lord High Treasurer or the Commissioners of the Treasury for the Time being prior to the passing of any of the said recited Acts; and likewise in the said Acts or either of them to the contrary notwithstanding.

Powers to be vested in the Lord High Treasurer or the Commissioners of the Treasury.

All former Acts of Commissioners of the Treasury to be void.

II. And be it further declared and enacted, That all Grants heretofore made, and all Acts, Matters, and Things, done by the Commissioners of His Majesty's Treasury, or any Three or more of them, in relation to any such Rights and Interests in Scotland, since the passing of the said recited Acts of the Second and Third Years and of the Third and Fourth Years of the Reign of His present Majesty, in exercise of the Powers and Authorities vested in them by Law or Usage prior to the passing of any of the said Acts, shall be and are hereby declared to be good, valid, and effectual to all Intents and Purposes, any thing in the said recited Acts or either of them, or of any other Act or Acts of Parliament, to the contrary notwithstanding.

His Majesty may grant Sites for Churches.

III. And whereas the said last-recited Act does not enable His Majesty to grant any Land or Building, Part of the Possessions and Land Revenues of the Crown in Scotland, for the Purpose

' specified in the said recited Act of the Tenth Year of the Reign of His late Majesty King George the Fourth with respect to the Possessions and Land Revenues of the Crown to which that Act relates; and it is desirable that His Majesty, His Heirs and Successors, should be at Liberty to grant any Lands or Encroachments, Part of the Possessions and Land Revenues of the Crown in Scotland, for any of the Purposes herein mentioned, whenever He or They shall be graciously pleased so to do; be it therefore enacted, That the King's Majesty, His Heirs and Successors, shall at any Time hereafter have full Power and Authority, out of the Possessions and Land Revenues of the Crown in Scotland, to give and grant to and vest in any Body Politic or Corporate, or any Person or Persons whatsoever, and their Heirs and Successors respectively, for such Estate or Interest thereof as to His Majesty, His Heirs and Successors, shall seem meet, any Building proper to be used as or converted into, or any Ground proper for the Site of, any Church or Chapel, with or without a Cemetery or Burial Ground thereon, or any Ground proper for a Cemetery or Burial Ground to any Church or Chapel, and any House with its Appurtenances, and with or without a Garden thereon, proper for the Residence of the Spiritual Person who may serve such Church or Chapel, or any Ground proper for the Site or Sites of any such Residence, or of any Parochial or District School, with or without a Garden thereon, any thing in the said Act of the Third and Fourth Years of the Reign of His present Majesty, or any other Law or Statute, to the contrary in anywise notwithstanding; and such Body or Bodies Politic or Corporate, or Person or Persons, and their Heirs, Successors, Executors, or Administrators, shall have full Capacity and Ability to take, hold, and enjoy the same; and whenever it shall be the Pleasure of His Majesty, His Heirs or Successors, to make a Grant for any of the Purposes aforesaid, it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, to issue a Warrant under his or their Hand or Hands to any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, which Warrant shall be exempt from any Stamp Duty whatsoever: Provided always, that nothing in this Act contained shall extend or be construed to extend to enable His Majesty, His Heirs or Successors, to grant more than Five Statute Acres in any One Grant for any of the Purposes aforesaid, or to grant any Processes in any One Instance which shall exceed in Value the Sum of One thousand Pounds; and that all such Grants shall be carried into effect by Charters and other Instruments, according to the Law and Practice of Scotland, and not otherwise.

An Act of  
Land Revenue  
in Scotland.

Extension of  
Grants.

IV. And be it further enacted, That a Minute or Docket of every such Grant or Warrant shall be entered and preserved by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in their Office.

Minutes to be  
preserved.

V. Provided always, and be it further enacted, That the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall, in every Report which shall be made by them to the King's most Excellent Majesty and to both Houses of Parliament touching or concerning the Land Revenue of the Crown, from and after the passing of this Act, certify and report every Grant which shall have been made under and by virtue of the Provisions of this Act since the Time of the making their last preceding Report, and to whom and for what Purpose the same shall have been made, and what Land or Ground shall be comprised therein, and all other Particulars relating thereto.

Commissioners  
of Woods, in  
their Reports,  
to certify all  
Grants made  
under this Act.

#### C A P. LXX.

An Act to consolidate and amend the several Laws relating to the cruel and improper Treatment of Animals, and the Mischief arising from the driving of Cattle, and to make other Provisions in regard thereto. [19th September 1835.]

' WHEREAS frequent Accidents arise from improperly driving Cattle, and many and great Cruelties are perpetrated by improperly driving and conveying Cattle to, and from public Markets and otherwise, as well as by slaughtering and keeping and detaining the same without Food and Nourishment, to the great and needless Increase of the Sufferings of dumb Animals and to the Demoralization of the People, and whereby the Lives and Property of His Majesty's Subjects are greatly endangered and injured: And whereas it is expedient to reduce into One Act, and to alter, amend, and enlarge the Powers and Provisions of several Acts now in force relating to the cruel and improper Treatment of Cattle, and the Mischief arising from the driving thereof, and also to prevent as far as possible the cruel and improper Treatment of Cattle and other Animals, and to make divers Provisions in regard thereto: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Act hereto-after mentioned, (that is to say,) an Act passed in the Third Year of the Reign of His late Majesty King George the Fourth, intitled an Act to prevent the cruel and improper Treatment of Cattle, and so much of an Act passed in the Third Year of the Reign of His present Majesty, intitled an Act for the more effectual Administration of Justice in the Office of a Justice of the Peace in the several Police Offices established in the Metropolis, and for the more effectual Prevention of Depredations on the River Thames and its Vicinity for Three Years, as recited and enacted as follows, (that is to say,) " And whereas divers Places in and about the Metropolis are kept and used for the Purpose of fighting or baiting of Bears or other Animals, at which Places idle and disorderly Persons customarily assemble, to the Interruption of good Order and the Danger of the public Peace; be it therefore enacted, that any Person who shall, within Five Miles of Temple Bar, keep or use or

The Act  
2 G. 4. c. 73.  
and Part of  
the Act  
3 W. 4. c. 15.  
repealed



shall act in the Management or conducting of any Premises or Place whatsoever for the Purpose of fighting or baiting of Pears, Cock-fighting, baiting or fighting of Badgers or other Animals, shall, on Conviction thereof before any One Justice of the Peace, forfeit any Sum not exceeding Five Pounds, and in default of immediate Payment shall be liable to be imprisoned and kept to hard Labour for any Time not exceeding Two Months, unless the said Penalty shall be sooner paid; shall be and the same are hereby severally repealed, and made null and void to all Intents and Purposes, save and except as to any Penalties or Forfeitures accrued and not recovered, and to any Offences or other Matters committed and done before the passing of this Act.

Any Person who shall wilfully and knowingly baiting or otherwise ill-treating any Cattle, &c. or improperly driving the same, whereby any Mischief shall be done, shall, upon Conviction, be liable to be committed to Prison.

II. And be it further enacted, That if any Person shall from and after the passing of this Act wantonly and cruelly beat, ill-treat, abuse, or torture any Horse, Mare, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mule, Ass, Sheep, Lamb, Dog, or any other Cattle or domestic Animal, or if any Person who shall drive any Cattle or other Animal shall, by Negligence or ill Usage in the driving thereof, be the Means whereby any Mischief, Damage, or Injury shall be done by any such Cattle or other Animal, every such Offender, being convicted of any or either of the said Offences before any One Justice of the Peace for the City, Town, or County in which any such Offence shall have been committed, shall for every such Offence forfeit and pay (over and above the Amount of the Damage or Injury (if any) done thereby, which Damage or Injury shall and may be ascertained and determined by such Justice) such a Sum of Money, not exceeding Forty Shillings or less than Five Shillings with Costs, as to such Justice shall seem meet; or the Offender shall, in default of Payment, be committed to the Common Goal or House of Correction for the City, Town, or County in which such Offence shall have been committed, there to be imprisoned for any Time not exceeding Fourteen Days; provided that nothing in this Act contained shall prevent or abridge any Remedy by Action against the Employer of any such Offender where the Amount of the Damage is not sought to be recovered by virtue of this Act.

Persons keeping Pits for fighting Dogs or baiting Bees, the going of a Norman, and liable to Fines.

III. And whereas Cruelties are greatly promoted and encouraged by Persons keeping Houses, Pitches, Pits, Grounds, or other Places for the fighting or baiting of Dogs, Bulls, Bees, or other Animals, and for fighting Cocks, and by Persons selling or assisting therein, and the same are great Nuisances and Annoyances to the Neighbourhood in which they are situate, and tend to demoralize those who frequent such Places; be it therefore enacted, That from and after the passing of this Act, if any Person shall keep or use any House, Room, Pit, Ground, or other Place for the Purpose of raising, baiting, or fighting any Bull, Bear, Badger, Dog, or other Animal (whether of domestic or wild Nature or Kind), or for Cock-fighting, or in which any Bull, Bear, Badger, Dog or other such Animal shall be baited, run, or fought, every such Person shall be liable to a Penalty not exceeding Five Pounds nor less than Ten Shillings for every Day in which he shall so keep and use such House, Room, Pit, Ground, or Place for any of the Purposes aforesaid; Provided always, that the Person who shall act as the Manager of any such House, Room, Pit, Ground, or other Place, or who shall receive any Money for the Advantages of any Person therein, or who shall assist in any such baiting or fighting, or Bull-baiting, shall be deemed and taken to be the Keeper of the same for the Purposes of this Act, and be liable to all such Penalties as are by this Act imposed upon the Person who shall actually keep any such House, Room, Pit, Ground, or other Place for the Purposes aforesaid.

The Person who shall be the Manager of such House to be deemed the Keeper.

Persons keeping Cattle to provide sufficient Food for them.

IV. And whereas great Cruelties are practised by reason of keeping and detaining Horses, Asses, and other Cattle and Animals impounded and confined without Food frequently for many Days; for Remedy whereof, be it enacted, That from and after the passing of this Act every Person who shall impound or confine, or cause to be impounded or confined, any Horse, Ass, or other Cattle or Animal, in any Common Pound, open Pound, or close Pound, or in any inclosed Place, shall and he is hereby required to feed, provide, and supply such Horse, Ass, and other Cattle or Animal so impounded or confined, daily with good and sufficient Food and Nourishment for so long a Time as such Horse, Ass, or other Cattle or Animal shall remain and continue so impounded or confined as aforesaid; and every such Person who shall so feed, provide, and supply any such Horse, Ass, or other Cattle or Animal, with such daily Food and Nourishment as aforesaid, shall and may so do and they are hereby authorized and empowered to recover of and from the Owner or Owners of such Cattle or Animal not exceeding Double the full Value of the Food and Nourishment so supplied to such Cattle or Animal as aforesaid by proceeding before any One Justice of the Peace within whose Jurisdiction such Cattle or Animal shall have been so impounded and supplied with Food as aforesaid, in like Manner as any Penalty or Forfeiture, or any Damage or Injury, may be recovered under and by virtue of any of the Powers or Authorities in this Act contained, and which Value of the Food and Nourishment so to be supplied as aforesaid such Justice is hereby fully authorized and empowered to ascertain, determine, and enforce as aforesaid; and every Person who shall have so supplied such Food and Nourishment as aforesaid shall be at liberty, if he shall so think fit, instead of proceeding for the Recovery of the Value thereof as last aforesaid, after the Expiration of Seven clear Days from the Time of impounding the same, to sell any such Horse, Ass, or other Cattle or Animal, openly at any public Market (after having given Three Days public printed Notice thereof) for the most Money that can be then got for the same, and to apply the Produce in discharge of the Value of such Food and Nourishment so supplied as aforesaid, and the Expenses of and attending such Sale, rendering the Overplus (if any) to the Owner of such Cattle or Animal.

Remedy for the Recovery thereof.

Persons may enter Pounds, &c.

V. And be it further enacted, That in case any Horse, Ass, or other Cattle or Animal shall in any Time so remain impounded or confined as aforesaid without sufficient daily Food or Nourishment more than Twenty-four Hours, it shall and may be lawful to and for any Person or Persons whomsoever from

Time to Time and as often as shall be necessary to enter into and upon any such Common Pound, open Pound, or close Pound, or other inclosed Place in which any such Cattle or Animal shall be so impounded or confined, and to supply such Cattle or Animal with such good and sufficient Food and Nourishment during so long a Time as such Cattle or Animal shall so remain and continue impounded or confined as aforesaid, without being liable to any Action of Trespass or other Proceeding by any Person or Persons whomsoever for or by any reason of such Entry or Entries for the Purpose aforesaid.

VI. And be it further enacted, That in case any such Person who shall so impound or confine, or cause to be impounded or confined, any such Horse, Ass, or other Cattle or Animal as aforesaid, shall refuse or neglect to find, provide, and supply such daily good and sufficient Food and Nourishment to such Cattle and Animal so impounded or confined as aforesaid, he and they shall for every Day during which he or they shall so refuse or neglect to find, provide, and supply the same as aforesaid, forfeit and pay the Sum of Five Shillings; which said Sum and Sums of Money shall and may be recoverable by proceeding before any One Justice of the Peace in like Manner as herein-before provided for the Recovery of any Penalty, Forfeiture, Damage, or Injury as herein-before mentioned.

VII. And whereas great Cruelty is practised by reason of diseased, old, and worn-out Horses sold or taken to Knockers or Slaughtermen for the Purpose of Slaughtering, being frequently resold or compelled to work, or kept without sufficient Food: for Remedy whereof be it further enacted, That if any Person keeping or using any House or Place for the Purpose of slaughtering or killing any Horse or Cattle (which shall not be for Butcher's Meat) shall at any Time hereafter slaughter or kill any Horse or Cattle (not being for Butcher's Meat) without having previously taken out a Licence for that Purpose, and without having previously affixed over the outer Gate or Entrance from the public Highway to said inclosed Premises the Board and Inscription in manner and form prescribed according to the Provisions of an Act of Parliament passed in the Twenty-sixth Year of the Reign of King George the Third, intituled *An Act for regulating Horses and other Places kept for the Purpose of slaughtering Horses*, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Ten Shillings, or be liable to such Punishment as in the said Act is provided.

VIII. And be it further enacted, That every Person so keeping or using any House or Place for the Purpose of slaughtering or killing Horses or other Cattle shall kill and slaughter every such Horse or Cattle within Three Days next after such Horse or other Cattle shall have been purchased by or brought and delivered to him, or any Person in his Service or Employ, for the Purpose of Slaughtering as aforesaid, and shall also in the meantime, and until such Horse or other Cattle shall have been so slaughtered, find and provide such Horse or other Cattle with good and sufficient daily Food and Nourishment, and shall also, at the Time of receiving such Horse or Cattle for the Purpose aforesaid, enter in the Book which by the said Act of the Twenty-sixth of George the Third is required to be kept by such Person for the Purpose in the said Act mentioned, a correct Description of the Colour and Gender of the Horse so purchased by or delivered to him for the Purpose aforesaid, with the Date of receiving the same; and if any such Horse or other Cattle so received for the Purpose of being slaughtered as aforesaid shall be employed in any Manner of Work, or shall not be supplied with good and sufficient Food during the Time he shall survive, every such Person so receiving every such Horse or other Cattle shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings, nor less than Five Shillings for every Day on which such Offence shall be committed or continued.

IX. And, for the more easy and effectual Apprehension of all Offenders against this Act, be it further enacted, That when and so often as any of the said Offences shall happen it shall and may be lawful to or for any Constable or other Peace Officer, or for the Owner of any such Cattle or Animal, upon View thereof, or upon the Information of any other Person (who shall declare his, her, or their Name or Names and Place or Places of Abode to the said Constable or other Peace Officer), to seize and secure by the Authority of this Act, and forthwith and without any other Authority or Warrant to convey any such Offender before any One Justice of the Peace within whose Jurisdiction the Offence shall have been committed, to be dealt with according to Law, and such Justice shall forthwith proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching any such Offence (which Oath the said Justice is hereby authorized and empowered to administer).

X. And be it further enacted, That if any Person who shall be apprehended for having committed any Offence against this Act shall refuse to discover his Name and Place of Abode to the Justice before whom he shall be brought, such Person refusing shall immediately be delivered over to a Constable or other Peace Officer, and shall by him be conveyed to the Common Goal or House of Correction for the City, Town, or County within which the Offence shall have been committed, or in which the Offender shall have been apprehended, there to remain for a Space not exceeding One Calendar Month, or until he shall make known his Name and Place of Abode to the said Justice.

XI. And be it further enacted, That the Prosecution of every Offence punishable under this Act shall be commenced within Three Calendar Months next after the Commission of the Offence, and not otherwise; and the Evidence of the Party complaining shall be admitted in Proof of the Offence, and also the Evidence of any Overseer or Inhabitant of the Parish in which the Offence shall have been

Penalty on Person neglecting to find impounded Cattle.

As to slaughtering Horses, &c.

85 G. 5. n. 71.

Horses to be slaughtered within Three Days after Purchase, and in the meantime to be provided with Food.

Any Constable or Peace Officer, or the Owner of any Cattle, may seize Offenders.

As to Names of Offenders.

Limitation as to recovery Proceedings.

committed, notwithstanding any Forfeiture or Penalty incurred by the Offence may be payable to the Overseers of the Poor of such Parish.

As to Conviction.

XII. And be it further enacted, That in every Case of a Conviction under this Act, where the Sum which shall be awarded for the Amount of the Damage or Injury done, or which shall be imposed as a Penalty by any such Justice as aforesaid for any Offence contrary to this Act, shall not be paid either immediately upon or after the Conviction, or within such Period as such Justice shall at the Time of the Conviction appoint, it shall be lawful for such Justice (unless where otherwise specially directed) to commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, according to the Discretion of such Justice, for any Term not exceeding Fourteen Days, where the Amount of the Sum awarded or the Penalty imposed or both (as the Case may be), together with the Costs, shall not exceed Five Pounds, and for any Term not exceeding Two Calendar Months where the Amount, with Costs, shall exceed Five Pounds: the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Sum or Sums awarded and Costs.

Made of proceeding for Penalties, &c.

XIII. And be it further enacted, That it shall be lawful for any One such Justice as aforesaid, in all Cases in which no other Mode of proceeding is specially provided or directed by this Act, or in any Case where any Person shall not be conveyed before any Justice by the Authority of the Act, upon Information or Complaint made by any Person of any Offence against the Provisions of this Act, within Fourteen Days next after the Commission of any such Offence to summon the Party accused to appear before such Justice, or before any other Justice of the Peace, at a Time and Place to be by him named, and either to the Appearance of the Party accused or in default thereof it shall be lawful for such Justice or any other Justice, at the Time and Place to be appointed for such Appearance, to proceed to examine into the Matter, and upon due Proof made thereof by voluntary Confession of the Party, or by Oath of One or more credible Witnesses or Witnesses, to award, order, give Judgment, or assent for the Damage or Injury, Penalty or Forfeiture, as the Case may be.

Form of Conviction.

XIV. And be it further enacted, That in every Case where there shall be a Conviction for any Offence contrary to this Act the same shall be drawn or made out according to the Form following, or to the Effect thereof, or as near thereto as the Case shall require: (to wit,)

County [or as the Case may be] of \_\_\_\_\_ BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of \_\_\_\_\_ our Lord \_\_\_\_\_ at \_\_\_\_\_ in the County of [or as the Case may be] \_\_\_\_\_ of \_\_\_\_\_ A.D. is convicted before me J.P., one of His Majesty's Justices of the Peace for the said County [or as the Case may be], for that he the said A.B. on the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year \_\_\_\_\_ at \_\_\_\_\_ did [here specify the Offence, and on a Second Conviction state the First,] and I the said J.P. do adjudge the said A.B. for his said Offence to forfeit and pay the Sum of \_\_\_\_\_ [here state the Penalty actually imposed, or the Penalty and also the amount of the Injury done, or as the Case may be,] and also to pay the Sum of \_\_\_\_\_ far \_\_\_\_\_ Cows, and in default of immediate Payment of the said Sums to be imprisoned in the \_\_\_\_\_ [or, in case of a Second or subsequent Conviction, to be there kept to hard Labour] for the Space of \_\_\_\_\_ of \_\_\_\_\_ unless the said Sums shall be sooner paid; and I direct that the said Sum of [the Penalty] shall be paid as follows; that is to say, one Moiety thereof to the Overseers of the Poor of the said Parish of \_\_\_\_\_ to be by them applied according to the Direction of the Statute in that behalf made and provided, and the other Moiety thereof to C.D. of \_\_\_\_\_ [the Prosecutor, or as the Case may be]; and that the said Sum of \_\_\_\_\_ [the Sum for the Amount of the Injury done, or as the Case may be,] shall be paid to E.F. [or the said C.D., as the Case may be]; and I order that the said Sum of \_\_\_\_\_ far \_\_\_\_\_ Cows shall be paid to the said C.D. Given under my Hand and Seal the Day and Year first above mentioned.

Form of Justice's Summons.

XV. And be it further enacted, That any Summons issued by any such Justice requiring the Appearance of any Defendant, against any of the Provisions of this Act, shall be deemed and taken to be well and sufficiently served in case either the Summons or Copy thereof be served personally on such Person as aforesaid, or be left at his usual or last known Place of Abode, in whatever County the same may be so served or left.

Penalty on Constable refusing or neglecting to serve Summons, &c.

XVI. And be it further enacted, That if any Constable or other Peace Officer shall refuse or neglect to serve or execute any such Summons or Warrant granted or issued by any Justice of the Peace pursuant to any of the Provisions of this Act, every such Constable or Peace Officer so offending, and being convicted thereof upon the Information of any Person before any Justice of the Peace, shall forfeit any Sum not exceeding Five Pounds to be awarded by such Justice, and in default of Payment thereof shall be committed by such Justice to the County Gaol or House of Correction of the City, Town, or County in which such Justice has Jurisdiction, there to be kept for the Space of Time not exceeding One Calendar Month, unless such Penalty shall be sooner paid.

Distribution of Penalties, &c.

XVII. And be it further enacted, That all pecuniary Penalties which shall be recovered before any Justice of the Peace under the Provisions of this Act shall respectively be divided, paid, and disbursed in the following Manner; (that is to say,) one Moiety thereof to the Overseers of the Poor of the Parish in which any of the Offences aforesaid shall have been committed, to be by such Overseers applied in and of the Rates of their respective Parishes, and the other Moiety thereof, with full Costs, to the Person who shall inform and prosecute for the same, or to such other Person as to such Justice shall seem fit and proper; and that all and every Sum or Sums of Money which shall or may

be ascertained, determined, adjudged, and ordered by any Justice of the Peace, under the Authority of this Act, to be paid as the Amount of any Damage or Injury occasioned by the Commission of any of the Offences herein-before mentioned, shall be paid to the Person who shall or may have sustained such Damage or Injury according to the Order or Determination, and as the Discretion, of any such Justice.

XVIII. And be it further enacted, That upon the hearing of any Information or Complaint exhibited or made under any of the Provisions of this Act, any Person giving or making such Information or Complaint, or other Person, shall be deemed and is hereby declared to be a complainant Witness, notwithstanding he may be entitled to any Part of the pecuniary Penalty, on the Conviction of any Offender, upon any such Information or Complaint as aforesaid.

XIX. And be it further enacted, That all Actions and Prosecutions which may be brought or commenced against any Person for any thing done in pursuance of or under the Authority of this Act shall be commenced within One Calendar Month next after the Fact committed, and not afterwards, and shall be brought and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of any such Action, and specifying the Cause thereof, shall be given to the Defendant Fourteen clear Days at least before the Commencement of any such Action; and the Defendant in such Action may plead the General Issue, and give this Act and any other Matter or Thing in Evidence at any Trial to be had thereupon; and if the Cause of Action shall appear to arise from or in respect of any Matter or Thing done in pursuance and by the Authority of this Act, or if any such Action shall be brought after the Expiration of One Calendar Month, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if Tender of sufficient Amounts shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; and if a Verdict shall pass for the Defendant, or if the Plaintiff shall become Nonsuit, or shall discontinue any such Action, or if, on Demurrer or otherwise, Judgment shall be given against him, the Defendant shall recover his full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as every Defendant may have for Costs of Suit in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action such Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial shall be had shall certify his Approbation of the Action and of the Verdict obtained thereon.

XX. And be it further enacted, That in case any Person shall consider himself aggrieved by any Adjudication or Conviction made by any Justice of the Peace under the Authority of this Act, such Party shall and may appeal against such Adjudication or Conviction by giving Fourteen Days Notice of such Appeal, and the Cause and Matter thereof, to such Justice, at the next Quarter Sessions to be held next after the Expiration of the said Fourteen Days in or for the Town, City, Riding, County, or Division within which such Adjudication or Conviction shall have been made; and such Court of Quarter Sessions shall hear and determine the said Appeal, and award to the Party appealing against or supporting such Adjudication or Conviction such Costs as in them shall seem reasonable.

XXI. And in order to avoid the Possibility, and to prevent any Misconstruction of the Terms and Expressions used in this Act, be it further enacted, That whenever in this Act, with reference to any Person, Cattle, Animal, Matter, or Thing, any Word or Words in or are used importing the Singular Number or the Masculine or Feminine Gender only, yet such Word or Words shall be understood to include several Persons or Animals as well as One Person or Animal, and Females as well as Males, and several Matters or Things as well as One Matter or Thing, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction; and that where the Word "Cattle" is used alone in this Act the same shall be understood and taken for any Horse, Mule, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mare, Ass, Sheep, or Lamb, or any other Cattle or domestic Animal.

## C A P. LX.

An Act for carrying into effect a Treaty with the King of the French and the King of Sardinia for suppressing the Slave Trade. [26th September 1835.]

WHEREAS a Treaty was, on the Eighth Day of August in the Year of our Lord One thousand eight hundred and thirty-four, with an additional Article thereto on the Eighth Day of December in the same Year, concluded between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Sardinia, and signed at Turin, whereby it was agreed as follows:

ARTICLE I.—His Majesty the King of Sardinia accedes to the Conventions concluded and signed on the Thirtieth of November One thousand eight hundred and thirty-one and on the Twenty-second of March One thousand eight hundred and thirty-three, between His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French, relating to the Suppression of the Slave Trade, as well as to their Annexes, excepting the Reservations and Modifications expressed in the Second, Third, and Fourth Articles hereinafter given, which Articles shall be considered additional to the said Conventions and in their Annexes, and excepting the Differences which necessarily result from the Situation of His Sardinian Majesty as a Party acceding to the Conventions in question after their Conclusion;

His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French having accepted the said Accessions, all the Articles of these Two Conventions, and all the Conditions of their Annexes, shall in consequence be held to have been concluded and signed in the same Manner as the present Convention directly between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Sardinia:

Their said Majesties engage and promise respectively to fulfil faithfully, excepting the Reservations and Modifications hereby stipulated for, all the Clauses, Conditions, and Obligations which result therefrom: and in order to prevent any Uncertainty it has been agreed that the above-mentioned Conventions, as well as their Annexes, shall be inserted here Word for Word, as follows:

Convention between His Majesty and the King of the French for the more effectual Suppression of the Traffic in Slaves, signed at Paris the Thirtieth Day of November One thousand eight hundred and thirty-one.

The Courts of Great Britain and of France, being desirous of rendering more effectual the Means of Suppression which have hitherto been in force against the criminal Traffic known under the Name of the Slave Trade, they have deemed it expedient to negotiate and conclude a Convention for the Attainment of so salutary an Object, and they have to this End named as their Plenipotentiaries: (that is to say,) His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Vincent Gasselle, Peer of Parliament, Member of the Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Ambassador Extraordinary and Plenipotentiary at the Court of France; and His Majesty the King of the French the Lieutenant General Count Benoit Sebastian, Grand Cross of the Order of the Legion of Honour, Member of the Chamber of Deputies of the Departments, and Minister and Secretary of State for the Department of Foreign Affairs: who, after having exchanged their full Powers, have found to be in due Form, have signed the following Articles:

Article I.—The mutual Right of Search may be exercised on board the Vessels of each of the Two Nations, but only within the Waters hereinafter described, to-wit,

1<sup>o</sup>. Along the Western Coast of Africa, from Cape Verde to the Distance of Ten Degrees to the South of the Equator; that is to say, from the Tenth Degree of South Latitude to the Fifteenth Degree of North Latitude, and so far as the Thirtieth Degree of West Longitude, reckoning from the Meridian of Paris.

2<sup>o</sup>. All round the Isle of Madagascar to the Extent of Twenty Leagues from that Island.

3<sup>o</sup>. To the same Distance from the Coasts of the Island of Cule.

4<sup>o</sup>. To the same Distance from the Coasts of the Island of Porto Rico.

5<sup>o</sup>. To the same Distance from the Coasts of Brazil.

It is however understood that a suspected Vessel desisted and begun to be chased by the Cruisers within the said Space of Twenty Leagues, may be searched by them beyond those Limits, if, without having ever lost Sight of her, they should only succeed in coming up with her at a greater Distance from the Coast.

Article II.—The Right of searching Merchant Vessels of either of the Two Nations in the Waters hereinafore mentioned shall be exercised only by Ships of War whose Commanders shall have the Rank of Captain or at least that of Lieutenant in the Navy.

Article III.—The Number of Ships to be invested with this Right shall be fixed each Year by a special Agreement; the Number for each Nation need not be the same, but in no Case shall the Number of the Cruisers of the one Nation be more than Double the Number of the Cruisers of the other.

Article IV.—The Names of the Ships and of their Commanders shall be communicated by each of the contracting Governments to the other, and Information shall be reciprocally given of all Changes which may take place in the Cruisers.

Article V.—Instructions shall be drawn up and agreed upon in common by the Two Governments for the Cruisers of both Nations, which Cruisers shall afford to each other mutual Assistance in all Circumstances in which it may be useful that they should act in concert. The Ships of War authorized to exercise the reciprocal Right of Search shall be furnished with a special Authority from each of the Two Governments.

Article VI.—Whenever a Cruiser shall have chased and overtaken a Merchant Vessel as liable to Suspicion, the Commanding Officer, before he proceeds to the Search, shall exhibit to the Captain of the Merchant Vessel the special Orders which confer upon him by Exception the Right to visit her; and in case he shall ascertain the Ship's Papers to be regular, and her Proceedings lawful, he shall certify upon the Log Book of the Vessel that the Search took place only in virtue of the said Orders, these Formalities having been completed, the Vessel shall be at liberty to continue her Course.

Article VII.—The Vessels captured for being engaged in the Slave Trade, or as being suspected of being fitted out for that infamous Traffic, shall, together with their Crews, be delivered over, without Delay, to the Jurisdiction of the Nation to which they shall belong: It is furthermore distinctly understood, that they shall only be judged according to the Laws in force in their respective Countries.

- \* Article VIII.—In no Case shall the Right of mutual Search be exercised upon the Ships of War of either Nation.
- \* The Two Governments shall agree upon a particular Signal, with which these Cruisers only shall be furnished which are invested with this Right, and which Signal shall not be made known to any other Ship not employed upon this Service.
- \* Article IX.—The High Contracting Parties to the present Treaty agree to invite the other Maritime Powers to accede to it within as short a Period as possible.
- \* Article X.—The present Convention shall be ratified, and the Ratifications of it shall be exchanged within One Month, or sooner, if it be possible.
- \* In Faith of which the Plenipotentiaries have signed the present Convention, and have affixed thereto the Seal of their Arms.
- \* Done at Paris the Thirtieth of November One thousand eight hundred and thirty-one.
- |          |                   |        |
|----------|-------------------|--------|
| (Signed) | Grasselle.        | (L.S.) |
|          | Honor Sebastiani. | (L.S.) |

\* *Supplementary Convention between His Majesty and the King of the French for the more effectual Suppression of the Traffic in Slaves, signed at Paris March Twenty-second One thousand eight hundred and thirty-one*

\* His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French having felt the Necessity of developing some of the Clauses contained in the Convention which was signed between Their Majesties on the Thirtieth of November One thousand eight hundred and thirty-one, relating to the Suppression of the Cruise of Slave Trade, have named as their Plenipotentiaries for this Purpose; (to wit.)

\* His Majesty the King of the United Kingdom of Great Britain and Ireland the Right Honourable Giovanni Visconti Grasselle, Peer at the United Kingdom, Knight Grand Cross of the Most Honourable Order of the Bath, Member of the Privy Council of His Britannic Majesty, and His Ambassador Extraordinary and Plenipotentiary to the Court of France; and His Majesty the King of the French Monsieur Charles Louis Achille Victor Duc de Broglie, Peer of France, Knight of the Royal Order of the Legion of Honour, Minister and Secretary of State for the Department of Foreign Affairs; who, after having exchanged their Powers, which have been found in good and due Form, have agreed on the following Articles:

\* Article I.—Whenever a Merchant Vessel navigating under the Flag of one of the Two Nations shall have been detained by the Cruisers of the other duly authorized to that Effect, conformably to the Provisions of the Convention of the Thirtieth November One thousand eight hundred and thirty-one, such Merchant Vessel, as also her Master, her Crew, her Cargo, and the Slaves who may be on board, shall be carried to such Place as shall have been appointed by the Contracting Parties respectively, in order that Proceedings may be there instituted respecting them agreeably to the Laws of such Country, and they shall be delivered over to the Authorities appointed for that Purpose by the respective Governments.

\* When the Commander of the Cruiser shall not think proper to take upon himself the carrying in and delivering up the detained Vessel he shall not intrust that Duty to an Officer below the Rank of Lieutenant in the Navy.

\* Article II.—The Cruisers of the Two Nations authorized to exercise the Right of Visit and Detention in execution of the Convention of the Thirtieth November One thousand eight hundred and thirty-one, shall, in all that relates to the Forfeitures of the Vessels and of the Detention, as well as to the Measures to be taken for delivering up Vessels suspected of being engaged in the Slave Trade to the respective Jurisdictions, conform strictly to the Instructions annexed to the present Convention, and which shall be considered as an integral Part thereof.

\* The Two High Contracting Parties reserve to themselves the Power of making in these Instructions, by common Consent, any Modifications which Circumstances might render necessary.

\* Article III.—It is clearly understood that if the Commander of a Cruiser of one of the Two Nations should have Reason to suspect that a Merchant Vessel navigating under Colour of or in company with a Vessel of War of the other Nation has engaged in the Slave Trade, or has been fitted out for the said Trade, he is to make known his Suspicions to the Commander of the Corvay or Vessel of War, who shall proceed alone to visit the suspected Vessel; and in case the latter Commander should find that the Suspicion is well founded he shall cause the Vessel to be taken, together with her Master, her Crew, and the Cargo, and the Slaves who may be on board, into a Port of his own Nation, in order that Proceedings may be instituted with regard to them, agreeably to the respective Laws.

\* Article IV.—As soon as any Merchant Vessel detained and sent before the Tribunals aforesaid shall arrive at one of the Ports respectively pointed out, the Commander of the Cruiser which shall have detained her, or the Officer appointed to bring her in, shall deliver to the Authorities appointed for that Purpose One Copy, signed by him, of all the Lists, Declarations, and other Documents specified in the Instructions annexed to the present Convention, and the said Authorities shall in consequence proceed to a Survey of the detained Vessel and her

- \* Cargo, and to an Inspection of her Crew, and of the Slaves who may be on board, after having previously given Notice of the Time of such Survey and Inspection to the Commander of the Vessel, or to the Officer who shall have brought in the Vessel, in order that he, or some Person in his Behalf, may be present thereat.
- \* A Declaration (Provis verbal) of these Proceedings shall be drawn up in Duplicate, signed by the Person who shall have acted thereat or been present at the same, and one of the said Declarations shall be delivered to the Commander of the Cruiser, or to the Officer who shall have been appointed to bring in the detained Vessel.
- \* Article V.—The Vessels detained as before mentioned, their Masters, Crews, and Cargoes, shall be forthwith proceeded against before the proper Tribunals in the respective Countries according to the established Forms; and if in consequence of such Proceedings the said Vessels shall be found to have been employed in the Slave Trade, or to have been fitted out for the Purposes thereof, the Master, the Crew, and the Accomplish, as well as the Ship and Cargo, shall be dealt with conformably to the respective Laws of the Two Countries.
- \* In case the said Vessels shall be confiscated a Portion of Proceeds arising from their Sale shall be paid into the Hands of the Government to which the Captor belongs, to be distributed among the Officers and Crew of the capturing Ship. This Portion shall be forty-Fives per Centum of the Net Produce of the Sale, as long as such a Distribution of the Proceeds is consistent with the respective Laws of the Two Countries.
- \* Article VI.—Any Merchant Vessel of either of the Two Nations visited and detained in pursuance of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, and of the Provisions herein before recited, shall, unless Proof be given to the contrary, be held and taken of Right to have engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, if any of the Particulars hereinafter specified shall be found in her Outfit or Equipments, or on board of her; *viz*—
- \* 1°. Having her Hatches fitted with open Gratings, instead of being close Hatches as usual in Merchant Vessels.
  - \* 2°. Having more Divisions or Bulk-heads in the Hold or on Deck than necessary for Trading Vessels.
  - \* 3°. Having on board spare Planks, either actually fitted in that Shape, or fit for readily laying a Second or moveable Deck or Slave Deck.
  - \* 4°. Having on board Shackles, Belts, or Handcuffs.
  - \* 5°. Having on board a Supply of Water more than sufficient for the Consumption of her Crew as a Merchant Vessel.
  - \* 6°. Having on board an unreasonable Number of Water-casks or other Vessels for holding Water, unless the Master shall produce a Certificate from the Custom House from the Place at which he cleared outwards stating that a sufficient Security had been given by the Owners of such Vessel that such Casks or other Vessels should only be used for the Reception of Palm Oil, or be employed in any other lawful Trade.
  - \* 7°. Having on board a greater Quantity of Men-tubs or Kals than requisite for the Use of her Crew as a Merchant Vessel.
  - \* 8°. Having on board Two or more Copper Boilers, or even One evidently larger than requisite for the Use of her Crew as a Merchant Vessel.
  - \* 9°. Having on board a Quantity of Rice or Potatoes, Flour of the Manioc of Brazil or Cassava, or Maize, or Indian Corn, beyond any probable requisite Provisions for the Use of her Crew, and such Rice, Flour, Maize or Indian Corn not being entered on the Manifest as Part of the Cargo for Trade.
- \* Article VII.—No Compensation shall in any Case be granted either to the Master or to the Owner or to any other Person interested in the Equipments or Lading of a Merchant Vessel in which any of the Particulars specified in the preceding Article shall be found, even if the Tribunals should not pronounce any Confirmation in consequence of her Detention.
- \* Article VIII.—When a Merchant Vessel of either of the Two Nations shall have been visited and detained illegally, or without sufficient Cause of Suspicion, or when the Visit and Detention shall have been attended with any Abuse or vexatious Acts, the Commander of the Cruiser, or the Officer who shall have boarded the said Vessel, or the Officer who shall have been appointed to bring her in, as the Case may be, shall be liable to Costs and Damages to the Master and to the Owners of the Vessel and Cargo.
- \* These Costs and Damages may be awarded by the Tribunal before which the Proceedings against the detained Vessel, her Master, Crew, and Cargo, shall have been instituted; and the Government of the Country to which the Officer who gave Occasion for such Award shall belong shall pay the Amount of the said Costs and Damages within the Period of One Year from the Date of the Award.
- \* Article IX.—If in the Visit or Detention of a Merchant Vessel, made in virtue of the Provisions of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, or of the present Convention, any Abuse or Vexation shall have been committed, but this Vessel shall not have been delivered over to the Jurisdiction of her own Nation, the Master of the Vessel shall make a Declaration on Oath of the Abuses or Vexations of which he has to

complain,

\* explain, and of the Costs and Damages to which he lays claim, before the competent Authority in the first Part of his own Country at which he may arrive, or before the Consular Agent of his Nation if the Vessel proceeds to a Foreign Port where there is such an Agent. This Declaration shall be confirmed by an Examination under Oath of the principal Persons of the Crew or Passengers who have witnessed the Visit or Detention; and One formal Declaration (Proceed verbal) of the whole shall be drawn up, and Two Copies thereof delivered to the Master, who shall forward One of them to his own Government in support of his Claim for Costs and Damages. It is understood, that if any conspiratory Circumstances should prevent the Master from making his Declaration it may be made by the Owner, or by any other Person interested in the Vessel or in her Cargo.

\* Do the official Transmission of One Copy of the former Declaration (Proceed verbal) above mentioned through the Channel of the respective Embassies the Government of the Country to which the Officer charged with Abuses or Violences shall belong shall forthwith institute an Inquiry into the Matter, and of the Validity of the Complaint be admitted the said Government shall cause to be paid to the Master or Owner, or to any other Person interested in the Vessel which has been molested, or in her Cargo, the Amount of Costs and Damages which may be due to them.

\* Article X.—The Two Governments engage reciprocally to communicate each to the other, free of Expence, and upon Application being made, Copies of all the Proceedings instituted and Judgments given relative to Vessels visited or detained in execution of the Provisions of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one and of the present Convention.

\* Article XI.—The Two Governments agree to ensure the immediate Freedom of all Slaves who shall be found on board Vessels visited and detained in virtue of the Stipulations of the principal Convention hereto-before referred to, or of the present Convention, whenever the Offence of trafficking in Slaves shall have been established by the Sentence of the respective Tribunals. They reserve to themselves, however, for the Welfare of the Slaves themselves, the Right to employ them as Servants or free Labourers, conformably to their respective Laws.

\* Article XII.—It is hereby agreed between the Two High Contracting Parties, that in all Cases in which a Vessel, under the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, or under the Supplementary Convention, shall be detained by their respective Cruisers as having been engaged in the Slave Trade, or fitted out for the Purpose thereof, and shall be placed at the Disposal of either Government for the Purpose of being sold, in consequence of a Sentence of Confiscation pronounced by a competent Tribunal, the said Vessel shall be broken up, in whole or in part, before the Sale, whenever its peculiar Construction or Build shall give Reason to fear that it may be again employed in the Slave Trade or any other illicit Traffic.

\* Article XIII.—The present Convention shall be ratified, and the Ratifications shall be exchanged at Paris, within the Space of One Month, or sooner, if possible.

\* In witness whereof the above-named Plenipotentiaries have signed in Duplicate the present Convention, and have affixed thereto the Seal of their Arms.

\* Done at Paris the Twenty-second of March One thousand eight hundred and thirty-three.

(Signed) *Greenhill.* (L.S.)  
*F. Broglio.* (L.S.)

*\* Instructions to Cruisers.*

\* 1°. Whenever a Merchant Vessel of either of the Two Nations shall be visited by a Cruiser of the other, the Officer commanding the Cruiser shall exhibit to the Master of such Vessel the special Orders which confer upon him the exceptional Right of Visit, and shall deliver to him a Certificate, signed by him, specifying his Rank in the Navy of his Country, with the Name of the Ship which he commands, and declaring that the only Object of such Visit is to ascertain whether the Vessel is engaged in the Slave Trade, or is fitted out for the Purpose of such Traffic. When the Visit is made by another Officer of the Cruiser than her Commander this Officer shall set by under the Rank of Lieutenant in the Navy, and in this Case such Officer shall exhibit to the Master of the Merchant Vessel a Copy of the special Orders above mentioned, signed by the Commander of the Cruiser, and shall likewise deliver to him a Certificate, signed by him, specifying the Rank which he holds in the Navy, the Name of the Commander under whose Orders he is acting, and of the Cruiser to which he belongs, and the Object of his Visit, as hereto-before recited. If it shall be ascertained by the Visit that the Ship's Papers are regular, and her Proceedings lawful, the Officer shall certify upon the Log Book of the Vessel that the Visit took place only in virtue of the special Orders above mentioned, and the Vessel shall be permitted to continue her Course.

\* 2°. If in consequence of the Visit the Officer commanding the Cruiser shall be of opinion that there are sufficient Grounds for believing that the Vessel is engaged in the Slave Trade, or has been fitted out for that Traffic, and if he shall in consequence determine to detain her, and to have her delivered up to the respective Jurisdiction, he shall forthwith cease a Log to



to be made out in Duplicate of all the Papers found on board, and he shall sign this List and the Duplicate, adding to his Name his Rank in the Navy, and the Name of the Vessel under his Command. He shall in like Manner make out and sign in Duplicate a Declaration stating the Place and Time of the Detention, the Name of the Vessel, that of her Master, and those of the Persons composing her Crew, and also the Number and Condition of the Slaves found on board. This Declaration shall further contain an exact Description of the State of the Vessel and her Cargo.

5. The Commander of the Cruiser shall without Delay carry or send the detained Vessel, with her Master, Crew, Cargo, and the Slaves found on board, to one of the Ports herein-after specified, in order that Proceedings may be instituted in regard to them conformably to the respective Laws of each Country, and he shall deliver the same to the competent Authorities, or to the Persons who shall have been specially appointed for that Purpose by the respective Governments.

6. No Person whatever shall be taken out of the detained Vessel, nor shall any Part of her Cargo, nor of the Slaves found on board, be removed from her, until after such Vessel shall have been delivered over to the Authorities of her own Nation, excepting only when the Removal of the Whole or of Part of the Crew, or of the Slaves found on board, shall be deemed necessary, either for the Preservation of their Lives, or from any other Consideration of Humanity, or for the Safety of the Persons who shall be charged with the Navigation of the Vessel after her Detention. In this Case the Commander of the Cruiser or the Officer appointed to bring in the detained Vessel shall make a Declaration of such Removal, in which he shall specify the Reasons for the same; and the Masters, Sailors, Passengers, or Slaves so removed shall be carried to the same Port as the Vessel and her Cargo, and they shall be received in the same Manner as the Vessel, agreeably to the Regulations herein-after set forth.

7. All such French Vessels as shall be detained by the Cruisers of His Britannic Majesty as the African Station shall be carried and delivered up to the French Jurisdiction at Goree.

8. All such French Vessels as shall be detained by the British Squadrons on the West India Station shall be carried and delivered up to the French Jurisdiction at Martinique.

9. All such French Vessels as shall be detained by the British Squadrons on the Madagascar Station shall be carried and delivered up to the French Jurisdiction at the Isle of Bourbon.

10. All such French Vessels as shall be detained by the British Squadrons on the Bourbonnais Station shall be carried and delivered up to the French Jurisdiction at Cayenne.

11. All such British Vessels as shall be detained by the Cruisers of His Majesty the King of the French on the African Station shall be carried and delivered up to the Jurisdiction of His Britannic Majesty at Bokolet on the River Gambia.

12. All such British Vessels as shall be detained by the French Squadrons on the West India Station shall be carried and delivered up to the British Jurisdiction at Port Royal in Jamaica.

13. All such British Vessels as shall be detained by the French Squadrons on the Madagascar Station shall be carried and delivered up to the British Jurisdiction at the Cape of Good Hope.

14. All such British Vessels as shall be detained by the French Squadrons on the Bourbonnais Station shall be carried and delivered up to the British Jurisdiction at the Colony of Demerara.

15. As soon as a Merchant Vessel which shall have been detained as aforesaid shall arrive at one of the Ports or Places above mentioned, the Commander of the Cruiser, or the Officer appointed to bring in the detained Vessel, shall forthwith deliver to the Authorities duly appointed for that Purpose by the respective Governments the Vessel and her Cargo, together with the Master, Crew, Passengers, and Slaves found on board, as also the Papers which shall have been seized on board the Vessel, and one of the Lists made out in Duplicate of the said Papers, the other remaining in his Possession. Such Officer shall at the same Time deliver to the said Authorities One of the Declarations made out in Duplicate, as herein-before specified, adding thereto a Statement of any Changes which may have taken place from the Time of Detention to that of the Delivery, as well as a Copy of the Declaration of any Removals which may have taken place, as above provided for. In delivering over these several Documents the Officer will make Attestation of their Truth on Oath and in Writing.

16. If the Commander of a Cruiser of either of the High Contracting Parties who shall be duly furnished with the aforesaid special Instructions shall have Reason to suspect that a Merchant Vessel sailing under Colour or in company with a Ship of War of the other Party is engaged in the Slave Trade, or has been fitted out for the Purpose of that Trade, he shall enforce himself in the communicating his Suspicions to the Commander of the Country or of the Ship of War, and he shall leave it to the latter to proceed alone to a Visit of the suspected Vessel, and to deliver her up, if the Case require it, to the Jurisdiction of her own Country.

17. The Cruisers of the Two Nations shall conform strictly to the Tenor of these Instructions, which are to be considered as a Development of the Contents of the principal Convention of the Thirtieth Day of November One thousand eight hundred and thirty-one, as well as of the Convention to which they are annexed.

18. The undersigned Plenipotentiaries have agreed, in conformity with the Second Article of the Convention signed by them on this Day, the Twenty-second Day of March One thousand eight

hundred

\* hundred and thirty-three, that the preceding Instructions shall be annexed to the said Convention and considered as an integral Part thereof.

\* Paris the Twenty-second Day of *March* One thousand eight hundred and thirty-three.

(Signed) *Grassillie* (L. S.)  
\* *V. Broglie* (L. S.)

\* ARTICLE II.—It is agreed, with reference to Article Three of the Convention of the Thirtieth Day of *November* One thousand eight hundred and thirty-one, herein above transcribed, that His Majesty the King of *Sardinia* shall fix according to his Convenience the Number of *Sardinian* Cruisers which shall be employed on the Service mentioned in the said Article, and the Stations on which they shall cruise.

\* ARTICLE III.—The Government of His Majesty the King of *Sardinia* shall make known to the Governments of *Great Britain* and of *France*, conformably to Article Four of the Convention of the Thirtieth Day of *November* One thousand eight hundred and thirty-one, the *Sardinian* Ships of War which are to be employed in the Suppression of the Trade, in order that the necessary Warrants for their Commanders may be delivered, the Warrants which are to be delivered by *Sardinia* shall be issued after Notification of the Number of *British* and *French* Cruisers intended to be employed shall have been made in the *Sardinian* Government.

\* ARTICLE IV.—It is agreed, with reference to the Fifth Article of the Instructions annexed to the Supplementary Convention of *March* the Twenty-second One thousand eight hundred and thirty-three, that all *Sardinian* Vessels or Yachts leaving the *Sardinian* Flag which may be detained, in execution of the Convention herein above transcribed, by the Cruisers of His Majesty the King of the United Kingdom of *Great Britain* and *Ireland* or of His Majesty the King of the *French*, employed on the Stations of *America*, of *Africa*, and of *Malabar*, shall be carried in and delivered at the Port of *Genoa*.

\* ARTICLE V.—The present Treaty shall be ratified, and the Ratifications shall be exchanged at *Torin* in the Space of Three Months or sooner if possible.

\* Done at *Paris* the Eighth of *August* One thousand eight hundred and thirty-four.

(Signed) *Ang. J. Foster*. (L. S.)  
\* *Barnes* (L. S.)  
\* *De la Faye*. (L. S.)

\* Additional Article.

\* Whereas by the Fourth Article of the Treaty signed at *Torin* on the Eighth Day of *August* One thousand eight hundred and thirty-four, whereby the King of *Sardinia* accedes to the Two Conventions concluded between their Majesties the King of the United Kingdom of *Great Britain* and *Ireland* and the King of the *French* on the Thirtieth Day of *November* One thousand eight hundred and thirty-one and on the Twenty-second Day of *March* One thousand eight hundred and thirty-three, it is stipulated, that all Vessels under the Flag of *Sardinia*, which in pursuance of the before-mentioned Treaty and Conventions may be detained by the Cruisers either of His Majesty the King of the United Kingdom of *Great Britain* and *Ireland* or of His Majesty the King of the *French* stationed on the Coasts of *America*, *Africa*, or *Malabar*, shall be carried or sent to *Genoa*. And whereas the landing of *Negroes* from such Ships at *Genoa* may be productive of great Inconvenience, the undersigned Plenipotentiaries of the Three Powers, Parties to the aforesaid Treaty of Accession, being hereunto authorized and instructed by their respective Sovereigns, have agreed to the following additional Article to the before-mentioned Treaty:

\* ARTICLE.—*Negroes* who shall be found on board Vessels under the Flag of *Sardinia* which may be so detained, and which according to the Provisions of the said Treaty, are to be sent to *Genoa*, shall be landed at some Port nearer than *Genoa* to the Place where such *Slave* Vessel may be found, (that is to say)

\* 1°. That if such *Sardinian* Vessel shall be detained by an *English* Cruiser, the *Negroes* found on board such Vessel shall be landed at that Port or Place to which an *English* *Slave* Vessel found and detained under similar Circumstances, and at the same Place, by a *French* Cruiser, would under the aforesaid Conventions with *France* be sent or taken.

\* 2°. If such *Sardinian* Vessel shall be detained by a *French* Cruiser, the *Negroes* found on board such Vessel shall be landed at that Port or Place to which a *French* *Slave* Vessel, found and detained under similar Circumstances, and at the same Place, by an *English* Cruiser, would under the aforesaid Conventions with *France* be sent or taken.

\* 3°. If such *Sardinian* Vessel shall be detained by a *Sardinian* Cruiser, the *Negroes* found on board shall be landed at the nearest of those Ports or Places, *English* or *French*, to which under the aforesaid Conventions with *France* the Vessel having such *Slaves* on board would have been taken or sent if such Vessel had been either *English* or *French*, instead of being *Sardinian*, and if she had been detained by an *English* or by a *French* Cruiser.

\* The present Additional Article shall have the same Force and Effect as if it had been inserted Word for Word in the before-mentioned Treaty of Accession signed at *Torin* on the Eighth Day of *August* last.

It shall be ratified by each of the High Contracting Parties, and the Ratifications shall be exchanged at Paris within the Space of Six Months.

Done at Paris this Eighth Day of December One thousand eight hundred and thirty-four.

(Signed) *Henry Edward Fox.* (L. S.)  
*Bornius.* (L. S.)  
*De la Force.* (L. S.)

And whereas the said Treaty and the said Additional Article were ratified by and between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Sardinia respectively, and such Ratifications were exchanged, ratihet, of the Treaty, on the Eighth Day of December in the Year of our Lord One thousand eight hundred and thirty-four, and of the said Additional Article, on the Thirty-first Day of January One thousand eight hundred and thirty-five: And whereas it is expedient and necessary that effectual Provisions should be made for carrying into execution the Provisions of the said Treaty and of the said Additional Article: he is therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of His Majesty or of the King of Sardinia who shall have such Rank as by the Second Article of the said Convention of the Thirtieth Day of November One thousand eight hundred and thirty-one is agreed, and who shall be duly instructed and authorized and furnished according to the several Provisions of the said Two Conventions, and within the Waters described and according to the Provisions and Exceptions contained in the First Article of the said Convention of the Thirtieth Day of November One thousand eight hundred and thirty-one, to exercise the Right of visiting and searching any Merchant Vessel of either of the said Two Nations of Great Britain and Sardinia liable to Seizure and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purpose of such Trade, according to the several Provisions and Instructions of the said Two Conventions, except as in the said Third Article of the said Supplementary Convention is excepted; and it shall further be lawful for such Officer under such Circumstances, and upon sufficient Grounds, to exercise the Right of detaining and of sending or of carrying in and delivering over such Vessel, together with its Master, Sailors, Passengers, Slaves, and Cargo, to the Authorities appointed by the respective Governments of Great Britain, France, and Sardinia, for the Purposes of the said Treaty of the Eighth Day of August One thousand eight hundred and thirty-four, and the Additional Article thereto by the respective Governments of Great Britain, France, and Sardinia, and to One of the Jurisdictions in the said Instructions mentioned, in the same manner and modified by the said Treaty, in order that Proceedings may be instituted conformably to the respective Laws of the said Two Countries of Great Britain and Sardinia; and all such Commissioners of His Majesty's Ships are hereby authorized and required, in the Exercise of such Right of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, to execute and comply with the said several Provisions and Instructions of the said Two Conventions as apply thereto respectively, and as the same are altered and modified by the said Treaty of the Eighth Day of August One thousand eight hundred and thirty-four, and the Additional Article thereto.

II. And be it further enacted, That where any such Officer of His Majesty the King of the United Kingdom of Great Britain and Ireland or of His Majesty the King of Sardinia shall send, carry, or deliver over as aforesaid any such Merchant Vessel, wholly or in part owned by any Subject or Subjects of His Majesty the King of the United Kingdom of Great Britain and Ireland or of His Majesty the King of Sardinia respectively, and all every Proceedings instituted in the Tribunals hereinafter mentioned, in regard to such Merchant Vessel, and its Crew, Cargo, and Slaves, and in respect to the Cause, shall be conducted in the Name of His said Majesty the King of the United Kingdom of Great Britain and Ireland, by some Person duly thereto authorized; (that is to say,) all Ships, Cargoes, and Slaves which shall be so detained by the Cruisers of His Majesty the King of the United Kingdom of Great Britain and Ireland or of His Majesty the King of Sardinia, and delivered up to the Jurisdiction of His Majesty in Barbant on the River Gambia, shall be proceeded against and adjudicated in the Vice Admiralty Court of Sierra Leone; and all other Ships, Cargoes, and Slaves which may in like Manner be detained by the Cruisers of His Majesty the King of the United Kingdom of Great Britain and Ireland or of His Majesty the King of Sardinia, and delivered up to the Jurisdiction of His Majesty, either at Jamaica, the Cape of Good Hope, or Demerara, shall be proceeded against and adjudicated in the Vice Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly.

III. And be it further enacted and declared, That if any of the Particulars specified in the Sixth Article of the said Convention of the Twenty-second Day of March One thousand eight hundred and thirty-three shall be found in the Outfit or Equipment of or on board of any such Merchant Vessel, wholly or in part owned as last aforesaid, and visited and detained in pursuance of the said Treaty, such Vessel shall, unless Proof be given to the contrary, be held and taken to have engaged in the Slave Trade, or to have been fitted out for the Purpose of such Trade, and to be equipped and employed for the Purpose declared lawful by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King George the Fourth, intitled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade.*

Any Officer commanding a Ship of War of His Majesty, or of the King of Sardinia, must be duly instructed and authorized and furnished according to the several Provisions of the said Two Conventions, and within the Waters described and according to the Provisions and Exceptions contained in the First Article of the said Convention of the Thirtieth Day of November One thousand eight hundred and thirty-one, to exercise the Right of visiting and searching any Merchant Vessel of either of the said Two Nations of Great Britain and Sardinia liable to Seizure and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purpose of such Trade, according to the several Provisions and Instructions of the said Two Conventions, except as in the said Third Article of the said Supplementary Convention is excepted; and it shall further be lawful for such Officer under such Circumstances, and upon sufficient Grounds, to exercise the Right of detaining and of sending or of carrying in and delivering over such Vessel, together with its Master, Sailors, Passengers, Slaves, and Cargo, to the Authorities appointed by the respective Governments of Great Britain, France, and Sardinia, for the Purposes of the said Treaty of the Eighth Day of August One thousand eight hundred and thirty-four, and the Additional Article thereto by the respective Governments of Great Britain, France, and Sardinia, and to One of the Jurisdictions in the said Instructions mentioned, in the same manner and modified by the said Treaty, in order that Proceedings may be instituted conformably to the respective Laws of the said Two Countries of Great Britain and Sardinia; and all such Commissioners of His Majesty's Ships are hereby authorized and required, in the Exercise of such Right of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, to execute and comply with the said several Provisions and Instructions of the said Two Conventions as apply thereto respectively, and as the same are altered and modified by the said Treaty of the Eighth Day of August One thousand eight hundred and thirty-four, and the Additional Article thereto.

Any Proceedings instituted against any such Merchant Vessel, wholly or in part owned by any Subject or Subjects of His Majesty the King of the United Kingdom of Great Britain and Ireland, shall be conducted in the Name of His said Majesty the King of the United Kingdom of Great Britain and Ireland, by some Person duly thereto authorized; (that is to say,) all Ships, Cargoes, and Slaves which shall be so detained by the Cruisers of His Majesty the King of the United Kingdom of Great Britain and Ireland or of His Majesty the King of Sardinia, and delivered up to the Jurisdiction of His Majesty, either at Jamaica, the Cape of Good Hope, or Demerara, shall be proceeded against and adjudicated in the Vice Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly.

If any of the Particulars specified in the Sixth Article are found on board a captured Vessel, such Vessel shall, unless Proof be given to the contrary, be held and taken to have engaged in the Slave Trade.

J. G. & S. 113.

IV. And be it further enacted, That in case any such Merchant Vessel, wholly or in part owned as aforesaid, shall be brought in by any Officer of His Majesty the King of *Sardinia* duly authorized, and shall be confiscated according to the Laws of this Country, and the Provisions of the said Two Conventions (as the same are altered and modified by the said Treaty), and of the said Act of Parliament passed in the Fifth Year of the Reign of His Majesty King George the Fourth, it shall be lawful for His Majesty the King of the United Kingdom of Great Britain and Ireland to direct that a Portion of the Proceeds arising from the Sale thereof shall be paid into the Hands of the Government of His Majesty the King of *Sardinia* according to the Provisions of the Fifth Article of the said Convention of the Twenty-second Day of March One thousand eight hundred and thirty three; and any Portion of the Proceeds arising from the Sale of any Ship agreed to be paid into the Hands of the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, according to the Provisions of the said Fifth Article, or Cargo, shall be paid to such Person or Persons as the Commissioners of His Majesty's Treasury may direct or appoint to receive the same, and for the Use of the Captors, according to the Provisions of the said Fifth Article; and the same, after deducting all necessary Expenses, shall be distributed to and amongst the Officers and Crew of the capturing Ship, in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessel.

V. And be it further enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to the Commanders, Officers, and Crews of His Majesty's Ships authorized to make Seizures under the said Treaty of the Eighth Day of August One thousand eight hundred and thirty-four, a Bounty of Five Pounds of lawful Money of Great Britain for every Slave, whether Man, Woman, or Child, seized and found on board a British or *Sardinian* Ship or Vessel taken, delivered over, and condemned in pursuance of the Provisions of the said Treaty and of this Act; such Bounty to be issued and paid by Order from the said Commissioners of His Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportion as His Majesty, His Heirs and Successors, shall think fit to order and direct by any Order in Council or by any Proclamation to be made for that Purpose.

VI. Provided always, and be it further enacted, That in order to entitle the Captors to receive the said Bounty Money the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of His Majesty's Treasury by producing a Copy duly certified of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

VII. And be it further enacted, That where any Slaves, or Persons treated, dealt with, carried, kept, or detained as Slaves, shall be taken or seized on board any British or *Sardinian* Ship or Vessel, in pursuance of the Provisions of the said Treaty and of this Act, but shall not have been condemned, or shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall and may be lawful for the said Commissioners of His Majesty's Treasury, if to their Direction it shall seem meet, by Warrant signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of One Month of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over and condemned.

VIII. Provided also, and be it further enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or any Share of the Proceeds of any *Sardinian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, shall and may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf, and it shall and may be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of just Capture which may arise on any Seizure made in pursuance of this Act, and to enforce any Decree or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

IX. And be it further enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Percentage due thereon to *Graciosa Hospital*, shall be and are extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of His Majesty's Ships or Vessels of War.

X. And be it further enacted, That where any illegal Visit and Detention, or any Visit or Detention without sufficient Cause of Suspicion, or any Abuse or Vexation, shall have taken place, and shall have been made by any Officer of His Majesty the King of Great Britain and Ireland, as is mentioned in the Eighth and Ninth Articles of the said Convention of the Twenty-second Day of March One thousand eight hundred and thirty three, it shall be lawful for the Commissioners of His Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of any Costs and Damages which may be duly awarded according to the Provisions of the said Two last-mentioned Articles: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon so to do by Order of the said Commissioners of His Majesty's Treasury.

XI. And be it further enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of His Majesty's Ships authorized to make Seizures under the aforesaid Treaty,

A Portion of the Proceeds arising from the Sale of three Vessels captured by a *Sardinian* Officer to be paid to the King of *Sardinia*.

Bounty of 5*l.* to be paid to Commanders and Crews for every Slave found on board a captured Vessel of either Nation.

Bounty to be paid in Provision of Certificate of Officers, &c.

Where Slaves are seized but not condemned, Lords of the Treasury empowered to grant a Month of the Bounty

Persons claiming Benefit of Bounty may resort to High Court of Admiralty for Judgment thereon.

Regulations pertaining to the Distribution of Prize Money.

Where Damages are to be paid by the King, Detention of a Vessel, the Treasury may make Compensation.

Where Judgment is given against the

Before the Treaty is duly executed by him or her.

Defendant may plead the General Issue, and give this Act in Evidence.

and when Judgment shall be given against the Seisor, or when such Seizure shall be relinquished by him it shall be lawful for the said Commissioners of His Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of such Costs and Expenses as the Seisor may have incurred in respect of such Seizure, or any proportionate Part thereof.

XII. And be it further enacted, That if any Action or Suit shall be commenced, either in Great Britain or elsewhere, against any Person or Persons, for any thing done in pursuance of the said Treaty, or in pursuance of this Act in so far as it relates to the said Treaty, the Defendant or Defendants in such Action or Suit may plead the General Issue and give this Act and the special Matter in Evidence as any Trial to be had thereupon, and may plead that the same was done in pursuance and by the Authority of the said Treaty or of this Act; and if it shall appear as to have been done, the Jury shall find for the Defendant or Defendants, and if the Plaintiff shall be non-suited, or shall discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and shall have the Licit Remedy for the same as Defendants have in other Cases by Law.

C A P. LXI.

An Act for carrying into effect the Treaty with the King of the French and the King of Denmark for suppressing the Slave Trade. [9th September 1835.]

WHEREAS a Treaty was on the Twenty-sixth Day of July in the Year of our Lord One thousand eight hundred and thirty-four concluded between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Denmark, and signed at Copenhagen, whereby it was agreed as follows:

ARTICLE I.—His Majesty the King of Denmark accedes to the Conventions concluded and signed on the Thirtieth of November One thousand eight hundred and thirty-one and the Twenty-second of March One thousand eight hundred and thirty three, between His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French, relating to the Suppression of the Slave Trade, as well as to their Annex, excepting the Reservations and Modifications expressed in the Second, Third, and Fourth Articles hereinafter given, which Articles shall be considered additional to the said Conventions and to their Annex, excepting the Differences which necessarily result from the Signature of His Danish Majesty as a Party acceding to these Treaties after their Conclusion:

His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French accept the said Accession; all the Articles of these Two Conventions, and all the Conditions of their Annex, shall in consequence be held to have been agreed upon, concluded, and signed directly between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Denmark:

That the said Majesties engage and promise reciprocally to each other to fulfil faithfully all the Clauses, Conditions, and Obligations thereof, excepting the Reservations and Modifications herein stipulated for; and in order to prevent any Uncertainty it has been agreed that the said Conventions, and the Annex containing the Instruction to Cruisers, shall be inserted here Ward for Ward, as follows:

Convention between His Majesty and the King of the French for the more effectual Suppression of the Traffic in Slaves, signed at Paris the Thirtieth Day of November One thousand eight hundred and thirty-one.

The Courts of Great Britain and France, being desirous of rendering more effectual the Means of Suppression which have hitherto been in force against the criminal Traffic known under the Name of the Slave Trade, they have decided it expedient to negotiate and conclude a Convention for the Attainment of so salutary an Object, and they have to that End named as their Plenipotentiaries: (that is to say,) His Majesty the King of the United Kingdom of Great Britain and Ireland the Right Honourable Viscount Grenville, Peer of Parliament, Member of the Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Ambassador Extraordinary and Plenipotentiary at the Court of France; and His Majesty the King of the French the Lieutenant General Count Horace Sebastiani, Grand Cross of the Order of the Legion of Honour, Member of the Chamber of Deputies of the Departments, and Minister and Secretary of State for the Department of Foreign Affairs; who, after having exchanged their full Powers, found to be in due form, have signed the following Articles:

ARTICLE I.—The mutual Right of Search may be exercised on board the Vessels of each of the Two Nations, but only within the Waters herein after described, namely,

1°. Along the Western Coast of Africa, from Cape Ford to the Discharge of Ten Degrees to the South of the Equator; that is to say, from the Tenth Degree of South Latitude to the Fifteenth Degree of North Longitude, and as far as the Thirtieth Degree of West Longitude, reckoning from the Meridian of Paris.

2°. All round the Island of Madagascar to the Extent of Twenty Leagues from that Island.

- 3<sup>o</sup>. To the same Distance from the Coasts of the Island of Cuba.
- 4<sup>o</sup>. To the same Distance from the Coasts of the Island of Porto Rico.
- 5<sup>o</sup>. To the same Distance from the Coasts of Brazil.
- It is however understood, that a suspected Vessel desisted and begun to be chased by the Cruisers whilst within the said Space of Twenty Leagues may be searched by them beyond those Limits, if, without having ever lost Sight of her, they should only succeed in coming up with her at a greater Distance from the Coast.
- Article II.—The Right of searching Merchant Vessels of either of the Two Nations in the Waters herein-before mentioned shall be exercised only by Ships of War whose Commanders shall have the Rank of Captain or at least that of Lieutenant in the Navy.
- Article III.—The Number of Ships to be invested with this Right shall be fixed each Year by a special Agreement; the Number of each Nation need not be the same, but in no Case shall the Number of the Cruisers of the one Nation be more than Double the Number of the Cruisers of the other.
- Article IV.—The Names of the Ships and of their Commanders shall be communicated by each of the contracting Governments to the other, and Information shall be reciprocally given of all Changes which may take place in the Cruisers.
- Article V.—Instructions shall be drawn up and agreed upon in common by the Two Governments for the Cruisers of both Nations, which Cruisers shall afford to each other mutual Assistance in all Circumstances in which it may be useful that they should act in concert. The Ships of War authorized to exercise the reciprocal Right of Search shall be furnished with a special Authority from each of the Two Governments.
- Article VI.—Whenever a Cruiser shall have chased and overtaken a Merchant Vessel as liable to Suspicion, the Commanding Officer, before he proceeds to the Search, shall exhibit to the Captain of the Merchant Vessel the special Orders which confer upon her, by Exception to the Right to visit her, and in case he shall ascertain the Ship's Papers to be regular, and her Proceedings lawful, he shall certify upon the Log-book of the Vessel that the Search took place only in virtue of the said Orders; these Formalities having been completed, the Vessel shall be at liberty to continue her Course.
- Article VII.—The Vessels captured for being engaged in the Slave Trade, or as being suspected of being fitted out for that odious Traffic, shall, together with their Crews, be delivered over, without Delay, to the Jurisdiction of the Nation to which they shall belong; it is furthermore distinctly understood, that they shall only be judged according to the Laws in force in their respective Countries.
- Article VIII.—In no case shall the Right of mutual Search be exercised upon the Ships of War of either Nation.
- The Two Governments shall agree upon a particular Signal, with which these Cruisers only shall be furnished which are invested with this Right, and which Signal shall not be made known to any other Ship not employed upon this Service.
- Article IX.—The High Contracting Parties to the present Treaty agree to invite the other Maritime Powers to accede to it within a short Period as possible.
- Article X.—The present Convention shall be ratified, and the Ratifications of it shall be exchanged within One Month, or sooner, if it be possible.
- In Faith of which the Plenipotentiaries have signed the present Convention, and have affixed thereto the Seal of their Arms.

Done at Paris the Thirtieth November One thousand eight hundred and thirty-one.

|          |                          |        |
|----------|--------------------------|--------|
| (Signed) | <i>Grouville.</i>        | (L.S.) |
| (Signed) | <i>Herco Sebastiani.</i> | (L.S.) |

- *Supplementary Convention between His Majesty and the King of the French for the more effectual Suppression of the Traffic in Slaves, signed at Paris the Twentieth second Day of March One thousand eight hundred and thirty three*

• His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French having felt the Necessity of developing some of the Clauses contained in the Convention which was signed between Their Majesties on the Thirtieth Day of November One thousand eight hundred and thirty-one, relating to the Suppression of the Crime of Slave Trade have assented to their Plenipotentiaries for this Purpose: to wit,

• His Majesty the King of the United Kingdom of Great Britain and Ireland the Right Honourable *Grouville* Viscount *Grouville*, Peer of the United Kingdom, Knight Grand Cross of the Most Honourable Order of the Bath, Member of the Privy Council of His Britannic Majesty, and His Ambassador Extraordinary and Plenipotentiary to the Court of France; and His Majesty the King of the French His Minister *Charles Louis de Blacas*, Duc de *Angoulême*, Peer of France, Knight of the Royal Order of the Legion of Honour, Minister and Secretary of State for the Department of Foreign Affairs; who, after having exchanged their Powers, which have been found in good and due Form, have agreed on the following Articles:

- Article I.—Whenever a Merchant Vessel navigating under the Flag of One of the Two Nations shall have been detained by the Cruisers of the other duly authorized to that Effect, conformably

to the Provisions of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, each Merchant Vessel, as also her Master, her Crew, her Cargo, and the Slaves who may be on board, shall be carried in such Places as shall have been appointed by the Contracting Parties respectively, in order that Proceedings may be there instituted respecting them agreeably to the Law of such Country, and they shall be delivered over to the Authorities appointed for that Purpose by the respective Governments.

When the Commander of the Cruiser shall not think proper to take upon himself the carrying in and delivering up the detained Vessel he shall not intrust that Duty to an Officer below the Rank of Lieutenant in the Navy.

Article II.—The Cruisers of the Two Nations authorized to exercise the Right of Visit and Detention in execution of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, shall, in all that relates to the Formalities of the Visit and of the Detention, as well as to the Measures to be taken for delivering up Vessels suspected of being engaged in the Slave Trade to the respective Jurisdictions, conform strictly to the Instructions annexed to the present Convention, and which shall be considered as an integral Part thereof.

The Two High Contracting Parties reserve to themselves the Power of making in their Instructions, by common Consent, any Modifications which Circumstances might render necessary.

Article III.—It is clearly understood that if the Commander of a Cruiser of one of the Two Nations shall have Reason to suspect that a Merchant Vessel navigating under Convey of or in company with a Vessel of War of the other Nation has engaged in the Slave Trade, or has been fitted out for the said Trade, he is to make known his Suspicions to the Commander of the Convey or Vessel of War, who shall proceed close to visit the suspected Vessel, and in case the latter Commander should find that the Suspicion is well founded, he shall cause the Vessel to be taken, together with her Master, her Crew, and her Cargo, and the Slaves who may be on board, into a Port of his own Nation, in order that Proceedings may be instituted with regard to them agreeably to the respective Laws.

Article IV.—As soon as any Merchant Vessel detained and sent before the Tribunals aforesaid shall arrive at one of the Ports respectively pointed out, the Commander of the Cruiser which shall have detained her, or the Officer appointed to bring her in, shall deliver to the Authorities appointed for that Purpose One Copy, signed by him, of all the Lists, Declarations, and other Documents specified in the Implications annexed to the present Convention; and the said Authorities shall in consequence proceed to a Survey of the detained Vessel and her Cargo, and to an Inspection of her Crew, and of the Slaves who may be on board, after having previously given Notice of the Time of such Survey and Inspection to the Commander of the Cruiser, or to the Officer who shall have brought in the Vessel, in order that he, or some Person in his Behalf, may be present thereat.

A Declaration (French verbal) of those Proceedings shall be drawn up in Duplicate, signed by the Persons who shall have acted therein, or been present at the same, and one of the said Declarations shall be delivered to the Commander of the Cruiser, or to the Officer who shall have been appointed to bring in the detained Vessel.

Article V.—The Vessels detained as before mentioned, their Masters, Crews, and Cargoes, shall be forthwith proceeded against before the proper Tribunals in the respective Countries according to the established Forms; and if in consequence of such Proceedings the said Vessel shall be found to have been employed in the Slave Trade, or to have been fitted out for the Purpose thereof, the Master, the Crew, and the Accomplish, as well as the Ship and Cargo, shall be dealt with conformably to the respective Laws of the Two Countries.

In case the said Vessels shall be considered a Portion of the Proceeds arising from their Sale shall be paid into the Hands of the Government to which the Captor belongs, to be distributed among the Officers and Crew of the capturing Ship. This Portion shall be Sixty-five per Centum of the Net Produce of the Sale, in so far as such a Distribution of the Proceeds is consistent with the respective Laws of the Two Countries.

Article VI.—Any Merchant Vessel of either of the Two Nations visited and detained in pursuance of the Convention of the Thirtieth Day of November One thousand eight hundred and thirty-one, and of the Provisions hereinafore recited, shall, unless Proof be given to the contrary, be held and taken as being so lawfully engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, if any of the Particulars hereinafter specified shall be found in her Outfit or Equipment, or on board of her; *scilicet*,

1°. Having her Hatchets fitted with open Gratings, instead of being close Hatchets as usual in Merchant Vessels.

2°. Having more Divisions or Bulk-heads in the Hold or on Deck than necessary for Trading Vessels.

3°. Having on board spare Planks, either loosely fitted in that Shape, or fit for readily laying a Second or movable Deck or Slave Deck.

4°. Having on board Shackles, Bolts, or Handcuffs.

5°. Having on board a Supply of Water more than sufficient for the Consumption of her Crew as a Merchant Vessel.

6°. Having

6. Having on board an unreasonable Number of Water Casks or other Vessels for holding Water, unless the Master shall produce a Certificate from the Customs House from the Place at which he cleared outward, stating that a sufficient Security had been given by the Owner of such Vessel that such Casks or other Vessels should only be used for the Reception of Palm Oil, or be employed in any other lawful Trade.

7. Having on board a greater Quantity of Fire-tubs or Kils than requisite for the Use of her Crew as a Merchant Vessel.

8. Having on board Two or more Copper Boilers, or even One evidently larger than requisite for the Use of her Crew as a Merchant Vessel.

9. Having on board a Quantity of Rice or Farinha, Flour of the Manioc of Brazil or Cassava, or Maize or Indian Corn, beyond any probable requisite Provision for the Use of her Crew, and such Rice, Flour, Maize or Indian Corn not being entered on the Manifest as Part of the Cargo for Trade.

Article VII.—No Commutation shall in any Case be granted either to the Master or to the Owner, or to any other Person interested in the Equipment or Lading of a Merchant Vessel in which any of the Particulars specified in the preceding Article shall be found, even if the Tribunal should not pronounce any Commutation in consequence of her Detention.

Article VIII.—When a Merchant Vessel of either of the Two Nations shall have been seized and detained illegally or without sufficient Cause of Suspicion, or when the Visit and Detention shall have been attended with any Abuse or vexatious Acts, the Commander of the Cruiser, or the Officer who shall have boarded the said Vessel, or the Officer who shall have been appointed to bring her in, as the Case may be, shall be liable to Costs and Damages to the Master and to the Owners of the Vessel and Cargo.

These Costs and Damages may be awarded by the Tribunal before which the Proceedings against the detained Vessel, her Master, Crew, and Cargo, shall have been instituted, and the Government of the Country to which the Officer who gave Occasion for such Award shall belong shall pay the Amount of the said Costs and Damages within the Period of One Year from the Date of the Award.

Article IX.—If in the Visit or Detention of a Merchant Vessel, made in virtue of the Provisions of the Convention of the Thirtieth November One thousand eight hundred and thirty-one, or of the present Convention, any Abuse or Vexation shall have been committed, but the Vessel shall not have been delivered over to the Jurisdiction of her own Nation, the Master of the Vessel shall make a Declaration on Oath of the Abuses or Vexations of which he has to complain, and of the Costs and Damages to which he lays Claim, before the competent Authorities in the first Port of his own Country at which he may arrive, or before the Consular Agent of his Nation, if the Vessel proceeds to a Foreign Port where there is such an Agent; this Declaration shall be confirmed by an Examination under Oath of the principal Persons of the Crew or Passengers who have witnessed the Visit or Detention; and One formal Declaration (Probs verbal) of the whole shall be drawn up, and Two Copies thereof delivered to the Master, who shall forward one of them to his own Government in support of his Claims for Costs and Damages. It is understood that if any compulsory Circumstances should prevent the Master from making his Declaration, it may be made by the Owner, or by any other Person interested in the Vessel or in her Cargo.

On the official Transmission of One Copy of the formal Declaration (Probs verbal) above mentioned, through the Channel of the respective Embassies, the Government of the Country to which the Officer charged with Abuses or Vexations shall belong shall forthwith institute an Inquiry into the Matter; and if the Validity of the Complaint be admitted, the said Government shall cause to be paid to the Master or Owner or to any other Person interested in the Vessel which has been molested, or in her Cargo, the Amount of Costs and Damages which may be due to them.

Article X.—The Two Governments engage reciprocally to communicate each to the other, free of Expence, and upon Application being made, Copies of all the Proceedings instituted and Judgments given relative to Vessels visited or detained in execution of the Provision of the Convention of the Thirtieth November One thousand eight hundred and thirty-one, and of the present Convention.

Article XI.—The Two Governments agree to ensure the immediate Freedom of all Slaves who shall be found on board Vessels visited and detained in virtue of the Stipulations of the principal Convention herein-before referred to, or of the present Convention, whenever the Offence of trafficking in Slaves shall have been established by the Sentence of the respective Tribunals. They reserve to themselves, however, for the Welfare of the Slaves themselves, the Right to employ them as Servants or free Labourers, conformably to their respective Laws.

Article XII.—It is hereby agreed between the Two High Contracting Parties that in all Cases in which a Vessel, under the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, or under this Supplementary Convention, shall be detained by their respective Cruisers, as having been engaged in the Slave Trade or fitted out for the Purpose thereof, and shall be placed at the Disposal of either Government for the Purpose of being sold, in consequence of a Sentence of Confiscation pronounced by a competent Tribunal,



- the said Vessel shall be broken up in whole or in part before the Sale, whenever its peculiar Construction or Quilt shall give Reason to fear that it may be again employed in the Slave Trade or any other illicit Traffic.
- Article XIII.—The present Convention shall be ratified, and the Ratifications shall be exchanged at Paris, within the Space of One Month, or sooner, if possible.
- In witness whereof the above named Plenipotentiaries have signed in Duplicate the present Convention, and have affixed thereto the Seals of their Area.

Done at Paris the Twenty-second of Month One thousand eight hundred and thirty-three.

(Signed) Greenock. (L.S.)  
F. Brogic. (L.S.)

• *Instructions to Cruisers.*

- 1°. Whenever a Merchant Vessel of either of the Two Nations shall be visited by a Cruiser of the other, the Officer commanding the Cruiser shall exhibit to the Master of such Vessel the special Orders which confer upon him the exceptional Right of Visit, and shall deliver to him a Certificate, signed by him, specifying his Rank in the Navy of his Country, with the Name of the Ship which he commands, and declaring that the only Object of such Visit is to ascertain whether the Vessel is engaged in the Slave Trade, or is fitted out for the Purpose of such Traffic: When the Visit is made by another Officer of the Cruiser than the Commander, this Officer shall not be under the Rank of Lieutenant in the Navy, and in this Case such Officer shall exhibit to the Master of the Merchant Vessel a Copy of the special Orders above mentioned signed by the Commander of the Cruiser, and shall likewise deliver to him a Certificate, signed by him, specifying the Rank which he holds in the Navy, the Name of the Commodore under whose Orders he is acting, and of the Cruiser to which he belongs, and the Object of his Visit, as herein before recited. It shall be ascertained by the Visit that the Ship's Papers are regular, and her Proceedings lawful, the Officer shall certify upon the Log Book of the Vessel that the Visit took place only in virtue of the special Orders above mentioned, and the Vessel shall be permitted to continue her Course.

• 2°. If in consequence of the Visit the Officer commanding the Cruiser shall be of opinion that there are sufficient Grounds for believing that the Vessel is engaged in the Slave Trade, or has been fitted out for that Traffic, and if he shall in consequence determine to detain her, and to have her delivered up to the respective Jurisdiction, he shall forthwith cause a List to be made out, in Duplicate, of all the Papers found on board; and he shall sign this List and the Duplicate, adding to his Name his Rank in the Navy and the Name of the Vessel under his Command; he shall in like Manner make out and sign in Duplicate a Declaration, stating the Place and Time of the Detention, the Name of the Vessel, that of her Master, and those of the Persons composing her Crew, and also the Number and Condition of the Slaves found on board. This Declaration shall further contain an exact Description of the State of the Vessel and her Cargo.

• 3°. The Commander of the Cruiser shall without Delay carry or send the detained Vessel, with her Master, Crew, Cargo, and the Slaves found on board, to One of the Ports herein-after specified, in order that Proceedings may be instituted in regard to them, conformably to the respective Laws of each Country; and he shall deliver the same to the competent Authorities, or to the Persons who shall have been specially appointed for that Purpose by the respective Governments.

• 4°. No Person whatsoever shall be taken out of the detained Vessel, nor shall any Part of her Cargo, nor of the Stores found on board, be removed from her until after such Vessel shall have been delivered over to the Authorities of her own Nation, excepting only when the Removal of the Whole or of Part of the Crew, or of the Slaves found on board, shall be deemed necessary, either for the Preservation of these Lives or from any other Consideration of Humanity, or for the Safety of the Persons who shall be charged with the Navigation of the Vessel after her Detention: in this Case the Commander of the Cruiser, or the Officer appointed to bring to the detained Vessel, shall make a Declaration of such Removal, in which he shall specify the Reasons for the same; and the Masters, Sailors, Passengers, or Slaves so removed shall be carried to the same Port as the Vessel and her Cargo, and they shall be received in the same Manner as the Vessel, agreeably to the Regulations herein after set forth.

• 5°. All such French Vessels as shall be detained by the Cruiser of His Britannic Majesty on the African Station shall be carried and delivered up to the French Jurisdiction at Goree.

• All such French Vessels as shall be detained by the British Squadron on the West India Station shall be carried and delivered up to the French Jurisdiction at Martinique.

• All such French Vessels as shall be detained by the British Squadron on the Brazilian Station shall be carried and delivered up to the French Jurisdiction at Cayenne.

• All such French Vessels as shall be detained by the Cruisers of His Majesty the King of the French on the African Station shall be carried and delivered up to the Jurisdiction of His

• Britannic Majesty at Bourbon on the River Gabon.

• All such British Vessels as shall be detained by the French Squadron on the West India Station shall be carried and delivered up to the British Jurisdiction at Port Royal in Jamaica.

• All such British Vessels as shall be detained by the French Squadron on the Madagascar Station shall be carried and delivered up to the British Jurisdiction at the Cape of Good Hope.

• All such British Vessels as shall be detained by the French Squadron on the Brazilian Station shall be carried and delivered up to the British Jurisdiction at the Colony of Demerara.

• 6°. As soon as a Merchant Vessel which shall have been detained as aforesaid shall arrive at one of the Ports or Places above mentioned, the Commander of the Cruiser, or the Officer appointed to bring in the detained Vessel, shall forthwith deliver to the Authorities duly appointed for that Purpose by the respective Governments the Vessel and her Cargo, together with the Master, Crew, Passengers, and Slaves found on board, as also the Papers which shall have been seized on board the Vessel, and one of the Lists made out in Duplicate of the said Papers, the other remaining in his Possession. Such Officer shall at the same Time deliver to the said Authorities One of the Declarations made out in Duplicate as hereto-before specified, adding thereto a Statement of any Changes which may have taken place from the Time of Detention to that of the Delivery, as well as a Copy of the Declaration of any Renouals which may have taken place as above provided for. In delivering over these several Documents the Officer will make Attestation of their Truth on Oath and in Writing.

• 7°. If the Commander of a Cruiser of either of the High Contracting Parties who shall be duly furnished with the aforesaid special Instructions shall have Reason to suspect that a Merchant Vessel sailing under Convoy or in company with a Ship of War of the other Party is engaged in the Slave Trade, or has been fitted out for the Purpose of that Traffic, he shall confine himself to the communicating his Suspicions to the Commander of the Convoy or of the Ship of War, and he shall leave it to the latter to proceed alone to a Visit of the suspected Vessel, and to deliver her up, if the Case require it, to the Jurisdiction of her own Country.

• 8°. The Cruisers of the Two Nations shall conform strictly to the Tenor of these Instructions, which are to be considered as a Development of the Clause of the principal Convention of the Thirtieth of November One thousand eight hundred and thirty-one, as well as of the Convention to which they are annexed.

• The undersigned Plenipotentiaries have agreed, in conformity with the Second Article of the Convention signed by them on that Day, the Twenty-second of March One thousand eight hundred and thirty-three, that the preceding Instructions shall be annexed to the said Convention, and considered as an integral Part thereof.

• Paris, the Twenty-second of March One thousand eight hundred and thirty-three.

(Signed) Grenville. (S. S.)  
V. Rooyde. (S. S.)

• ARTICLE II.—It is agreed, with reference to Article Three of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, hereto above transcribed, that His Majesty the King of Denmark shall fix, according to his Convenience, the Number of Danish Cruisers which shall be employed on the Service mentioned in the said Article, and the Stations at which they shall cruise.

• ARTICLE III.—The Government of His Majesty the King of Denmark shall make known to the Government of Great Britain and of France, conformably to Article Fourth of the Convention of the Thirtieth of November One thousand eight hundred and thirty-one, the Danish Ships of War which are to be employed in the Suppression of the Trade, in order to obtain for their Commanders the necessary Warrants; the Warrants which are to be delivered by Denmark shall be issued in such a Manner as Notification of the Number of British and French Cruisers intended to be employed shall be made to the Danish Government.

• ARTICLE IV.—It is agreed, with reference to the Fifth Article of the Instructions annexed to the Supplementary Convention of the Twenty-second of March One thousand eight hundred and thirty-three, that all Danish Vessels which, in pursuance of the Convention hereto above transcribed, may be detained by the Cruisers of His Majesty the King of the United Kingdom of Great Britain and Ireland or of His Majesty the King of the French, employed on the African Station, shall be carried and delivered to the Danish Authorities at Sierra Leone.

• That all Danish Vessels detained by British or French Cruisers on the African Station shall be delivered to the Danish Authorities at the Port of Christownbury on the Gold Coast of Guinea.

• And that every Vessel under the Danish Flag which shall be detained by the British or French Cruisers employed on the Madagascar Station shall be delivered to the Authorities at one or other of the Danish Possessions hereto above mentioned, or to the Danish Authorities at Trompador in the East India, if Circumstances shall render the last-mentioned Destination desirable.

• ARTICLE V.—The present Treaty shall be ratified, and the Ratifications shall be exchanged at Copenhagen in the Space of Three Months, or sooner if possible.

• And whereas the said Treaty was ratified by and between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Denmark respectively, and such Ratifications were exchanged on the Nineteenth Day of

Order in the Year of our Lord One thousand eight hundred and thirty-four: And whereas it is expedient and necessary that effectual Provisions should be made for carrying into execution the Provisions of the said Treaty: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of His Majesty or of the King of Denmark, who shall have such Rank as by the Second Article of the said Convention of the Twentieth November One thousand eight hundred and thirty-one is agreed, and who shall be duly instructed and authorized and furnished according to the several Provisions of the said Two Conventions, and within the Waters described, and according to the Provisions and Exceptions contained in the First Article of the said Convention of the Twentieth November One thousand eight hundred and thirty-one, to exercise the Right of visiting and searching any Merchant Vessel of either of the said Two Nations, of Great Britain and Denmark liable to Suspicion and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purpose of such Traffic, according to the several Provisions and Instructions of the said Two Conventions, except as in the said Third Article of the said Supplementary Convention is excepted; and it shall further be lawful for such Officer, under such Circumstances, and upon sufficient Grounds to exercise the Right of detaining and of sending or carrying in and delivering over any such Vessel, together with its Master, Seamen, Passengers, Slaves, and Cargo, to the Authorities appointed by the respective Governments of Great Britain, France, and Denmark for the Purposes of the said Treaty of the Twenty sixth of July One thousand eight hundred and thirty-four, and to use of the Jurisdiction as the said Instruction mentioned, as the same are altered and modified by the said Treaty, in order that Proceedings may be instituted conformably to the respective Laws of the said Two Countries of Great Britain and Denmark; and all such Commanders of His Majesty's Ships are hereby authorized and required, in the Exercise of such Rights of visiting, searching, detaining, sending, carrying on, and delivering as aforesaid, to execute and comply with the said several Provisions and Instructions of the said Two Conventions as apply thereto respectively, and as the same are altered and modified by the said Treaty of the Twenty-sixth of July One thousand eight hundred and thirty-four.

II. And be it further enacted, That where any such Officer of His Majesty the King of Denmark shall send, carry, or deliver over as aforesaid any Merchant Vessel, wholly or in part owned by any Subject or Subjects of His Majesty the King of the United Kingdom of Great Britain and Ireland, all and every Proceedings instituted as the Tribunals herein-after mentioned in regard to such Merchant Vessel, and its Crew, Cargo, and Slaves, and in respect to the Cases, shall be conducted in the Name of His said Majesty the King of the United Kingdom of Great Britain and Ireland by some Person duly thereto authorized: (That is to say,) all Ships, Cargoes, and Slaves which shall be detained by the Cruisers of His Majesty the King of Denmark and delivered up to the Jurisdiction of His Majesty at Botswan on the River Gambia, shall be proceeded against and adjudicated in the Vice Admiralty Court at Sierra Leone; and all other Ships, Cargoes and Slaves which may in like Manner be detained by the Cruisers of His Majesty the King of Denmark, and delivered up to the Jurisdiction of His Majesty either at Jamaica, the Cape of Good Hope, or Demourra, shall be proceeded against and adjudicated in the Vice Admiralty Courts established in the said Colonies respectively, and the Judges and other Officers of the said Vice Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly.

III. And be it further enacted and declared, That if any of the Particulars specified in the Sixth Article of the said Convention of the Twenty-second of March One thousand eight hundred and thirty-three shall be found to the Order or Equivalence of or on board of any such Merchant Vessel, wholly or in part owned as last aforesaid, and visited and detained in pursuance of the said Treaty, such Vessel shall, unless Proof be given to the contrary, be laid and taken to have engaged in the Slave Trade, or to have been fitted out for the Purpose of such Traffic, and to be equipped and employed for the Purposes declared unlawful by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King George the Fourth, entitled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*.

IV. And be it further enacted, That in case any such Merchant Vessel, wholly or in part owned as aforesaid, shall be brought in by any Officer of His Majesty the King of Denmark, duly authorized, and shall be confiscated according to the Laws of this Country, and the Provisions of the said Two Conventions (as the same are altered and modified by the said Treaty) and of the said Act of Parliament passed in the Fifth Year of the Reign of His Majesty King George the Fourth, it shall be lawful for His Majesty the King of the United Kingdom of Great Britain and Ireland to direct that a Partion of the Proceeds arising from the Sale thereof shall be paid into the Hands of the Government of His Majesty the King of Denmark, according to the Provisions of the Fifth Article of the said Convention of the Twenty-second Day of March One thousand eight hundred and thirty-three; and any Partion of the Proceeds arising from the Sale of any Ship agreed to be paid into the Hands of the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, according to the Provisions of the said Fifth Article, or Cargo, shall be paid to such Person or Persons as the Commissioners of His Majesty's Treasury may direct or appoint to receive the same, and for the Use of the Captors, according to the Provision of the said Fifth Article, and that the same, after deducting all necessary Expenses, shall be distributed to and amongst the Officers and Crew of the capturing Ship, in the Manner herein-after directed for the Distribution of Booties on Slaves taken on board the said Vessels.

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Any Officer commanding a Ship of War of His Majesty or of the King of Denmark may search Merchant Vessels of either Nation suspected of being engaged in the Slave Trade

Any Merchant-Ship (including private Crew, &c.) of captured Vessels to be conducted in Name of the King of Great Britain and Ireland.

If any of the Particulars specified in Sixth Article are found on board a captured Vessel, she shall be deemed engaged in Slave Trade. 5 G. 4. c. 112

A Partion of the Proceeds arising from Sale of Slave Vessel captured by a Danish Officer to be paid to the King of Denmark.

V. And be it further enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to the Commissioners, Officers, and Crews of His Majesty's Ships authorized to make Seizures under the said Treaty of the Twenty-sixth of July One thousand eight hundred and thirty-five, a Bounty of Five Pounds of lawful Money of Great Britain for every Man, Woman, and Child Slave seized and found on board a British or Danish Ship or Vessel taken, delivered over, and condemned in pursuance of the Provisions of the said Treaty and of this Act; such Bounty to be issued and paid by Order from the said Commissioners of His Majesty's Treasury, and to be distributed to and amongst the Captains aforesaid, in such Manner and Proportions as His Majesty, His Heirs and Successors, shall think fit to order and direct by any Order in Council or by any Proclamation to be made for that Purpose.

Bounty of Five Pounds to be paid to Commissioners and Crews for every Slave found on board a condemned Vessel of either Nation.

VI. Provided always, and be it further enacted, That in order to entitle the Captains to receive the said Bounty Money the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of His Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Bounty to be paid on Production of Certificate.

VII. And be it further enacted, That where any Slaves, or Persons treated, sold, with, carried, kept, or detained as Slaves, shall be taken or seized on board any British or Danish Ship or Vessel, in pursuance of the Provisions of the said Treaty and of this Act, but who shall not have been condemned or shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall and may be lawful for the said Commissioners of His Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of One Month of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over and condemned.

Where Slaves are seized but not condemned Lands of the Treasury reserved to grant a Month of the Bounty.

VIII. Provided also, and be it further enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of the Act, or of any Share of the Proceeds of any Danish Vessel condemned in pursuance of the Provisions of the aforesaid Treaty, shall and may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall and may be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Questions of just Capture which may arise on any Seizure made in pursuance of this Act, and to enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Persons claiming Benefit of Bounty may resort to High Court of Admiralty for Judgment thereon.

IX. And be it further enacted, That all the Provisiones, Rates, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accoings for Extension and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Per-centage due thereon to Greenwich Hospital, shall be and are hereby extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of His Majesty's Ships or Vessels of War.

Regulations pertaining to the Distribution of Prize Money.

X. And be it further enacted, That where any illegal Visit and Detention, or any Visit and Detention without sufficient Cause of Suspicion, or any Abuse or Violation, shall have taken place, and have been made by any Officer of His Majesty the King of Great Britain and Ireland, as is mentioned in the Eighth and Ninth Articles of the said Convention of the Twenty-second of March One thousand eight hundred and thirty-three, it shall be lawful for the Commissioners of His Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, of any Costs and Damages which may be duly awarded according to the Provisions of the said Two last-mentioned Articles: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon by Order of the said Commissioners of His Majesty's Treasury.

Where Damages are sustained by illegal Detention of Vessels, the Treasury is only Compensated.

XI. And be it further enacted, That when any Seizure shall be made by any of the Commissioners, Officers, and Crews of His Majesty's Ships authorized to make Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizure, or when such Seizure shall be relinquished by loss, it shall be lawful for the said Commissioners of His Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of such Costs and Expenses as the Seizer may have incurred in respect of such Seizure, or any propertieous Part thereof.

Where Judgment is given against the Seizer, the Treasury is to defray Expenses by him incurred.

XII. And be it further enacted, That if any Action or Suit shall be commenced either in Great Britain or elsewhere against any Person or Persons for any thing done in pursuance of the said Treaty or of this Act, in as far as it relates thereto, the Defendant or Defendants in such Action or Suit may plead the General Issue and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Treaty or of this Act; and if it shall appear as to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be convicted, or discontinues his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Triple Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

Defendant may plead the General Issue, and give this Act in Evidence.

## C A P. LXII.

An Act to repeal an Act of the present Session of Parliament, intituled *An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extrajudicial Oaths and Affidavits; and to make other Provisions for the Abolition of unnecessary Oaths.* [9th September 1835.]

S W. &amp; C. S.

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extrajudicial Oaths and Affidavits; and to make other Provisions for the Abolition of unnecessary Oaths.* and it was thereby enacted that the said Act should commence and take effect from and after the First Day of June in this present Year, the Year of our Lord One thousand eight hundred and thirty-five, if not being intended that the said recited Act should take effect before the same received the Royal Assent: And whereas the said recited Act did not receive the Royal Assent till after the said First Day of June One thousand eight hundred and thirty-five: And whereas it was enacted by the said recited Act, that from and after the First Day of June next ensuing it should not be lawful for any Justice of the Peace to administer or receive such voluntary Oaths as are therein mentioned, it being intended that the said Prohibition should take effect from the Time of the Commencement of the said recited Act: And whereas it is expedient to amend the said Act, and to make some further Provisions for the better effecting the Object thereof, and to consolidate all the Provisions relating thereto into One Act: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act shall be and the same is hereby repealed.

Recited Act repealed.

Lords of the Treasury empowered to substitute a Declaration in lieu of an Oath, &amp;c. in certain Cases.

II. And be it further enacted, That in any Case where, by any Act or Acts made or to be made relating to the Revenue of Customs or Excise, the Post Office, the Office of Stamps and Taxes, the Office of Woods and Forests, Land Revenues, Works, and Buildings, the War Office, the Army Pay Office, the Office of the Treasurer of the Navy, the Accountant General of the Navy, or the Ordnance, His Majesty's Treasury, Chosen Hospital, Greenwich Hospital, the Board of Trade, or any of the Offices of His Majesty's Principal Secretaries of State, the India Board, the Office for auditing the Public Accounts, the National Debt Office, or any Office under the Control, Direction, or Superintendance of the Lords Commissioners of His Majesty's Treasury, or by any official Regulation in any Department, any Oath, solemn Affirmation, or Affidavit might, but for the passing of this Act, be required to be taken or made by any Person on the doing of any Act, Matter, or Thing, or for the Purpose of verifying any Book, Entry, or Return, or for any other Purpose whatsoever, it shall be lawful for the Lords Commissioners of His Majesty's Treasury or any Three of them, if they shall so think fit, by Writing under their Hands and Seals, to substitute a Declaration to the same Effect as the Oath, solemn Affirmation, or Affidavit which might but for the passing of this Act be required to be taken or made; and the Person who might under the Act or Acts imposing the same be required to take or make such Oath, solemn Affirmation, or Affidavit shall, in Presence of the Commissioners, Collector, other Officer or Person empowered by such Act or Acts to administer such Oath, solemn Affirmation, or Affidavit, make and subscribe such Declaration, and every such Commissioner, Collector, other Officer or Person is hereby empowered and required to administer the same accordingly.

Declarations substituted to be published in the Gazette, and after 21 Days from the Date thereof the Provisions of this Act to apply.

III. And be it enacted, That when the said Lords Commissioners of His Majesty's Treasury or any Three of them shall, in any such Case as herein-before mentioned, have substituted, in Writing under their Hands and Seals, a Declaration in lieu of an Oath, solemn Affirmation, or Affidavit, such Lords Commissioners shall, so soon as conveniently may be, cause a Copy of the Instrument substituting such Declaration to be inserted and published in the London Gazette; and from and after the Expiration of Twenty-one Days next following the Day of the Date of the Gazette wherein the Copy of such Instrument shall have been published, the Provisions of this Act shall extend and apply to each and every Case specified in such Instrument, as well as in the same Manner as if the same were specified and named in this Act.

and no Oath to be administered where such Declaration has been inserted.

IV. And be it enacted, That after the Expiration of the said Twenty-one Days it shall not be lawful for any Commissioner, Collector, Officer, or other Person to administer or cause to be administered, or receive or cause to be received, any Oath, solemn Affirmation, or Affidavit, in the lieu of which such Declaration as aforesaid shall have been decreed by the Lords Commissioners of His Majesty's Treasury to be substituted.

Take Declarations in Matters relating to certain Misdemeanors.

V. And be it enacted, That if any Person shall make and subscribe any such Declaration as herein-before mentioned in lieu of any Oath, solemn Affirmation, or Affidavit by any Act or Acts relating to the Revenue of Customs or Excise, Stamps and Taxes, or Post Office, required to be made on the doing of any Act, Matter, or Thing, or for verifying any Book, Account, Entry, or Return, or for any Purpose whatsoever, and shall wilfully make therein any false Statements as to any material Particular, the Person making the same shall be deemed guilty of a Misdemeanor.

Oath of Allegiance still to be required in all Cases.

VI. Provided always, and be it enacted, That nothing in this Act contained shall extend or apply to the Oath of Allegiance in any Case in which the same now is or may be required to be taken by any Person who may be appointed to any Office, but that such Oath of Allegiance shall continue to be

required, and shall be administered and taken, as well and in the same Manner as if this Act had not been passed.

VII. Provided also, and be it enacted, That nothing in this Act contained shall extend or apply to any Oath, solemn Affirmation, or Affidavit which now is or hereafter may be made or taken, or be required to be made or taken, in any Judicial Proceeding in any Court of Justice, or in any Proceeding for or by way of summary Conviction before any Justice or Justices of the Peace, but all such Oaths, Affirmations, and Affidavits, shall continue to be required, and to be administered, taken, and made, as well and in the same Manner as if this Act had not been passed.

VIII. And be it enacted, That it shall be lawful for the Universities of Oxford and Cambridge, and for all other Bodies Corporate and Politic, and for all Bodies now by Law or Statute, or by any valid Usage, authorized to administer or receive any Oath, solemn Affirmation, or Affidavit, to make Statutes, Bye Laws, or Orders authorizing and directing the Substitution of a Declaration in lieu of any Oath, solemn Affirmation, or Affidavit now required to be taken or made: Provided always, that such Statutes, Bye Laws, or Orders be otherwise duly made and passed according to the Charters, Laws, or Regulations of the particular University, other Body Corporate and Politic, or other Body so authorized as aforesaid.

IX. And whereas Persons serving the Offices of Churchwarden and Steward are at present required to take an Oath of Office before entering upon the Execution thereof, and also an Oath on quitting such Office, and it is expedient that a Declaration shall be substituted for such Oath of Office, and that the Oath on quitting the same shall be abolished: be it enacted, That in future every Person entering upon the Office of Churchwarden or Steward, before beginning to discharge the Duties thereof, shall, in lieu of such Oath of Office, make and subscribe, in the Presence of the Ordinary or other Person before whom he would, but for the passing of this Act, be required to take such Oath, a Declaration that he will faithfully and diligently perform the Duties of his Office, and such Ordinary or other Person is hereby empowered and required to administer the same accordingly: Provided always, that no Churchwarden or Steward shall in future be required to take any Oath on quitting Office, as has heretofore been practised.

X. And be it enacted, That in any Case where, under any Act or Acts for making, maintaining, or regulating any Highway, or any Road, or any Turnpike Road, or for paving, lighting, watching, or improving any City, Town, or Place, or teaching any Trade relating thereto, any Oath, solemn Affirmation, or Affidavit might, but for the passing of this Act, be required to be taken or made by any Person whatsoever, no such Oath, solemn Affirmation, or Affidavit shall in future be required to be or be taken or made, but the Person who might under the Act or Acts imposing the same be required to take or make such Oath, solemn Affirmation, or Affidavit shall, in lieu thereof, in the Presence of the Trustee, Commissioner, or other Person before whom he might under such Act or Acts be required to take or make the same, make and subscribe a Declaration to the same Effect as such Oath, solemn Affirmation, or Affidavit, and such Trustee, Commissioner, or other Person is hereby empowered and required to administer and receive the same.

XI. And be it enacted, That whenever any Person or Persons shall seek to obtain any Patent under the Great Seal for any Discovery or Invention, such Person or Persons shall, in lieu of any Oath, Affirmation, or Affidavit which heretofore has or might be required to be taken or made upon or before obtaining any such Patent, make and subscribe, in the Presence of the Person before whom he might, but for the passing of this Act, be required to take or make such Oath, Affirmation, or Affidavit, a Declaration to the same Effect as such Oath, Affirmation, or Affidavit; and such Declaration, when duly made and subscribed, shall be to all Intents and Purposes as valid and effectual as the Oath, Affirmation, or Affidavit in lieu whereof it shall have been so made and subscribed.

XII. And be it enacted, That when by any Act or Acts or in the Time in force for regulating the Business of Pawnbrokers any Oath, Affirmation, or Affidavit might, but for the passing of this Act, be required to be taken or made, the Person who by or under such Act or Acts might be required to take or make such Oath, Affirmation, or Affidavit shall in lieu thereof make and subscribe a Declaration to the same Effect; and such Declaration shall be made and subscribed at the same Time, and on the same Occasion, and in the Presence of the same Person or Persons, as the Oath, Affirmation, or Affidavit in lieu whereof it shall be made and subscribed would by the Act or Acts directing or requiring the same be directed or required to be taken or made: and all and every the Enactments, Provisions, and Penalties contained in or imposed by any such Act or Acts, as to any Oath, Affirmation, or Affidavit thereby directed or required to be taken or made, shall extend and apply to any Declaration in lieu thereof, as well and in the same Manner as if the same were herein expressly enacted with reference thereto.

XIII. And whereas a Practice has prevailed of administering and receiving Oaths and Affidavits voluntarily taken and made in Matters not the Subject of any Judicial Inquiry, nor in anywise pending or at issue before the Justice of the Peace or other Person by whom such Oaths or Affidavits have been administered or received: And whereas Doubts have arisen whether or not such Proceeding is illegal: for the more effectual Suppression of such Practice and removing such Doubts, be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Justice of the Peace or other Person to administer, or cause or allow to be administered, or to receive, or cause or allow to be received, any Oath, Affidavit, or solemn Affirmation touching any Matter or Thing whereof such Justice or other Person hath not Jurisdiction or Cognizance by some Statute in force at the Time

Declar. in Courts of Justice, &c. not to be admin.

Universities of Oxford and Cambridge, and other Bodies, may substitute a Declaration in lieu of an Oath.

Churchwarden's and Steward's Oath abolished, and a Declaration to be made in lieu thereof.

Declaration substituted for Oath and Affidavit by Persons serving in Turnpike Tracts.

Declaration substituted for Oath and Affidavit heretofore required on taking out a Patent.

Declaration substituted for Oath and Affidavit required by Acts in Pawnbrokers.

Provision as to such Oaths, &c. to apply to Declarations.

Justice not to administer Oaths, &c. touching Matters whereof they have no Jurisdiction by Statute.



any Power hereby given, although the same be not substituted in lieu of an Oath heretofore legally taken, such Declaration unless otherwise directed under the Powers hereby given, shall be in the Form prescribed in the Schedule hereto annexed.

XXI. And be it further enacted, That in any Case where a Declaration is substituted for an Oath under the Authority of this Act, or by virtue of any Power or Authority hereby given, or is directed and authorized to be made and subscribed under the Authority of this Act, or by virtue of any Power hereby given, any Person who shall wilfully and corruptly make and subscribe any such Declaration, knowing the same to be untrue in any material Particular, shall be deemed guilty of a Misdemeanor.

XXII. And be it enacted, That this Act shall commence and take effect from and after the First Day of October in this present Year, the Year of our Lord One thousand eight hundred and thirty-five.

XXIII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULE referred to by the foregoing Act.

I, A. B. do solemnly and sincerely declare, That \_\_\_\_\_ and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act made and passed in the \_\_\_\_\_ Year of the Reign of His present Majesty, intituled *An Act (Here insert the Title of this Act)*.

C A P. LXIII.

An Act to repeal an Act of the Fourth and Fifth Year of His present Majesty relating to Weights and Measures, and to make other Provisions in respect thereof. [9th September 1835.]

WHEREAS an Act was passed in the Fourth and Fifth Years of the Reign of His present Majesty, intituled *An Act to amend and render more effectual Two Acts of the Fifth and Sixth Years of the Reign of His late Majesty King George the Fourth relating to Weights and Measures*. And whereas it is expedient to repeal the same, and to make other Provisions in respect thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and the same is hereby repealed.

II. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to interfere with any Acts done or Appointments made under the Authority of the said Act, or in prevent the suing for or Recovery of any Penalty incurred by any Offence committed against the Provisions of the said Act previous to the Repeal thereof in and by this Act, or to hinder or defeat any Prosecution commenced or to be brought for such Offence, but all Penalties and Forfeitures so incurred may be sued for and recovered in the same Manner as any Penalties and Forfeitures incurred under the Provisions of this Act are recoverable.

III. And whereas an Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for ascertaining and establishing Conformity of Weights and Measures*. And whereas another Act passed in the Sixth Year of the Reign of His said late Majesty, intituled *An Act to prolong the Time of the Commencement of an Act of the last Session of Parliament, for ascertaining and establishing Conformity of Weights and Measures; and to amend the said Act*: And whereas, not observing the Provisions of the said recited Acts, many Sets of Weights and Measures of old accustomed and different Shapes have been made and verified and stamped by the Chamberlains as well as by the Auditor in the Exchequer, as Models of the said new Standards, and have been used as Standard Weights and Measures under the said recited Acts, although different in Shape and Form from the Standards prescribed by the said recited Act of the Fifth Year aforesaid, and it is therefore expedient that such Standard Weights and Measures should be made legal, and that the Comptroller General or some other Officer of the Exchequer duly authorized should be empowered to compare and verify, and stamp as so compared and verified, Standards of Length, Weight, or Measure, although not exact Models and Copies in Shape and Form of the respective Standards of Length, Weight, and Measure deposited under the Provisions of the said first recited Acts in the Office of the said Chamberlains and Auditor: And whereas it is expedient that the Use of all Weights and Measures not in conformity with the Weights and Measures established by the said recited Acts should be prohibited, and that the Use of the Heaped Measure should be abolished: be it therefore enacted, That so much of the said last-mentioned recited Acts as require that all Weights and Measures shall be Models and Copies in Shape or Form of the Standards deposited in the Exchequer, and also so much of the said recited Acts as allow the Use of Weights and Measures not in conformity with the Imperial Standard Weights and Measures established by the said Acts, or allow Goods or Merchandise to be bought or sold by any Weights or Measures established by local Customs or founded on special Agreement, shall be and the same are hereby repealed.

IV. And be it enacted, That all Weights and Measures which have been so verified and stamped at the Exchequer at Westminster as Copies of the Standard Weights and Measures, corresponding in Weight and Capacity with those established by the said recited Acts, shall be deemed and taken to be legal Weights and Measures, to be used for Comparison as Copies of the Imperial Standard Weights and Measures, although not similar in Shape to those required under the Provisions of the said recited

Persons making  
the Declaration deemed  
guilty of a  
Misdemeanor.

Commencement  
of Act.

Act may be  
amended, &c.

14. 25. 4. c. 61.

Repeal Act  
repealed.

Nothing herein  
to interfere with  
any thing done,  
or to prevent  
the Recovery of  
Penalties, under  
the repealed Act.

5. 6. 4. c. 74.  
6. 6. 4. c. 15.

Provisions in  
recited Acts as  
to Models and  
Copies of Stan-  
dard Weights  
and Measures  
repealed.

Certain Weights  
and Measures  
declared legal,  
although not  
similar in Shape  
to those re-  
quired.



Officer may  
verify, &c.  
after Weights  
and Measures  
that those  
prescribed by  
2 G. 4. c. 74.

Acts; and that the Comptroller General, or some other Officer of the Exchequer at Westminster duly authorized, may compare and verify, and stamp as so compared and verified, all correct Standard Measures of a Yard, and all correct Standard Weights, and all correct Standard Measures of Capacity, any Weights and Measures which shall correspond in Length, Weight, and Capacity with the Standards, or Parts or Multiples thereof respectively, deposited in the Exchequer under the said Act of the Fifth Year aforesaid, although such Weights and Measures may not be Made or Cast in Shape or Form of the Standards so deposited as aforesaid; any Thing in the said recited Acts to the contrary notwithstanding.

Copies of the  
Standard  
Weights and  
Measures which  
shall have been  
used, &c. to be  
sent to the  
Exchequer to be  
re-verified, &c.

V. And be it enacted, That all Copies of the Imperial Standard Weights and Measures which may have become defective, or have been needed in consequence of any Wear or Accident, shall forthwith be sent to the Exchequer at Westminster for the Purpose of being again compared and verified, and shall be stamped as re-verified Copies of the Imperial Standard Weights and Measures, provided that the Comptroller General or other Officer appointed for such Verification shall deem them fit to be used for the Purposes of Standards; and every new Comparison and Verification shall be entered upon the original Instrument of Verification; and such Weights and Measures shall be so stamped upon Payment of Fees of Verification only; and the Comptroller General or other Officer at the Exchequer duly authorized shall keep an Account or Register of all Copies of the Imperial Standard Weights and Measures that shall have been verified at the Exchequer.

Local and  
Customary  
Measures  
abolished; but  
certain Vessels  
may be used.

VI. And be it enacted, That from and after the passing of this Act the Measure called the Winester Beadell, and the Liquid Measure called the Scotch Ell, and all local or customary Measures, shall be abolished, and every Person who shall sell, by any Denomination of Measure other than use of the Imperial Measure, or some Multiple or some aliquot Part, such as Half, the Quarter, the Eighth, the Sixteenth, or the Thirty-second Parts thereof, shall, as Conviction, be liable to a Penalty not exceeding the Sum of Forty Shillings for every such Sale: Provided always, that nothing herein contained shall prevent the Sale of any Articles in any Vessel, where such Vessel is not represented as containing any Amount of Imperial Measure, or of any fixed, local, or customary Measure heretofore in use.

Heaped Measure  
abolished.

VII. And whereas the Heaped Measure is liable to considerable Variation; be it therefore enacted, That from and after the passing of this Act so much of the said recited Acts as relate to the Heaped Measure shall be and are hereby repealed, and the Use of the Heaped Measure shall be abolished, and all Bargains, Sales, and Contracts which shall be made after the passing of this Act by the Heaped Measure shall be null and void; and every Person who shall sell any Articles by the Heaped Measure shall, as Conviction, be liable to a Penalty not exceeding Forty Shillings for every such Sale.

Articles heretofore  
sold by  
Heaped Measure,  
how to be  
sold.

VIII. And whereas some Articles heretofore sold by Heaped Measure are from their Size and Shape incapable of being stricken, and from their Nature and Quality may not be conveniently sold by Weight; be it therefore enacted, That all such Articles may heretofore be sold by a Bushel Measure, corresponding in Measure with the Bushel prescribed in and by the said Act passed in the Fifth Year of the Reign of His late Majesty for the Sale of Heaped Measure, or by any Multiple or by some aliquot Part, such as the Half, the Quarter, or the Eighth Part thereof, filled in all Parts as nearly to the Level of the Brim as the Size and Shape of the Articles sold will admit: Provided always, that nothing herein contained shall prevent the Sale by Weight of any Article heretofore sold by Heaped Measure.

Coins to be sold  
by Weight and  
not by Measure.

IX. And whereas the Sale of all Coins, Stack, Culs, and Cannel of every Description by Weight, and not by Measure, would tend greatly to prevent the Commission of Frauds and Imperfections in the Vend and Delivery of such Coins, Stack, Culs, and Cannel of every Description; be it therefore enacted, That from and after the First Day of January One thousand eight hundred and thirty-six all Coins, Stack, Culs, and Cannel of every Description shall be sold by Weight and not by Measure; and every Person who shall from and after the First Day of January One thousand eight hundred and thirty-six sell any Coins, Stack, Culs, or Cannel of every Description by Measure, and not by Weight, shall, as Conviction, be liable to a Penalty not exceeding Forty Shillings for every such Sale.

All Articles  
to be sold by  
Avoirdupois  
except, &c.

X. And be it enacted, That from and after the passing of this Act all Articles sold by Weight shall be sold by Avoirdupois Weight, except Gold, Silver, Platinum, Diamonds or other precious Stones, which may be sold by Troy Weight, and Drugs, which, when sold by Retail, may be sold by Apothecaries Weight.

The Stone  
Weights, Hundred  
Weights, and Tons.

XI. And whereas by local Customs in Markets, Towns, and other Places throughout the United Kingdom, the Denomination of the Stone Weight varies; be it therefore enacted, That from and after the passing of this Act the Weight denominated a Stone shall in all Cases consist of Fourteen Standard Pounds Avoirdupois, and that the Weight denominated an Hundred Weight shall consist of Eight such Stones, and that the Weight denominated a Ton shall consist of Twenty such Hundred Weight: Provided always, that nothing herein contained shall prevent any Bargain, Sale, or Contract being made by any Multiple or by some aliquot Part, such as the Half, the Quarter, the Eighth, or the Sixteenth Part of the Pound Weight.

Certain  
Weights and  
Measures to be  
stamped as  
weights.

XII. And be it enacted, That all Weights which shall be made after the passing of this Act of the Weight of One Pound Avoirdupois or more shall have the Number of Pounds contained in every such Weight stamped or cast on the Top or Side thereof in legible Figures and Letters; and that all Measures of Capacity which shall be made after the passing of this Act shall have their Contents denominated, stamped, or marked on the Outside of such Measures in legible Figures and Letters.

Weights made  
of Lead or

XIII. And whereas the Use of Weights made of soft Materials affords Facility to Fraud; be it therefore enacted, That from and after the First Day of January One thousand eight hundred and

thirty-six no Weight made of Lead or of Pewter, or of any Mixture thereof, shall be stamped or used: Provided always, that nothing herein contained shall prevent the Use of Lead or Pewter, or of any Mixture thereof, in the Manufacture of Weights, if they be wholly and substantially cast with Brass, Copper, or Iron, and legibly stamped or marked "Case'd," or shall prevent the Insertion of such a Plug of Lead or Pewter into Weights as shall be found *abs* necessary for the Purpose of adjusting them and of affixing thereon the Stamp herein-after mentioned.

Pewter not to be stamped.

XIV. And for the Purpose of ascertaining and providing for the Fulfillment of all existing Contracts, and fixing the Payments to be made in consequence of such Contracts or Bents in England and Ireland payable in Grain or Malt, or in any other Commodity or Thing, and in consequence of any Toll, Rate, or Duty heretofore payable according to the Weights and Measures heretofore in use, where the same shall not have been already ascertained and fixed by Agreement between Parties, or under the Provisions of the said Act of the Fifth Year of His late Majesty: be it enacted, That at the General or Quarter Sessions of the Peace to be holden in every County, Riding, or Division, and in every City, Town, or Place (being a County of itself), in England or Ireland, next after the Expiration of Three Months after the passing of this Act, or at any General or Quarter Sessions of the Peace to be holden thereafter, on the Application of any Party to such Sessions, an Inquisition shall be taken before the Justices assembled at such General or Quarter Sessions, by the Oaths of Twelve substantial Freeholders of the said respective Counties, Cities, Towns, or Places, having Lands or Tenements to the Value of One hundred Pounds per Annum or upwards, to be summoned by the Sheriff or proper Officers of every such County, City, Town, or Place, to inquire into and ascertain the Amount, according to the Standard of Weight or Measure by this Act established, of all Contracts to be performed or Bents to be paid in Grain or Malt or any other Commodity or Thing, or with reference to the Measure or Weight of any such Grain, Malt, or other Commodity or Thing, and the Amount of any Toll, Rate, or Duty heretofore payable according to any Weights and Measures heretofore in use within such Counties, Cities, Towns, or Places respectively; and in taking such Inquisition, Care shall be taken that in every Case in which Grain, Malt, or Meal, or any other Commodity or Thing, having, before the said First Day of January One thousand eight hundred and thirty-five, been sold by Weight shall heretofore be sold by Measure, or having before the said First Day of January been sold by Measure shall heretofore be sold by Weight, no Increase or Diminution be made in the Amount of any Rate, Toll, or Duty heretofore payable for such Grain, Malt, or any other Commodity or Thing, due regard being had to the Substitution of Measure for Weight, or of Weight for Measure, as the Case may be; and such Inquisitions, when taken, shall be transmitted by the respective Clerks of the Peace of the same Counties respectively, or by the Mayor, Sheriff, or other Head Officer of every such City, Town, or Place (being a County of itself), into His Majesty's Court of Exchequer at Westminster and Dublin respectively, and shall be there enrolled of Record, and shall and may be given in Evidence in any Action or Suit at Law or in Equity, and the Amount so to be ascertained shall, when converted into the Standard Weights and Measures, be the Rule of Payment in regard to all such Contracts, Bents, Tolls, Rates, or Duties in all Time coming; and the Costs and Charges of such Inquisitions and the Enrolments thereof shall be paid and defrayed by the Party on whose Application such Inquisition shall be taken.

For ascertaining certain Rates and Tolls, &c. payable in England and Ireland.

XV. And for the Purpose of ascertaining and providing for the Fulfillment of all existing Contracts, and fixing the Payments to be made of all Stipends, Fees, Duties, Rents, Tolls, Customs, Casualties, and other Demands whatsoever payable in Grain, Malt, or Meal, or any other Commodity or Thing in Scotland, or in any other Place or District of the same, according to the Weights and Measures heretofore in use, where such Payments shall not have been already ascertained and fixed by Agreement between Parties, or under the Provisions of the said Act of the Fifth Year of His late Majesty: be it enacted, That the Sheriff in each Shire in Scotland shall, on the Application of any Party to such Sheriff, as soon as conveniently may be after the Expiration of Three Calendar Months from and after the passing of this Act, summon and impanel a Jury, of the same Number and of the same Qualifications which are required in the Jury who strike the Fair Prices of Grass within the same Shire, to number of such Place or Places as he shall find convenient, which Jury shall inquire into and ascertain the Amount, according to the Standards by this Act established, of all such Stipends, Fees, Duties, Rents, Tolls, Customs, Casualties, and other Demands whatsoever payable in Grain, Malt, Meal, or any other Commodity or Thing, according to the Weights and Measures heretofore in use within the same Shire; and in taking such Inquisition, Care shall be taken that in every Case in which Grain, Malt, or Meal, or any other Commodity or Thing, having, before the First Day of January One thousand eight hundred and thirty-five, been sold by Weight shall heretofore be sold by Measure, or having before the said First Day of January been sold by Measure shall heretofore be sold by Weight, no Increase or Diminution be made in the Amount of any Stipend, Fee, Duty, Rent, Toll, Custom, or Casualty heretofore payable for such Grain, Malt, or any other Commodity or Thing, due regard being had to the Substitution of Measure for Weight, or of Weight for Measure, as the Case may be; and such Inquisitions, when taken, shall be transmitted by the respective Sheriff Clerks of such Shire into His Majesty's Court of Exchequer at Edinburgh, and shall there be enrolled of Record, and shall and may be given in Evidence in any Action at Law; and the Amount so to be ascertained shall, when converted into the Standard Weights and Measures, be the Rule of Payment in regard to all such Stipends, Fees, Duties, Rents, Tolls, Customs, Casualties, and other Demands whatsoever in all Time coming; and the Costs and Charges of such Inquisitions and the Enrolment thereof shall be assessed and levied, paid and defrayed, by the Party on whose Application such Inquisition shall have been taken.

For ascertaining certain Rents, Tolls, &c. payable in Scotland.

Regulation as to Fair Prices of Commodities in Scotland.

XVI. And be it enacted, That in Scotland, from and after the passing of this Act, the Fair Prices of all Grains in every County shall be struck by the Imperial Quarter, and all other Returns of the Prices of Grain shall be set forth by the assent, without any Reference to any other Measure whatsoever; and that any Sheriff Clerk, Clerk of a Market, or other Person who shall offend against this Provision shall forfeit a Sum not exceeding Five Pounds.

Copies of the Imperial Standards to be provided by Order of General or Quarter Sessions in England, and by Sheriffs of Justices in Scotland.

XVII. And be it enacted, That in England, at the General or Quarter Sessions of the Peace next after the passing of this Act, the Justices of the Peace of every County, Riding, or Division, or County of a City or County of a Town, in General or Quarter Sessions assembled, and in Scotland the Justices of the Peace at a Meeting to be called for the Purpose by the Sheriff of each County, and the Magistrates of each Royal Burgh, within Three Months after the passing of this Act, and so from Time to Time at any subsequent General or Quarter Sessions, or Meeting so called as aforesaid, shall determine the Number of Copies of the Imperial Standard Weights and Measures which they shall deem requisite for the Comparison of all Weights and Measures in use within their respective Jurisdictions, and shall direct that such Copies, verified and stamped at the Exchequer, shall be provided for the Use of the same, and shall fix the Places at which such Copies shall be deposited, and shall appoint a sufficient Number of Inspectors of Weights and Measures for the safe Custody of such Copies, and for the Discharge of the other Duties hereinafter mentioned, and shall allot to each Inspector a separate District, such District to be distinguished by a Number or Mark, and shall direct what reasonable Remuneration shall be paid to such Inspectors for the Discharge of such Duties as they shall have been ordered by such Justices or Magistrates as aforesaid to perform; and they are hereby empowered to suspend or dismiss any Inspector so appointed, or to appoint additional Inspectors, as Occasion may require: Provided always, that nothing herein contained shall extend to compel any Royal Burgh of Scotland (except such as are County Towns) to provide Copies of the Imperial Standard Weights and Measures, or to appoint an Inspector or Inspectors for the Performance of the Duties prescribed by this Act; and that it shall be lawful for the Justices of the Peace in any County, and for the Magistrates of any Royal Burgh within such County, where they shall agree, to visit the Weighs or a Portion of the County with such Royal Burgh, and to appoint one Inspector therefor, and to provide at their joint Expence Copies of the Imperial Standard Weights and Measures to be used within such stated District.

Extending Date for Operation of Act in Orkney and Zetland.

XVIII. And whereas by reason of the Difficulty of Communication between the Parts of the Islands of Orkney and Zetland, it is expedient that farther Time should be allowed for bringing this Act into operation in those Islands; be it enacted, That this Act shall not take effect in the Islands of Orkney and Zetland before and until the First Day of May One thousand eight hundred and thirty-six, any Part of this or any other Statute notwithstanding.

Copies of Standards to be provided by Grand Jurors in Ireland.

XIX. And be it enacted, That in Ireland the Grand Jury of every County, County of a City, or County of a Town shall, at the Assizes, or, where no Assizes are held, at the Promising Term, next ensuing after the passing of this Act, and so from Time to Time at any subsequent Assizes or Promising Term, determine the Number of Copies of the Imperial Standard Weights and Measures which they shall deem requisite for the Comparison of all Weights and Measures in use within their Counties, Counties of Cities, or Counties of Towns respectively, and shall direct that such Copies, verified and stamped at the Exchequer, shall be provided for the Use of the same, and shall fix the Places at which such Copies shall be deposited; and shall appoint a sufficient Number of Inspectors of Weights and Measures for the safe Custody of such Copies, and for the Discharge of the other Duties hereinafter mentioned, and shall allot to each Inspector a separate District, and shall direct what reasonable Remuneration shall be paid to such Inspectors; and they are hereby empowered to suspend or dismiss any Inspectors so appointed, or to appoint additional Inspectors, from Time to Time as Occasion may require.

and Inspectors appointed.

Judges to order Copies of Standards to Counties in Ireland where it has not been done by Grand Jurors.

XX. And be it enacted, That in Ireland the senior Judge shall, before the Close of the Assizes next ensuing after the passing of this Act, inquire whether One complete Set of such Copies of the Imperial Standard Weights, Measures, and Stamps has been provided in such County, County of a City, or County of a Town, and in every Case in which it shall not appear to him that One Set at least of such Copies has been provided such Judge shall forthwith order the Treasurer of the County, County of a City, or County of a Town to procure One complete Set of such Copies; and every such Order shall have the Effect of a Warrantment on the County or burgh for such Sum as may be necessary to procure a complete Set of such Copies; and such Treasurer shall, within Three Calendar Months next after he shall receive such Order, fully execute the same, or failing so to do shall forfeit the Sum of Fifty Pounds Sterling.

Magistrates in England and Scotland and Grand Jurors in Ireland to procure Stamps for Inspectors, for stamping all Weights, &c. under this Act.

XXI. And be it enacted, That in England the Justices of the Peace in General or Quarter Sessions assembled, and in Scotland the Justices of the Peace and Magistrates at a Meeting called by the Sheriff, and in Ireland the Grand Jury of each County, County of a City, or County of a Town, shall provide for the Use of the Inspectors good and sufficient Stamps for the stamping or sealing Weights and Measures used or to be used in such and every County, Riding, or Division, County of a City or County of a Town, which Stamps as provided shall be taken to be the Stamps for such County, Riding, or Division, County of a City or County of a Town; and that all Weights and Measures whatsoever, except as herein-after excepted, which shall be used for buying and selling, or for the collecting of any Tolls or Duties, or for the making of any Charges on the Conveyance of any Goods or Merchandises, shall be examined and compared with One or more of the Copies of the Imperial Standard Weights

and Measures provided under the Authority of this Act for the Purpose of Comparison by such Inspectors, who shall stamp, in such Manner as best to prevent Fraud, such Weights and Measures, when so examined and compared, if found to correspond with the said Copies; and the Fees for such Examination, Comparison, and Stamping shall be according to the Scale contained in the Schedule to this Act annexed; and every Person who shall use any Weight or Measure other than those authorized by this Act, or some aliquot Part thereof as herein before described, or which has not been so stamped as aforesaid, except as herein-after excepted, or which shall be found light or otherwise unjust, shall, on Conviction, forfeit a Sum not exceeding Five Pounds; and any Contract, Bargain, or Sale made by any such Weights or Measures shall be wholly null and void, and every such light or unjust Weight and Measure so used shall, on being discovered by any Inspector so appointed as aforesaid, be seized, and, on Conviction of the Person using or possessing the same, shall be forfeited: Provided always, that nothing herein contained shall extend to require any single Weight above Fifty-six Pounds to be inspected and stamped, such Weight of Fifty-six Pounds being the greatest of the Imperial Standard Weights deposited in the Exchequer; and that nothing herein contained shall extend to require any Wooden or Wicker Measure used in the Sale of Lime, or other Articles of the like Nature, or any Glass or Earthenware Jug or Drinking Cup, though represented as containing the Amount of any Imperial Measure, or of any Multiple thereof, to be stamped; but any Person buying by any Vessel represented as containing the Amount of any Imperial Measure, or of any Multiple thereof, is hereby authorized to require the Contents of such Vessel to be ascertained, by a Comparison with a stamped Measure, such stamped Measure to be found and provided by the Person who shall use such Wooden or Wicker Measure, Glass Jug or Drinking Cup as aforesaid; and in case the Person who shall use such last-mentioned Measure or Vessel shall refuse to make such Comparison, or if upon such Comparison being made, such Wooden or Wicker Measure, Glass Jug or Drinking Cup, shall be found to be deficient in Quantity, the Person who shall use the same shall, on Conviction, be subject to the Forfeitures and Penalties herein-before imposed on any Person using light or unjust Weights or Measures.

XXII. And be it enacted, That the Expense of providing and transmitting such Copies of the Imperial Standard Weights and Measures, and of the Stamps to be used by the Inspectors, and the Remuneration to the Inspectors, shall be paid in England out of the Stock raised in such Counties, Ridings, Divisions, or Counties of Cities; and in Scotland such Expenses in the respective Shires and Stewartries, and Cities or Royal Burghs, shall be assessed by the Commissioners of Supply upon such Shires and Stewartries, and upon Cities or Royal Burghs by the Magistrates thereof, and shall be paid, along with the Land Tax payable in such Shires or Stewartries and Cities or Royal Burghs, to the Collectors of the Land Tax in such Shires or Stewartries and Cities or Royal Burghs respectively; and in Ireland such Expenses in the respective Counties, Counties of Cities, and Counties of Towns, shall be provided for and paid by Processments to be made by the Grand Jurors in such Counties, Counties of Cities, and Counties of Towns respectively, and the Collectors of Land Tax in Scotland shall have such and the same Powers of levying and recovering the Assessments to be made under this Act as are competent to them for levying and recovering the said Land Tax.

XXIII. And be it enacted, That after the passing of this Act no Maker or Seller of Weights or Measures, or Person employed in the making or selling thereof, shall be appointed an Inspector of Weights and Measures under the Provisions of this Act; and that every Inspector shall forthwith enter into a Bond or Recognizance to the King, to be sued for in any Court of Record, in the Sum of Two hundred Pounds, for the due and punctual Performance of the Duties of his Office, and for the due and punctual Payment, or such Time or Times as he may be directed by the Justices, Magistrates, or other Persons by whom he may have been appointed, of all Fees received by him under the Authority of this Act, and for the Safety of the Stamps and Copies of the Imperial Standard Weights and Measures committed to his Charge, and for their due Restoration and Surrender to such Person or Persons as may be appointed to receive them by the Justices, Magistrates, or other Persons aforesaid, immediately on his Removal or other Certainty from Office.

XXIV. And be it enacted, That in England the Justices in General or Quarter Sessions assembled, and in Scotland the Justices or Magistrates at a Meeting called by the Sheriff, and in Ireland the Grand Jury of each County, County of a City, or County of a Town, shall determine and appoint on what Day or Days each and every such Inspector shall attend with the Stamps and Copies of the Imperial Standard Weights and Measures in his Custody at each of the several Market Towns, and at such other Places within their respective Jurisdictions as they shall deem expedient; and every such Inspector so attending shall examine, compare, and stamp, if found correct, all such Weights and Measures as shall be brought to him for that Purpose, and shall also upon all Measures and upon all Weights of a Quarter of a Pound and upwards stamp a Number or Mark distinguishing the District in which he acts, and he shall keep a Book, wherein he shall enter Minutes of all such Comparisons, and give, if required, a Certificate under his Hand of every such Stamping; and every Inspector shall, once in every Quarter of a Year, account to the Treasurer of the County, Riding, Division, County of a City or County of a Town, or to such other Persons as shall be duly authorized by those by whom he may have been appointed, for all Fees received by him under this Act, and shall pay the Amount thereof to such Treasurer or other Persons as aforesaid, who shall duly account for the same.

XXV. Provided always, and be it enacted, That in the Town of Berwick-upon-Tweed and all other Places which have been or shall be hereafter authorized under the Provisions of any Act of Parliament,

Penalty on using Weights or Measures not authorized by Act, &c.

No Weight above 56 lbs. to be inspected or stamped.

Expense of providing Copies of Standard Weights, and the Remuneration to Inspectors, to be defrayed out of County Rates, &c.

No Maker or Seller of Weights or Measures to be appointed Inspector; and Inspectors to enter into Recognizance.

Inspectors to attend Market Towns, when ordered by Justices, &c.

Inspector to pay Fees to Treasurer of County, &c.

Town in Magistrates of Town, &c. to

appoint Inspectors.

whether local or otherwise, to appoint Inspectors or Examiners of Weights and Measures, and in all other Places which have been or shall be hereafter by Charter, Act of Parliament, or otherwise, possessed of legal Jurisdiction, and which have been or shall be hereafter provided with Copies of the Imperial Standard Weights and Measures verified and stamped at the Exchequer, it shall be lawful for the Magistrates of such Places, or for any other Persons who may be so authorized as aforesaid, to appoint an Inspector or Inspectors of Weights and Measures within the Limits of their respective Jurisdictions; and such Inspectors so appointed shall, within such Limits exclusively, have the same Powers and discharge the same Duties as the Inspectors of Weights and Measures appointed under this Act by the County Justices or Grand Jurors for their respective Counties, and shall account as aforesaid to such Persons as shall be duly authorized by those by whom they may have been appointed for the Amount of the Fees received by them: Provided always, that nothing herein contained shall prevent Inspectors appointed by County Justices or Grand Jurors from coming to any Place within the Limits of such other Jurisdiction or Authority as aforesaid, and there inspecting and stamping the Weights and Measures of any Person residing within the District for which such Inspectors may have been appointed; but that any Inspector knowingly stamping any Weight or Measure of any Person residing within the Limits of any local Jurisdiction for which another Inspector may have been legally appointed as aforesaid shall forfeit a Sum not exceeding Twenty Shillings for every Weight or Measure which he may so stamp.

Penalty on stamping Weights, &c. out of District.

XXVI. And be it enacted, That in every City or Town not being a County of itself, every Individual or Individuals or Body Corporate in England exercising the Privilege of appointing a Weighmaster shall, on or before the First Day of January One thousand eight hundred and thirty-six, or within Three Months after the Set of Copies of the Imperial Standard Weights and Measures for the County in which such Right shall be exercised shall have been provided, supply such Weighmaster with accurate Beams and Scales, and with a Set of accurate Copies, in respect of Weight, Capacity, and Length, of the County Set, under a Penalty of Twenty Pounds; and the Accuracy of such Set of Copies shall be certified under the Hand of some Inspector of Weights and Measures; and such Set of Copies shall, for the Purpose of Comparison and Verification, be considered Copies of the Imperial Standard Weights and Measures required by this Act, and shall be used for an other Purpose whatever, under a Penalty of Five Pounds; and once at least in every Five Years, under the like Penalty, the same shall be re-adjusted by some Set of Copies of the Standard Weights and Measures which shall have been verified by the Exchequer Standard.

Weighmasters in Districts to be supplied with Beams and Scales, and accurate Copies.

Weights and Measures once stamped need not be re-stamped.

XXVII. And be it enacted, That no Weight or Measure duly stamped by any Inspector appointed under the Authority of the said Act hereby repealed, or this Act, or by any other Person or Persons legally authorized to examine and stamp any Weights or Measures, shall be liable to be re-stamped, although the same be used in any other Place than that at which the same was originally stamped, but shall be considered as a legal Weight or Measure throughout the United Kingdom, unless found to be defective or unjust.

Powers to Justices and Inspectors to enter Shops and inspect Weights and Measures.

XXVIII. And be it enacted, That in England and Ireland it shall be lawful for every Justice of the Peace of any County, Riding, or Division, or of any City or Town, and in Scotland for every Sheriff, Justice, or Magistrate of any Borough or Town, or for any Inspector authorized in Writing under the Hand of any Justice of the Peace in England and Ireland, or of any Sheriff, Justice, or Magistrate in Scotland, at all reasonable Times to enter any Shop, Store, Warehouse, Stall, Yard, or Place whatsoever within his Jurisdiction, whereas Goods shall be exposed or kept for Sale, or shall be weighed for Conveyance or Carriage, and there to examine all Weights, Measures, Steelyards, or other Weighing Machines, and to compare and try the same with the Copies of the Imperial Standard Weights and Measures required or authorized to be provided under this Act; and if upon such Examination it shall appear that the said Weights or Measures are light or otherwise unjust, the same shall be liable to be seized and forfeited; and the Person or Persons in whose Possession the same shall be found shall, on Conviction, forfeit a Sum not exceeding Five Pounds, and any Person who shall have in his or her Possession a Steelyard or other Weighing Machine which shall on such Examination be found incorrect or otherwise unjust, or who shall neglect or refuse to produce for such Examination, when thereto required, all Weights, Measures, Steelyards, or other Weighing Machines which shall be in his or her Possession, or shall otherwise obstruct or hinder such Examination, shall be liable to a like Penalty.

Penalty on Inspector for Neglect of Duty or for Misconduct.

XXIX. And be it enacted, That in case any Inspector of Weights and Measures, or any other Person legally authorized to examine and stamp any Weights or Measures, shall stamp any Weight or Measure without duly verifying the same by Comparison with a Copy of the Imperial Standard, or shall be guilty of a Breach of any Duty imposed upon him by this Act, or shall otherwise misconduct himself in the Execution of his Office, every such Offender shall, upon Conviction, forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalty for counterfeiting Stamps on Weights and Measures.

XXX. And be it enacted, That if any Person or Persons shall make, forge, or counterfeit, or cause or procure to be made, forged, or counterfeited, or knowingly act or assist in the making, forging, or counterfeiting, any Stamp or Mark now used or which may hereafter be used for the stamping, or marking of any Weights or Measures under this Act, shall for every such Offence forfeit, on Conviction, a Sum not exceeding Fifty Pounds or less than Ten Pounds; and if any Person shall knowingly sell, use, dispose of, or expose to Sale any Weight or Measure with such forged or counterfeit Stamp or Mark thereon, every Person so offending shall for every such Offence forfeit, on Conviction, a Sum not exceeding Ten Pounds or less than Forty Shillings; and that all Weights and Measures with such

forged or counterfeited Stamps or Marks shall be forfeited and broken up, and the Proceeds thereof shall be disposed of in the Manner herein-after mentioned.

XXXI. And be it enacted, That from and after the First Day of January One thousand eight hundred and thirty-six, if any Person or Persons shall print, or if the Clerk of any Market or other Person shall make any Returns, Price List, Price Current, or any Journal or other Paper containing Price List or Price Current, in which the Denomination of Weights and Measures quoted or referred to shall denote or imply a greater or less Weight or Measure than is denoted or implied by the same Denomination of the Imperial Weights and Measures under and according to the Provisions of this Act, such Person or Persons or Clerk of the Market shall forfeit and pay any Sum not exceeding Ten Shillings for every Copy of every such Return, Price List, Price Current, Journal or other Paper which he or they shall publish.

Penalty on making false Returns.

XXXII. And be it enacted, That all Penalties and Forfeitures which shall be incurred under any of the Provisions of the said recited Act of the Fifth Year aforesaid, or this Act, after deducting so much thereof, not exceeding a Moiety, to be paid to the Party on whose Information the Conviction shall take place, as the Justice before whom the Party is convicted shall think fit, shall be paid to the Treasurer of such County, Riding, or Division, County of a City, Corporate Town, or other Place in which they shall be respectively recovered, or to such other Person as shall be duly authorized to receive the same, and be applied to and make Part of the County Stock, or of such other Funds as shall be liable, under the Provisions of this or any other Act, to the Cost of providing and maintaining Copies of the Imperial Standard Weights and Measures; any thing in the said recited Act of the Fifth Year contained to the contrary notwithstanding.

As to Penalties in England and Ireland.

XXXIII. And be it enacted, That in all Counties, Ridings, or Divisions in England and Ireland, all Penalties and Forfeitures under this Act shall be sued for before Two or more Justices of the Peace at Petty Sessions, or before the Mayor or other Chief Magistrate of any City, Borough, Town, or Place within whose Jurisdiction the Offence shall have been committed; and that the Conviction may be drawn up according to the following Form, or in Words to the like Effect:

Form for Penalties.

'BE it remembered, That on the Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ A. D. \_\_\_\_\_ the Mayor or Chief Magistrate of the City, Borough, &c. of \_\_\_\_\_ [Here specify the Office, and the Time and Place when and where committed, or the Case may be], contrary to an Act passed in the Year of the Reign of King William the Fourth, intituled, &c. [as the Case may be]; and we [or I] do adjudge that the said A. B. hath forfeited for his [or her] said Offence the Sum of [Here insert the Penalty]. Given under our Hands and Seals [or my Hand and Seal] the Day and Year first above written.'

Form of Conviction.

XXXIV. And be it enacted, That in England and Ireland all Penalties and Forfeitures inflicted or imposed by this Act may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of Two or more Justices of the Peace at Petty Sessions, or before the Mayor or other Chief Magistrate of any Borough, City, Town, or Place within whose Jurisdiction the Offence shall have been committed, on Complaint to them or him for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders, by Warrant under the Hands and Seals of such Justices, or Hand and Seal of such Mayor or other Chief Magistrate, who is and are hereby authorized and required to summon and examine any Witnesses of or concerning such Offence, and to hear and determine the same; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalties or Forfeitures, and the Costs and Expenses as aforesaid, shall be returned, on Demand, to the respective Owners of the Goods and Chattels so seized and distrained; and in case any such Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for the said Justices, Mayor, or other Chief Magistrate, to order any Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender can give sufficient Security, to the Satisfaction of such Justices, Mayor, or other Chief Officer, for his or her Appearance before the said Justices, or before some other Justice having Jurisdiction, or before such Mayor or other Chief Magistrate, on each Day as shall be appointed for the Return of such Warrant, such Day not being later than Eight Days from the Day of taking any such Security, and which Security any such Justice, Mayor, or other Chief Magistrate are and is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Forfeiture and Costs and Expenses aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, Mayor, or other Chief Magistrate, upon the Confession of the Offender or otherwise, that he or she hath not sufficient Goods and Chattels whereupon such Penalty or Forfeiture, Costs and Expenses, could be levied if a Warrant of Distress were issued, such Justice, Mayor, or other Chief Magistrate shall not be required to issue such Warrant, but in such Case such Justice, Mayor, or other Chief Magistrate is hereby required, by Warrant under their Hands and Seals or his Hand and Seal, to commit such Offender to some Common Gaol or House of Correction for the County, City, Borough, Town, or Place, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, or until such Offender shall have paid such Penalty or Forfeiture, and all Costs and Charges attending the Proceedings (to be ascertained by such Justice, Mayor, or other Chief Magistrate), or shall otherwise be discharged by due Course of Law.

Recovery of Penalties.

By Distress, &c.

If not sufficient Distress, Offender to be committed to Common Gaol, &c.

Persons approved by Quarter Sessions.

XXXV. And be it enacted, That in England and Ireland all Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace, Mayor, or Chief Magistrate, relating to any Matter or Thing in this Act mentioned or contained, may, within Fourteen Days next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at the then next ensuing General or Quarter Sessions to be held for the City, Borough, or County within which the alleged Cause of Appeal shall arise, first giving Seven Days Notice in Writing of such Intention to appeal, and the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace, Mayor, or other Chief Magistrate, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court therein; and the said Justices shall either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, shall adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for such City, Borough, or County; and the said Justices may, if they see Cause, satisefy any Penalty or Forfeiture, and may order any Money to be returned which may have been levied in pursuance of such Order or Determination, and may also order any such further Satisfaction to be made to the Party aggrieved as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party appearing as they shall think reasonable.

Proceedings not to be quashed, &c. for Want of Form.

XXXVI. And be it enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever, into any of His Majesty's Courts of Record at Westminster or elsewhere, any Law or Statute to the contrary notwithstanding.

As in Penalties in Scotland.

XXXVII. And be it enacted, That in Scotland all Penalties incurred under the Provisions of this Act or of any of the before-recited Acts shall be recoverable, with Expenses, either before the Sheriff of the County or the Magistrates of the Burgh or Town Corporate wherein the same may be incurred or where the Offender may reside, or before Two or more Justices of the Peace of such County, or the Instance either of the Procurator Fiscal of Court or any Person who may prosecute for the same; and the whole Penalties after deducting all Charges and such Remission as to the Person prosecuting as the said Justices shall think fit, shall be applied in and of the Funds liable under the Provisions of this Act to the Cost of providing and maintaining Copies of the Imperial Standard Weights and Measures in the Place where such Penalties shall be awarded, and it is hereby provided, that it shall be competent for the said Courts respectively to proceed in a summary Way, and to grant Warrants for bringing the Parties complained of before them, and upon Proof on Oath by One or more credible Witnesses, or on the Confession of the Offender, or on other legal Evidence, forthwith to give Judgment on such Complaint, without any written Pleadings or Record of Evidence, and to grant Warrant for the Recovery of such Penalties and Expenses decreed for, failing Payment, within Fourteen Days after Conviction, by Fineship, or by Imprisonment for a Period, at the Discretion of the Court, not exceeding Sixty Days, it being hereby provided that a Record should be preserved of the Charge and of the Judgment pronounced.

Appeal in Scotland to Commissioners of Justiciary at Circuit Court.

XXXVIII. And be it enacted, That in Scotland if any Person or Persons shall feel themselves aggrieved by the Sentence of any Sheriff, or Magistrates of Burghs or Towns Corporate, or Justices of the Peace, pronounced in any Case arising under this Act, it shall be lawful for such Person or Persons to appeal to the Court of Justiciary at the next Circuit Court, or, where there is no Circuit Court, to the High Court of Justiciary in Edinburgh, in the Manner, and under the Rules, Limitations, and Conditions contained in an Act passed in the Twentieth Year of the Reign of His Majesty King George the Second, intitled *An Act for taking away and abolishing Heritable Jurisdiction in Scotland*, with this Variation only, that such Person or Persons so appealing shall, in place of finding Caution in the Terms prescribed by the said Act, be bound to find Caution to pay the Penalty or Penalties and Expenses awarded against him or them by the Sentence or Sentences appealed from, in the Event of the Appeal or Appeals being dismissed, together with any additional Expenses which shall be awarded by the Court in dismissing the said Appeal; and it shall not be competent to appeal from or to bring the Judgment of any Sheriff or Justices of the Peace sitting under this Act under Review by Advocation, Suspension, or Reduction, or in any other Way other than as herein provided.

80 G. S. c. 43.

Execution of Actions, &c.

XXXIX. And be it enacted, That in all Actions brought against any Person for any thing done in pursuance of this Act, or in the Execution of the Powers or Authorities thereof, such Action shall be laid and brought in the County within which the Cause of Action shall have arisen; and the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the special Matter or Evidence in any Trial to be had thereupon, and that the Acts were done in pursuance or by the Authority of this Act; and if they shall appear to have been so done, or that such Action shall have been brought otherwise than as herein before directed, then and in every such Case the Jury shall find for the Defendant or Defendants; upon which Verdict, or if the Plaintiff or Plaintiffs shall become non-suited, or shall suffer a Discontinuance of his, her, or their Action, after the Defendant or Defendants shall have appeared therein or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cause.

Plaintiff not to recover after

XL. And be it enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, if Tender of sufficient

Amends shall have been made by or on behalf of the Party or Parties who shall consent such Irregularity, Trepas, or other wrongful Proceeding, before such Amends brought; and in case no Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court whereas such Action shall depend, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Tender of Amends.

XLI. And be it enacted, That an Act passed in the Parliament of Ireland in the Fourth Year of Queen Anne, intituled *An Act for regulating Weights used in this Kingdom, and that Salt and Steel shall be sold by Weight*, and another Act passed in the Parliament of the United Kingdom of Great Britain and Ireland in the Fifth Year of His late Majesty King George the Fourth, intituled *An Act for the Uniformity of Measures in Proceedings against Persons using unlawful Weights in Ireland*, shall be and they are hereby repealed, except in so far as they relate to the Appointment, Duties, and Reconstitutions of Weighmasters.

4 Anne (1.) c. 12. repealed, except in so far as relate to Duties of Weighmasters.

XLII. Provided always, and be it enacted, That nothing in this Act contained shall interfere with the Powers of the Ward Bequests in respect to Weights and Measures within the City of London and Liberties thereof, and the Borough of Southwark, nor prohibit, diminish, injure, or lessen the Right of the Mayor and Commonalty and Citizens of the City of London, or of the Lord Mayor of the said City for the Time being, with respect to the stamping or sealing Weights and Measures, or concerning the Office of Gauger of Wines, Oils, Honey, and other gaugable Liquors imported and landed within the City of London and Liberties thereof.

Powers of Ward Bequests in London, &c. not to be interfered with.

XLIII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prohibit, defeat, injure, or lessen the Rights granted by Charter to the Master, Wardens, and Commonalty of the Mystery of Founders of the City of London.

Rights of the Founders Company reserved.

XLIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prohibit, defeat, injure, or lessen the Rights or Privileges of either of the Universities of Oxford or Cambridge, but that the Custody of the Assize, Assay, and Overlooking of Weights and Measures in the City of Oxford and its Suburbs, and in the Town of Cambridge, shall continue as heretofore and be in the Chancellor, Vice Chancellor, or his Deputy, of the said Universities respectively; and that the Chancellor, Vice Chancellor, or his Deputy, of each of the said Universities for the Time being, and each one of them, shall have the Power, and is or are hereby authorized, as Occasion may require, to appoint in and for the said City and Suburbs, and in and for the said Town respectively, an Inspector or Inspectors of Weights and Measures, and shall have full Power and Authority to perform and execute all such Matters and Things as are required or are granted to Justices of the Peace of any County, City, Town, or other Jurisdiction in England and Wales, under the Provisions of this Act, or by any or either of the said recited Acts; and every such Inspector is hereby authorized and empowered to put in force and execute all such Powers and Provisions as are by this Act, or by any or either of the said recited Acts, granted to or required of any Inspector or Inspectors of Weights and Measures appointed as aforesaid by the Justices of the Peace in Quarter Sessions assembled.

Seeing the Rights of the Universities of Oxford and Cambridge.

XLV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to supersede, limit, take away, lessen, or prevent the Authority which any Person or Persons, Bodies Politic or Corporate, or any Persons appointed at any Court Leet for any Hundred or Manor, or any Jury or Ward Inquest, may have or possess for the examining, regulating, sealing, branding, or destroying any Weights, Balances, or Measures within their respective Jurisdictions, or the Power given by any Act or Acts now in force to Justices or other Authorities to appoint Examiners for the Inspection of Weights and Measures.

Not to abridge the Power of the Court Leet, &c.

XLVI. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this Session of Parliament.

Act may be amended, &c.

**SCHEDULE OF FEES** to be taken by all Inspectors of Weights and Measures appointed under the Authority of this Act.

For examining, comparing, and stamping all Brass Weights, within their respective Jurisdictions:

|  |       |
|--|-------|
|  | s. d. |
| Each Half Hundred Weight                       | 0 9   |
| Each Quarter of a Hundred Weight               | 0 6   |
| Each Stone                                     | 0 6   |
| Each Weight under a Stone to a Pound inclusive | 0 1   |
| Each Weight under a Pound                      | 0 0½  |
| Each Set of Weights of a Pound and under       | 0 2   |

For examining, comparing, and stamping all Iron Weights, or Weights of other Descriptions not made of Brass, within their respective Jurisdictions:

|  |       |
|--|-------|
|  | s. d. |
| Each Half Hundred Weight                 | 0 5   |
| Each Quarter of a Hundred Weight         | 0 2   |
| Each Stone                               | 0 1   |
| Each Weight under a Stone                | 0 0½  |
| Each Set of Weights of a Pound and under | 0 2   |



For examining, comparing, and stamping all Wooden Measures, within their respective Jurisdictions:

|                          | s. | d.   |
|--------------------------|----|------|
| Each Bushel              | -  | 0 8  |
| Each Half Bushel         | -  | 0 2  |
| Each Peck, and all under | -  | 0 1  |
| Each Yard                | -  | 0 0½ |

For examining, comparing, and stamping all Measures of Capacity of Liquids, made of Copper or other Metal, within their respective Jurisdictions:

|                       | s. | d.   |
|-----------------------|----|------|
| Each Five Gallon      | -  | 1 0  |
| Each Four Gallon      | -  | 0 8  |
| Each Three Gallon     | -  | 0 6  |
| Each Two Gallon       | -  | 0 4  |
| Each Gallon           | -  | 0 2  |
| Each Half Gallon      | -  | 0 1  |
| Each Quart, and under | -  | 0 0½ |

## C A P. LXIV.

An Act to alter certain Duties of Stamps and Assessed Taxes, and to regulate the Collection thereof. [19th September 1835.]

WHEREAS it is expedient that all Deeds, Bonds, or other Instruments made in Ireland for the Purpose of submitting Matters in dispute to Arbitration, and all Awards thereupon, should be exempted from Stamp Duty; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Deeds, Bonds, Agreements, or other Instruments made and executed in Ireland, whereby any Person or Persons shall become bound or agree to submit any Matter in dispute to Arbitration, and also all Awards made in pursuance of any such Submission as aforesaid, shall be and the same are hereby exempted from all Stamp Duty whatsoever.

II. And whereas under and by virtue of the Laws in force in Great Britain and Ireland respectively Policies of Assurance or Insurance, whereby Insurances are made upon Lives, are chargeable with certain Stamp Duties: And whereas it is expedient to reduce the Stamp Duties chargeable on all such Policies where the Sum insured shall not exceed One hundred Pounds; be it therefore enacted, That from and after the passing of this Act all Stamp Duties now payable under any Act or Acts in force in Great Britain and Ireland respectively upon any Policy of Assurance or Insurance or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives, where the Sum insured shall not exceed One hundred Pounds, shall respectively cease and determine, and shall be and the same are hereby repealed.

III. And be it enacted, That from and after the Commencement of this Act, in lieu and instead of the Duties upon Policies of Assurance or Insurance hereby repealed, there shall be raised, levied, collected, and paid in Great Britain and Ireland respectively, unto and for the Use of His Majesty, His Heirs and Successors, the several Stamp Duties or Sums of Money following; (that is to say,)

For and upon every Policy of Assurance or Insurance or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives.

Where the Sum insured shall not exceed Fifty Pounds, the Stamp Duty or Sum of Two Shillings and Sixpence.

And where it shall exceed Fifty Pounds and not exceed One hundred Pounds, the Stamp Duty or Sum of Five Shillings.

IV. And whereas it is expedient that the Bonds to be made and issued by the East India Company for the Payment of any definite and certain Sum of Money should be freed and exempted from all Stamp Duties upon Payment by the said Company of an annual Sum as a Composition for and in lieu of such Duties, and in the Manner herein-after mentioned; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, from Time to Time to compound and agree with the East India Company for the Payment by the said Company of such an annual Sum of Money as the said Commissioners shall deem to be a reasonable Composition for and in lieu of the Stamp Duties which would otherwise be payable on such Bonds as aforesaid, to be made and issued by the said Company at any Time during the Term for which such Composition shall be made; which said Sum of Money so agreed upon shall be paid to the Receiver General of Stamps and Taxes by Two equal half-yearly Payments on such Days in every Year during the said Term as the said Commissioners shall appoint for that Purpose, and the Payment thereof accordingly shall be secured by the Bond of the said Company, which is hereby exempted from Stamp Duty; and every such Composition shall be made either for One Year or for any Term not exceeding Five Years, at the Discretion of the said Commissioners, and may be renewed and continued from Time to Time for any further Term not exceeding

exceeding as aforesaid, and for the Payment of the same or any greater or less annual Sum as the said Commissioners shall deem to be reasonable; and upon such Composition being agreed upon and secured in manner aforesaid, all the Bonds for the Payment of any debts and certain Sums or Sums of Money which shall be made and issued by the said Company during the Term for which such Composition shall be made, renewed, or continued shall be and the same are hereby freed and exempted from all Stamp Duties.

V. And whereas under and by virtue of the Laws in force in Great Britain the Transfer of any Share in the Stock and Funds of the East India Company, whether upon a Sale or otherwise, is subject to a Stamp Duty of One Pound Ten Shillings: And whereas a Portion of the Territorial Debt of the said Company in India may be transferred from the Books of the Company in India to their Books in England, and may be transferable in such last mentioned Books in the same Manner as the Stock and Funds of the said Company commonly called East India Stock are now transferable; and it is expedient that all Transfers of the said Territorial Debt which may be made in England should be subject only to the same Amount of Stamp Duty as Transfers of Shares in the Stock and Funds of the said Company called East India Stock are now subject to as aforesaid: be it therefore enacted, That from and after the passing of this Act every Transfer of any Part of the said Territorial Debt in the Books of the said Company in England, whether upon a Sale thereof or otherwise, shall be chargeable with a Stamp Duty of One Pound Ten Shillings and no more.

VI. And whereas under and by virtue of the Laws in force in Great Britain and Ireland respectively Letters or Powers of Attorney are chargeable with certain Stamp Duties, and it is expedient to exempt from such Duties the Letters or Powers of Attorney hereinafter mentioned; be it therefore enacted, That from and after the passing of this Act all Letters or Powers of Attorney for voting as any Election of a Director or Directors of the East India Company shall be and the same are hereby exempted from all Stamp Duties whatsoever.

VII. And whereas under and by virtue of the Laws in force every Admission of any Person to be a Member of either of the Four Inns of Court in England is chargeable with a Stamp Duty of Twenty-five Pence, and it is expedient to exempt Persons who may be admitted in more than One of the said Inns of Court from the Stamp Duty payable on the latter of such Admissions; be it therefore enacted, That from and after the passing of this Act, where any Person who is or shall be admitted a Member of any one of the said Inns of Court shall afterwards be admitted a Member of any other of the said Inns of Court, the latter Admission shall be free of Duty, provided he shall have paid the proper Stamp Duty on his former Admission according to the Laws then in force.

VIII. And whereas by an Act passed in the last Session of Parliament, entitled An Act to continue for Five Years, from the Fifth Day of April One thousand eight hundred and thirty-five, and so amended, the Act for authorizing a Composition for Assessed Taxes, Persons who had compounded for certain of the Duties of Assessed Taxes under the Acts therein referred to were authorized to continue their former Compositions for a further Term, and Persons who had not so compounded were authorized to compound for the same Duties for the Term and in the Manner and on the Conditions in the said Act mentioned or referred to, provided that such Persons respectively should give Notice of their Intention so to continue their former Compositions or to compound on or before the Fifth Day of April One thousand eight hundred and thirty-five in England, and on or before the Term of Whitsunday in the same Year in Scotland, in the Manner in the said Act prescribed; and it is expedient to enlarge the Periods for compounding under the said Act; be it therefore enacted, That the several Periods limited by the said last-recited Act for giving any such Notice as aforesaid in England and Scotland respectively shall be and the same are hereby extended until the First Day of Greater One thousand eight hundred and thirty-five inclusive; and the respective Surveyors to whom such Notices have been or shall be delivered within the Period limited by this Act shall diligently enquire into and examine such Notices, and certify their Assent or Objection thereto at any Time within One Calendar Month next after the Delivery thereof respectively, or at the farthest within One Calendar Month next after the said First Day of Greater One; and the respective Commissioners acting in the Execution of the said Acts are hereby authorized and required to enter into Composition with such Persons respectively who have given or shall within the Period limited by this Act give such Notices as aforesaid, subject to the Rules, Regulations, and according to the Provisions of the said recited Act, in like Manner as if such Notices had been delivered within the Time limited by the said recited Act, provided the Contracts of such Compositions respectively shall be executed by the said Commissioners and the Party compounding on or before the First Day of December One thousand eight hundred and thirty-five; and such Contracts of Compositions when executed by the said Commissioners, or any Two or more of them, and by the Party aforesaid, in the Manner by the said recited Act directed, shall be of the like Force and Effect, and subject to the like Powers and Conditions for Payment, to all Intents as if the said Compositions had been entered into under the Direction of the said recited Act: Provided always, that upon every Contract of Composition executed as aforesaid after the First Day of Greater One thousand eight hundred and thirty-five there shall be paid One Moiety of the annual Amount payable under the same within Ten Days next after the Date of such Contract.

IX. And whereas Doubts have arisen whether Persons are entitled to compound under the said last-recited Act for the Duties on Carriages with Four Wheels and down by One Horse only; for removing such Doubts be it enacted and declared, That it shall be lawful for any Person keeping any Carriage of the Description aforesaid to compound for the Duties on all such Carriages under the said

Transfer in England of the Territorial Debt of the East India Company to be chargeable with a Stamp Duty of Ten only.

Letters of Attorney for voting on the Election of East India Directors exempted from Stamp Duty.

Members of any one of the Four Inns of Court may be admitted in any one of the said Inns free of Duty.

1835 c. 64. The Time for giving Notice of Intention to compound for Assessed Taxes enlarged until the 1st Dec. 1835

Composition on Four wheel Carriages down by One Horse only declared valid.

last-recited Act; and that all Contracts of Composition which have been made or entered into, or which within the Time limited by this Act may be made or entered into, under and in conformity with the Provisions of the said recited Act, and of this Act, for or in respect of the Duties on any Carriages of the Description aforesaid, shall be and the same are hereby declared to be good, valid, and effectual to all Intents and Purposes whatsoever; and all Persons who have compounded or shall compound for the Duty on any such Carriage shall be at Liberty also to set up, keep, and use a Carriage with Four Wheels drawn by Two or more Horses, on Payment of the Difference of Duty, and the Piercentage therein, in like Manner, and under and subject to the same Conditions, Rules, and Regulations, as Persons who have compounded for a Two wheel Carriage are by the Laws in force entitled to set up, keep, and use a Carriage with Four Wheels.

X. And whereas the Revenues arising from the Duties of Stamps and the Land and Assessed Taxes in Great Britain are now under the Care and Management of One Consolidated Board of Commissioners of Stamps and Taxes, and it would facilitate the Collection of the Land and Assessed Taxes in Scotland, and tend to reduce the Expence of receiving and remitting that Branch of the Public Revenue, if the several Distributors and Sub-Distributors of Stamps or other Persons employed in the Receipt and Collection of the Stamp Duties in Scotland were also appointed Collectors of the Land and Assessed Taxes; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, to appoint such and as many of the Distributors and Sub-Distributors of Stamps in Scotland, or such other Persons as the said Commissioners may think fit, to be Collectors or other Officers for collecting and receiving the Land Tax and Assessed Taxes in Scotland, and for such Parts of Scotland and with such Salaries and Allowances as the said Commissioners of His Majesty's Treasury shall think fit, and such Persons shall hold their respective Offices during the Will and Pleasure of the said Commissioners of His Majesty's Treasury or of the Commissioners of Stamps and Taxes, in such Manner as the said Commissioners of His Majesty's Treasury shall direct; and such Persons shall in all Manners and Things relating to the Execution of their Duties be subject to the Authority, Directions, and Control of the Commissioners of His Majesty's Treasury and the Commissioners of Stamps and Taxes, and shall obey such Orders and Instructions as shall from Time to Time be issued to them by the said Commissioners respectively: Provided always, that the Land Tax Commissioners and Commissioners for putting in execution the Assessed Tax Acts in Scotland shall have no Power or Authority whatever to appoint Persons to collect the said Land Tax and Assessed Taxes, or to remove, or call to account or examine, or enforce Payment of Balances due by the Persons appointed by virtue of this Act, any thing in any Act or Act contained to the contrary notwithstanding: Provided also, that if any Persons other than the Distributors and Sub-Distributors of Stamps in Scotland shall be appointed as aforesaid to be Collectors or other Officers as aforesaid, then the Names of such Persons, with their respective Salaries and Allowances, shall be laid by the said Commissioners of His Majesty's Treasury before Parliament within Twenty-one Days after the Commencement of the Session of Parliament which shall next follow every such Appointment.

XI. And be it enacted, That the Collectors and other Officers to be appointed as aforesaid shall, before they shall act in the Execution of their respective Offices, give Security by Bond to His Majesty, His Heirs and Successors, to such an Amount and in such Terms as the Commissioners of Stamps and Taxes shall think fit, and with sufficient Sureties to the Satisfaction of the said Commissioners.

XII. And be it enacted, That all Bonds, Bills, and Securities whatsoever to be entered into with or given by the Collectors to be appointed under the Provisions of this Act, or their respective Sureties, with relation to the said Duties of Land and Assessed Taxes respectively, shall be free from all Stamp Duty whatever; and no Collector appointed under this Act as aforesaid shall in any Case be liable to or charged with any Stamp Duty, Fee, or Gratuity or his Commission, Warrant, or other Instrument to be obtained or had, either on his first Appointment or any renewal or succeeding Appointment to be such Collector as aforesaid under this Act, nor to any Fee or Gratuity for any Matter or Thing incident to the Execution of his Office, or for sending or passing his Accounts, either in His Majesty's Treasury or the Office for Taxes, or any other Office.

XIII. And whereas by an Act passed in the Forty-third Year of the Reign of King George the Third, entitled *An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the said Acts, as far as the same relate to that Part of Great Britain called Scotland*, it was enacted, that the Land Tax in Scotland shall be assessed, raised, levied, and paid under the Regulations of the last-recited Act; and it is expedient to alter the said Enactment; be it therefore enacted, That the Land Tax in Scotland shall be recovered, levied, collected, and paid under the same Rules, Regulations, Provisions, and Penalties, as the Assessed Taxes in Scotland now are or may hereafter be recovered, levied, collected, and paid; any thing in the said last-recited Act or any other Act or Acts contained to the contrary thereof in anywise notwithstanding.

XIV. And whereas by an Act passed in the Forty-fourth Year of the Reign of King George the Third, entitled *An Act to repeal the several Duties under the Commissioners for managing the Duties upon stamped Papers, Parchment, and Paper in Great Britain, and to grant new and additional Duties in lieu thereof, a Duty of Two Pounds and Two Shillings, over and above all other Duties, was granted and is now payable in Great Britain for every Horse, Mare, or Gelding entered to meet or run for*

Commissioners of the Treasury authorized to appoint Distributors and Sub-Distributors of Stamps to be Collectors of the Land and Assessed Taxes in Scotland.

Proviso

Bonds, Commissions, &c. to give Security.

Bonds, Commissions, &c. under this Act to be free from Stamp Duty and Fees.

45 G. 3 c. 130. Land Tax to be assessed and paid under the same Rules as the Assessed Taxes.

44 G. 3 c. 22.

\* any Plate, Prize, Sum of Money, or other Thing whatsoever: And whereas certain Duties of Assessed Taxes, amounting to the Sum of One Pound Eight Shillings and Nine pence, have also been granted and are now payable in Great Britain under Schedule (E.), Number Three, of Two several Acts passed respectively in the Forty-eighth and Fifty-second Years of the Reign of the said King George the Third, for every Horse, Mare, or Gelding kept for the Purpose of racing or running for any Plate, Prize, or Sum of Money, or other Thing, or kept in training for any of the said Purposes: And whereas the said several Duties of Two Pounds Two Shillings and One Pound Eight Shillings and Nine pence are respectively levied and collected by different Officers and under different Rules and Regulations, and it would give Relief to the Persons chargeable therewith, and tend to facilitate the Collection thereof, if the same were reduced in Amount, and assessed and levied in One Sum, in the Manner hereinafter mentioned; be it therefore enacted, That from and after the passing of this Act the said several Duties of Two Pounds Two Shillings and One Pound Eight Shillings and Nine pence granted and now payable as aforesaid under and by virtue of the said several Acts heretofore recited or referred to shall be and the same are hereby severally repealed, save and except as to any Arrears of the said respective Duties, and any Penalties incurred in relation thereto, all which said Arrears and Penalties may be sued for, recovered, levied, and applied in the same Manner as if this Act had not been passed.

XV. And be it enacted, That for and in lieu of the said several Duties by this Act repealed as last aforesaid there shall be granted and payable upon all Assessments made or to be made for any Year commencing from or at any Time after the Fifth Day of April One thousand eight hundred and thirty-five, for every Horse, Mare, or Gelding kept or used for the Purpose of racing or running for any Plate, Prize, or Sum of Money, or other Thing, or kept in training for any of the said Purposes, whether in the Stables of the Proprietor or Proprietors or of any other Person or Persons, the annual Sum of Three Pounds Ten Shillings, which shall be charged on the Person or Persons having the Custody, Care, or Management of any such Horse, Mare, or Gelding, and shall be assessed, collected, levied, and applied in like Manner, and under the same Provisions, Rules, and Regulations, as the Duties granted and now payable under Schedule (E.) of the said Acts passed respectively in the Forty-eighth and Fifty-second Years of the Reign of King George the Third are now assessed, collected, levied, and applied.

XVI. And whereas by an Act passed in the last Session of Parliament, intitled *An Act to grant Relief from the Duties of Assessed Taxes in certain Cases*, Exemption from Duty for One Horse, Mare, or Gelding, or Male kept and used for the Purpose of riding or drawing any Carriage not chargeable with Duty was granted to every Person occupying a Farm or Estate of less annual Rent or Value than in the said Act is specified, under and subject to the Provisions and Conditions therein mentioned: And whereas Doubts have arisen as to the Persons entitled to the Relief intended to be granted under the said Exemption; be it therefore enacted, That so far as relative to any Assessment of the Duties of Assessed Taxes made or to be made for any Year commencing from or at any Time after the Fifth Day of April One thousand eight hundred and thirty-five the said Exemption shall be deemed and construed to extend only to such Occupiers of Farms or Estates under the Rent or Value in the said Act specified as obtain their Livelihood principally by Husbandry on such Farms or Estates in their respective Occupations, under and subject, nevertheless, to the several Provisions and Conditions in the said recited Act contained.

XVII. And whereas under and by virtue of an Act passed in the Fifty-second Year of the Reign of King George the Third, intitled *An Act for granting to His Majesty certain new and additional Duties of Assessed Taxes, and for consolidating the same with the former Duties of Assessed Taxes*, Exemption from the Duties payable for Male Servants retained or employed in the several Capacities mentioned in Schedule (C.), Number One and Two, to the said Act aforesaid, is granted to the several Officers hereinafter described, every such Officer retaining or employing as a Sergeant One Male Person only; (that is to say,) to every Officer serving in any Regiment of Horse or Dragoon under the Rank or not receiving the Pay of a Field Officer, for One Servant, being actually a Soldier in the Regiment, Troop, or Squadron to which such Officer shall belong; and to every Officer serving in any Regiment of Artillery, Infantry, Royal Marines, Royal Garrison Banditti, or Corps of Engineers, for One Servant, being actually a Soldier in the Regiment or Company to which such Officer shall belong: And whereas it is expedient to extend the said Exemption in the Manner hereinafter mentioned; be it therefore enacted, That upon all Assessments made or to be made for any Year commencing from or at any Time after the Fifth Day of April One thousand eight hundred and thirty-five the said Exemption shall be and the same is hereby extended and granted to all Officers serving in any Regiment of Horse or Dragoon, or in any Regiment of Artillery, Infantry, Royal Marines, Royal Garrison Banditti, or Corps of Engineers, for so many Male Servants, being such Soldiers as aforesaid, as may be allowed to them respectively by the Regulations of the Public Service, in whatever Capacity any such Soldier may be employed, and without regard to any other Male Servants retained or kept by any such Officer, and for which he may be liable to be assessed: Provided always, that all such Servants shall be duly returned to the Assessor and the Exemption claimed in manner aforesaid.

40 G. 3. c. 23.  
and 34 G. 3.  
c. 95. Intit.  
(E.) Nos. 2.

Amount of the  
Duties granted  
by the recited  
Acts on Race  
Horses.

They of 10  
are charged to  
be assessed on  
Race Horses  
in lieu of  
Assessed Duties.

Exemption  
granted to  
Farmers from  
the Duty on  
One riding  
Horse by  
48 G. 3. c. 23.  
explained and  
extended.

Exemption  
granted to cer-  
tain Officers by  
25 G. 3. c. 58  
Intit. (C.)  
for One Male  
Servant, being a  
Soldier, who  
belong to such  
Number of  
Regiments, being  
Soldiers, or may  
be allowed to  
such Officers by  
the Regulations  
of the Service.

## C A P. LXV.

An Act for preventing the Publication of Lectures without Consent.

[9th September 1835.]

WHEREAS Printers, Publishers, and other Persons have frequently taken the Liberty of printing and publishing Lectures delivered upon divers Subjects, without the Consent of the Authors of such Lectures, or the Persons delivering the same in public, to the great Detriment of such Authors and Lecturers: Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of September One thousand eight hundred and thirty five the Author of any Lecture or Lectures, or the Person to whom he hath sold or otherwise conveyed the Copy thereof, in order to deliver the same in any School, Seminary, Institution, or other Place, or for any other Purpose, shall have the sole Right and Liberty of printing and publishing such Lecture or Lectures; and that if any Person shall, by taking down the same as Short Hand or otherwise in Writing, or in any other Way, obtain or make a Copy of such Lecture or Lectures, and shall print or lithograph or otherwise copy and print the same, or cause the same to be printed, lithographed, or otherwise copied and published, without Leave of the Author thereof, or of the Person to whom the Author thereof hath sold or otherwise conveyed the same, and every Person who, knowing the same to have been printed or copied and published without such Consent, shall sell, publish, or expose to sale, or cause to be sold, published, or exposed to sale, any such Lecture or Lectures, shall forfeit such printed or otherwise copied Lecture or Lectures, or Parts thereof, together with One Penny for every Sheet thereof which shall be found in his Custody, either printed, lithographed, or copied, or printing, lithographing, or copying, published or exposed to sale, contrary to the true Intent and Meaning of this Act, the one Mowcy thereof to His Majesty, His Heirs or Successors, and the other Mowcy thereof to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record in Westminster, by Action of Debt, Bill, Plea, or Information, in which no Wager of Law, Assize, Privilege, or Protection, or more than One Imparance, shall be allowed.

II. And be it further enacted, That any Printer or Publisher of any Newspaper who shall, without such Leave as aforesaid, print and publish in such Newspaper any Lecture or Lectures, shall be deemed and taken to be a Person printing and publishing without Leave within the Provisions of this Act, and liable to the aforesaid Forfeitures and Penalties in respect of such printing and publishing.

III. And be it further enacted, That no Person allowed for certain Fee and Reward, or otherwise, to attend and be present at any Lecture delivered in any Hall, shall be deemed and taken to be licensed or to have Leave to print, copy, and publish such Lectures, only because of having Leave to attend such Lecture or Lectures.

IV. Provided always, That nothing in this Act shall extend to prohibit any Person from printing, copying, and publishing any Lecture or Lectures which have or shall have been printed and published with Leave of the Authors thereof or their Assignees, and whereof the Term hath or shall have expired within which the sole Right to print and publish the same is given by an Act passed in the Eighth Year of the Reign of Queen Anne, intitled *An Act for the Encouragement of Learning, by vesting the Copies of printed Books in the Authors or Purchasers of such Copies during the Times therein mentioned*, and by another Act passed in the Fifty-fourth Year of the Reign of King George the Third, intitled *An Act to amend the several Acts for the Encouragement of Learning, by securing the Copies and Copyright of printed Books to the Authors of such Books, or their Assigns, or to any Lecturers which have been printed or published before the passing of this Act*.

V. Provided further, That nothing in this Act shall extend to any Lecture or Lectures, or the printing, copying, or publishing any Lecture or Lectures, or Parts thereof, of the delivering of which Notice in Writing shall not have been given to Two Justices living within Five Miles from the Place where such Lecture or Lectures shall be delivered Two Days at the least before delivering the same, or to any Lecture or Lectures delivered in any University or public School or College, or in any public Foundation, or by any Individual in virtue of or according to any Gift, Endowment, or Foundation; and that the Law relating thereto shall remain the same as if this Act had not been passed.

## C A P. LXVI.

An Act to amend the Law relating to the Customs.

[9th September 1835.]

WHEREAS an Act was passed in the Third and Fourth Years of His present Majesty, intitled *An Act for granting Duties of Customs*; and it is expedient to alter and amend the same in answer hereunto after provided: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, instead of the Duties now payable under the said Act upon Coffee the Produce of the British Possessions within the Limits of the East India Company's Charter, and imported from such Possessions, and upon Coffee the Produce of *Sierra Leone*, and imported from thence, there shall be paid for every Pound of such Coffee a Duty of Sixpence; and instead of the Duty now payable under the said Act upon rough Rice or Paddy, the Produce of the West Coast of Africa, imported from a British Possession on that Coast, there shall be paid for every Bushel of such Rice a Duty of One Penny; and that for every Hundred Weight of Peas or Pat Aches of Foreign Production imported from a British Possession in

Europe

Europe there shall be paid a Duty of Six Shillings; any thing in the said Act permitting such Ashes to be so imported Duty-free to the contrary notwithstanding.

II. And be it further enacted, That no Coffee shall be entered as being the Produce of any British Possession within the Limits of the East India Company's Charter unless the Master of the Ship importing the same shall have delivered to the Collector or Controller a Certificate under the Hand and Seal of the proper Officer at the Place where such Coffee was taken on board, testifying that a Declaration in Writing had been made and signed before him (the Contents of which he had examined and believed to be true) by the Stepper of such Coffee, that the same was really and bona fide the Produce of some such British Possession, nor unless such Master shall also make and subscribe a Declaration before the Collector or Controller that such Certificate was received by him at the Place where such Coffee was taken on board, and that the Coffee so imported is the same as is mentioned therein.

III. And be it further enacted, That the Duties imposed by this Act shall be raised, levied, collected, and paid unto His Majesty in like Manner as if such Duties had been imposed by the said former Act, and had been set forth in the Table of Duties therein annexed.

IV. And whereas by another Act passed in the said Third and Fourth Years of His Majesty's Reign, intitled *An Act for the warehousing of Goods*, it is provided that Damage occasioned by Embarkment, Waste, Spoil, or Destruction of any Goods or Merchandise warehoused in Warehouses under the Authority of the said Act, by or through any wilful Misconduct of any Officer or Officers, or Customs or Excise, shall be repaid and made good to the Importer, Consignor, or Proprietor, by the Commissioners of Customs or Excise, under such Orders, Regulations, and Directions as shall be for that Purpose made and given by the Commissioners of His Majesty's Treasury, or any Three of them: and it is expedient to amend the said Act in this respect; be it therefore enacted, That nothing in the said Act contained shall extend or be deemed or taken to extend to any Damage or Loss occasioned by Fire.

Regulating the Entry of Coffee the Produce of British Possessions in the East Indies.

How Duties to be collected.

Proviso to 5 A & W. s. c. 56. as to Damage done to Goods warehoused, and no credit by Damage by Fire.

## C A P. LXVII.

An Act for the Improvement of the Navigation of the River Skomron.

[8th September 1835.]

WHEREAS the Improvement of the Navigation of the River Skomron, from its Source in Leugh Allen in the County of Leitrim to the Mouth of the said River, will contribute to the general Prosperity, Commerce, Agriculture, and Revenue of Ireland, and also tend to the Advantage and Improvement of the respective Counties and Districts adjoining such Navigation: And whereas certain Surveys have been made under the Direction of the Lord Lieutenant of Ireland, whereby it appears that the whole Course of the said River, embracing Two hundred and thirty-two Miles of continuous Navigation, may be improved and thrown open and rendered effectually navigable by the Execution of divers proposed Works; and it is expedient that the necessary Works should be executed under the Direction of the Commissioners for the Promotion and Extension of Public Works in Ireland, and the Control and Conservation of such Navigation vested in them; and that the Expence attendant upon the Improvement of the said Navigation shall in the first instance (when the Plans, Estimates, and Specifications for the proposed Works, together with the Conditions under which such Works shall be proposed to be executed, shall have been submitted to and approved of by Parliament,) be defrayed out of the Public Revenue, and that one Moiety of the Sum so advanced shall be a free Grant for the Improvement of such Navigation, and the other Moiety repaid by Twelve half-yearly Instalments out of the Surplus of the Produce of such Tolls as may accrue from the said Navigation, after defraying the Expence of maintaining the said Navigation; and in case the Surplus of such Tolls should prove insufficient in any Year to pay the annual Instalment then due, that the Deficit shall be made good by a local Rate or Assessment upon the Counties and Districts adjoining such Navigation and benefited by the Improvement thereof, in such Shares and Proportions as may be fixed and established in manner herein-after mentioned, according to the particular Extent of Benefit arising out of such Improvement of the said Navigation to each of the said Counties and Districts respectively: And whereas it is expedient, with a view to the Improvement of the said Navigation in the most judicious, efficient, and economical Manner, that the Works necessary to be executed for that Purpose should be previously ascertained, and an Estimate made of the Expence attending thereon, and of the Sum required to be paid for the Compensation of the several Persons possessed of any Right of Fishery or other Right in anywise injured or prejudiced by the said proposed Works, and for the Purchase of any Lands or Tenements required to be taken for the Erection of Wharfs, Piers, Landing Places, or other Purposes connected with the said Navigation: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, by Warrant under their Hands, to constitute and appoint Three or more Persons to be Commissioners for the Purpose of ascertaining the Works necessary to be executed for the Improvement of the said Navigation, and making an Estimate of the Expence thereof, and inquiring into and determining the Proportions in which the several Counties and Districts adjacent to such Navigation and benefited by the Improvement thereof should contribute towards making good the Proportion of such Expence which may, in defect of the surplus Tolls arising from such Navigation being adequate to that Purpose as herein-before mentioned, fall upon such Counties and Districts, and for the other Purposes of this Act.

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Lords of Treasury may appoint Commissioners for carrying this Act into execution.

Commissioners appointed shall cover duty to execute the Trusts and matters referred to them.

II. And be it enacted, That the said Commissioners so to be appointed under this Act shall each of them, previously to his entering upon the Execution of such Commission, take an Oath before one of the Justices or Barons of one of His Majesty's Superior Courts of Record at Dublin (which Oath they are lawfully respectively authorized to administer) of the Tenor hereinafter following; (That is to say.)

' I A.B. do swear, That I will faithfully and impartially, according to the best of my Judgment, execute the several Powers and Trusts vested in me by an Act, intituled [Here set out the Title of this Act].'

Commissioners may meet from Time to Time, and employ the necessary Officers.

III. And be it enacted, That the said Commissioners may meet and sit from Time to Time in such Place or Places as they shall find most convenient, with or without Adjournment; and that all Acts, Matters, and Things which the said Commissioners for the Execution of this Act are by this Act authorized to do or execute may be done and executed by any Three or more of them; and that they shall and may, with the Consent and Approbation of the said Lords Commissioners of the Treasury, employ such Officers as they may find necessary, and that all and every the Persons so employed in any such Capacity may from Time to Time be dismissed at the Pleasure of the said Commissioners, and any other Person or Persons, with the like Consent and Approbation, appointed in his or their Stead.

Commissioners to arrange the Mode of improving the Rivers, and prepare Plans, &c. to be laid before the Treasury.

IV. And be it enacted, That the several Surveys, Maps, and Plans heretofore made, under the Direction of the Lord Lieutenant of Ireland, of the said Navigation, and all other Papers and Documents relating to the same and material to the Purposes of this Act, shall be delivered to the said Commissioners to be appointed under this Act, and that they shall take the same into their Consideration, and cause such other Surveys, Maps, Plans, and Sections as they shall find necessary to be made, and inquire into and ascertain by the Examination of Witnesses and all such other Ways and Means as they shall think proper, the most effectual and judicious Mode of improving the said Navigation and of opening and clearing the said River Shannon from its Source to the Sea, and of carrying into execution all such Works as they shall find necessary in relation thereto; and shall likewise ascertain the proper and convenient Places for the Formation of such Havens, Piers, Wharfs, and Landing Places as they shall think necessary, distinguishing each of these as ought to form Part of the Works to be undertaken in pursuance of this Act under the Direction of the said Commissioners for the Protection and Extension of Public Works in Ireland, and such of them as may be conveniently left to individual Enterprise; and, having made such Inquiry, the said Commissioners for the Execution of this Act shall, if necessary, make out a Plan and Estimate, with proper Plans, Maps, Drawings, and Sections, and Elevations thereto attached, showing and describing the said Navigation and the several Works proper in their Judgment to be executed for the clearing and improving the same, and for confining the Waters thereof, and preventing the Inundations of the contiguous Lands, and the proper Places for the Erection of Toll Houses; and it shall be lawful for the said Lords Commissioners of the Treasury from Time to Time to give such Orders and Directions as they shall think proper, defining the Duties of the said Commissioners for the Execution of this Act in respect of such Matters, and the Extent of their Inquiries; and the said Commissioners for the Execution of this Act shall obey and observe all such Orders and Directions as aforesaid which shall from Time to Time be signified to them by the said Lords Commissioners of the Treasury.

Commissioners may enter Lands, &c. for the Purpose of this Act.

V. And be it enacted, That for the Purposes of such Survey and Inquiry, or any other of the Purposes of this Act, it shall and may be lawful for the said Commissioners for the Execution of this Act, by themselves, their Surveyors, Engineers, Agents, Officers, and Workmen, to enter upon any Lands or Premises being now or contiguous to the said River Shannon, or any of the Rivers or Streams connected therewith, and, if necessary, to dig or bore therein; and that for the Purposes aforesaid it shall be in like Manner lawful for the said Commissioners for the Execution of this Act, their Surveyors, Engineers, Agents, Officers, and Workmen, to raise and extend any Weir, Sluice, or Flood Gate erected or to be upon the said River Shannon or any other of the Rivers or Streams aforesaid, and to make any Foundations, or butt the Bed or Channel of any Part of the said River Shannon, or of any Rivers or Streams, or Mill Course or Dam connected therewith, in what Person, Company, or Corporation under the Navigation, Control, Direction, or Property in such River or Stream, or Mill Course or Dam, may be in anywise vested.

Commissioners to prepare a Schedule of Lands, &c. to be taken for the Purpose of this Act, which shall be left open for Inspection at certain Places, and Notice given thereof.

VI. And be it enacted, That the said Commissioners for the Execution of this Act, having ascertained and determined upon the Works proper in their Judgment to be executed for the Purpose of improving and completing the said Navigation, shall prepare a Schedule, with such Maps and Plans thereto attached as may be necessary, showing and describing the Lands, Tenements, or Hereditaments required to be taken for the Purposes of this Act, and the Mills, Weirs, Fisheries, or other Rights or Privileges, so far as they may be known to the said Commissioners, liable to be deprive injuriously affected by the proposed Works, and shall cause Copies thereof to be made and deposited in such as so many convenient Places in the Vicinity of such Navigation, and of the Premises mentioned in each Schedule, as they shall think proper, there to remain open to public Inspection at all reasonable Times for Three successive Weeks, and shall cause Notices of the Place or Places where the same may be deposited to be posted in the usual Places for posting Grand Jury Notices in each adjacent Barony or Half Barony, and shall also cause a like Notice to be inserted once in each Week for Three successive Weeks in the Dublin Gazette, and in some One or more Newspapers circulating in the Neighbourhood of such Navigation; and the said Commissioners shall also cause a Notice in Writing to be delivered to or left at the usual Place of Abode of the Owners or Occupiers or reputed Owners or Occupiers

(where the same may be known to the said Commissioners) of all such Lands, Tenements, and Hereditaments, Mills, Weirs, Fisheries, or other Rights or Franchises required to be taken for or liable to be injuriously affected by the said proposed Works, requiring such Owners and Occupiers to prefer their respective Claims before the said Commissioners for the Value of such Property, or the Compensation to be allowed for any Prejudice or Injury resulting thereon from such Works.

VII. And be it enacted, That any Person having or claiming to have any Right, Title, or Interest in or to any Lands, Tenements, or Hereditaments, Mill, Weir, Fishery, or other Right or Franchise liable to be in anywise injured or damaged by the said proposed Works, or required to be taken for the Purpose thereof, whether the same shall be included in the said Schedule or otherwise, shall and may, within such Time and in such Manner and Form as the said Commissioners for the Execution of this Act shall by some general Rules to be by them framed and published signify and appoint, apply to the said Commissioners, stating the Value of their respective Properties, and claiming the same, or the Compensation to be allowed for any Injury or Damage resulting or which may result thereon from such Works, and the said Commissioners shall proceed, in the Manner prescribed by such general Rules to be by them established as aforesaid, to inquire into and adjudicate upon such Claims, and shall, after due Inquiry and Examination, assess and declare the Value of the several Lands, Tenements, or Hereditaments required to be purchased for the Purposes of the said Works as proposed to be executed for the Improvement and Completion of the said Navigation, and the Assent of Compensation to be allowed to the Owners of any Mill, Weir, Fishery, or other Right or Franchise of what Nature soever, necessary to be extinguished or liable to be anywise injuriously affected by such Works, and shall fix such Value or Compensation as of an Estate in Fee Simple or the absolute and entire Estate and Interest therein, without specifying the Person or Persons entitled as or interested therein, or the Value of their respective Shares and Interest, or the Amount of Compensation due to them severally; and having ascertained and declared the Value of such Lands, Tenements, or Hereditaments, and the Amount of such Compensation in each such Case as aforesaid, the said Commissioners for the Execution of this Act shall by public Advertisement and otherwise, as the said Lords Commissioners of the Treasury shall direct, signify and appoint a Time and Place for the Confirmation of their said Award and Adjudication, and shall attend at such Time and Place, and shall thereat or at some Adjournment therefrom proceed in open Court to declare such Award and Adjudication as such Case, and hear all such Objections which may be offered thereon by any Person whatsoever, and receive all such Evidence as they shall find pertinent and proper, and assess or confirm and finally settle each such Award and Adjudication accordingly.

Commissioners to adjudicate upon Claims for Damages, &c. arising under the Execution of this Act.

VIII. And be it enacted, That at any Time previous to the said Court so to be holden by the said Commissioners for the Execution of this Act, they shall, by all such Ways and Means as they shall think necessary, inquire into and ascertain the several Counties, or Parts of Counties, through or near to which the said Navigation may pass, and which are likely to derive Benefit from the said Navigation being improved and thrown open, or from any Work proposed to be executed by the said Commissioners, and shall ascertain and determine the Proportions in which such Benefit is likely to accrue to such Counties or Parts of Counties respectively; and in case they should find that any particular Lands are likely to derive peculiar Benefit from the Waters of such Navigation being confined to their natural Channel, as to relieve such Lands from Inundation, or are likely to derive peculiar Benefit from any other proposed Work, the said Commissioners shall assign the particular Share or Proportion of Benefit likely to accrue to such Lands; and having as fixed and ascertained such Proportions as aforesaid, the said Commissioners shall, at such open Court to be holden as aforesaid, proceed to declare such Proportions, and hear all such proper and pertinent Evidence as shall be offered to them in reference thereto, and finally award and adjudicate upon such Proportions.

Commissioners shall adjudicate upon the Proportions of Expenses to be borne by the Counties described under this Act.

IX. And be it further enacted, That the said Commissioners for the Execution of this Act may examine upon Oath or Affirmation (which Oath or Affirmation they or any One or Two of them are and is hereby authorized to administer) all Persons who shall appear before them to be examined as Witnesses touching any Matters or Things which may be depending, or touching any Questions which may arise in the Execution of the Powers vested to the said Commissioners by this Act, and may also receive any Affidavits or Depositions in Writing, upon Oath or Affirmation, touching such Matters or Things as aforesaid, which shall be made before any Justice of the Peace of any County or Shire, or any Magistrate at any Borough or Town Corporate in Great Britain or Ireland, where or near which the Person making such Affidavit or Depositions shall reside, or before any Judge of any of His Majesty's Superior Courts at Westminster or Dublin, and certified and transmitted to the said Commissioners under the Hand and Seal of such Justice or Magistrate or Judge respectively (and which Oath or Affirmation every such Justice or Magistrate shall be and is hereby authorized and empowered to administer); provided, that in every such Affidavit or Deposition there shall be expressed the Addition of the Party making such Affidavit or Deposition and the particular Place of his or her Abode.

Commissioners authorized to take Executions on Oath.

X. And be it further enacted, That the said Commissioners for the Execution of this Act shall be and is hereby authorized by a Warrant under their Hands, or under the Hands of any Three of them, to require the Attendants before them, by a Time to be in such Warrants for that Purpose limited, of any Person or Persons competent, or whom such Commissioners may have Reason to believe to be competent, to give Evidence upon any Question or Matter depending before them touching or concerning the said Navigation, or the Value of the Premises required to be taken for the Purposes thereof, or the Amount of any Compensation as aforesaid; and if any Person upon whom any such

Commissioners may require the Attendance and Examination of Witnesses.



man shall be served by the actual Delivery thereof to him or her, or by the leaving thereof at his or her usual Place of Abode, shall, without reasonable Cause to be allowed by such Commissioners, fail to appear before them at the Time and Place in such Summons for that Purpose mentioned, or so appearing shall refuse to be sworn or to make his or her solemn Affirmation, as the Case may be, or having been so sworn, or having made such Affirmation, shall not make Answer to any such Questions as may by the said Commissioners be proposed to him or her touching any Matter or Thing depending before them: under the Provisions of this Act, or shall refuse or fail to produce and exhibit to the said Commissioners any such Papers and Documents relating to any Question, Matter, or Thing depending before such Commissioners as shall by them be called for or required, every such Person shall for such his Default, Refusal, or Neglect as aforesaid incur and become liable to all such Fines and Penalties, Prosecutions, Civil Suits, or Actions as any Person may by Law incur or become liable to for Default of Appearance or for refusing to be sworn or to give Evidence upon any Issue joined in any Action depending in His Majesty's Court of King's Bench; and the said Commissioners shall have all such and the same Powers, Jurisdiction, and Authority for imposing and causing to be levied and recovered any such Fines and Penalties as aforesaid as are by Law vested in any of the Judges of the said Court for requiring or causing to be levied and recovered any Fines or Penalties incurred by any Person failing to appear as a Witness, or refusing to be sworn and to give Evidence in the Trial of any Action before any such Judges or Judge.

XI. And be it further enacted, That if any Person or Persons, upon Examination on Oath or Affirmation before the said Commissioners respectively, or if any Person or Persons making any such Affidavit or Deposition as before mentioned, shall wilfully and corruptly give false Evidence, or shall in such Affidavit, Affidavit, or Deposition wilfully or corruptly swear, affirm, or allege any Matter or Thing which shall be false or untrue, every such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to the Fines and Penalties of Persons convicted of wilful and corrupt Perjury by any Law in Force at the Time of such Perjury being committed.

XII. And be it enacted, That the said Commissioners shall, with all convenient Speed after the Completion of the several Duties herein-before appointed to be executed by them under this Act, prepare a Plan, Estimate, and Specification, with proper Maps and Schedules therein attached, of the several Works proper in their Judgment to be executed for the Improvement and Completion of the said Navigation, and the Erection of Toll Houses thereon, and the Expense of executing such Works and erecting such Toll Houses, including and distinguishing the Sums required to be paid for the Purchase of Premises required for the Purposes of the said Navigation, and to be paid in Compensation, and shall also form such Plan as they may think advisable for the levying and collecting proper Tolls (noting the Amount thereof) upon the said Navigation for the Maintenance of the same, and for the Repayment of the Money of the Advances to be made as herein-before recited for the Improvement and Completion of the said Navigation, and shall transmit such Plans, Maps, Specifications, Estimates, Awards, and Adjustments, and Plan for Tolls, to the said Commissioners of His Majesty's Treasury, together with a Report on such Matters concerning the Improvement of such Navigation, and the State of the same, as the said Lords Commissioners shall direct; and the said Lords Commissioners shall, on the Receipt thereof, lay all such Documents before both Houses of Parliament, if Parliament be then sitting, and if Parliament be not then sitting, such Documents shall be laid before the said Two Houses within Fourteen Days after the Commencement of the then next Session of Parliament.

#### C A P. LXVIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disbanded Militia in Great Britain and Ireland; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quarter-masters, Sergeants, Assistant Sergeants, Sergeants Mates, and Sergeant Majors of the Militia, until the First Day of July One thousand eight hundred and thirty six. [9th September 1835.]

[This Act is the same, except as to Dates and the Sections here inserted, as 4 & 5 W. 1. c. 63.]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expenses of the Regular Militia, and of the Messes of Cornwall and Devon, when disbanded, in Great Britain and Ireland, and for making in certain Cases Allowances of Reduced Pay to Subaltern Officers and Sergeants Mates and Assistant Sergeants of the Regular Militia, and of the Messes of Devon and Cornwall, when disbanded; and Allowances to Adjutants, Paymasters, Sergeants, Quarter-masters, and Sergeant Majors of the Regular Militia, who have been or may be reduced, and to Adjutants, Sergeants, and Quarter-masters disabled after long Service: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Secretary of War for the Time being may and shall, and he is hereby authorized, empowered, and required to cause to be issued and paid the whole Sum required for the Regular Militia of Great Britain and Ireland (when disbanded), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the Rates following; (that is to say,)

Penalty for  
refusing to be  
sworn, &c.

Expenses of  
completion of  
works connected  
with the  
navigation  
of this Act to  
be paid by  
persons who shall  
cause the same  
to be laid before  
Parliament.

Secretary of  
War to issue  
the Money  
required for  
the Pay of the  
Regular Militia.

For each Adjutant, Eight Shillings per Diem :

For each Sergeant Major, having been Sergeant Major of a Provisional Battalion of Militia, Two Shillings and Sixpence per Diem :

For each Sergeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Ten-pence per Diem :

For each Sergeant, having been a Colour Sergeant in one of the Provisional Battalions of Militia, Two Shillings per Diem :

For each Sergeant doing the Duty of Quartermaster Sergeant, One Shilling and Ten-pence per Diem :

For each Sergeant, One Shilling and Sixpence per Diem :

For each Drum Major until reduced, One Shilling and Sixpence per Diem :

For each Drummer until reduced, One Shilling per Diem :

Provided always, that when any Sergeant Major, Sergeant, Drum Major, or Drummer shall be absent on Furlough or Licence, he shall during such Absence receive Suspense per Diem less than the above-mentioned Rates respectively :

And also for the Clothing of the Regular Militia (when disembodied), in Cases in which full Clothing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Sergeant Major, and Three Pounds for each Sergeant; and so in proportion, in the Cases in which only Part of the Clothing shall be provided by the Colonel or Commandant, together with the actual Expence of Package and Carriage, and such Charges for altering and fitting the Clothing as shall have been sanctioned by the Secretary at War: Provided always, that such Sergeant Majors and Sergeants as were serving on the Disembodied Staff on the First Day of June One thousand eight hundred and twenty-nine, and shall be resident at Head Quarters, shall be entitled to be clothed once in Two Years; and that such as shall have been subsequently appointed to serve or promoted on the Disembodied Staff shall be entitled to be clothed once in Four Years :

And also at the Rate of One Penny per Month for each Private Man for defraying the contingent Expences of each Regiment, Battalion, or Corps.

II. And be it further enacted, That every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall be constantly resident within the City, Town, or Place where the Depot of the Corps to which they belong may be ordered to be stationed, or within such reasonable Distance of the Depot as shall be sanctioned by the Secretary at War: Provided always, that every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Tenth of the Non-commissioned Officers at the same Time.

III. And be it further enacted, That the Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores kept at the Depot under the Superintendance of the Colonel or Commandant; and shall out of the Allowance of One Penny per Month for each Private Man, directed by this Act: to be issued and paid for defraying the contingent Expences of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expences, upon an Order in Writing signed by the Colonel or other Commandant; and after Payment of such Sums as aforesaid he shall Three Times in the Year make up Accounts of all such Money, and of the Expensiture thereof, showing the Balance remaining in his Hands, (which said Balance shall form a Stock Fund for the Use of the Regiment, Battalion, or Corps); and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts so allowed and signed shall be and are hereby directed to be the proper Vouchers and Acquittals of such Adjutant for the Application and Disposal of such Money.

IV. And be it further enacted, That in the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Arms of any Corps of Militia when disembodied are kept, or during any Vacancy in the Appointment of Adjutant, the Sergeants shall be under the Command of the Sergeant Major, or of some Sergeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Sergeant Major during the Absence of such Adjutant; and the said Sergeant Major or acting Sergeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

XIX. And be it further enacted, That there shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expence of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Absence for Exercise or Training; and also an Allowance of Two pence per Week for each of the Non-commissioned Officers of each Regiment on the Disembodied Staff at Head Quarters, for the Expence of necessary Medicines and Attendance given to the said Non-commissioned Officers and Drummers while such Regiment is not called out for Training and Exercise.

XX. And be it further enacted, That every Adjutant of Regular Militia appointed as such before the Twenty-fourth Day of December One thousand eight hundred and fourteen, who shall have served faithfully, either in His Majesty's Regular Forces, or in the Regular or Local Militia, for the full Term of Twenty Years in the Service, whereof Ten shall have been in Service as an Adjutant of

Rate of Pay.

Rate of Pay when absent on Furlough.

Clothing.

Contingent Fund.

Adjutant, &amp;c. in reality where the Arms of the Corps are kept.

Adjutant to have Charge of the Arms and Clothing, and to issue the Money for contingent Expences on an Order signed by the Colonel; and the Balance to form a Stock Fund.

In Absence of the Adjutant, the Sergeants, &amp;c. to be under the Command of the Sergeant Major.

Allowance to be made for Medicines.

Adjutants appointed before 24 Dec. 1814 to receive after a Service of

Twenty Years  
if until the  
Fourth Service,  
an Allowance  
of 8s. per Day;

provided they  
do not hold  
any other  
Appointments.

Adjutants  
appointed since  
21 Decr. 1814,  
entitled to  
receive, after  
Thirty Years  
Service, &c. an  
Allowance of  
6s. per Day.

Eight to Half  
Day reduced.

Casuals Terms  
extended to  
Adjutants in  
Cases of long  
and meritorious  
Services.

Expenses of  
Houses for  
depositing Arms  
and Stores of  
the Militia in  
Ireland, &c. to  
be defrayed by  
the County.

Provision as  
to Amount of  
Rent.

Commissions  
of Colonel  
Rank may  
begin certain  
Rates of Pen-  
sion to be  
charged, &c. of  
Militia.

Regular Militia, and who shall be by Age or Infirmary rendered unfit for further Service, shall on producing to the Secretary at War a Certificate of such Service of Twenty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster General shall and he is hereby authorized to pay to such Person, an Allowance at the Rate of Eight Shillings per Diem: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under His Majesty or any other Government; and that no Person who before the First Day of June One thousand eight hundred and twenty-one held any Civil Place or Employment of Profit under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases His Majesty's Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary at War: and that no Person appointed on or after the First Day of June One thousand eight hundred and twenty-one to any Civil Place or Employment of Profit under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment: Provided always, that any Adjutant appointed after the Twenty-fourth Day of December One thousand eight hundred and fourteen, who shall have served faithfully, either in His Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmary rendered unfit for further Service, shall, upon producing to the Secretary at War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive an Allowance at the Rate of Six Shillings a Day, in like Manner and subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out-Pension by reason of receiving such Allowance of Eight Shillings or Six Shillings a Day as aforesaid, but shall be entitled to receive such Half Pay or Out-Pension as well as such Allowance: Provided always, that in Cases of very long and meritorious Services it shall be lawful for the Secretary at War to extend to any Adjutants appointed between the Twenty-fourth Day of December One thousand eight hundred and fourteen and the Ninth of July One thousand eight hundred and twenty-three the Terms, either in whole or in part, herein before prescribed for the Retirement of Adjutants appointed before the Twenty-fourth Day of December One thousand eight hundred and fourteen.

XXXII. And be it further enacted, That the Hire of any House or Place to be provided for the keeping of the Arms, Ammunition, Clothing, or other Stores, and for the Residence and Accommodations of the Adjutant belonging to any Regiment or Battalion of Militia in Ireland, when not embodied, shall be defrayed by the County; and the necessary Sum for that Purpose, and for all other Sums of Money and Expenses payable and to be defrayed by the County in respect of the Militia of the County, and all Arsons of any such Hire of any such House, and of any such other Sums or Expenses aforesaid which shall have become due before the Certificate thereof shall be transmitted as hereafter mentioned, shall be raised by the Presentation of the Grand Jury of the said County, and which Presentation the Grand Jury of the County is hereby authorized and required to pass, on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, or, in the Absence of such Chief Secretary, by the Under Secretary or by the First Clerk in the Military Department, and specifying the Rent agreed to be paid for the same; which Certificate shall be transmitted by such Chief or Under Secretary or First Clerk to the Clerk of the Crown for such County, or at any Time prior to the First Day of the Assizes for such County, or if in the County or Vicinity of the City of Dublin, then prior to the First Day of the presenting Term: Provided that it be no Case any greater Rent than Fifty Pounds Currency of the United Kingdom of Great Britain and Ireland shall be presented by such Grand Jury for the annual Rent of such House or Place.

XXXIII. And whereas the Drum Majors and Drummers, and a Proportion of the Sergeants or the disembodied Staff of the Militia of the United Kingdom, are to be reduced in pursuance of an Act passed in the present Session of Parliament: be it further enacted, That it shall be lawful for the Commissioners of Chelsea Hospital to place on the Out-Pension List any Sergeants, Drum Majors, or Drummers discharged in consequence of such Reduction who shall have served Twenty Years consecutively in the embodied Militia and on the disembodied Staff, and to assign to them, although not disabled, the Rates of Pension to which they would be entitled if disabled: provided that no Service in the Rank of Drummer previous to the Age of Sixteen, or in any other Rank previous to the Age of Eighteen, shall be included in the said Twenty Years: Provided also, that in Cases of long and meritorious Service, not coming in every Respect within the above Descriptions, it shall be lawful for the said Commissioners, upon His Majesty's Pleasure being signified to them through the Secretary at War, to grant to such reduced Sergeant, Drum Major, or Drummer such Rate of Pension as His Majesty shall be pleased to direct, not exceeding the Rate of the Militia Pension for Disability: Provided always, that no Pension granted on the Reduction herein before mentioned shall be issued for a Period during

## C A P. LXIX.

An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in England and Wales. [5th September 1835.]

WHEREAS there are certain legal Difficulties attending the Title, Purchase, Sale and Disposal of Property, which, with respect to Workhouses and other Property belonging to Parishes, Incorporations, or Unions, it is expedient to remove; and it is also expedient to simplify the Assurances for the Conveyance, Exchange, or Transfer of such Property: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of the King's Majesty's Woods, Forests, and Land Revenues, by and with the Consent in Writing of the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, and for His Majesty, by any Grant signed by the Chancellor of the Duchy of Lancaster, and for the Duke of Devonshire, by any Grant signed by the Chancellor of that Duchy, to grant, and for the Guardians and Overseers of the Poor of any Parish or Union of Parishes, under the Direction and with the Approbation of the Poor Law Commissioners for England and Wales (to be testified by Order under their Hands and Seal), and for any Lay or Ecclesiastical Corporation, Aggregate or Sole, and for any Officers or Trustees to charitable or other Use, and for any Person beneficially seized or entitled in Possession as Tenant in Fee Simple, or in Fee Tail, General or Special, or for his own Life, or for Years determinable on his own Life, (such Estate for Life or Years not being subject to any Rent,) or for any Term of Years in gross whereof not less than Four hundred shall be unexpired, and subject to no Equity of Redemption or Rent, except a nominal Rent, and for any married Woman entitled or interested as aforesaid in her separate Use, and for the Guardian, Trustee, Husband, or Committee of any Person so seized or entitled who shall be an Infers, married Woman (not separately entitled), idiot, Lunatic, or under any other Disability, to dispose of, by way of absolute Sale, or in Exchange for any Messuages, Lands, or other Hereditaments, any Lands or Buildings for the Purpose of the same being used as or converted into a Workhouse, or of being used as the Site of a Workhouse, or of being occupied with a Workhouse, or for any other Purpose relating to the Relief of the Poor which the said Poor Law Commissioners may approve of, with the Rights and Appurtenances, and to convey the same and the Fee Simple and Inheritance thereof unto the Guardians or Overseers of any Union or Parish and their Successors, or to such other Master as the said Poor Law Commissioners may direct, and to accept from and give to such Guardians or Overseers any Moneys by way of Equality of Exchange.

II. And with regard to the Application of Money paid for the Purchase or on the Exchange of Hereditaments of Persons under Disability, be it enacted, That all Sums of Money which shall be agreed to be paid to any Corporation, or to any Trustee, Guardian, or Committee for or on behalf of any Infant, Ward, Lunatic, Idiot, married Woman, or other Person under Disability, or to any Person whose Lands shall be handed in Settlement, for the Purchase or Exchange of Hereditaments as aforesaid, shall, in case the same shall exceed the Sum of Fifty Pounds, and there shall be no Person capable of giving a sufficient Discharge for the same, be paid by the said Guardians and Overseers to the Bank of England in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed in his Account to the Credit of the Party who shall be so interested in the said Hereditaments, describing them, subject to the Order of the said Court of Exchequer; which said Court, on the Petition or Motion on behalf of any Corporation or Person making claim to any such Money, is hereby empowered to order summarily the Investment of such Money to the Purchase of Real Estates, to be settled to the same Uses and upon the same Trusts as the Lands as aforesaid were previously subject to, or to the Public Funds, and the Distribution of the Rents and Dividends thereof respectively, according to the respective Interests of the Claimants thereof, and to make such other Order in the Premises as to the Court shall seem reasonable; and the Cashier of the Bank of England who shall receive such Money shall give a Receipt to the Party paying the same, specifying for what the same is received, which Receipt shall be to all Intents and Purposes a sufficient Discharge; and upon such Receipt being given it shall be lawful for the said Poor Law Commissioners, by Order under their Hands and Seal, to direct that the said Hereditaments as purchased by such Guardians or Overseers shall be appropriated for the Purposes of this Act; and in case of Doubts or Questions of Title to any Money paid into the Bank of England by virtue of this Act, or the Securities on which the same may be invested, or the Dividends or Interest thereof, the Corporation or Person who shall have been in the Possession of such Hereditaments, Interests, or Incumbrances at the Time of such Purchase, and Persons claiming under them, shall be deemed and taken to be lawfully entitled to such Hereditaments, Interests, or Incumbrances, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Securities and Principal and Interest Moneys shall be applied and disposed of accordingly; and in case of such Purchase, Payment into the Bank of England, and Application in the Court of Exchequer as aforesaid, it shall be lawful for the said Court to order the Expenses attending such Purchase, Payment, or Application, or any Part thereof to be paid by such Guardians or Overseers, who shall accordingly pay the same as and when the said Court shall direct, and the Money so paid shall be a Charge on the Poor Rates of such Parish or such Union, as the Case may be.

III. And in order to ensure the due Application of the Property of Parishes and Unions, be it enacted, That it shall be lawful for the Guardians of any Parish or Union, and for the Overseers of any Parish

Power for Corporation and Persons under Disability to convey Lands, for the Purpose of this Act.

Investment of Money to the use of the Bank as directed by the Act.

Parties in Possession to be deemed entitled.

Court of Exchequer may order Payment of Expenses.

Power to Overseers and Guardians of

the Poor to  
sell, purchase,  
and dispose of  
Workhouses, &c.

not under the Management of a Board of Guardians, and for the Guardians or Trustees, Guardian or Trustee of any dissolved Union, or the Person or Persons who were the Guardians or Trustees, Guardian or Trustee of any dissolved Union at the Time of its Dissolution, or a Majority of such Guardians, Trustees, or Persons, if more than One, with the Approbation, and subject to the Rules, Orders, and Regulations, of the Poor Law Commissioners, to sell, exchange, let, or otherwise to dispose of any Workhouses, Tenements, Buildings, Land, Effects, or other Property belonging to any such Parish or Union, or vested in Trustees or Feoffees in Trust for such Parish or Union, or for the Parishes, Rate-payers, or Inhabitants thereof, or which belong or did belong to any dissolved Union, and every and any Part of such Property, and to convey, assign, or transfer the same accordingly to the Purchasers or Parties exchanging, as they shall direct; and, in case of a Sale, to apply the Produce arising therefrom (after deducting the reasonable Expenses thereof) towards the Purchase or holding of any Workhouse, or as or in part of the Propriety of such Parish or Union towards the Expense of any Workhouse erected, purchased, or provided as behalf of such Parish or Union, or as a Loan to the Board of Guardians of such Union, upon the Security of the Rates, for the Purpose of erecting a Workhouse, or in Liquidation of any Debt contracted by such Parish or Union or dissolved Union, or in such other Manner for the permanent Advantage of such Parish or Union or dissolved Union as the said Poor Law Commissioners may approve; and in case of an Exchange, the Hereditaments to be taken in exchange shall be conveyed to the Guardians of such Parish or Union, or the Overseers of such Parish, upon the same Terms, and the Rents and Profits thereof shall be applied to the same Purpose, as the Hereditaments given in exchange were held, and the Rents and Profits thereof would have been applicable under the Provisions of the Law or of this Act if the said Hereditaments had not been exchanged; and it shall be lawful for the said Poor Law Commissioners to direct the Mode and Proportions on Parishes in which any Money required for the Purchase of any such Property shall be raised, paid, and secured, and also to direct the Mode in which the Persons by whose and the Objects relating to the Management of the Poor to which the Rents, Profits, beneficial Occupation, or Income of such Property shall be applied, assigned, or distributed; and whatsoever the Workhouse or Workhouses of any Parish in any Union may have become or shall hereafter become convertible to the common Use of such Union, it shall be lawful for the said Poor Law Commissioners to direct such an annual Sum, in the Nature of Rent or other Compensation, to be paid to each Parish out of the common Fund of the Union, and to vary the Amount of such annual Sum or Compensation from Time to Time as they the said Poor Law Commissioners shall see fit: Provided always, that no such Sale or Exchange or letting of any Workhouses, Tenements, Buildings, or Land of any Parish shall take place except with the Consent of a Majority of the Rate-payers of such Parish, and of the Owners of Property therein, entitled to vote under and by virtue of the Act passed in the Fourth and Fifth Years of the Reign of His present Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*, assembled at a Meeting to be duly convened and held for the Purpose, after public Notice of the Time and Place and Purpose of holding such Meeting shall have been given in like Manner as Notices of Vestry Meetings are published and given, such Majority to be ascertained in manner provided by the said Act: Provided also, that every Sale and Exchange or Lease of any such Workhouse, Tenements, Buildings, Land, or other Property, which may have been made before the passing of this Act, with the Consent or Approbation in Writing of the said Poor Law Commissioners, shall be as valid and effectual as if the same had been directed by their Order under the Authority of this Act, and that any Monies or Rents which have become or shall become payable in respect of any such Sale, Exchange, or Lease, and have not been applied, shall be applied in the same Manner as such Monies or Rents would have been applicable if such Sale or Exchange or Lease had been made under this Act.

4 & 5 W. 4 c. 13.

Powers to  
Overseers, &c.  
extended to  
Guardians, &c.  
22 G. 2. c. 23.  
40 G. 2. c. 12.

1 & 2 W. 4. c. 13.

1 & 2 W. 4. c. 25.

2 & 3 W. 4. c. 25.

IV. And be it further enacted, That all the Powers and Authorities in and by an Act passed in the Twenty-second Year of the Reign of King George the Third, intituled *An Act for the better Relief and Employment of the Poor*, given to Guardians of the Poor for or relating to the inclosing of any Part or Portion of Waste or Common Land as therein mentioned; and all Powers and Authorities in and by an Act passed in the Fifty-ninth Year of the same Reign, intituled *An Act to amend the Laws for the Relief of the Poor*, given to Churchwardens and Overseers of the Poor for taking Land or Ground into their Hands, and for purchasing, hiring, and taking on Lease any Land; and all the Powers and Authorities contained in an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend an Act of the Fifty-ninth Year of His Majesty King George the Third for the Relief and Employment of the Poor*; and in a certain other Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to enable Churchwardens and Overseers to inclose Land belonging to the Crown for the Benefit of poor Persons residing in the Parish in which such Crown Land shall be situate*; and in a certain other Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act to authorize (in Parishes intituled under any Act of Parliament) the letting of the Poor Alms-houses in small Portions to industrious Cottagers*; shall in future be exercised (under the Control, and subject to the Rules, Orders, and Regulations of the Poor Law Commissioners,) by the Overseers of the Poor in any Parish not under the Management of a Board of Guardians, and by the Guardians of the Poor of any Union or Parish formed or established by virtue of any Statute or Local Act; and all the aforesaid Powers and Authorities relating to the inclosing, purchasing, hiring, or taking any Waste, Common, or other Land, for the Purpose or Purposes in the said Acts mentioned, shall extend and apply to and may be so exercised as aforesaid by the said Overseers and Guardians for the Purpose of being used as the Site of a Workhouse, or of being occupied with a Workhouse, or for any other

of the Purposes of the said recited Act passed in the Fourth and Fifth Years of the Reign of His present Majesty.

V. And be it further enacted, That the Powers and Authorities given by the said Act of the Fifty-ninth Year of King George the Third, and by the said Act of the Second Year of the present Reign, to Justices of the Peace to cause Possession of Parish Houses and Portions of Land to be delivered to the Churchwardens and Overseers of the Poor, and any other auxiliary Powers or Provisions in the said Acts or other Acts contained in relation thereto, shall extend to and shall be exercised by such Justices in respect of any Houses and Lands and Portions of Land which are or may be vested in or under the Management or Control of the Guardians of the Poor of any Union or Parish, in the same Manner as if the Name of those Officers had been inserted in the said Acts instead of the Names of the Churchwardens and Overseers of the Poor.

VI. And, for amplying the Instruments of Assurance of Property under this Act, be it enacted, That every Conveyance, Exchange, Security, or Assignment of Security, under the Authority of this Act, may be made according to the Forms set forth in the Schedule annexed, or in such other Forms as the said Poor Law Commissioners shall direct, or as near thereto as the Number of Parties, the Nature of the Interests, and the Circumstances of the Case will admit, and shall, when executed by the conveying Parties, be valid and effectual in the Law, without Livery of Seisin being made, or any Bargain and Sale to vest Possession being executed; and that every Conveyance, Exchange, Security, Transfer of Security, or Instrument made under the Authority of this Act, shall, when signed by the conveying Parties thereto, be transmitted to the said Poor Law Commissioners, who shall, if they shall approve thereof, signify such Approval by sealing or stamping the same with their Seal; and for preserving Evidence of such Instruments the said Commissioners shall keep a Register, properly indexed, in which they shall insert Copies or Memorials of such Deeds or Instruments of which they shall so approve, and of such Orders of Appraisement of Property as are herein-before mentioned; and all such Copies or Memorials, or Copies thereof, purporting to be sealed or stamped with the Seal of the said Commissioners, shall be received as Evidence of the Instruments respectively of which they purport to be Copies or Memorials.

VII. And, for the more easy Execution of the Purposes of this Act, and of the Laws relating to the Poor, be it enacted, That the Guardians of the Poor of every Union already formed or which hereafter shall be formed by virtue of the aforesaid Act passed in the Fourth and Fifth Years of the Reign of His present Majesty, and of every Parish placed under the Control of a Board of Guardians by virtue of the said Act, shall respectively from the Day of their first Meeting as a Board become or be deemed to have become, and they and their Successors in Office shall for ever continue to be, for all the Purposes of this Act, a Corporation, by the Name of the Guardians of the Poor of the Union (or of the Parish of ) in the County of ; and as such Corporation the said Guardians are hereby empowered to accept, take, and hold, for the Benefit of such Union or Parish, any Buildings, Lands, or Hereditaments, Goods, Effects, or other Property, and may use a Common Seal; and they are further empowered by that Name to bring Actions, to prefer Indictments, and to sue and be sued, and to take or resist all other Proceedings for or in relation to any such Property, or any Bonds, Contracts, Securities, or Instruments given or to be given to them in virtue of their Office; and in every such Action and Indictment relating to any such Property it shall be sufficient to lay or state the Property to be that of the Guardians of the Union, or of the Parish of ; and in case of any Addition to or Separation of any Parishes from any such Union, under the Authority of the said Act passed in the Fourth and Fifth Years of the Reign of His present Majesty, the Board of Guardians for the Time being shall (notwithstanding such Alterations) have and enjoy the same Corporate Emoluments, Property, and Privileges as the Board of Guardians of the original Union would have had and enjoyed had it remained unaltered.

VIII. And be it enacted, That all Buildings, Lands, or Hereditaments, Goods, Effects, or other Property, which, before the passing of this Act, may have been conveyed, with the Consent or under the Directions of the said Poor Law Commissioners, to any Person in Trust for and for the Use of any Union or Parishes, shall, without any further Act, vest in the Guardians thereof as such Corporation, in the same Manner as if the same respectively had been conveyed to or vested in them under the Provisions of this Act.

IX. And in the Interpretation of this Act, be it enacted, That wherever in this Act, in describing any Person or Party, Matter or Thing, the Word importing the Singular Number or the Masculine Gender only is used, the same shall be understood to include and shall be applied to several Persons or Parties as well as one Person or Party, and Females as well as Males, and several Matters or Things as well as one Matter or Thing respectively, unless there be something in the Subject or Context repugnant to such Construction; and the Words and Expressions "General Rule," "Guardian," "Justice or Justices of the Peace," "Orders and Regulations," "Overseers," "Owners of Property," "Parish," "Person," "Poor," "Poor Rate," "Union," "Vestry," and "Workhouses," shall bear and be construed to have the same Signification as the same Words and Expressions are declared to have in the said Act of the Fourth and Fifth Years of the present Reign, for the Amendment and better Administration of the Laws relating to the Poor in England and Wales.

Powers given to Justices to deliver Possession of Parish Houses, &c. to Churchwardens and Overseers, extended to Property of Unions, &c.

Made of Commissions

Approval of the Poor Law Commissioners.

Guardians incorporated.

Previous Orders made with the Consent of the Commissioners to be valid.

Incorporation Clause.

## SCHEDULE to which this Act refers.

*Form of Conveyance.*

THIS Deed, made the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year \_\_\_\_\_ by virtue of an Act passed in the Fifth and Sixth Years of the Reign of King William the Fourth, intituled [the Title of this Act], and under the Direction [or with the Approbation] of the Poor Law Commissioners for England and Wales, testified by their Seal being hereunto affixed, witnesseth, That A. B. of \_\_\_\_\_ in consideration of the Sum of \_\_\_\_\_ paid to him [or into the Bank of England] by C. D. of \_\_\_\_\_ doth grant and convey [or demise or assign, proper Words of Conveyance to be used], all, &c. [the Property to be aptly described], and all the Right, Title, and Interest of the said A. B. in and to the same and every Part thereof, unto and to be holden by the said C. D., his Heirs and Assigns. In witness whereof the said A. B. and C. D. have hereunto set their Hands and Seals.

Witness E. F.

A. B. (L.S.)  
C. D. (L.S.)

Approved and registered the \_\_\_\_\_

Day of \_\_\_\_\_

*Form of Exchange.*

THIS Deed, made the \_\_\_\_\_ Day of \_\_\_\_\_ by virtue of an Act passed in the Fifth and Sixth Years of the Reign of King William the Fourth, intituled [the Title of this Act], and under the Direction [or with the Approbation] of the Poor Law Commissioners for England and Wales, testified by their Seal being hereunto affixed, witnesseth, That A. D. of \_\_\_\_\_ doth grant and convey unto C. D. of \_\_\_\_\_ all [the Property to be aptly described], in exchange for the Hereditaments hereinafter conveyed, to the intent that the said Hereditaments above conveyed may be held and enjoyed by the said C. D. and the Person or Persons who for the Time being would have been entitled to the Hereditaments hereinafter conveyed, if this present Exchange had not been made, and shall be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations, Restrictions, Charges, and Incumbrances as the same Hereditaments hereinafter conveyed now are or may or but for this present Exchange would have been subject or liable to: And this Deed further witnesseth, That in pursuance of the said Act, and under the said Direction [or Approbation], the said C. D. doth grant and convey unto the said A. B. all [the Property to be aptly described], in lieu of and in exchange for the Hereditaments firstly hereinafter conveyed, to the intent that the Hereditaments lastly hereinafter conveyed may be held and enjoyed by the said A. B. and the Person or Persons who for the Time being would have been entitled to the Hereditaments firstly hereinafter conveyed if this present Exchange had not been made, and shall be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations, Restrictions, Charges, and Incumbrances as the same Hereditaments now or may be or but for this present Exchange would have been subject or liable to. In witness whereof the said A. B. and C. D. have hereunto set their Hands and Seals.

Witness E. F.

A. B. (L.S.)  
C. D. (L.S.)

Approved and registered the \_\_\_\_\_

Day of \_\_\_\_\_

*Form of Security.*

THIS Deed, made the \_\_\_\_\_ Day of \_\_\_\_\_ by virtue of an Act passed in the Fifth and Sixth Years of the Reign of King William the Fourth, intituled [the Title of this Act], and under the Direction [or with the Approbation] of the Poor Law Commissioners for England and Wales, testified by their Seal being hereunto affixed, witnesseth, That A. B., C. D., E. F., and G. H., being the Majority of the Guardians of the Poor for the \_\_\_\_\_ Union, [or the Parish of \_\_\_\_\_], in consideration of the Sum of \_\_\_\_\_ to them in hand paid by Y. Z. of \_\_\_\_\_ for the Purpose of purchasing, building, erecting, repairing, fitting up, or furnishing a Workhouse for the Union [or Parish], and for providing suitable Stock and Utensils for that Purpose, [or in consideration of the Conveyance or Assurance of, &c. as the Case may be,] do hereby charge the Poor Rates of the Parishes of the said Union [or Parish] with the Payment of the Principal Sum of \_\_\_\_\_ Pounds, by the Instalments following [setting them], together with Interest on the Principal which shall from Time to Time be paid by the said Y. Z. unto the said A. B., C. D., E. F., and G. H. In witness whereof the said A. B., C. D., E. F., and G. H. have hereunto set their Hands and Seals.

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Time to Time remits due, after the Rate of  
to the said F. Z. his Executors, Administrators, and Assigns.

per Centum, to be payable half-yearly

Witness L. M.

A. B.  
C. D.  
E. F.  
G. H.



Approved and registered the

Day of

*Form of Transfer of Security.*

THIS Deed, made the \_\_\_\_\_ Day of \_\_\_\_\_ by virtue of the Act passed in the Fifth and Sixth Years of the Reign of King William the Fourth, intituled [the Title of the Act], and [if the Guardians or Overseers of any Parish or Union are the Parties transferring or accepting the Security, then add] under the Direction [or with the Approbation] of the Poor Law Commissioners for England and Wales [intituled by their Seal being heretofore affixed], witnesseth, That F. Z. of \_\_\_\_\_ doth transfer the Security [describing it], with all Right and Title to the Principal Money thereby secured, and to all the Interest now due or hereafter to be due thereon, unto F. W. of \_\_\_\_\_ his Executors, Administrators, and Assigns.

Witness E. F.

F. Z.  
F. W.



Approved and registered the

Day of

C A P. LXX.

An Act for abolishing, in Scotland, Imprisonment for Civil Debts of small Amount.

[5th September 1835.]

WHEREAS His Majesty was pleased, by Letters Patent bearing Date on the Sixth Day of June One thousand eight hundred and thirty-three, under the Great Seal appointed by the Treaty of Union to be kept and made use of in place of the Great Seal of Scotland, to appoint certain Commissioners with Instructions to inquire, *inter alia*, "as to the present Form of enforcing Judicial Decree by the Diligence of Haring and Capture and Imprisonment, and the Expediency of any Alteration in the Law or Forms touching such Proceedings": And whereas the said Commissioners have made a Report, from which it appears that great Hardship is frequently suffered by poor Persons in consequence of Imprisonment for Civil Debts to a small Amount, without producing thereby any adequate Benefit to their Creditors: And whereas it is expedient that a Remedy should be provided: He is therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, That from and after the First Day of January One thousand eight hundred and thirty-six it shall not be lawful to imprison any Person or Persons on account of any Civil Debt which shall not exceed the Sum of Eight Pounds six Shillings and Eight-pence Sterling, exclusive of Interest and Expenses thereon: Provided that it shall be lawful to imprison Debtors on Debts incurred or which may hereinafter be incurred under Contracts made before the passing of this Act in like Manner as if this Act had not been passed; provided always, that Imprisonment for such Debts shall commence before the First Day of January One thousand eight hundred and forty.

No Person to be imprisoned for a Debt not exceeding 8l. 6s. 8d.

II. And be it enacted, That from and after the First Day of January One thousand eight hundred and thirty-six it shall not be lawful for any Magistrate, or Keeper of a Prison, or other Officer having the Charge of any Prison, in Scotland, to receive into such Prison, or for any Messenger at Arms or other Officer of the Law to apprehend or detain in Custody the Person of any Debtor or alleged Debtor for a Civil Debt of an Amount not exceeding Eight Pounds Six Shillings and Eight-pence Sterling, exclusive of Interest and Expenses thereon, in virtue of Letters of Caption, Act of Winding, Decree of a Small Debt Court, or other Warrant, unless in the Case of Debts contracted before the passing of this Act as aforesaid.

After 1st Jan. 1840: Gaolers not to receive into their County any Prisoner for a Debt not above 8l. 6s. 8d.

III. And be it enacted, That on Application made to the Sheriff of the County in which the Prison shall be situated, or to the Magistrates having Charge of any Prison, by any Prisoner incarcerated therein, shewing that he is imprisoned or detained in Custody for a Civil Debt or Debts contrary to the Provisions of the Act, such Sheriff or Magistrates shall cause Intimation to be made to the incarcerating

Sheriff or Magistrates may shew the Discharge of any Person.



imprisoned for  
a fine Amount.

Persons not to  
acquire Debts  
before specified,  
except by  
Marriage or  
Inheritance.

Not to obtain  
Remission of  
Fines or  
Forfeitures.

An Act may be  
altered, &c.

Creditor or Creditors, upon Indictment of Six Days after Information; and on being satisfied that the Statement of the Prisoner is consistent with Truth, such Sheriff or Magistrates shall without Delay grant Warrant for His Liberation in so far as regards the Debt due to such Creditor.

IV. And be it enacted, That it shall not be lawful for any Person to acquire from Third Parties, by Assignment or otherwise, except by Marriage or Inheritance, One or more Civil Debts or below the Amount of Eight Pounds Six Shillings and Eight-pence Sterling, against any One Individual, to the Effect of accumulating such Debts into One Decree or Warrant or Writ, or of adding the same to Debts previously due to him or below the said Amount, for the Purpose of defeating this Act, by imprisoning the Debtor for such accumulated Debts.

V. And be it enacted, That nothing in this Act contained shall affect Obligations of Fees pre-terdita, or the Right of His Majesty or His Officers, or the Fiscals of Courts of Law, or others, to imprison as formerly, or on account of Taxes or Penalties due to the Revenue, or on account of any Fines or Forfeitures imposed or hereafter to be imposed by Law, or apply to Imprisonment for Poor Rates or local Taxation, or to Imprisonment for Sums decreed for Almsmen.

VI. And be it enacted, That this Act may be repealed, altered, or amended during the present Session of Parliament.

C A P. LXXI.

An Act for appointing Commissioners to continue the Inquiries concerning Charities in England and Wales until the First Day of March One thousand eight hundred and thirty-seven.

[9th September 1835.]

24 G. 5. c. 51.

29 G. 2. c. 81.

3 G. 4. c. 26.

10 G. 4. c. 27.

1 & 2 W. 4. c. 15.

3 W. 4. c. 23.

Commissioners  
to be appointed  
to inquire into  
the Nature and  
Management  
of Charities.

To report  
half-yearly.

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for appointing Commissioners to inquire concerning Charities in England for the Education of the Poor*; and another Act was passed in the Fifty-ninth Year of the same Reign, intituled *An Act to amend an Act of the last Session of Parliament, for appointing Commissioners to inquire concerning Charities in England for the Education of the Poor, and to extend the Powers thereof to other Charities in England and Wales, to continue in force until the First Day of August One thousand eight hundred and twenty three, and from thence until the End of the then next Session of Parliament*; and an Act was passed in the fifth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to continue for Four Years, and from thence until the End of the then next Session of Parliament, the Powers of the Commissioners for inquiring concerning Charities in England and Wales*; and an Act was passed in the Tenth Year of the same Reign, intituled *An Act to continue, until the First Day of July One thousand eight hundred and thirty, the Powers of the Commissioners for inquiring concerning Charities in England and Wales*. And whereas an Act was passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act for appointing Commissioners to continue the Inquiries concerning Charities in England and Wales for Two Years, and from thence to the End of the then next Session of Parliament*; And whereas the Commissioners appointed under and by virtue of the said Two first-mentioned and the said last-mentioned Acts respectively pursued the Inquiries thereby authorized and directed, and made several Reports of their Proceedings; but the Powers of the Commissioners appointed under the said last-mentioned Act expired on the Fifteenth Day of August One thousand eight hundred and thirty-four: And whereas many Charities still remain to be investigated, and further Time will be required for that Purpose; and it is therefore expedient that Commissioners should be appointed for the Purpose aforesaid, to act according to the Provisions and Limitations hereinafter expressed and contained: And whereas an Act was passed in the Second Year of the Reign of His present Majesty, intituled *An Act to continue and extend the Provisions of an Act passed in the Fifty-ninth Year of His Majesty King George the Third, for giving additional Facilities in Applications to Courts of Equity regarding the Management of Estates or Funds belonging to Charities, and for making certain Provisions respecting Estates or Funds belonging to Charities*: And whereas it is expedient that certain of the Provisions of the said last-mentioned Act should be continued in essence hereto after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty to name a Commission under the Great Seal to any Number of Persons, not fewer than Thirty, who shall be constituted Commissioners for the Purpose inclosed by this Act, One of whom shall be and be denominated the Chief Commissioner, and shall superintend and direct the Mode of proceeding of the other Commissioners acting in the Execution of this Act; and that they the said Commissioners shall and they are hereby empowered and required, in manner hereinafter mentioned, to examine into and investigate the Ancient, Nature, and Application of all Estates and Funds of what Nature or Kind soever, and the Produce thereof, destined or intended to be applied to the Purpose of educating the Poor in England and Wales, or to the Support of any Charity or Charities or charitable Donation or Donations for the Benefit of poor Persons in England and Wales, or held under Trusts created for any charitable Uses or Purposes whenever in England or Wales (except as is hereinafter provided and excepted), and to examine into and investigate all Breaches of Trust, Irregularities, Frauds, Abuses or supposed Abuses, or Misconduct in relation to and in the Management or Appropriation or Misappropriation or Misappropriation of such Estates and Funds; and the said Commissioners shall once in each Half Year during the Continuance of the said Commission report and Printed image digitised by the University of Southampton Library Digitisation Unit certify,

certify, in Writing under their Hands and Seals, to the King's most Excellent Majesty, their Proceedings touching the Assize, Nature, Management, Application, and Appropriation of such of the aforesaid Estates and Funds as they shall have inquired and examined into, and also what is the Nature of such Estates and Funds respectively, and the actual annual Produce thereof, and what is the actual annual Value thereof, and in whose Possession, as Tenants thereof, any Part thereof, consisting of Lands, Tenements, or Hereditaments, shall be, adding at the same Time such Observations as shall occur to them respecting such Mode as they shall deem most effectual for the recovering of such Part or Parts of such Estates or Funds as shall appear to them to have been applied in breach of the several Trusts created in respect of the same, or shall appear to have been applied to be applied in pursuance of such Trusts, and suggesting such Suggestions as may seem to them expedient respecting the most effectual Mode of securing such Estates and Funds and their respective Produce against any future Misapplication thereof.

II. And be it enacted, That if upon such Inquiry as aforesaid it shall appear to the said Commissioners that, from any Cause whatsoever, it has become impossible to apply the Estates or Funds aforesaid, or any Part thereof, to the Purposes to which the same were devised or directed to be applied, the said Commissioners shall report the special Circumstances of each Case, subject, as to the Mode of making such Report, to the Directions of the Chief Commissioner in that Behalf.

III. And be it enacted, That no Remuneration shall be given for and in respect of the Execution of this Act to such of the said Commissioners as shall be Members of either House of Parliament, nor to any Number exceeding Twenty of the Commissioners; but there shall be allowed and paid to every such Commissioner such reasonable Fees for and in respect of such travelling Expenses as may be incurred in the Execution of this Act as in the Judgment of the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being shall be deemed requisite.

IV. And be it enacted, That each of the said Commissioners to be appointed by virtue of this Act shall, previously to his entering upon the Execution of the same, take an Oath before the Chancellor of the Exchequer or the Master of the Rolls for the Time being (which Oath they are hereby respectively authorized and required to administer), the Tenor whereof shall be as followeth; (that is to say,)

“ I, A. B. do swear, That, according to the best of my Skill and Knowledge, I will faithfully, impartially, and truly execute the several Powers and Trusts vested in me by an Act, intituled [See insert the Title of the Act], according to the Tenor and Purport of the said Act.”

V. And be it enacted, That in case of a Vacancy or Vacancies by the Death, Removal, or Resignation of any such Commissioner, it shall be lawful for His Majesty, His Heirs and Successors, to nominate and appoint such Person or Persons as He or They may think proper for the supplying of such Vacancy or Vacancies.

VI. And be it enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized to appoint and employ such Secretary, Clerks, Messengers, and Officers, not exceeding in the whole One Secretary, Twenty Clerks, One Messenger, and Two other Officers, as they shall think meet, and to administer to each of the said Secretary, Clerks, and Officers an Oath for his true and faithful Discharge in all Things relating to the due Performance of any Trust respecting the Execution of this Act imposed in him by the said Commissioners, and in all other Things touching the Premises; which Secretary, Clerks, and Officers are hereby required faithfully to execute and perform the said Trust in their severally and respectively imposed, without taking any Thing for such their Service other than such Salary or Reward as the said Commissioners shall think fit to direct and appoint in their Behalf.

VII. And be it enacted, That, for the Purpose of prosecuting the Inquiries and Examinations by this Act directed, the said Commissioners, or any One or more of them, shall from Time to Time hold their or his Sittings, with or without Adjournment, within the City of Westminster, or in any other City, Town, Borough, Hamlet, Village, or Place respectively in England or Wales, where so often or him shall appear most convenient for executing the Purposes of this Act; and the said Commissioners or Commissioner are or is hereby authorized to require, by Precepts under their or his Hand and Seal or Hand and Seal, from any Person or Persons acting as a Trustee or Trustees for any of the said Estates or Funds, or having any Concern in the Management or Administration of the same, or in the Payment or Receipt of any of the said Funds or Estates, or any Charge upon any Fund or Estate applicable to any charitable Uses or Purposes as aforesaid, to render to the said Commissioners or Commissioner a true Account, as far as concerns with their Knowledge, of all that relates to such Funds or Estates as aforesaid under their Trust or Management, or an account of which they may have acted in making or making Payments; and, as often as Need shall be, to send their or his Precepts, under their or his Hand and Seal or Hand and Seal, for any Person or Persons whatsoever to attend them or him, and require such Person or Persons to bring with him, her, or them any Deed, Paper, Writing, Instrument, or other Document being in his, her, or their Custody and Possession, and relating to any such Estates or Funds, or the Produce thereof, or to the Receipt or Application or Nonapplication or Misapplication thereof, which shall in the Judgment of such Commissioners or Commissioner be conducive and necessary to the due Execution of the Purposes of this Act; and every Person to whom such Precept shall as aforesaid have been addressed and delivered is hereby required and directed punctually to attend the said Commissioners or Commissioner at such Time and Place as

Commissioners to report where Funds cannot be applied as directed.

Subjct to a limited Number of Commissioners.

Commissioners to take Oath before entering upon their Duties.

Vacancy of Commissioners may be filled up by the Crown.

Appointments of Secretary, Clerks, &c.

Commissioners to hold sittings at hold sittings and to require Persons and send for Papers, and to Person obliged to attend more than Ten Miles from Place of Abode.

shall for that Purpose have been appointed; and to every such Person or Persons may be paid such Sum of Money as in the Judgment of the said Commissioners or Commissioner shall be just and reasonable: Provided always, that no such Person shall be obliged to travel in obedience to such Precept more than Ten Miles from his or her Place of Abode.

VIII. And for rendering more effectual all such Examinations as are intended to be had under this Act; be it enacted, That the said Commissioners, or One or more of them, are or is hereby authorized to examine upon Oath, or upon the Affirmation of Persons exempted by Law from Liability to Examination upon Oath, (which Oath or Affirmation the said Commissioners, or any One or more of them, are or is hereby respectively authorized to administer.) all Persons whom the said Commissioners, or any One or more of them, are or is by the Provisions of this Act empowered to call before them or him to be examined touching all Matters and Things necessary for the Execution of the Powers vested in them or him by this Act.

IX. And be it enacted, That the said Commissioners respectively shall and they are hereby required to cause the Examinations which shall be taken before them respectively, and all Papers and Documents being Parts of such Examinations, to be from Time to Time transmitted to the Secretary of the said Commissioners at their Office so Wholesaler aforesaid.

X. And be it enacted, That in case any Person upon Examination on Oath or upon Affirmation, as the Case may be, before the said Commissioners or Commissioner, shall wilfully and corruptly give false Evidence, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Fines and Penalties as under any Law now in force may be inflicted on Persons convicted of wilful and corrupt Perjury.

XI. And be it enacted, That if any Person summoned to appear before the said Commissioners, or any One or more of them, shall wilfully omit or refuse to appear before such Commissioners or Commissioner, or to bring or to produce any Deed, Paper, or Writing, Instrument or other Document, in his or her Possession, Custody, or Power, and which he or she shall be required by the Precept of any such Commissioners or Commissioner to produce, relating wholly to the Estates or Funds which shall be the Subject of Inquiry before the said Commissioners or Commissioner, or to the Receipt or Application or Nonapplication or Misapplication thereof, or to the State of the Schools or Charities which shall be the Subject of Inquiry before such Commissioners or Commissioner, or the true Copy of any Part or Parts of any Deed, Paper, Writing, or other Instrument (and which Copy any such Commissioners or Commissioner are or is hereby empowered to require by such Precept), or shall refuse to be sworn, or, being a Person exempted by Law from Liability to Examination upon Oath, to affirm, or, being sworn or having affirmed, so the Case may be, shall refuse to answer to and before the said Commissioners or Commissioners, or to answer fully any lawful Question on Oath or Affirmation respectively touching or concerning any Matter or Thing relating to such Estates or Funds as aforesaid, or to the State of such Schools or Charities as aforesaid (except in Cases excepted by this Act), every such Person so refusing to comply with any such lawful Regulation of the said Commissioners or Commissioner shall be liable to the Payment of such Fine in His Majesty's or the Court of King's Bench or the Court of Exchequer, on Application made by or on the Behalf of the said Commissioners or Commissioner, or by His Majesty's Attorney General for the Time being, shall think fit to set and impose, which Fine the said Court of King's Bench or Court of Exchequer is hereby authorized and empowered to set and impose according to their Discretion respectively, and to enforce Payment of the same, by Attachment or otherwise, in such Manner as the said Courts respectively may do in Cases of Contempt of the same Courts.

XII. Provided always, and be it enacted, That if any Person who shall be summoned to appear before the said Commissioners, or any One or more of them, shall upon his or her Examination allege that he or she hath purchased or obtained for valuable Consideration any Estate or Interest of, in, to, or out of any Lands, Tenements, Reversion, or Annuities, Hereditaments, Goods, or Chattels, touching which he or she shall be sought to be so examined, without Fraud or Coercion, having no Notice of any charitable Trust or Use to which the said Lands, Tenements, Reversion, Annuities, Hereditaments, Goods, or Chattels, or any Charge thereon, have or has been given, limited, or directed to be applied, then such Person shall not be bound to make further Answer to any Interrogatory of such Commissioners or Commissioner, nor to produce or show to them or him any Deed, Paper, Writing, Instrument, or other Document relating to his or her Estate or Interest in such Lands, Tenements, Reversion, Annuities, Hereditaments, Goods, or Chattels.

XIII. Provided also, and be it enacted, That no Person having the Custody of any Deed, Paper, Writing, Instrument, or other Document, as Mortgagee, Trustee, or Agent, Solicitor or Attorney, shall be compellable to produce the same, or to give any Evidence as to the Contents thereof, without Notice being first given to his Mortgagee, Contingent Trust, or Principal, and the said Mortgagee, Contingent Trust, or Principal being examined touching the same by the said Commissioners or Commissioner; and in case such Mortgagee, Contingent Trust, or Principal shall by the Provisions of this Act be exempted from producing the said Deed, Paper, Writing, Instrument, or other Document, then the Mortgagee, Trustee or Agent, Solicitor or Attorney, shall not be bound to produce or show the same, or give any Evidence of the Contents thereof, to the said Commissioners or Commissioner: Provided also, that no Person shall be compellable to answer any Question, or to produce any Deed, Paper, Writing, Instrument, or other Document, the Answer to which or the Production of which may criminate or tend to criminate such Person, or to expose such Person to any Pains or Penalties.

Commissioners empowered to examine upon Oath.

Examinations, to be sent to Office in Writings.

Penalties of Perjury for false swearing.

Power conferred to appear before Commissioners, or to produce Deeds, &c. or to answer Questions, liable to be tried by the Court of King's Bench or Exchequer.

Persons without Notice not bound to answer Interrogatories.

Mortgagees, Trustees, &c. not compellable to produce Deeds without Notice to Mortgagee, Contingent Trust, &c. Persons not compellable to criminate themselves.

XIV. And he it enacted, That the said Commissioners shall and may receive and send by the General Post from and to Places within the United Kingdom all Letters and Packets relating solely and exclusively to the Execution of this Act free from the Duty of Postage, provided that such Letters and Packets as shall be sent to the said Commissioners shall be directed to the "Commissioners of Charities," at their Office in Westminster, and that all such Letters and Packets as shall be sent by the said Commissioners shall be in Covers with the Words "Office of Commissioners of Charities, pursuant to an Act of Parliament passed in the Sixth Year of the Reign of His Majesty King William the Fourth," printed on the same, and be signed on the Outside thereof under such Words with the Name of such Person as the said Commissioners, with the Consent of the Lords Commissioners of the Treasury or any Three or more of them, shall authorize and appoint, as his own Handwriting, (such Name to be from Time to Time transmitted to the Secretaries of the General Post Office in London and Dublin,) and under such other Regulations and Restrictions as the said Lords Commissioners, or any Three or more of them, shall think proper and direct; and the Person so to be authorized is hereby strictly forbidden so to subscribe any Letter or Packet whatsoever except such only concerning which he shall receive the special Direction of his superior Officer, or which he shall himself know to relate solely and exclusively to the Execution of this Act; and if the Person so to be authorized, or any other Person, shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Inclosure other than what shall relate to the Execution of this Act, every Person so offending shall be deemed from his Office, and shall forfeit and pay the Sum of One hundred Pounds, one Moiety of the said Penalty to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of the Person who shall inform of or sue for the same, to be used for and recovered in any of His Majesty's Courts of Record at Westminster; and if any Letter, Paper, or Writing, or other Inclosure, shall be sent under Cover to the said Commissioners, the same not relating solely and exclusively to the Execution of this Act, they are hereby strictly required and enjoined to transmit the same forthwith to the Secretary of the Post Office in London, with the Covers under which the same shall be sent, in order that the Contents thereof may be charged with the full Rates of Postage.

XV. And he it enacted, That whenever any Extract from the Enrolment of any Charter or Deed, or from any Decree, Report, Record, or other Document whatever, deposited or remaining in any of the Offices belonging to or under the Control of the Courts of Chancery or Exchequer, or in any Public Registry, shall be required for the Purposes of this Act by any Order signed by One of the Commissioners under this Act, the Officer or Officers having the Custody of such Enrolment, Decree, Report, Record, or other Document, shall furnish an Extract of so much only as shall be so required of any such Enrolment, Decree, Report, Record, or other Document; and that any such Extract, or any Copy, which shall be required for the Purposes of this Act by any Order signed by One of the said Commissioners, of any such Enrolment, Decree, Report, Record, or other Document, shall not be subject or liable to the Payment of any Stamp Duty whatever, any Law, Statute, or Usage to the contrary in anywise notwithstanding.

XVI. And he it enacted, That this Act or any of the Provisions therein contained shall not extend or be construed to extend to either of the Universities of Oxford or Cambridge, nor to any College or Hall within the same, nor to any Schools or other Endowments of which the said Universities, Colleges, or Halls are Trustees, nor to the Colleges of Westminster, Eton, or Winchester, nor to the Charter House, nor to the Schools of *Berrow or Rugby*, or any of them, nor to the Corporation of the Trinity House of Dapford Street, nor to any Cathedral or Collegiate Church within England or Wales, nor to any Funds applicable to the Benefit of any Persons of the Jewish Persuasion, or the People called Quakers, or Persons of the Roman Catholic Persuasion, and which shall be under the Superintendance and Control of Persons of such Persuasions respectively.

XVII. Provided also, and he it enacted, That this Act or any of the Provisions therein contained shall not extend or be construed to extend to any Institution established, or Society, for charitable Purposes, wholly or principally supported by voluntary Contributions, and under the Superintendance and Control of any Committee or Governors or other Person or Persons chosen or appointed out of or by voluntary Subscribers thereto, and that the Application of any Donations or Bequests to the general Purposes of any such Institution, Establishment, or Society, in aid of such voluntary Contributions, shall not be subject to the Examination or Interference of the Commissioners appointed under this Act: Provided always, that the Management and Application of the Revenues and Profits of any Lands, Tenements, or Hereditaments belonging to such Institution, Establishment, or Society for the Period of Twenty Years or upwards before the passing of this Act, shall in all such Cases be subject to the Examination of the said Commissioners at their Discretion.

XVIII. And he it enacted, That in all Cases of Proceedings instituted or to be instituted by His Majesty's Attorney General in pursuance of the said recited Act of the Fifty-ninth Year of the Reign of His late Majesty King George the Third herein-before secondly mentioned, or of the said recited Act of the Second Year of the Reign of His present Majesty, or of this Act, the Production to the Court of a Certificate under the Hand of His Majesty's Attorney General, stating that the Particulars of the Case in question in Writing have been certified to His Majesty's Attorney General for the Time being, according to the Provisions of the said recited Acts of the Fifty-ninth Year of His said late Majesty or of the Second Year of His present Majesty, or of this Act, as the Case may be, shall be deemed sufficient Evidence that such Particulars have been duly certified to His Majesty's Attorney General accordingly, to and for all Intents and Purposes whatsoever.

Letters to and from Commissioners to be free of Postage if sent as formerly herein.

Treasury and Law of Office for sending Letters and relating solely to the Execution of the Act.

In case of Letters sent under Cover to the Commissioners.

Officers having Custody of Records to furnish Extracts if required by a Commissioner.

No Stamp Duty on Extracts or Copies required by a Commissioner.

Act not to extend to Universities, Public Schools, &c.

Act not to extend to Charities wholly supported by voluntary Contributions.

except as to Management, &c. of Revenues for Twenty Years.

Attorney General's Certificate to be Evidence of Particulars of Cases having been duly certified by Commissioners.

Chief Commissioners to superintend Proceedings.

For empowering resident Ministers and Churchwardens to receive Discharges belonging to Charities, where no existing Trustees.

Limitation of Actions.

General Issue.

Trouble Costs.

Previously to presenting Reports, Commissioners may direct Attorney General to file Informations.

Continuance of Act.

Act may be amended, &c.

XIX. And be it enacted, That in all Cases of Proceedings instituted or to be instituted by His Majesty's Attorney General in pursuance of the before-mentioned Acts, it shall and may be lawful for the said Chief Commissioners and be it hereby directed to superintend all such Proceedings, with a view to their prompt and effectual Termination.

XX. And be it enacted, That whenever it shall appear to the said Commissioners to be appointed under the Authority of this Act that the Property belonging to any Charity consists only of One or more Annuity or Rent charge, Annuities or Rent-charges, not exceeding in the whole the yearly Sum of Fifty Pounds, and that there are no existing Trustees or Persons legally qualified to receive and give an effectual Discharge for such Annuity or Rent-charge, Annuities or Rent charges, it shall and may be lawful for any Five of the said Commissioners, by Writing under their Hands, to empower the resident Minister and the Churchwardens or Chapelwardens for the Time being of the Parish or Place interested in such Charity, in case only One Parish or Place is so interested, but if more than One Parish or Place is so interested, then the resident Minister and the Churchwardens or Chapelwardens of some one of the Parishes or Places interested, to receive the said Annuity or Rent-charge, Annuities or Rent-charges, or any Arrears thereof, and to apply the same according to the Purposes of the charitable Donations or Bequests thereof, in the same Manner as the Trustees of the said Charity would have been bound to do; and the Power so to be given to such Minister and Churchwardens or Chapelwardens shall remain in force until Trustees of the said Charity duly appointed shall appear and claim the Administration of the Funds thereof, or until Trustees of the said Charity shall be appointed by the Court of Chancery or Court of Exchequer; and all Receipts to be given by such Minister and Churchwardens or Chapelwardens shall be effectual Discharges to the Persons liable to the Payment of such Annuities or Rent-charges for all such Sums as in such Receipts shall be expressed to have been received in respect thereof; and in case of Nonpayment of such Annuities or Rent-charges, or any Arrears thereof, it shall and may be lawful for such Minister and Churchwardens or Chapelwardens respectively, during the Continuance of the Power to be given to them by virtue of the Provisions of this Act, to sue and exercise all such Powers and Remedies for recovering and compelling Payment of the said Annuities or Rent-charges and the Arrears thereof, as the Trustees of the said Charities respectively might or could have done if duly appointed.

XXI. And be it enacted, That any Action or Suit which shall be brought against any Commissioner or Commissioners to be appointed under the Authority of this Act, or against any Person or Persons acting under the Authority or by the Order of such Commissioners, or any One or more of them, for any thing done or acted by him or them under this Act, shall be commenced within Six Calendar Months next after the Fact committed in respect of which such Action or Suit shall be brought or commenced, and not afterwards; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter to Evidence at any Trial to be had thereupon; and if such Action or Suit shall be brought or commenced after the Time so limited for bringing the same, then the Jury shall find a Verdict for the Defendant or Defendants; and in such Case, or if the Jury shall find a Verdict for the Defendant or Defendants upon the Matters, or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action after Appearance, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Trouble Costs, which he or they shall and may recover in such and the same Manner as any Defendant can by Law in other Cases.

XXII. Provided always, and be it enacted, That previously to presenting any Report the said Commissioners shall give Directions, in all Cases in which they shall think it fit, to the Attorney General to file Informations in the Courts of Chancery or Exchequer on the Matter arising out of such Reports, and shall not, nor shall any of the Clerks or Secretaries under this Act, give any Information touching any such Matters to any Person other than the Attorney General or the Persons employed by the said Commissioners previous to the Directions so by the said Commissioners given to the Attorney General.

XXIII. And be it enacted, That this Act shall continue in force until the First Day of Month One thousand eight hundred and thirty-seven.

XXIV. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

#### C A P. LXXXII.

An Act for abolishing the Excise Incorporation in Scotland, and for transferring the Funds of the said Incorporation to the Consolidated Fund, and providing for the Payment of the Annuities to the Widows and Orphans of late and present Members of the Incorporation Fund.

[26th September 1835.]

Royal Charter or Letters Patent of His Majesty King George the Fourth, establishing the Excise Incorporation in Scotland.

WHEREAS, for the Purpose of raising a Fund by Contributions out of their Salaries for Payment of Annuities to their Widows and Orphans, the Officers of Excise under the Management of the Commissioners of Excise in Scotland were, by a Royal Charter or Letters Patent under the Seal of Great Britain, appointed by the Treaty of Union to be kept and made use of in place of the Great Seal of Scotland, on bearing Date the Fourteenth Day of July in the Twenty-second Year of the Reign of His Majesty King George the Second, and in the Year of our Lord One thousand seven hundred and forty-eight, constituted, erected, incorporated, and perpetually established and confirmed into One Body Public

and Corporate, or legal Incorporation and Society, under the Title and Name of "The Excise Incorporation in Scotland," and as such and by such Name to have a perpetual Succession and Succession; and for the Ends and Purposes of raising such Fund, and making such Payments, it was by the said Charter or Letters Patent, among other Things, ordained, directed, ordered, and appointed that the said Corporation should comprehend and be distinguished into Three different Classes, the First whereof to consist of General Supervisors, General Surveyors, and Collectors, or such like Offices, if held under any other Names at any Time thereafter; the Second Class to consist of Supervisors, Surveyors, Examiners, Accountants and Clerks, or such like Offices, if under other Names; the Third Class, of Gaugers, Superintendants, or Assistants, or such like Offices, if under other Names; and also that in order to establish the said Fund each Member of the Corporation should pay the Sums after mentioned, according to their Class, during their Lives yearly, and by Eight equal Payments; (that is to say,) those of the First Class, Three Pounds Four Shillings Sterling Money yearly; those of the Second Class, Two Pounds Eight Shillings Sterling Money yearly; and those of the Third Class, One Pound Twelve Shillings like Money yearly; and also certain additional Contributions on Promotions and on Contributions marrying twice or otherwise; and further that the Sums of Money so to be contributed and paid should be subject and applied to the Annuities payable to the Widows and Children of the Contributors according to the Classes before mentioned, and at the Rates after specified, that is, that there should be paid to the Widow or Children of each Contributor of the First Class a yearly Annuity of Sixteen Pounds Sterling, of each Contributor of the Second Class a yearly Annuity of Twelve Pounds Sterling, and of each Contributor of the Third Class a yearly Annuity of Eight Pounds like Money, all to be paid quarterly, on the Twenty-fifth Day of March, Twenty-fourth Day of June, Twenty-ninth Day of September, and Twenty-fifth Day of December; and that when a Contributor should leave a Widow and no Children, the said Annuity should be paid to her during her natural Life and Widowity, but upon her Decease or marrying again should thereupon cease and determine; and when he should have Children, One or more, under the Age of Twelve Years, and no Widow, the said Annuity should be paid to the said Children until the youngest of them attained the Age of Twelve Years complete, but thenceforth and thereafter should cease and determine; and that when the Contributor should leave both a Widow and Children, One or more, under the Age of Twelve Years, the Annuity should be paid to the Widow during her Life and Widowity, and in case of her dying or marrying again before the youngest of the said Children attained the Age of Twelve Years complete, should no longer be payable to the Widow, but should thenceforth be paid to the Children, and until the youngest of them should attain the Age of Twelve Years complete, and should then cease and determine; and Provision was also made in and by the said Royal Charter or Letters Patent for raising and managing the said Fund and Contributions, and paying the said Annuities, by Managers to be elected and appointed as therein was directed. And whereas it having been found by Experience that higher Rates of Contributions and the Interest of a larger Stock of Capital, in proportion to the increased Number of Members, would be necessary for raising the same, and for extending the Benefits of the said Royal Charter or Letters Patent, an Act was passed in the Forty-fifth Year of the Reign of His Majesty King George the Third, intitled *An Act for confirming the Charter and enjoying the Powers of the Corporation of the Officers of Excise in Scotland*, by which said Act the said Charter and Letters Patent, and all the Regulations, Ordinances, and Appointments therein contained, and all the Proceedings had in consequence thereof, were confirmed, so far as the same were not altered by the said Act, and by the said Act the said Incorporation was directed to be continued and distinguished into Three Classes; (that is to say,) the First Class thereof to consist of General Supervisors, General Surveyors, and Collectors, along with the Auditor, the Comptroller, the Cashier, the Secretary or Secretaries, the Solicitor or Solicitors, the General Accountants, and the General Examiners, and the Deputies established in the actual Execution of those Offices, or the Persons in the actual Occupation of Offices of the like Nature, if held under other or different Names; the Second Class to consist of Supervisors, Surveyors, Examiners, Accountants, and Clerks in the General Excise Office in Edinburgh receiving Salaries directly out of the Revenue, or the Persons established in the actual Occupation of Offices of the like Nature, if held under any other or different Names; the Third Class to consist of Gaugers or Officers, Superintendants and Assistants, or the Persons established in the actual Occupation of Offices of the like Nature, if held under other or different Names; and every Member of the said Incorporation is by the said Act made subject and liable to and to pay the Sums or Rate herein-after mentioned according to his proper Class, during his Life yearly, by Four equal quarterly Payments; (that is to say,) each Member of the First Class, Seven Pounds and Ten Shillings; each Member of the Second Class, Five Pounds Twelve Shillings and Sixpence; and each Member of the Third Class, Three Pounds Fifteen Shillings; and Provision is thereby also made for the Payment of the Difference of Rates on the Promotions of Members from a lower to a higher Class, and for the Payment of certain additional Rates on Marriage; but an Option being by the said Act given to the Contributors under the said Royal Charter or Letters Patent to accede or not to the Provisions of this said Act, in order to secure upon just and equitable Terms the limited Advantages proposed by the said Royal Charter or Letters Patent, it is directed by the said Act that every non-acceding Member should, in pursuance of a Provision made and reserved to that Effect in the said Royal Charter or Letters Patent, be called upon and obliged to future regularly to pay into the said Fund, towards the due and necessary Support thereof, not only his ordinary annual Contribution, and the Rates imposed in cases of any second or subsequent Marriages as directed by the

\* aforesaid Royal Charter or Letters Patent, but also an Addition to his said ordinary Contributions,  
 \* and along with the same, at the Rate of Seven Shillings and Sixpence annually, for a Contribution  
 \* of the Third Class over and above his then present Rate of One Pound Twelve Shillings and Six-  
 \* pence, making together the annual Rate of Two Pounds, and so in proportion for those of the Two  
 \* higher Classes, as before distinguished respectively, and all the Rates and Sums of Money so to be  
 \* contributed, together with all that had already been contributed and accumulated under the Royal  
 \* Charter or Letters Patent aforesaid, were by the said Act directed to continue and be vested in and  
 \* applied by Order and Direction of the said Incorporation, and the Managers and Cashiers thereof,  
 \* appointed as therein mentioned, for behoof of the same and their Successors in Office, to and for  
 \* the Uses and Purposes after mentioned, (that is to say,) in the first place, for defraying the necessary  
 \* Expenses incurred and to be incurred in the passing of the said Act, and in establishing and  
 \* executing the Scheme; secondly, for the further raising of a Fund and Capital Stock for the Pur-  
 \* poses of the Scheme in the Extent therein limited, subject and applicable to the Payment of  
 \* Annuities to Widows and Children of Contributors, according to the Three several Classes there-  
 \* before distinguished, at the Rates after specified; (that is to say,) that there should be paid as a  
 \* yearly Annuity to the Widow or to the lawful Children of each Contributor, of the First Class,  
 \* Thirty-two Pounds; of the Second Class, Twenty-four Pounds; and of the Third Class, Sixteen  
 \* Pounds, such several Annuities to be paid by equal Portions quarterly, and within One Month  
 \* after each Quarter Day respectively, to wit, on the Fifth Day of January, Fifth Day of April, Fifth  
 \* Day of July, and Tenth Day of October, successively, commencing the First Quarter's Payment at  
 \* the first of these Days which should happen after the Death of the Contributor, and so on regularly  
 \* during the natural Life of the Widow and her remaining unmarried, or until the youngest surviving  
 \* Child of such Contributor should attain the Age of Sixteen Years complete, whichever of those Events  
 \* should happen the latest; provided that the Widows and Children of Contributors under the said  
 \* Royal Charter or Letters Patent not according to the Scheme under the said recited Act were to be  
 \* paid Annuities only at the former limited Rates under the said Royal Charter or Letters Patent, and  
 \* to continue to Children only until the youngest of such Children should attain the Age of Twelve  
 \* Years, as provided by the said original Patent; and in order to render the Funds thereby established  
 \* sufficient and available for answering the several Purposes of the said Act, Power was thereby given to  
 \* raise a Capital Fund or Stock, proportioned to the Number of Contributors, according to certain Rules  
 \* and Regulations in the said Act contained; and it was amongst other Things further provided, that  
 \* as soon and so often as the said Stock should amount to the Capital Sum therein described and limited,  
 \* in proportion to the Number of Contributors, the Surplus which might be found above that Amount  
 \* upon balancing the Accounts ending at the Fifth Day of July annually should be set apart and applied  
 \* by the Managers of the Incorporation at the Time in each Portion as they should judge best, for aug-  
 \* menting the Annuities to the Widows and Children of the Contributors proportionably, such Augmenta-  
 \* tions not to exceed the One Half of the ordinary Annuity payable to each Assistant; and in case of any  
 \* Surplus beyond what should be judged necessary for making such Augmentation within the Limit aforesaid,  
 \* Power is given to the Managers to apply such further Surplus towards paying the Annuities in the  
 \* succeeding Year, and in consequence to direct and allow an Abatement to be made proportionally out  
 \* of the ordinary Rates payable by the whole Contributors in the said Year respectively, or, with the  
 \* Assent of the Contributors, to form such other Plan for the Application of such last-mentioned Surplus,  
 \* and to apply the same accordingly, in such Manner as should appear most agreeable to the Majority  
 \* of the Contributors, and most for the Benefit of all concerned; and Provision is by the said Act also  
 \* made for appointing Managers for conducting the Affairs of the said Incorporation. And whereas  
 \* the Capital Sum in the said Act described and limited having been raised, and a Surplus having been  
 \* found, the Managers of the said Incorporation have suggested the Annuities payable to the Widows  
 \* and Children of Contributors to the Extent of One Half more than the Amount specified in the said  
 \* Act; (that is to say,) to the Widows and Children of Contributors, Accorders to the said Act, of the  
 \* First Class, an Annuity of Forty-eight Pounds; of the Second Class, Thirty-six Pounds; and of the  
 \* Third Class, Twenty-four Pounds, respectively; and to the Widows and Children of Contributors  
 \* under the said Royal Charter or Letters Patent, Non-accessories to the said Act, of the First Class,  
 \* Twenty-four Pounds; of the Second Class, Eighteen Pounds; and of the Third Class, Twelve Pounds;  
 \* and a further Surplus beyond what was necessary for such Augmentation having been found, the  
 \* Managers of the said Incorporation have, with the Concurrence of the Majority of the Contributors,  
 \* applied the same so as to lengthen the Period during which the said Annuities are to be payable to  
 \* the Children of the said Contributors, (that is to say,) until the youngest of such Children, whether of  
 \* ascending or non-ascending Contributors, shall have attained the Age of Eighteen Years. And whereas  
 \* the Managers and Cashier of the said Incorporation have, under the Authority of the said recited  
 \* Act, invested the Funds of the said Incorporation: in the Purchase, in the Name of the Cashier, of  
 \* certain Shares amounting in the whole to the Sum of Sixteen thousand five hundred Pounds of the  
 \* Capital or Joint Stock of the Bank of England, and in the Purchase, in the Name of the said Cashier,  
 \* of certain Shares amounting in the whole to the Sum of Fourteen thousand Pounds of the Capital or  
 \* Joint Stock of the Royal Bank of Scotland, and have also, under the Powers of the said Act, lent out  
 \* on heritable Securities, taken in the Name of the Cashier of the said Incorporation and his Successors  
 \* in Office, certain Sums of Money, amounting in the whole to the Sum of Twenty-three thousand five  
 \* hundred Pounds, of and to which said several Sums the said Managers and Cashiers now stand pos-  
 \* sessed and are entitled by the Title of the said Incorporation; And whereas the said Incorporation

now consists, more or less, of One Contributor of the First Class, Seven Contributors of the Second Class, and Seventeen Contributors of the Third Class, being Contributors under the said Royal Charter or Letters Patent, but who refused or neglected to accede as Contributors under the said recited Act, and of Thirty Contributors under the said recited Act of the First Class, One hundred and sixteen such Contributors of the Second Class, and Five hundred and fifty-five such Contributors of the Third Class. And whereas the whole Revenue of Excise of the United Kingdom being now placed under the Management of One General Board of Commissioners, all Officers in the Service of the Excise are Officers for the whole of the United Kingdom, and not for any one Part thereof, and are removable and removed from any one Part of the United Kingdom to any other Part thereof, according to the Exigencies of the Public Service, and by the Abolition of the Chief Office of Excise at Edinburgh the principal Officers and Accountants who were there stationed, and were the principal Managers of the Affairs of the said Incorporation, have either ceased to be Officers of the Revenue, by the Abolition of their Offices, or have been removed to the Chief Office of Excise in London, and inasmuch as the Demands of the Public Service will not allow of Collectors and other Officers being called from their public Duties to meet together and act as Managers, it has been found impossible to confine the Purposes of the said Incorporation and the Management of the Affairs thereof; and it has become therefore expedient to abolish the same, and to make Provision for securing the Rights and Interests of the existing Contributors, and in order to effect the same, that the said Shares in the Stock of the Bank of England and Royal Bank of Scotland respectively should be sold, and the Monies arising from such Sales, together with all Monies which, before such Sales shall be effected, shall have been received and paid to the Account of the said Incorporation, be carried to the Account of the Consolidated Duties of Excise, and be paid into the Receipt of the Exchequer under that Head; and the several Sums, amounting to the Sum of Twenty-three thousand five hundred Pounds, together with the Interest arising thereon, as soon as the Bonds given for Payment of the same are discharged, and such Interest as shall in the meantime be payable, should be carried to Account, and paid in manner before mentioned; and that no Person not having been a Contributor before the Fifth Day of January One thousand eight hundred and thirty-five shall be admitted or deemed to have been admitted a Contributor, but that the present Contributors, having become Contributors before the said Fifth Day of January One thousand eight hundred and thirty-five, shall continue the Payment of their respective Rates, which shall in like Manner be paid over, under the Management of the Commissioners of Excise, to the Consolidated Duties of Excise; and that all Annuities to the Widows and Children of Contributors now payable, or which shall hereafter become payable, according to the Provisions of the said recited Act, shall be paid out of the Duties of Excise, and be placed to the Account of Incidents of that Department. May it therefore please Your Majesty that it may be enacted; and he it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as directs the Election and Appointment of Managers, and of a Cashier and Clerk of the said Incorporation, and as directs the raising of a Capital Stock, and the Application of any Surplus thereof, as shall be repugnant to this Act, or any of the Provisions thereof, shall be and the same is hereby repealed; and the said Incorporation shall from henceforth cease and determine, and no new or additional Members shall be admitted into the same, nor shall any Person be deemed a Member thereof or an existing Contributor within the Meaning of this Act who shall not have been admitted and become a Contributor before the Fifth Day of January One thousand eight hundred and thirty-five.

II. And he it further enacted, That on the passing of this Act all the Stocks, Funds, and Monies of the said Incorporation shall, for the Purposes of this Act, be vested in the Commissioners of Excise; and the said Shares in the Capital or Joint Stock of the Bank of England and of the Royal Bank of Scotland shall forthwith be sold and disposed of; and the said Sums so lent on heritable Securities shall, as soon as the same can be in conformity with the Conditions of the respective Securities on which the same were lent, be called in and recovered; and all Monies arising from such Sales, and the Amount of such Sums when called in and repaid, and all Interest thereon, together with all other Monies which shall in any Manner be vested in the said Incorporation, or be vested or received in the Hands, Custody, or Possession of any Body Public or Corporate, Company, or Person, or Persons in Trust for or for the Use or Behalf of the said Incorporation, shall be paid over to the Commissioners of Excise, and for the Purpose of realizing and paying over such Monies, it shall be lawful for the Commissioners of Excise, and they are hereby authorized and required, to nominate and appoint One or more fit Person or Persons to sell and dispose of the said Shares, and to obtain Payment of the Monies so lent, and to collect and call in all other Property or other Effects, heritable or moveable, belonging to the said Incorporation, and to pay over all Monies collected or produced by the Sale of such Shares, Property, and Effects as aforesaid to the Commissioners of Excise; and in case of any Person so appointed dying or becoming incapable of acting, or of his Appointment being recalled by the said Commissioners of Excise, the said Commissioners shall appoint some other Person in the Room and Place of the Person so dying or becoming incapable, or whose Appointment has been recalled as aforesaid; and every such Appointment as aforesaid to be made by the Commissioners of Excise shall be in the Form set out in the Schedule to this Act.

So much of the recited Act as relates the Appointment of Managers, and of a Clerk and Collector, and the raising a Fund, repealed, and the Incorporation to cease.

Funds of the Incorporation vested in the Commissioners of Excise for the Purposes of this Act, and all their Stock to be realized for the same Purpose.



Persons appointed to give Security and to have such Recognition to be delivered by the Lords of the Treasury.

Persons appointed to submit to the Property of the Incorporation to have full Power to do so, and to give said Receipts, and to sign and carry on Articles.

Commissioners to pay over the Money in the same Manner as Duties of Excise.

Books, Accounts, and Papers to be delivered to the Commissioners of Excise.

Present Contributors to continue their Contributions.

Amount of Contributions to be deducted from the Salaries of Contributors.

Contributions drawn of withdrawing from further Contributions may do so on giving Notice.

Six Weeks Notice to be given.

Annuities now and hereafter to become due

III. And be it further enacted, That every Person so to be appointed as aforesaid shall, if required, give Security in such Sums or Sums of Money as shall be directed by the Commissioners of Excise for duty recovering, paying over, and accounting for all the Property of the said Incorporation, and otherwise discharging the Duties of his Office, such Security to be taken in the Name of His Majesty; and it shall be lawful for the Commissioners of Excise to pay and allow to the Person or Persons so appointed such Remuneration and Recompence for his or their Labour and Trouble in the Matter as shall be authorized and directed by the Lords Commissioners of His Majesty's Treasury.

IV. And be it further enacted, That the Person or Persons so to be appointed as aforesaid shall have full Power and Authority to sell and dispose of the said Shares, and to obtain Payment of the Monies so lost, and to collect and call in all other Property or other Effects, heritable or moveable, belonging to the said Incorporation; and the Receipt or Discharge of any Person or Persons so appointed as aforesaid shall be a full and valid Receipt and Discharge to all and every Person and Persons, Company, Body Politic and Corporate, paying or delivering over any Money or other Property or Effects in their Hands, Custody, or Possession, or due or owing by them, or paid over as the Purchase Money of any such Shares or other Property or Effects of the said Incorporation; and the Person or Persons so appointed shall have full Power and Authority to raise, insist in, and carry on, in his or their Name or Names, any Actions, Suits, or Proceedings at Law, for taking good the Purposes of such his or their Appointment, and collecting, calling in, and realizing the whole of the Property and Effects, heritable and moveable, of the said Incorporation; and no Action, Suit, or Proceeding raised, insisted in, or carrying on by any such Person shall abate, cease, or determine by the Death or Removal of any such Person, but the same shall continue and be insisted on and carried on by the Person who shall be nominated and appointed in the Room or Place of the Person so dying or removed.

V. And be it further enacted, That the Commissioners of Excise shall pay or cause to be paid all such Monies as shall be received by them on account of the said Incorporation into the Hands of the Receiver General of Excise, to be paid into the Bank of England, and less the Receipts of the Exchequer, on account of the Duties of Excise, in the same Manner as all other Monies coming into the Hands of the said Commissioners on account of the Duties of Excise are by Law required to be paid over.

VI. And be it further enacted, That all Books, Accounts, Documents, and Papers belonging to or in the Hands, Custody, or Possession of the Managers or of the Cashier or Clerk of the said Incorporation, and all Books, Accounts, Documents, or Papers relating to the Affairs of the said Incorporation in the Custody or Possession of any Company or other Person or Persons in Trust for or on the Behalf of the said Managers, Clerk, or Cashier, shall be delivered over to the Commissioners of Excise, or to such other Person or Persons as they shall appoint to receive and keep the same, and shall from thenceforth become Part of the public Documents of the Office of Excise.

VII. And be it further enacted, That all the Persons Contributors to the said Incorporation who shall have been admitted Contributors before the said Fifth Day of January One thousand eight hundred and thirty five, whether Contributors under the said Royal Charter or Letters Patent being Non-acceders to the said recited Act, or Contributors Acceders under the said recited Act, shall continue to pay their several Rates and Contributions under the said recited Act, according to the Class in which they may be, and according as they may be Acceders or Non-acceders respectively; and shall also in case of Promotion or Marriage pay the increased or equalizing Rates as provided in the said recited Act.

VIII. And be it further enacted, That the Receiver General of Excise and the respective Collectors of each Collection throughout the United Kingdom shall deduct from the Salary of such Officer, being a Contributor, who may be stationed within the Limits of the Chief Office of Excise or within the Collection of any such Collector respectively, the Amount of the Rates or Contribution payable by such Contributors respectively, according to the Provisions of the said recited Act; and the said Receiver General and Collectors respectively shall enter all Monies received by him or them on account of such Rates or Contributions in his and their Accounts as Money received on account of Contributions to the Scotch Excise Incorporation, and all such Monies shall be received and paid into the Exchequer to the Account of the Duties of Excise, in the same Manner as other Monies received on account of the Duties of Excise are by Law directed to be received and paid.

IX. Provided always, and be it further enacted, That it shall be lawful for any Officer of Excise who may be a Contributor, not being married, or if a Widower not having any Child under the Age of Eighteen Years, and who may be desirous of ceasing to be a Contributor, to give Notice in Writing to the Commissioners of Excise of such his Desire to cease contributing, and thereupon the said Commissioners shall make an Order that the Name of such Officer shall be struck out of the List of Contributors; and from thenceforth such Officer shall cease to be a Contributor, and shall not be liable to have any further Deduction made from his Salary on account of any such Rates or Contribution, except any Arrear thereof or any additional or equalizing Rate or Rates on account of Promotion or Marriage shall he due and owing at the Time of giving such Notice, which in such Case it shall be lawful to deduct: Provided always, that every such Notice shall be given Six Weeks at least before the next Quarter Day or Sittings when such Contributor's Salary shall be becoming due, and if not so given, his Deductions of the ensuing Quarter Day or Sittings shall be made.

X. And be it further enacted, That all Annuities which at the passing of this Act shall be payable to the Widows or Children of the deceased Contributors, and all such Annuities as shall hereafter become payable

Payable according to the Provisions of the said recited Act to the Widows or Children of the Persons who are continued Contributors by this Act, shall continue and be payable at the augmented Rate of Payment fixed by the Managers of the said Incorporation, and for the lengthened Period in the Case of Children, which was appointed as herein-before recited, in discharging of the Surplus beyond the limited Assent of Capital Stock, and all such Arrears shall be a Charge on the Duties of Excise, and shall be placed to the Account of Incidents of that Department.

XI. And be it further enacted, That it shall be lawful for the Receiver General of Excise, and for the Collector of the several Collectors of Excise throughout the United Kingdom, and they are hereby authorized and required, out of any Monies in their Hands to pay, under the Directions of the said recited Act and of the Commissioners of Excise at each Quarter Day, or at the Sessions after each Quarter Day, the Amount of all such Annuities as shall be due and payable to the Widows or Children of any deceased Contributors that may be resident within the Limits of the Chief Office of Excise, or within the Collection of any such Collector respectively; and the said Receiver General and every such Collector shall charge all such Payments to the Account of Incidents of the Department.

XII. And be it further enacted, That it shall be lawful for the Commissioners of Excise to name and appoint such Person or Persons as they shall deem fit as the Tutors, Curators, and Guardians of such Children of Contributors as shall not have any Tutors, Curators, and Guardians, and also to execute and put in force all such Provisions not hereby repealed of the said recited Act as might have been executed and put in force by the Managers of the said Incorporation if this Act had not been passed, and also to make such further Rules, Orders, and Regulations as to them shall seem necessary, expedient, or required for carrying this Act and the Purposes thereof into effect.

XIII. And be it further enacted, That so much of the said recited Act as is not repealed or provided for by this Act shall remain in force, and shall be put in execution by the Commissioners of Excise, until the Death of the last of the said Contributors, and until after the last Payment of any Annuity to which any Person shall be entitled under the said Act and this Act, and shall then cease and determine.

XIV. And be it further enacted, That this Act may be repealed, altered, varied, or amended by any Act to be made in this present Session of Parliament.

#### SCHEDULE to which this Act refers.

WE, being Three of the Commissioners of Excise, do hereby associate and appoint

with full Power to collect and call in all Sums of Money and other Property, or other Effects, heritable and moveable, which belonged to the Excise Incorporation of Scotland, and to grant Receipts and Discharges for the same, and also to raise, levie, impleit in, and carry on any Action, Suit, or Proceeding for the Recovery of any Sums of Money, Debt heritable and moveable, and other Property belonging to the said Incorporation, and to sell and convert all such Property into Money, and pay over all such Monies to us, according to the Provisions of an Act of Parliament passed in the Year of the Reign of His Majesty King William the Fourth, intitled "An Act" (see next the Title of the Act).

Signed

C A P. LXXXIII.

An Act to provide that Persons accused of Forgery in Scotland shall not be entitled to Bail, unless in certain Cases.

[Edinburgh 1835.]

WHEREAS by an Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act for abolishing the Privilege of Death in certain Cases of Forgery*, the Punishment of Death was annulled for that of Transportation for Lifes in all Cases of Forgery therein mentioned; And whereas since the passing of the said Act Persons accused of Forgery, in consequence of their Crime being no longer Capital, in general apply for and are admitted to Bail, but very frequently abscond and avoid standing their Trial, whereby the Ends of Justice are defeated: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Person or Persons committed for Trial in Scotland for any Forgery or other Offence which, prior to the passing of the before-mentioned Act, was a Capital Offence, and the Punishment of which is by the said Act limited to and declared to be Transportation for Life, shall be entitled to insist on Liberation on Bail, but without Prejudice to the Liberation of such Person or Persons as heretofore on such Bail as the Public Prosecutor may agree to.

II. Provided always, and be it enacted, That it shall be in the Power of the High Court or Circuit Court of Justiciary in Scotland respectively, on the Application of any Person or Persons accused of any Crime which by the before-mentioned Act is declared to be no longer punishable with Death, to admit him or them to the Privilege of Bail, provided it shall appear to the Court to which such Application is made to be consistent with the Ends of Justice to do so; but the Bail so to be taken shall be of such Amount, greater or less than the Maximum fixed by the Statutes applicable to Scotland now in force for Crimes that are bailable, at the said Court shall, under the whole Circumstances of the Case, think necessary for insuring the Appearance for Trial of the Person or Persons accused, any Law or Practice to the contrary notwithstanding.

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to be paid at the augmented Rate and for the lengthened Period.

Annuities to be paid by the Receiver General or Collectors of Excise where the Widows and Children are resident.

Commissioners to appoint Tutors and Guardians to Children, and to carry the recited Acts into effect.

So much of the recited Act as is not hereby repealed to remain in force.

Act may be altered by

Edinburgh 1835.

No Person committed for Trial for a Capital Offence entitled to insist on Liberation on Bail.

High Court or Circuit Court of Justiciary empowered to grant Privilege of Bail when consistent with the Ends of Justice.

## C A P. LXXIV.

An Act for the more easy Recovery of Tithes.

[28th September 1835.]

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WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of King William the Third, intitled *An Act for the more easy Recovery of Small Tithes*, whereby it was amongst other Things enacted, that Two or more of His Majesty's Justices of the Peace were authorized and required to hear and determine Complaints touching Small Tithes, Oblations, and Compositions substracted or withheld, not exceeding Forty Shillings: And whereas an Act was passed in the Fifty-third Year of the Reign of His late Majesty King George the Third, intitled *An Act for the better Regulation of Ecclesiastical Courts in England, and for the more easy Recovery of Church Rates and Tithes*, whereby the Jurisdiction of the said Justices was extended to all Tithes, Oblations, and Compositions substracted or withheld, where the same should not exceed Ten Pounds in Amount from any One Person: And whereas by an Act of the Seventh and Eighth Years of the Reign of King William the Third, Chapter Thirty-four, Provision is made for the Recovery of Great and Small Tithes (not exceeding the Assent of Ten Pounds) due from Quakers, by Distress and Sale, under the Warrant of Two Justices: And whereas by an Act of the First Year of the Reign of King George the First, Chapter Six, the Provisions of the said last mentioned Act were extended, in the Case of Quakers, to all Tithes or Rates, and Customary Rights, Dues, and Payments belonging to any Church or Chapel: And whereas by the said recited Act of the Fifty-third Year of the Reign of King George the Third the aforesaid Provisions in relation to Quakers were amended, and were also made applicable to any Assent not exceeding Fifty Pounds: And whereas by an Act of the Parliament of Ireland of the Seventh Year of the Reign of King George the Third, Chapter Twenty-one, amended and extended by an Act of the Parliament of the United Kingdom of the Fifty-fourth Year of the Reign of King George the Third, Chapter Sixty-eight, similar Provisions are in force in Ireland for the Recovery, from Quakers, of Great and Small Tithes, and Customary and other Rights, Dues, and Payments belonging to any Church or Chapel, not exceeding the Assent of Fifty Pounds: And whereas it is highly expedient, and would further tend to prevent Litigation, if, in the Cases and with the Exceptions hereinafter mentioned, all Claims were restricted to the respective Remedies provided by the said recited Acts: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Suit or other Proceeding shall be had or instituted in any of His Majesty's Courts in England now having cognizance of such Matter for or in respect of any Tithes, Oblations, or Compositions withheld, or under the yearly Value of Ten Pounds (save and except in the Cases provided for in the Two first-mentioned Acts), but that all Complaints touching the same shall, except in the Case of Quakers, be heard and determined only under the Powers and Provisions contained in the said Two first-recited Acts of Parliament in such and the same Manner as if the same were herein set forth and re-enacted; and that no Suit or other Proceeding shall be had or instituted in any of His Majesty's Courts either in England or Ireland now having cognizance of such Matter, for or in respect of any Great or Small Tithes, Modies, Compositions, Rates, or other Ecclesiastical Dues or Demands whatsoever, of or under the Value of Fifty Pounds, withheld by any Quaker either in England or Ireland; but that all Complaints touching the same, if in England, shall be heard and determined only under the Powers and Provisions contained in the said recited Acts of the Seventh and Eighth Years of King William the Third, Chapter Thirty-four, and the Fifty-third Year of King George the Third; and, if in Ireland under the said recited Act of the Parliament of Ireland, of the Seventh Year of King George the Third, and the said recited Act of the Fifty-third Year of King George the Third, in the same Manner as if the same were herein set forth and re-enacted: Provided always, that nothing herein-before contained shall extend to any Case in which the several Tithes or any Tithes, Oblations, Composition, Modus, Due, or Demand, or the Rate of such Composition or Modus, or the actual Liability or Exception of the Property to or from any such Tithes, Oblations, Composition, Modus, Due, or Demand shall be *bona fide* in Question, nor to any Case in which any Suit or other Proceeding shall have been actually instituted before the passing of this Act.

Proceedings for the Recovery of Tithes under 25<sup>th</sup> George the Third in the Case of Quakers shall be had only under the Powers of the Two first-recited Acts.

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Whereas in recovering Tithes by Distress and Sale.

II. And be it enacted, That in case any Suit or other Proceeding has been prosecuted or commenced, or shall hereafter be prosecuted or commenced, in any of His Majesty's Courts in England or Ireland, for recovering any Great or Small Tithes, Modus or Composition for Tithes, Rate or other Ecclesiastical Demands, substracted, unpaid, or withheld by or due from any Quaker, no Execution or Decree or Order shall issue or be made against the Person or Persons of the Defendant or Defendants, but the Plaintiff or Plaintiffs shall and may have his Executions or Decrees against the Goods or other Property of the Defendant or Defendants; and in case any Person now is detained in Custody in England or Ireland under any Execution or Decree in such Suit or Proceeding, the Sheriff or other Officer having such Person in his Custody shall forthwith discharge him therefrom; and the Plaintiff or Plaintiffs in such Suit or Proceeding shall and may, notwithstanding such Discharge, issue any other Execution or take any other Proceeding for recovering his Demand and his Costs out of the Property, Real or Personal, of the Person so discharged.

C A P. LXXV.

An Act for the Amendment of the Law as to the tithing of Turnips in certain Cases.

[9th September 1835.]

WHEREAS it is frequently convenient and necessary, in the Agreement of Turnips by Sheep or Cattle, to sever the Turnips from the Ground, in order that they may be the more easily and completely consumed, and thereby to prevent Waste, and it is not reasonable that such Severance should vary or affect the Payment of Tithes: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in all Cases where Turnips shall be severed in the Manner and for the Purpose aforesaid, and shall be eaten on the Ground by Sheep or Cattle, and not otherwise removed, the same shall be subject to the Payment of Tithes in the same Manner and to the same Extent as if they had been eaten by such Sheep or Cattle without having been so severed as aforesaid, and no further or otherwise.

Turnips severed from the Land, if consumed on the same, subject to Tithes as if not so severed.

C A P. LXXVI.

An Act to provide for the Regulation of Municipal Corporations in England and Wales.

[9th September 1835.]

WHEREAS divers Bodies Corporate at sundry Times have been constituted within the Cities, Towns, and Boroughs of England and Wales, to the Intent that the same might for ever be and remain well and quietly governed; and it is expedient that the Charters by which the said Bodies Corporate are constituted should be altered in the Manner herein-after mentioned; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of all Laws, Statutes, and Usages, and so much of all Royal and other Charters, Grants, and Letters Patent now in force relating to the several Boroughs named in the Schedules (A.) and (B.) to this Act annexed, or to the habitation thereof, or to the several Bodies or reputed Bodies Corporate named in the said Schedules, or any of them, as are inconsistent with or contrary to the Provisions of this Act, shall be and the same are hereby repealed and annulled.

Repeal of all Acts, Charters, and Customs inconsistent with this Act.

And whereas in divers Cities, Towns, and Boroughs the Common Lands and Public Stock of such Cities, Towns, and Boroughs, and the Rents and Profits thereof, have been held and applied for the particular Benefit of the Citizens, Free-men, and Burgesses of the said Cities, Towns, and Boroughs respectively, or of certain of them, or of the Widows or Kindred of them, or certain of them, and have not been applied to public Purposes; be it therefore enacted, That every Person who now is or hereafter may be an Inhabitant of any Borough, and also every Person who has been admitted or who might hereafter have been admitted a Freeman or Burgess of any Borough if this Act had not been passed, or who now is or hereafter may be the Wife or Widow or Son or Daughter of any Freeman or Burgess, or who may have espoused or may hereafter espouse the Daughter or Widow of any Freeman or Burgess, or who has been or may hereafter be bound an Apprentice, shall have and enjoy and be entitled to acquire and enjoy the same Share and Benefit of the Lands, Tenements, and Hereditaments, and of the Rents and Profits thereof, and of the Common Lands and Public Stock of any Borough or Body Corporate, and of any Lands, Tenements, and Hereditaments, and any Sums or Sums of Money, Chattels, Securities for Money, or any Personal Estate, of which any Person or any Body Corporate may be seized or possessed in whole or in part for any charitable Uses or Trusts, as fully and effectually, and for such Time and in such Manner, as he or she by any Statute, Charter, Bye Law, or Custom is or was at the Time of passing this Act might or could have had, acquired, or enjoyed in case this Act had not been passed: Provided always, that the total Amount to be divided amongst the Persons whose Rights are herein reserved in this behalf shall not exceed the Surplus which shall remain after Payment of the Interest of all lawful Debts chargeable upon the Real or Personal Estate out of which the Sums so to be divided have arisen, together with the Salaries of Municipal Officers, and all other lawful Expenses which, on the Fifth Day of June, were defrayed out of or chargeable upon the same: Provided also, that nothing herein before contained shall be construed to apply to any Claim, Right, or Title in any Burgesses or Free-men, or of any Person, to any Ducherage or Exemption from any Tolls or Dues levied wholly or in part by or to the Use or Benefit of any Borough or Body Corporate; and that after the passing of this Act no Person shall have or be entitled to claim whatsoever any Discharge or Exemption from any Tolls or Dues lawfully levied in whole or in part by or to the Use of any Body Corporate, except as herein-after is excepted: Provided nevertheless, that every Person who, on the Fifth Day of June in this present Year, was an Inhabitant, or was or was entitled to be admitted a Freeman or Burgess of any Borough, or who on the said Fifth Day of June was the Wife or Widow, Son or Daughter of any Freeman or Burgess of any Borough, or who on the said Fifth Day of June was bound an Apprentice, shall be entitled to have or acquire and enjoy the same Ducherage or Exemption from any Tolls or Dues lawfully levied in whole or in part by or to the Use of any Borough or Body Corporate as fully and for such Time and in such Sort as he or she, by any Statute, Charter, Bye Law, or Custom is or was at the Time of the passing of this Act might or could have had, acquired, and so enjoyed the same if this Act had not been passed, and so further or otherwise: Provided also, that

Restoration of all Rights of Property and Municipal Exemptions to Freeman, their Wife and Children.

where, by any Statute, Charter, Bye Law, or Custom in force within any Borough at the Time of passing this Act, any Person whose Rights in this Behalf are herein reserved would have been liable in case this Act had not been passed to pay any Fine, Fee, or Sum of Money to any Body Corporate, or to any Member, Officer, or Servant of any Body Corporate, in consideration of his Freedom, or of his or her Title to such Rights as are herein reserved, no such Person shall be entitled to have or claim any Share or Benefit in respect of the Rights herein reserved as aforesaid until he or she shall have paid the full Amount of such Fine, Fee, or Sum of Money to the Treasurer of such Borough, appointed under the Provisions of this Act, on account of the Borough Paid herein-after mentioned: Provided also, that nothing in this Act contained shall be construed to entitle any Person to any Share or Benefit of the Rights herein reserved who shall not have first fulfilled every Condition which, if this Act had not passed, would have been a Condition precedent to his or her being entitled to the Benefit of such Rights, so far as the same is capable of being fulfilled according to the Provisions of this Act, or to strengthen, confirm, or affect any Claim, Right, or Title of any Burgesses or Freeman of any Borough or Body Corporate, or of any Person, to the Benefit of any such Rights as are herein-before reserved, but the same in every Case may be brought in question, impeached, and set aside in like Manner as if this Act had not been passed.

No Freedom by Gift, &c.

III. Provided always, and be it enacted, That from and after the passing of this Act no Person shall be elected, made, or admitted a Burgess or Freeman of any Borough by Gift or Purchase.

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IV. And whereas the Right of voting in the Election of Members to serve in Parliament was by an Act passed in the Second Year of the Reign of His present Majesty, entitled *An Act to amend the Representation of the People of England and Wales*, preserved to all Persons who then were or thereafter might become Freeemen or Burgesses of any City or Borough, subject to the Conditions and Provisions in that Act contained, be it therefore enacted, That every Person who if this Act had not been passed would have enjoyed, as a Burgess or Freeman, or might hereafter have acquired, in respect of Birth or Servitude, as a Burgess or Freeman, the Right of voting in the Election of a Member or Members to serve in Parliament for any City or Borough, shall be entitled to enjoy or acquire such Right of voting as fully as if this Act had not been passed, and the Town Clerk of every City or Borough returning a Member or Members to Parliament shall on all Times hereafter do and perform all Things appertaining to the due Registration of the Freeman or Burgesses of such City or Borough according to the Provisions of the said Act.

Restoration of the Parliamentary Franchise to Freeman.

V. And be it enacted, That the Town Clerk of every Borough shall on or before the First Day of December next make out a List, to be called "The Freeman's Roll," of all Persons who at the Time of the passing of this Act shall have been admitted as Burgesses or Freeman of such Borough; and that whenever any Person shall hereafter become entitled to be admitted a Burgess or Freeman for the Purposes aforesaid of such Borough in respect of Birth, Servitude, or Marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall examine into such Claim, and upon such Claim being established every such Person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the Freeman's Roll; and the Town Clerk shall keep a true Copy of such Roll, to be perused by any Person without Payment of any Fee at all reasonable Times, and shall deliver a Copy thereof to any Person requiring the same, on Payment of a reasonable Price for such Copy.

Freeman's Roll to be made out and kept by the Town Clerk.

Corporations to be styled Mayors, Aldermen, and Burgesses.

VI. And be it enacted, That after the First Election of Councillors under this Act in any Borough the Body or reputed Body Corporate named in the said Schedules in connexion with such Borough shall take and bear the Name of the Mayor, Aldermen, and Burgesses of such Borough, and by that Name shall have perpetual Succession, and shall be capable in Law, by the Council herein-after mentioned of such Borough, to do and suffer all Acts which now lawfully they and their Successors respectively may do and suffer by any Name or Title of Incorporation; and the Mayor of each of the said Boroughs shall be capable in Law to do and suffer all Acts which the Chief Officer of such Borough may now lawfully do and suffer, so far as the same respectively are not altered or annulled by the Provisions of this Act.

Boundaries of certain Boroughs to be those stated by 2 R. 2 W. c. 2. s. 24.

VII. And be it enacted, That after the passing of this Act the Metes and Bounds of the several Boroughs named in the First Section of the said Schedules (A.) and (B.) for the Purposes of this Act shall be the same as the Limits thereof respectively settled and described in an Act passed in the Second and Third Year of the Reign of His present Majesty entitled *An Act to settle and divide the Divisions of Counties and the Limits of Cities and Boroughs in England and Wales*, so far as respects the Division of Members to serve in Parliament; and the Metes and Bounds of the several Boroughs named in the Second Section of the said Schedules for the Purposes of this Act shall be and remain as the same are now taken to be until such Time as Parliament shall otherwise direct: Provided nevertheless, that notwithstanding any thing herein contained no Parish or Place, or Part of any Parish or Place, which is detached from the main Part of such Borough or County of a City or Town Corporate, shall after the passing of this Act be included within any such Borough or County; and, subject to this Provision, the Metes and Bounds of every such Borough and County shall include the whole of the Liberties of such Borough or County by Land and by Water as the same now are or are taken to be.

Boundaries of other Boroughs to remain until altered by Parliament.

Every Place included within the Bounds of a Borough to be Part of such Borough; and

VIII. And be it enacted, That every Place and Precinct which shall be included within the Metes and Bounds of any Borough as herein-before provided, and none other, shall be Part of such Borough, and in those Boroughs which are Counties of themselves shall be Part of such County and of none other; and in every Case in which the Metes and Bounds of any Borough or County under the Provisions of this Act shall not include any Place or Precinct which before the passing of this Act was Part Printed image deposited by the University of Southampton Library Digitisation Unit

of such Borough or County, such Place or Precinct shall thenceforward be taken to be Part of the County wherein such Place or Precinct is situated, or with which it has the nearest entrance Boundary: Provided nevertheless, that if any such Place or Precinct shall have been liable before the passing of this Act to contribute to any Rate made for the Purpose of satisfying any lawful Debt to which the Rate-payers of such Borough or County were liable to contribute before the passing of this Act, and in case any Difference shall arise concerning the Proportion of such Debt as ought therefore to be paid and contributed in respect of such Place or Precinct, it shall be lawful for the senior Justice of Assize for the County of which such Place or Precinct shall thenceforward be taken to be Part, or his Circuit, on the Application of the Council of such Borough, or of the Chairman of a public Meeting of the Rate-payers of such Place or Precinct, to appoint, by Writing under his Hand, a Barrister not being any Interest in the Question to arbitrate between the Parties, and by his Award under his Hand and Seal to assess the Proportion, if any, of such Debt as ought therefore to be paid and contributed in respect of such Place or Precinct; and such Arbitrator shall also assess the Costs of the Arbitration, and shall direct by whom, and in what Proportion, and out of what Fund, the same shall be paid; and such Rate as aforesaid shall continue to be levied by Warrant of the Council of such Borough, and paid by such Place or Precinct, as if this Act had not passed, and such Proportion shall have been fully paid and satisfied to the Treasurer of the Borough, and no longer: Provided nevertheless, that every County Gaol, House of Correction, or Lunatic Asylum, Court of Justice, or Judge's Lodging, which at the Time of the passing of this Act is taken to be for any Purpose within any County, shall still, for all such Purposes, be taken to be within such County, and these herein contained to the contrary notwithstanding.

X. And be it enacted, That every Male Person of full Age who on the last Day of August in any Year shall have occupied any House, Warehouse, Counting-house, or Shop within any Borough during that Year and the whole of each of the Two preceding Years, and also during the Time of such Occupation shall have been an Inhabitant Householder within the said Borough, or within Seven Miles of the said Borough, shall, if duly enrolled as that Year according to the Provisions herein-after contained, be a Burgess of such Borough and Member of the Body Corporate of the Mayor, Aldermen, and Burgesses of such Borough: Provided always, that no such Person shall be so enrolled in any Year, unless he shall have been rated in respect of such Premises so occupied by him within the Borough to all Rates made for the Relief of the Poor of the Parishes wherein such Premises are situated during the Time of his Occupation as aforesaid, and unless he shall have paid on or before the last Day of August as aforesaid all such Rates, including those all Borough Rates, if any, directed to be paid under the Provisions of this Act, as shall have become payable by him in respect of the said Premises, except such as shall become payable within Six Calendar Months next before the said last Day of August: Provided also, that the Premises in respect of the Occupation of which any Person shall have been so rated need not be the same Premises or in the same Parish, but may be different Premises in the same Parish or in different Parishes: Provided also, that no Person being an Alien shall be so enrolled in any Year, and that no Person shall be so enrolled in any Year who within Twelve Calendar Months next before the said last Day of August shall have received Poor Relief or other Allowance, or any Pension or charitable Allowance from any Fund intrusted to the charitable Trustees of such Borough hereinafter mentioned: Provided that in every Case provided in this Act the Distance of Seven Miles shall be computed by the nearest public Road or Way by Land or Water.

X. And be it enacted, That no Medical or Surgical Assistance given by the charitable Trustees of any Borough shall be taken to be such charitable Allowance as shall disqualify any Person from being enrolled a Burgess as aforesaid: nor shall any Person be so disqualified by reason that any Child of such Person shall have been admitted and taught within any public or endowed School.

XI. And be it enacted, That in every Borough it shall be lawful for any Person occupying any House, Warehouse, Counting-house, or Shop in claim to be rated to the Relief of the Poor in respect of such Premises, whether the Landlord shall or shall not be liable to be rated to the Relief of the Poor in respect thereof, and upon such Occupier so claiming, and actually paying or tendering the full Amount of the last made Rate then payable in respect of such Premises, the Overseers of the Parish in which such Premises are situate are hereby required to put the Name of such Occupier upon the Rate for the Time being, and in case such Overseer shall neglect or refuse so to do such Occupier shall nevertheless, for the Purpose of this Act, be deemed to have been rated to the Relief of the Poor in respect of such Premises from the Period at which the Rate shall have been made in respect of which he shall have so claimed to be rated as aforesaid: Provided always, that where by virtue of any Act of Parliament the Landlord shall be liable to the Payment of the Rate for the Relief of the Poor in respect of any Premises occupied by his Tenant, nothing herein contained shall be deemed to vary or discharge the Liability of such Landlord, but in case the Tenant who shall have been rated for such Premises in consequence of any such Claim as aforesaid shall make default in the Payment of the Poor's Rate payable in respect thereof such Landlord shall be and remain liable for the Payment thereof in the same Manner as if he alone had been rated in respect of the Premises so occupied by his Tenant.

XII. And be it enacted, That where any House, Warehouse, Counting-house, or Shop in any Borough shall come to any Person by Descent, Marriage, Marriage Settlement, Bequest, or Promotion to any Benefice or Office, such Person shall be entitled to receive the Occupancy and Rating, in respect of the Occupancy thereof by the Person from or by whom such House, Warehouse, Counting-house, or Shop shall have so come to him, as his own Occupancy and Rating, conjointly with the Time during which he shall have so occupied and been rated for the same, and shall be entitled to be enrolled a

Part out off from the Borough to be deemed Part of adjoining County

Occupiers of Houses and Shops rated for the Relief of the Poor, entitled to be Burgoesses, if residing within Seven Miles.

Aliens and Persons who have received Poor Relief not to be enrolled.

Medical Assistance not to be disqualifying.

Occupiers may claim to be rated.

In case of Title by Descent, &c. how the Occupancy is to be reckoned.

Burgess in respect of such excessive Occupancy and Rating, provided he shall be otherwise qualified as herein provided.

XIII. And be it enacted, That after the passing of this Act no Person shall be enrolled a Burgess of any Borough, for the Purpose of enjoying the Rights conferred for the first Time by this Act, in respect of any Title other than by Occupancy and Payment of Rates within such Borough, according to the Meaning and Provisions of this Act.

XIV. And whereas it shews Cities, Towns, and Boroughs a certain Custom hath prevailed, and certain Bye Laws have been made, that no Person, not being free of a City, Town, or Borough, or of certain Guilds, Mysteries, or Trading Companies within the same, or some or one of them, shall keep any Shop or Place for putting to Sale or Selling any or certain Wares or Merchandise by way of Retail or otherwise, or use any or certain Trades, Occupations, Mysteries, or Handicrafts for Hire, Gain, or Sale within the same; be it enacted, That notwithstanding any such Custom or Bye Law, every Person in any Borough may keep any Shop for the Sale of all lawful Wares and Merchandises by Wholesale or Retail, and use every lawful Trade, Occupation, Mystery, and Handicraft, for Hire, Gain, Sale, or otherwise, within any Borough.

XV. And be it enacted, That on the Fifth Day of September in every Year the Overseers of the Poor of every Parish wholly or in part within any Borough shall make out an Alphabetical List, to be called "The Burgess List," according to the Form Number 1. in the Schedule (D.) to this Act annexed, of all Persons who shall be entitled to be enrolled in the Burgess Roll of that Year, according to the Provisions of this Act, in respect of Property within such Parish; and the Overseers shall sign such Burgess Lists, and shall deliver the same to the Town Clerk of the Borough on the said Fifth Day of September in every Year, and shall keep a true Copy of such Lists, to be perused by any Person, without Payment of any Fee, at all reasonable Hours between the Fifth and Fifteenth Days of September in every Year; and the Town Clerk shall forthwith cause Copies to be printed of all Overseers Lists delivered to him, and shall deliver a Copy of all such Lists to any Person requiring the same, on Payment of a reasonable Price for each Copy, and shall cause a Copy of all such Lists to be fixed on or near the outer Door of the Town Hall, or in some public and conspicuous Situation within the Borough, on every Day during the Week next preceding the Fifteenth Day of September in every Year.

XVI. Provided always, and be it enacted, That in any Borough in which there shall be no Town Clerk, or in which the Town Clerk shall be dead or incapable of acting, all Matters by this Act required to be done by and with regard to the Town Clerk shall be done by and with regard to the Person executing Duties in such Borough similar to those of Town Clerk, and if there be no such Person, or if such Person shall be dead or incapable of acting, then by and with regard to such Person as the Mayor of such Borough shall appoint in that behalf: Provided always, that every Precinct or Place, whether Extra parochial or otherwise, which shall have no Overseers, shall, for the Purpose of making out such Lists as aforesaid, be deemed within the Parish adjoining thereto, such Parish being wholly or in part situate within the same Borough as such Precinct or Place, and if such Precinct or Place shall adjoin two or more Parishes as aforesaid it shall be deemed to be within the least populous of such Parishes according to the last Census for the Time being; and the Overseers of the Poor of every such Parish shall insert in the List for their Parish the Names of all Persons who would have been entitled to be inserted in the Lists for such Precinct or Place if such Precinct or Place had had Overseers or been rated to the Maintenance of the Poor.

XVII. And be it enacted, That every Person whose Name shall have been entered in any such Burgess List and who shall claim to have his Name inserted therein, shall, on or before the Fifteenth Day of September in every Year, give Notice thereof to the Town Clerk in Writing, according to the Form No. 2. in the said Schedule (D.), or to the like Effect, and every Person whose Name shall have been inserted in any Burgess List for any Borough may object to any other Person as not being entitled to have his Name retained in the Burgess List for the same Borough, and every Person so objecting shall, on or before the Fifteenth Day of September in every Year, give to the Town Clerk of such Borough, and also give to the Person objected to, or to the Person for which he shall appear to be rated in the Burgess List, Notice thereof in Writing according to the Form Number 3. in the said Schedule (D.) or to the like Effect; and every Town Clerk shall include the Names of all Persons so claiming to be inserted in the Burgess List in a List according to the Form Number 5. in the said Schedule (D.) and shall include the Names of all Persons so objected to as not entitled to be retained on the Burgess List in a List according to the Form Number 5. in the said Schedule (D.), and shall cause Copies of such several Lists to be fixed on or near the outer Door of the Town Hall or in some public and conspicuous Situation within such Borough during the Eight Days next preceding the First Day of October in every Year, and the Town Clerk shall likewise keep a Copy of the Names of all Persons so claiming as aforesaid, and also a Copy of the Names of all Persons so objected to as aforesaid, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Eight Days, Sunday excepted, next preceding the First Day of October in every Year, and shall deliver a Copy of each of such Lists to any Person requiring the same, on Payment of a Sum not exceeding One Shilling for each Copy.

XVIII. And be it enacted, That the Mayor and the Two Assessors herein-after mentioned, to be chosen in every Year by the Burgess of every Borough, shall hold an open Court within such Borough, for the Purpose of revising the said Burgess Lists at some Time between the First Day of October inclusive and the Fifteenth Day of October inclusive in the Year One thousand eight hundred and thirty three next preceding the Fifteenth Day of September in every Year.

No new Bur-  
gesses to be  
enrolled by

Enfranchi-  
sments of the  
King's Boroughs

Overseers to  
make Lists of  
all Persons  
entitled to be  
Burgesses in  
their respective  
Parishes.

As no Boroughs  
in which there  
is no Town  
Clerk.

As to Precincts,  
&c. where there  
are no Over-  
seers.

Persons  
entitled to  
the Overseers  
Lists to give  
Notice, &c.

Notice as to  
Persons not  
entitled to be  
inserted in the  
Lists.

Lists of Claim-  
ants, and of  
Persons object-  
ed to, to be  
published, &c.

Mayor and  
Assessors to  
revise Lists, and  
to insert and  
expunge Names.

thirty-six, and every succeeding Year, having first given Three clear Days Notice of the holding of such Court, to be fixed on or near the outer Door of the Town Hall or in some public and conspicuous Situation within the Borough; and the Town Clerk of every such Borough shall, at the opening of the Court, produce the said Lists, and a Copy of the Lists of the Persons claiming and of the Persons objected to, as made out as aforesaid; and the Overseers, Vestry Clerks, and Collectors of Poor's Rates of every Parish wholly or in part within every such Borough shall attend the Court, and shall answer upon Oath all such Questions as the Court may put to them or any of them touching any Matter necessary for revising the Burgess Lists; and the Mayor shall insert in such Lists the Name of every Person who shall be proved, to the Satisfaction of the Court, to be entitled to be inserted therein, according to the Provisions of this Act, and shall retain on the said List the Names of all Persons to whom no Objection shall have been duly made, and shall also retain on the said Lists the Name of every Person who shall have been objected to by any Person, unless the Party so objecting shall appear by himself or by some one on his Behalf in support of such Objection; and where the Name of any Person inserted in any one of the said Lists shall have been duly objected to, and the Person objecting shall appear by himself or by some one on his Behalf in support of such Objection, the Court shall require Proof of the Qualification of the Person so objected to; and in case the Qualification of such Person shall not be proved to the Satisfaction of the Court the Mayor shall expunge the Name of every such Person from the said Lists, and he shall also expunge from the said Lists the Name of every Person who shall be proved to the Court to be dead, and shall correct any Mistake or supply any Omission which shall be proved to the Court to have been made in any of the said Lists in respect of the Name or Place of Abode of any Person who shall be included in any such List, or in respect of the legal Description of his Property: Provided always, that no Person's Name shall be inserted by the Mayor in any such List, or shall be expunged therefrom, except in the Case of Death, unless Notice shall have been given as is herein before required in each of the said Cases.

XIX. And be it enacted, That every Mayor holding any Court under this Act for the Revision of the said Lists shall have Power to adjourn the same from Time to Time, so that no such adjourned Court shall be held after the Fifteenth Day of October in any Year, and shall have Power to require any Overseer, or Person having the Custody of any Book containing any Rate made for the Relief of the Poor during that or any preceding Year, in any Parish wholly or in part within the Borough, to produce the same and allow the same to be inspected at any Court to be held for Revision of the Burgess Lists, and shall have Power to administer an Oath to the Town Clerk and to the Overseers, and to all Persons claiming to be inserted in or making Objection to the Omission or Insertion of any Name in any of the said Lists, and to all Persons objected to in any of such Lists, and to all Persons claiming to have any Mistake in any of such Lists corrected, and to all Witnesses who may be tendered or examined on either Side, and the Mayor and Assessors shall, upon the Hearing in upon Court, determine upon the Validity of such Claims and Objections, and the Mayor shall, in open Court, write his Initials against the Names respectively struck out or inserted, and against any Part of the said Lists in which any Mistakes shall have been corrected, and shall sign his Name to every Page of the several Lists so altered.

XX. And be it enacted, That the senior Judge, or in case of his Absence from the Kingdom the next Judge, in the Commission of Assize for the Shires Circuit in this Year for every County, shall, before the last Day of September in this Year, appoint so many Barristers as the said Judge shall deem necessary to revise the Lists of Burgesses of every Borough in or adjoining to such County; and the Town and County of the Town of Kingston-upon-Hull shall for this Purpose be considered as next adjoining to the County of York, and the Town of Berwick-upon-Tweed and Town and County of the Town of Newcastle-upon-Tyne as next adjoining to the County of Northumberland, and the City and County of the City of Bristol as next adjoining to the County of Somerset; and the said Judge shall have Power to appoint One or more Barristers to revise the Lists for the same Borough, and the same Barrister to revise the Lists of more than One Borough; and the Barrister so appointed to any Borough shall for that Purpose, during this Year, be in the Place and Stead of the Mayor and Ancients of such Borough, and shall revise the Lists of Burgesses in this Year in the Manner herein-before enacted concerning the Mayor and Assessors in every succeeding Year; and if it shall be made to appear to the said Judge that for any Cause such Lists cannot be revised within the Period directed by this Act, it shall be lawful for such Judge and he is hereby required to appoint One or more Barristers to act in the Place of or in addition to those originally appointed; and every such Barrister so subsequently appointed shall have the same Power as if originally appointed; and every Barrister appointed to revise any Lists under this Act shall be paid at the Rate of Five Guineas for every Day that he shall be so employed over and above his travelling and other Expenses; and every such Barrister, after the Termination of his said Sitting, shall lay or cause to be laid before the Lords Commissioners of His Majesty's Treasury for the Time being a Statement of the Number of Days during which he shall have been so employed in each Borough, and an Account of the Travelling and other Expenses incurred by him in respect of such Employment; and the said Lords Commissioners shall make an Order for the Amount to be paid to such Barrister out of the Consolidated Fund: Provided nevertheless, that as soon as a Council shall be chosen in any Borough under the Provisions of this Act the said Lords Commissioners shall make an Order on the Council of such Borough for the Amount of daily Salary herein-before enacted to be paid to such Barrister during the Time that he shall have been employed in revising the Lists of such Borough; and the Council of such Borough shall forthwith

Power to  
Mayor, to  
adjourn, or  
adjourned,  
of  
adjoining  
Dates, &c.

Mayor shall  
sign the Lists in  
open Court

Barristers to be  
appointed to  
revise Lists in  
the first Year



cause the same to be repaid to the said Lords Commissioners out of the Borough Fund of such Borough; and the same, if not paid, shall be deemed to be a Debt due to His Majesty, and recoverable as such.

Affirmation  
may be substi-  
tuted for Oath.

XXI. And be it enacted, That every Person authorized by Law to make an Affirmation instead of taking an Oath shall make such Affirmation in every Case in which by this Act an Oath is required to be taken; and if any Person taking any Oath required by this Act, or making any Affirmation instead of taking such Oath, shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly.

Borough Bo-  
rough Lists to  
be kept by the  
Borough Clerk,  
and copied into  
Books, with  
the Names  
enumerated.

XXII. And be it enacted, That the Burgess Lists, as revised and signed as last aforesaid, shall be delivered by the Mayor to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Burgess Lists to be fairly and truly copied into one general Alphabetical List in a Book to be by him provided for that Purpose, with every Name therein numbered, beginning the Numbers from the first Name, and continuing them in a regular Series to the last Name, and shall cause such Books to be completed on or before the Twenty-second Day of October in every Year, and shall deliver such Books, together with the Lists, at the Expiration of his Office, to the Person succeeding him in such Office; and every such Book in which the said Burgess Lists shall have been copied shall be the Burgess Roll of the Burgesses of such Borough entitled to vote, after the passing of this Act, in the Choice of the Councilors, Assessors, and Auditors of such Borough, as herein-after mentioned, at any Election which may take place in such Borough between the First Day of November inclusive in the Year wherein such Burgess Roll shall have been made and the First Day of November in the succeeding Year, provided that no Stamp Duty shall be payable in respect of the Admission, Registry, or Enrolment of any Burgess, according to the Provisions of this Act.

Such Book to  
be the Roll of  
Burgesses  
entitled to vote.

Nothing to  
be done  
on Limitations.

Copies of the  
Borough Roll  
to be printed  
for Sale.

XXIII. And be it enacted, That the Town Clerk of every Borough shall cause to be written or printed Copies of the Burgess Roll in every Year, and shall deliver such Copies to all Persons applying for the same, on Payment of a reasonable Price for each Copy; and the Names arising from the Sale thereof, and of the Overseers Lists, and of the Lists of Claims and Objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund herein-after mentioned.

Expenses of  
Overseers how  
to be defrayed.

XXIV. And be it enacted, That the said Council of every Borough shall take an Account of the reasonable Expenses incurred by the Overseers of the Poor in carrying into effect the several Provisions of this Act so far as relates to the said Lists, and shall order the Treasurer of the said Borough to pay the same out of the Borough Fund of the said Borough.

Mayor, Alder-  
men, and  
Councilors to  
be chosen in  
every Borough,  
who together  
shall constitute  
the Council of  
the Borough.

XXV. And be it enacted, That in every Borough shall be elected, at the Time and in the Manner herein-after mentioned, One fit Person, who shall be and be called "The Mayor" of such Borough; and a certain Number of fit Persons, who shall be and be called "Aldermen" of such Borough; and a certain Number of other fit Persons, who shall be and be called "The Councilors" of such Borough; and such Mayor, Aldermen, and Councilors for the Time being shall be and be called "The Council" of such Borough; and the Number of Persons so to be elected Councilors of such Borough shall be the Number of Persons to that Effect mentioned in conjunction with the Name of such Borough in the Schedules (A) and (B.) to this Act annexed; and the Number of Persons so to be elected Aldermen shall be One Third of the Number of Persons so to be elected Councilors; and on the Ninth Day of November in this present Year the Councilors first to be elected under the Provisions of this Act, and on the Ninth Day of November in the Year One thousand eight hundred and Thirty-eight, and in every Third succeeding Year, the Council for the Time being of every Borough shall elect from the Councilors, or from the Persons qualified to be Councilors, the Aldermen of such Borough, or so many as shall be needed to supply the Places of those who shall then go out of Office according to the Provisions herein-after contained; and that upon the Ninth Day of November in the Year One thousand eight hundred and thirty eight, and in every Third succeeding Year, One Half of the Number appointed as aforesaid to be the whole Number of the Aldermen of every Borough shall go out of Office; and the Councilors immediately after the first Election of Aldermen shall appoint who shall be the Aldermen who shall go out of Office in the Year One thousand eight hundred and thirty-eight, and thereafter those who shall go out of Office shall always be those who have been Aldermen for the longest Time without Re-election: Provided always, that any Aldermen so going out of Office may be forthwith re-elected, if then qualified as herein provided; provided also, that the Aldermen so going out of Office shall not be entitled to vote in the Election of new Aldermen.

Mayor and  
Aldermen to  
constitute Mem-  
bers of Council.

XXVI. And be it enacted, That the Mayor and Aldermen shall, during their respective Offices, continue to be Members of the Council of the Borough, notwithstanding any thing herein-after contained as to Councilors going out of Office at the End of Three Years.

Persons Vacan-  
cies in the Office  
of Aldermen  
how to be filled  
up.

XXVII. And be it enacted, That whenever any extraordinary Vacancy shall take place in the Office of Aldermen of any Borough, the Council of such Borough shall, within Ten Days after such Vacancy shall occur, on a Day to be fixed by the Mayor for such Purpose, elect some other fit Person to fill such Vacancy, either from the Councilors or from the Persons qualified to be Councilors; and in case any Councilor shall be elected to fill the Office of Aldermen, then the Vacancy which will thereby be occasioned in the Council shall be filled up at the Time and in the Manner herein-after directed; and every Person so elected an Alderman to fill an extraordinary Vacancy shall hold such Office until the Time when the Person in the Room of whom he was chosen would regularly have gone out of Office, and he shall then go out of Office, but may be re-elected if then qualified as herein provided.

XXVIII. And he it enacted, That no Person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected or to be a Councillor of any such Borough or as Alderman of any such Borough, nor shall any Person be qualified to be elected or to be a Councillor or an Alderman of any such Borough who shall not be enrolled to be on the Burgess List of such Borough, nor unless he shall be seised or possessed of Real or Personal Estate or both to the following Amount, that is to say, in all Boroughs directed by this Act to be divided into Four or more Wards to the Amount of One thousand Pounds, or be rated to the Relief of the Poor of such Borough upon the usual Value of not less than Twenty Pounds, and in all Boroughs directed to be divided into less than Four Wards, or which shall not be divided into Wards, to the Amount of Five hundred Pounds, or be rated to the Relief of the Poor in such Borough upon the usual Value of not less than Fifteen Pounds, or during such Time as he shall hold any Office or Place of Profit, other than that of Mayor, in the Gift or Disposal of the Council of such Borough, or during such Time as he shall have directly or indirectly, by himself or his Partner, any Share or Interest in any Contract or Employment with, by, or on behalf of such Council; provided that no Person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of his being a Proprietor or Shareholder of any Company which shall contract with the Council of such Borough for lighting or supplying with Water or insuring against Fire any Part of such Borough.

Who are not qualified to be chosen Mayor or Councillors.

XXIX. And he it enacted, That every Burgess of any Borough who shall be enrolled on the Burgess Roll for the Time being of such Borough shall be entitled to vote in the Election of Councillors and of the Auditors and Assessors hereinafter mentioned for such Borough, and no Person who shall not be enrolled in such Burgess Roll for the Time being shall have any Voice or be entitled to vote in any such Election.

Who shall vote in the Election for Councillors.

XXX. And he it enacted, That upon the First Day of November in every Year the Burgesses so enrolled in every Borough shall openly assemble and elect from the Persons qualified to be Councillors the Councillors of such Borough, or such Part of them as shall be needed to supply the Places of those who shall then go out of Office: Provided nevertheless, that whenever any Day by this Act appointed for any Purpose shall in any Year happen on a Sunday, in every such Case the Business so appointed to be done shall take place on the Monday following.

Councillors to be chosen on the 1st Nov. in every Year.

XXXI. And he it enacted, That upon the First Day of November One thousand eight hundred and thirty-six, and in every succeeding Year, One Third Part of the Number appointed as aforesaid to be the whole Number of the Councillors of every Borough shall go out of Office; and in the said Year One thousand eight hundred and thirty-six those who shall go out of Office shall be the Councillors who were elected under the Provisions of this Act by the smallest Numbers of Votes in the present Year, and in the next Year, One thousand eight hundred and thirty-seven, those who shall so go out of Office shall be the Councillors who were elected under the Provisions of this Act by the next smallest Numbers of Votes in the present Year, the Majority of the whole Council always determining, when the Votes for any such Persons shall have been equal, who shall be the Persons so to go out of Office; and thereafter those who shall so go out of Office shall always be the Councillors who have been for the longest Time in Office without Re-election: Provided always, that any Councillor so going out of Office shall be capable of being forthwith re-elected, if then qualified, as herein provided.

One Third Part of the Council to go out of Office annually.

XXXII. And he it enacted, That every Election of Councillors within any Borough according to the Provisions of this Act shall be held before the Mayor and Assessors for the Time being of such Borough, except as herein is excepted; and the voting at every such Election shall commence at Nine o'Clock in the Forenoon, and shall finally close at Four o'Clock in the Afternoon of the same Day, and shall be conducted in manner following, that is to say, every Burgess entitled to vote in the Election of Councillors may vote for any Number of Persons not exceeding the Number of Councillors then to be chosen, by delivering to the Mayor and Assessors or other providing Officer as herein-after mentioned a Voting Paper, containing the Christian Names and Surnames of the Persons for whom he votes, with their respective Places of Abode and Descriptions, such Paper being previously signed with the Name of the Burgess voting, and with the Name of the Street, Lane, or other Place in which the Property for which he appears to be rated on the Burgess Roll is situated.

Elections to be held before Mayor and Assessors.  
Mode of voting.

XXXIII. And he it enacted, That at every Election in any Borough the Mayor, if it shall appear to him expedient for taking the Poll at such Election, may cause Booths to be erected, or Rooms to be hired and used as such Booths, for different Parts of such Borough, which may be situated either in one Place or in several Places; and shall be so divided and allotted into Compartments as to the Mayor shall seem most convenient; and the Mayor shall appoint a Clerk to take the Poll at each Compartment, and shall cause to be affixed on the most conspicuous Part of each of the said Booths the Names of the Parts for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such Election except in the Booth allotted for the Part whereon the House, Warehouse, Counting house, or Shop occupied by him as described in the Burgess Roll may be, but in case no Booth shall happen to be provided for any particular Part as aforesaid the Votes of the Persons voting in respect of Property situate in any Part so omitted may be taken at any of the said Booths, and public Notice of the Situation, Division, and Allotments of the different Booths shall be given Two Days before the Commencement of the Poll by the Mayor; and in case the Booths shall be situated in different Places the Mayor may appoint a Deputy to preside at each Place: Provided also, that no Election shall be holden under this Act in any Borough in any Church, Chapel, or other Place of Public Worship.

Polling Booths to be provided.

No Inquiry of the Voter except as to his Identity, and whether he has voted before at the same Election.

Form of Questions as to these Points.

Result of Election how to be declared.

An Alderman to be chosen to preside at Election in case of the Death or Incapacity of the Mayor.

Election of Auditors and Assessors.

Electing Mayors and Councilors to go out of Office on Election of Councilors under this Act.

Where the Streets are to be divided into Wards, the Bounds of the

XXXIV. And be it enacted, That no Inquiry shall be permitted at any Election as to the Right of any Person to vote as a Burgess in any Borough, except only as follows; (that is to say,) that the Mayor or other presiding Officer shall, if required by any Two Burgesses entitled to vote in the same Borough, put to any Voter at the Time of his delivering in his Voting Paper, and not afterwards, the following Questions, or any of them, and so answer:

1. Are you the Person whose Name is signed as A. B. on the Voting Paper now delivered in by you?
2. Are you the Person whose Name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein as rated for Property described to be situated in [Here specify the Street, &c. as described in the Burgess Roll] ?
3. Have you already voted at the present Election?

And no Person required to answer any of the said Questions shall be permitted or qualified to vote and he shall have answered the same; and if any Person shall wilfully make a false Answer to any of the Questions aforesaid he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

XXXV. And be it enacted, That the Mayor and Assessors shall examine the Voting Papers as delivered on aforesaid, for the Purpose of ascertaining which of the several Persons voted for are elected; and so many of such Persons, being equal to the Number of Persons then to be chosen, as shall have the greatest Number of Votes, shall be deemed to be elected; and in case of an Equality in the Number of Votes for any Two or more Persons, the Mayor and Assessors, or any Two of them, shall name from amongst those Persons for whom the Number of Votes shall be equal as many as shall be necessary to complete the requisite Number of Persons to be chosen; and the Mayor shall cause the Voting Papers to be kept in the Office of the Town Clerk during Six Calendar Months at the least after every such Election; and the Town Clerk shall permit any Burgess to inspect the Voting Papers of any Year, on Payment of One Shilling for every Search; and the Mayor shall publish a List of the Names of the Persons so elected not later than Two of the Clock in the Afternoon of the Day next but One following the Day of such Election, unless such Day be Sunday, and then on the Monday following.

XXXVI. And be it enacted, That if the Mayor of any Borough shall, at the Time when it shall be necessary to execute the Powers and Duties herein provided with respect to Elections, be dead, absent, or otherwise incapable of acting, the Council of such Borough shall forth with elect One of the Aldermen to execute all such Powers and Duties in the Place of the Mayor, provided that in the first Election of Councilors and of Auditors and Assessors, as herein-after provided, the Mayor alone shall act with all the Powers and Duties herein-before enacted concerning the Mayor and Assessors jointly in such Elections.

XXXVII. And be it enacted, That on the First Day of March in the Year One thousand eight hundred and thirty-six, and in every succeeding Year, the Burgesses of every Borough shall elect from the Persons qualified to be Councilors by a Majority of Votes, Two Burgesses, who shall be and be called Auditors of each Borough, and Two Burgesses, who shall be and be called Assessors of such Borough; and every such Auditor and Assessor shall continue in Office until the First Day of March in the Year following his Election; and the Election of such Auditors and Assessors respectively shall be in form and manner herein-before provided for the Election of Councilors: Provided nevertheless, that in every such Election of Auditors or Assessors as Burgess shall vote for more than One Person to be an Auditor or Assessor: Provided also, that no Burgess shall be eligible to be or be elected such Auditor or Assessor on aforesaid who shall be of the Council, or the Town Clerk or Treasurer of such Borough.

XXXVIII. And be it enacted, That after the Declaration of the first Election of the Councilors under the Provisions of this Act in any Borough, the Mayor, Aldermen, and Common Councilmen, and all other Members of the Common Council or governing Body of the Body Corporate named in conjunction with such Borough in the said Schedules (A.) and (B.) by whatever Name or Style they may be known or called, then in Office, shall go out of Office, and their whole Powers and Duties shall cease: Provided nevertheless, that any of the Persons so going out of Office shall be eligible to be elected and appointed under the Provisions of this Act: Provided also, that such Persons as are Justices of the Peace in any Borough at the Time of passing this Act shall continue to have and exercise all the Powers which at the Time of passing this Act they have as Justices of the Peace, until the First Day of May in the Year One thousand eight hundred and thirty-six, and no longer: Provided also, that in every Borough in which, by Statute, Charter, Bye Law, or Custom, any Election is appointed to be holden between the Day of the passing of this Act and the First Day of May next, both inclusive, no such Election shall be holden, but every Person holding Office in any Borough on the Day of the passing of this Act shall continue to hold such Office, and to have all the Powers, and be subject to all the Duties, and be entitled to the same Salary and Fees of such Office, as he would have had and been if elected to such Office between the Day of the passing of this Act and the said First Day of May: until the Time provided by this Act for him to go out of Office; any Statute, Charter, Bye Law, or Custom notwithstanding.

XXXIX. And whereas it is expedient that certain Boroughs of large Population should be divided into Wards before any Election of Councilors for such Boroughs should take place: be it therefore enacted, That every Borough in the said Schedule (A.) shall be divided into the Number of Wards mentioned in such Schedule in conjunction with the Name of such Borough; and that it shall be lawful

for the Barrister or Barristers appointed in pursuance of the Provisions herein-before contained to certify the Burgesses and Councilors Lists of any Borough in the present Year, and be or they is and are hereby required within the Space of Six Weeks next after the passing of this Act to determine and set out the Extent, Limits, and Boundary Lines of such Wards, and what Portions of such Borough shall be included therein respectively; and the Copy of the Particulars of such Division shall be forthwith transmitted to One of His Majesty's Principal Secretaries of State, and, if His Majesty by Advice of His Privy Council shall approve such Determination, shall be published in the London Gazette, and another Copy of such Particulars shall be delivered to the Town Clerk of such Borough, to be by him safely kept among the Public Documents of such Borough; and every such Borough shall, after such Publication as aforesaid, be deemed to be divided into such Wards as shall be so determined and set out as aforesaid, and such Division shall continue and be in force until the same shall be altered by Authority of Parliament: Provided always, that if His Majesty, by Advice of His Privy Council, shall not approve such Determination, such Publication as aforesaid shall nevertheless be made, and such Division be in force for the Purpose of any Election under the Provisions of this Act, and until such Time as His Majesty shall by Advice of His Privy Council, upon farther Information and Report from such Barristers, definitively approve the Division of such Borough into Wards in manner herein-before mentioned.

XI. And be it enacted, That the said Barrister or Barristers shall, after the Division of the Borough into such Number of Wards as is directed by this Act, apportion among the several Wards of such Borough the Number of Councilors mentioned in conjunction with the Name of such Borough in the said Schedule (A); and in assigning the Number of Councilors to each Ward the said Barrister or Barristers shall, as far as in his or their Judgment he or they may deem it to be practicable, have Regard as well to the Number of Persons rated to the Relief of the Poor in such Ward as to the aggregate Amount of the Rates at which all the said Persons shall be so rated: Provided always, that the Number of Councilors assigned to each Ward shall be a Number divisible by Three; and a Copy of the Particulars of the Number of Councilors so assigned to the several Wards of the Borough shall be forthwith transmitted to One of His Majesty's Principal Secretaries of State, and subject as aforesaid to the Approval of His Majesty by the Advice of His Privy Council, shall be published in the London Gazette, and another Copy of such Particulars shall be delivered to the Town Clerk of the Borough, to be by him safely kept among the Public Documents of such Borough; and the Number of Councilors so assigned to each Ward of such Borough shall, after such Publication as aforesaid, be the Number to be elected in such Ward, and shall so continue until the same shall be altered by Authority of Parliament: Provided always, that if His Majesty, by the Advice of His Privy Council, shall not approve the Number of Councilors so assigned to each Ward, such Publication shall nevertheless be made, and the Number of Councilors so assigned to each Ward of such Borough by such Barrister shall be the Number to be elected in such Ward at any Election of Councilors under this Act and such Time as His Majesty shall by Advice of His Privy Council, upon farther Information and Report from such Barrister, definitively approve such Assignment in manner herein-before mentioned.

XII. And whereas it may be convenient in diverse Boroughs to adhere to the Division of the same into Wards to the ancient Division thereof into Parishes or into Districts under any Local Act, or to adapt such Division to local Circumstances, and such Division so made might render difficult such Appointment of Councilors as is herein-before directed, he it therefore enacted, That in every such Case the said Barrister or Barristers shall be empowered, at his or their Discretion, subject as aforesaid to the Approval of His Majesty by the Advice of His Privy Council, to divide any Borough in conjunction with the Name of which, in the said Schedule (A), shall be mentioned any Number of Wards greater than Two, into any Number of Wards more or less by one than the Number of Wards mentioned in conjunction with the Name of such Borough in the said Schedule.

XIII. And be it enacted, That the said Barrister or Barristers shall have Power to require any Overseers, or Persons having the Custody of any Book containing any Rate made for the Relief of the Poor, in any Parish wholly or in part within any Borough to be divided into Wards, to produce such Book before and allow the same to be inspected by the said Barrister or Barristers; and the said Barrister or Barristers shall have Power to administer an Oath to the Overseers and to all other Persons, who are hereby required to answer upon Oath all such Questions as the said Barrister or Barristers may put to them or any of them touching any Matter which the said Barrister or Barristers may deem necessary for enabling them to execute the Duties by this Act imposed upon them.

XIV. And be it enacted, That in every Case in which there shall be a Division into Wards of any Borough, the Burgesses of every such Ward, and some others, shall on the Day fixed for the First Election of Councilors separately elect from the Persons qualified to be Councilors the whole Number of Councilors assigned to such Ward respectively, and on the First Day of November in any subsequent Year shall separately elect from the Persons qualified to be Councilors One Third Part of the whole Number of Councilors assigned to such Ward, and on the First Day of March next after the First Election of Councilors in such Ward, and in every subsequent Year, shall separately elect from the Persons qualified to be Councilors Two Assessors for such Ward; and every such Ward Election first after such Division into Wards of any such Borough shall be held before the Mayor, or the Person whom the Mayor for the Time being shall appoint in that Behalf, and in every succeeding Year shall be held before the Alderman whom the Councilors chosen in such Ward shall yearly appoint in that Behalf and before the Two Assessors of such Ward; and the Assessors who shall hold the Court for trying

Wards to be  
distributed to  
the Barristers  
appointed to  
divide the same.

Number of  
Councilors for  
each Ward to be  
assigned by the  
Barristers  
according to  
certain Rates.

Appropriation  
of Councilors  
for each Ward  
in which the  
ancient Division  
is adhered to.

Power to  
examine Rate  
Books.

Councilors and  
Assessors to be  
elected in  
Wards by the  
Burgesses of  
such Wards.

the Burgess Lists with the Mayor shall be the Assessors of the Mayor's Ward, and the Voters and other Proceedings in all other respects of such Ward Elections shall be conducted in the same Manner as at Elections of Councilors or Assessors respectively by the Burgesses of the whole Borough, and the Alderman and Assessors of each Ward shall have the same Powers in regard to Elections in their Ward as the Mayor and Assessors for the whole Borough if not divided into Wards; and every Person so elected a Councilor or Assessor in each Ward shall hold his Office for the same Time that he would have held it if he had been elected by the Burgesses of the whole Borough and if the Number elected in each Ward had been the whole Number for the Borough.

Burgesses to vote in the Ward in which their Property is situated

XLIV. And be it enacted, That every Burgess of any Borough shall be entitled to vote in the Election of the Councilors and Assessors to be chosen within that Ward in which the Property of such Burgess for which he appears to be rated on the Burgess List for the Time being of such Borough shall appear to be situated, and not otherwise; and if any Burgess shall be rated in respect of distinct Premises in Two or more Wards, then he shall be entitled to be enrolled and to vote in such one of the said Wards as he shall select, but not in more than One.

List of the Burgesses to be made out yearly.

XLV. And be it enacted, That for the Purpose of better ascertaining who are the Burgesses of any such Ward the Burgess Roll of every Borough so divided into Wards shall thenceforward be made out, by or under the Direction of the Town Clerk, in Alphabetical Lists of the Burgesses in each Ward, to be called "Ward Lists."

Manner of proceeding if any Person is elected a Councilor in more than One Ward.

XLVI. And be it enacted, That if at any Election of Councilors or Assessors for any Borough any Person shall be elected a Councilor or Assessor in more than One of the Wards of such Borough, he shall within Three Days after Notice thereof choose, or in his Default the Mayor shall declare, for which one of the said Wards such Councilor or Assessor shall serve, and such Person shall thereupon be held to be elected to that Ward only which he shall so choose, or which the Mayor shall so declare.

Designation of Councilors, Auditor, or Assessor to be filled up by both Elections.

XLVII. And be it enacted, That if any extraordinary Vacancy shall be occasioned in the Office of Councilor, Auditor, or Assessor for any Borough, the Burgesses entitled to vote shall, on a Day to be fixed by the Mayor of such Borough, or in the Case of a Councilor or Assessor, where the Borough shall have been divided into Wards, by the Alderman of the Ward in which the Vacancy has happened, (such Day not to be later than Ten Days after such Vacancy,) elect from the Persons qualified to be Councilors another Burgess to supply such Vacancy; and such Election shall be held, and the voting and other Proceedings, in case of a Contest, shall be conducted in the same Manner and subject to the same Provisions as are herein-before enacted with respect to the Election of Councilors as aforesaid; and every Person so elected shall hold such Office until the Time at which the Person in room of whom he was chosen would regularly have gone out of Office, and he shall then go out of Office, but shall be capable of immediate Re-election if then qualified as herein provided: Provided always that after the full Number to be regularly elected if the Councilors in any Year shall have declared their Acceptance of Office as new Election of Councilors shall be made by reason of such extraordinary Vacancy, unless the Number of Councilors remaining after such Vacancy shall not exceed Two Thirds of the whole Number of the Council of such Borough.

Penalty on Mayor, Overseer, or Town Clerk neglecting to comply with Provisions of this Act.

XLVIII. And be it enacted, That if any Mayor, Alderman, or Assessor of any Borough who shall be in Office at the Time herein appointed for the Revision by them of the Burgess List under this Act, or for any Election of Councilors, Assessors, or Auditors which he is required to conduct or declare, shall neglect or refuse to revise such Burgess List, or to conduct or declare such Election as aforesaid, every such Mayor, Alderman, and Assessor shall for every such Offence forfeit and pay the Sum of one hundred Pounds; and if any Overseer of any Parish wholly or in part within any Borough shall neglect or refuse to make out, sign, and deliver such List as aforesaid, or if the Town Clerk of any Borough shall neglect or refuse to receive, print, and publish such Lists as aforesaid, or if any such Overseer or Town Clerk shall refuse to allow any such List to be perused by any Person having Right thereto, every such Overseer and Town Clerk respectively for every such Offence shall forfeit and pay the Sum of Fifty Pounds; and the said Penalties hereby in such Case imposed shall be recovered, with full Costs of Suit, by any Person who will sue for the same within Three Calendar Months after the Commission of such Offence, by Action of Debt or on the Case in any of His Majesty's Superior Courts of Record; and the Money so to be recovered shall, after Payment of the Costs and Expenses attending the Recovery thereof, be paid and appropriated as follows, (that is to say,) one Moiety thereof to the Person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Borough Fund hereinafter mentioned.

Council to elect the Mayor every Year from the Councilors.

XLIX. And be it enacted, That on the Ninth Day of November in every Year the Council of the Borough shall elect out of the Aldermen or Councilors of such Borough a fit Person to be the Mayor of such Borough, who shall continue in his Office for One whole Year; and in case a Vacancy shall be occasioned in the Office of Mayor of the Borough during such Year by reason of any Person who shall have been elected to such Office not accepting the same, or by reason of his dying or ceasing to hold the said Office, the Council of the Borough shall within Ten Days after such Vacancy elect out of the Aldermen or Councilors of the said Borough another fit Person to be the Mayor thereof for the Remainder of the then current Year.

Mayor, Alderman, and Councilors, Auditor and

L. And be it enacted, That no Person elected a Mayor, Alderman, or Councilor, or Auditor or Assessor, for any Borough, shall be capable of acting as such, except in administering the Declaration

or Councilors (who are hereby respectively authorized and required to administer the same to each other) a Declaration in the Words or to the Effect following: (That is to say.)

‘ I, A. B., having been elected Mayor (or Alderman, Councillor, Auditor, or Assessor) for the Borough of hereby declare, That I take the said Office upon myself, and will duly and faithfully fulfil the Duties thereof according to the best of my Judgment and Ability: [and in the Case of the Party being qualified by Estate only, and I do hereby declare that I am seized or possessed of Real or Personal Estate, or both, (as the Case may be,) to the Amount of One thousand Pounds or Five hundred Pounds, as the Case may require, over and above what will satisfy all my Debts.]’

And that every Alderman who shall have made and subscribed the foregoing Declaration in respect of Estate shall once in every Period of Three Years, if required in Writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same Amount in Real or Personal Estate, or both, as the Case may then be, as the Amount mentioned in the Declaration originally made and subscribed by him: Provided always, that nothing in this Act contained shall be construed to dispense with the Obligation of any Person to make and subscribe the Declaration: provided and enjoined by an Act made in the Ninth Year of His late Majesty George the Fourth, intitled *an Act for repealing so much of several Acts as impose the Necessity of receiving the Sacrament of the Lord's Supper as a Qualification for certain Offices and Employments.*

LII. And be it enacted, That every Person duly qualified who shall be elected to the Office of Alderman, Councillor, Auditor, or Assessor, and every Councilor who shall be elected to the Office of Mayor, for any Borough, shall accept such Office to which he shall have been elected, or shall as heu thereof pay to the Mayor, Alderman, and Burgoesses of such Borough such Fine not exceeding Fifty Pounds in case of Aldermen, Councillors, Auditors, or Assessors, and such Fine not exceeding One hundred Pounds in case of Mayor, as the Council of such Borough by a Bye Law to be made as hereafter provided shall declare in that Behalf; and such Fine if not duly paid shall be levied by the Warden of any Justice having Jurisdiction within the Borough, who is hereby required on the Application of the Council in issue the same, by Distress and Sale of the Goods and Chattels of the Person so refusing to accept Office, with the reasonable Charges of such Distress: and every such Person so elected shall accept such Office by making and subscribing the Declaration herein-before mentioned within Five Days after Notice of his Election, otherwise such Person shall be liable to pay the said Fine as for his Non-acceptance of such Office, and such Office shall thereupon be deemed to be vacant and shall be filled up by a fresh Election to be made in the Manner herein before mentioned: Provided always, that no Person disabled by Lunacy or Imbecility of Mind, or by Deafness, Blindness, or other permanent Infirmary of Body, shall be liable to such Fine as aforesaid: Provided also, that every Person so elected to any such Office who shall be above the Age of Sixty-five Years, or who shall have already served such Office respectively, or paid the Fine for not accepting such Office respectively, within Five Years from the Day on which he shall be so re-elected, shall be exempted from accepting or serving the same Office if he shall claim such Exemption within Five Days after Notice of his Election: Provided always, that nothing in this Act contained shall extend to compel the Acceptance of any Office or Duty whatever in any Borough by any Military, Naval, or Marine Officer in His Majesty's Service on full Pay, or by any Officer or other Person employed and residing within any of His Majesty's Dockyards, Victualling Establishments, arsenals, or Barracks.

LIII. Provided always, and be it enacted, That if any Person holding the Office of Mayor, Alderman, or Councilor for any Borough shall be declared bankrupt, or shall apply to take the Benefit of any Act for the Relief of Insolvent Debtors, or shall compound by Deed with his Creditors, or bring May, shall be absent for more than Two Calendar Months, or, being an Alderman or Councilor, for more than Six Months, at one and the same Time, (unless in case of Illness,) from the Borough of which he shall be Mayor, Alderman, or Councilor, then and in every such Case such Person shall thereupon immediately become disqualified and shall cease to hold the Office of such Mayor, Alderman, or Councilor as aforesaid, and in the Case of such Absence shall be liable to the same Fine, to be recovered in the same Manner, as if he had refused to accept the said Office, and the Council thereupon shall forthwith declare the said Office to be void, and shall signify the same by Notice in Writing under the Hands of Three or more of them, ascertained by the Town Clerk, to be affixed in some public Place within the Borough, and the said Office shall thereupon become void: but every Person so becoming disqualified and ceasing to hold such Office as aforesaid shall be liable to the same Fine, if he applying to take the Benefit of any Act for the Relief of Insolvent Debtors, or having compounded with his Creditors as aforesaid, shall, on obtaining his Certificate or on Payment of his Debts to full, be capable (if otherwise qualified) of being re-elected to such Office, and every Person becoming disqualified to hold such Office on account of Absence as aforesaid shall on his Return to such Borough be capable of being re-elected to such Office, provided he shall then be otherwise qualified.

LIII. And be it enacted, That if any Person shall act as Mayor, Alderman, or Councilor, or Auditor or Assessor, for any Borough, without having made the Declaration herein-before required as that Behalf, or without being duly qualified at the Time of making such Declaration, or after he shall cease to be qualified according to the Provisions of this Act, or after he shall have become disqualified to hold any such Office, he shall for every such Offence forfeit the Sum of Fifty Pounds, such Sum to be recovered, with full Costs of Suit, by any Person who will sue for the same within Three Calendar Months after the Commission of such Offence, by Action of Debt or on the Case in any of His Majesty's Superior Courts of Record: and every Person so sued by reason of not being so

Assessor, and to be void: they may make a Declaration of Assesment of Office.

Alderman, if required, to make a Declaration of Qualification once in Three Years.

§ G. 4. 11

Every Burgoess elected to the Office of Alderman, Councillor, Auditor, or Assessor, and every Councilor elected to the Office of Mayor, shall accept the Office or pay a Fine to the Borough Fund.

Exemption.

Any Mayor, Alderman, or Councilor, if he shall be declared bankrupt or absent more than Two Months from the Borough, shall lose his Office.

Penalty on Persons not qualified, according to Mayor, Alderman, or Councilor.

or otherwise shall pay the said Penalty, without any further Evidence being given on the Part of the Plaintiff than that such Person has acted as the Mayor, or as Alderman, Councillor, Auditor, or Assessor (as the Case may be) of such Borough: Provided always, that it shall be lawful for any Defendant, by Judge's Order to be obtained within Fourteen Days after he shall have been served with Process in any such Action, to require the Plaintiff to give Security for Costs; and in such Case all further Proceedings in the said Cause shall be stayed until the Plaintiff shall give Security to the Satisfaction of the proper Officer of the Court for the Costs of such Action in case a Verdict shall pass for the Defendant, or the Plaintiff shall become Nonsuit, or discontinue such Action, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, and the Defendant shall in either of such Cases recover his full Costs as between Attorney and Client: Provided also, that no such Action shall be brought except by a Burgess of such Borough, nor unless the Burgess bringing the same shall, within Fourteen Days after the Commission of the Offence, have served a Notice in Writing personally upon the Party committing such Offence of his Intention to bring such Action; and in case the Plaintiff in any such Action shall obtain a Verdict, the Money so to be recovered shall, after Payment of the Costs and Expences attending the Recovery thereof, be paid and apporportioned as follows; (that is to say,) one Moiety thereof to the Person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Borough Fund: Provided always, that all Acts and Proceedings of any Person in Possession of the Office of Mayor, Alderman, Councillor, Auditor, or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor, or Assessor, shall, notwithstanding such Disqualification or Want of Qualification, be as valid and effectual as if such Person had been duly qualified.

LIV. And be it enacted, That if any Person who shall have or claim to have any Right to vote in any Election of Mayor, or of a Councillor, Auditor, or Assessor of any Borough, shall, after the passing of this Act, ask or take any Money or other Reward by way of Gift, Loan, or other Device, or agree or contract for any Money, Gift, Office, Employment, or other Reward whatsoever, to give or forbear to give his Vote in any such Election, or if any Person, by himself or any Person employed by him, shall, by any Gift or Reward, or by any Promise, Agreement, or Security for any Gift or Reward, corrupt or procure, or offer to corrupt or procure, any Person to give or forbear to give his Vote in any such Election, such Person so offending in any of the Cases aforesaid shall for every such Offence forfeit the Sum of Fifty Pounds of lawful Money of Great Britain to be recovered, with full Costs of Suit, by any one who shall sue for the same, by Action of Debt, Bill, Plea, or Information in any of His Majesty's Courts of Record at Westminster; and any Person offending in any of the Cases aforesaid, being lawfully convicted thereof, shall for ever be disabled to vote in any Election in such Borough, or in any Municipal or Parliamentary Election wherever in any Part of the United Kingdom, and also shall for ever be disabled to hold, exercise, or enjoy any Office or Franchise to which he then shall or at any Time afterwards may be entitled as a Burgess of such Borough, as if such Person was naturally dead.

LV. And be it enacted, That if any Person offending in any of the Cases aforesaid shall, within the Space of Twelve Months next after such Election as aforesaid, discover any other Person offending in any of the Cases aforesaid, so that such other Person be thereon convicted, such Person so discovering, and not having been before that Time convicted of any such Offence, shall be indemnified and discharged from all Penalties and Disabilities which he shall then have incurred by any such Offence.

LVI. Provided always, and be it enacted, That no Person shall be made liable in any Incapacity, Disability, Forfeiture, or Penalty by this Act imposed in any of the Cases aforesaid, unless Prosecution be commenced within Two Years after such Incapacity, Disability, Forfeiture, or Penalty shall be incurred, any thing herein contained to the contrary notwithstanding.

LVII. And be it enacted, That the Mayor for the Time being of every Borough shall be a Justice of the Peace of and for such Borough, and shall continue to be such Justice of the Peace during the next succeeding Year after he shall cease to be Mayor, unless disqualified as aforesaid; and such Mayor shall, during the Time of his Mayoralty, have Precedence in all Places within the Borough, and in Boroughs which return a Member or Members to serve in Parliaments, other than the Town of Berwick-upon-Tweed, and other than Cities and Towns which are Counties of themselves, shall be the Returning Officer at all such Elections; and in case the Mayor shall, at the Time when he shall be required to perform the Duties of such Returning Officer be dead, absent, or otherwise incapable of acting, or in case there shall be no Mayor, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the Place of the Mayor being so dead, absent, or otherwise incapable: Provided always, that in every Case where there shall be more than One Mayor within the Boundaries of any Borough as the same are or shall at any future Time be settled in so far as respects the Election of Members to serve in Parliaments the Mayor of that Borough to which the Writ of Election shall be directed shall be the Returning Officer.

LVIII. And be it enacted, That the Council of every Borough, on the Ninth Day of November, in the present Year, shall appoint a fit Person, not being a Member of the Council, to be the Town Clerk of such Borough, who shall hold his Office during Pleasure; and in any Borough may be an Attorney of One of His Majesty's Superior Courts at Westminster, any Law, Statute, Charter, or Usage to the contrary notwithstanding; and the Council of every Borough shall in every Year appoint another fit Person, not being a Member of the Council, to be the Treasurer of the Borough, and also such other Officer as have been usually appointed in such Borough, or as they shall think necessary for making them to carry into execution the various Powers and Duties vested in them by virtue of this Act, and

necessary to be re-appointed; and shall take such Security for the due Execution of his Office by any such Town Clerk, Treasurer, or other Officer, as the said Council shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other Officer as be employed as aforesaid, such Salary or Allowance as the said Council shall think reasonable; and in case of a Vacancy in any such Office as aforesaid by Death, Resignation, Removal, or otherwise, the Council of each Borough may appoint another fit Person in the Place of the Person so making such Vacancy; provided that the Town Clerk and Treasurer shall not be the same Person.

LIX. And be it enacted, That the Treasurer of any Borough shall pay no Money on account of the Mayor, Aldermen, and Burgesses of such Borough, save only in such Case as is provided by this Act, or upon the Order in Writing of the Council, signed by Three or more Members of the Council, and countersigned by the Town Clerk of such Borough, or by Order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the Discharge of his Judicial Duty, in such Case as is provided by this Act, or in such Case as a Court of Sessions of the Peace for any County, or a Justice of the Peace acting in and for a County in the Discharge of his Judicial Duty, may make an Order for the Payment of Money on the Treasurer of such County, or for the Payment of the Salaries granted to any Recorder or Police Magistrate as herein after provided.

LX. And be it enacted, That every Town Clerk, Treasurer, or other Officer appointed by the Council as aforesaid shall, at such Times during the Continuance of his Office, or within Three Months after the Expiration of his Office, and in such Manner as the said Council shall direct, deliver to the Council, or to such Person as they shall authorize for that Purpose, a true Account in Writing of all Moneys committed to his Charge by virtue of this Act, and also of all Moneys which shall have been by him received by virtue or for the Purposes of this Act, and how much thereof shall have been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and also a List of the Names of all such Persons as shall not have paid the Moneys due from them for the Purposes of this Act, and of the Amount due from each of them; and every such Officer shall pay all such Moneys as shall remain due from him to the Treasurer for the Time being, or to such Person as the said Council shall authorize to receive the same; and if any such Officer shall refuse or wilfully neglect to deliver such Account, or the Vouchers relating to the same, or such List as aforesaid, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such Person as they shall authorize, within Three Days after being thereunto required by Notice in Writing under the Hands of any Three or more of the said Council, to be given to or left at the last Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Council, or to such other Person as aforesaid, respecting the same, then and in every such Case, upon Complaint made on behalf of the said Council, by such Person as they shall authorize for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County or other Jurisdiction wherein such Officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a Warrant under his Hand and Seal for bringing such Officer before any Two Justices of the Peace for such County or Jurisdiction; and upon the said Officer appearing, or not being found, it shall be lawful for such Justices to hear and determine the Matter in a summary Way; and if it shall appear to such Justices that any Moneys remain due from such Officer, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant under their Hands and Seals, to cause such Moneys to be levied by Distress and Sale of the Goods of such Officer; and if sufficient Goods shall not be found to satisfy the said Moneys and the Charges of the Distress, or if it shall appear to such Justices that such Officer has refused or wilfully neglected to deliver such Account, or the Vouchers relating thereto, or such List as aforesaid, or that any Books, Papers, or Writings relating to the Execution of this Act remain in the Hands or in the Custody or Power of such Officer, and that he has refused or wilfully neglected to deliver the same, or to give Satisfaction respecting the same as aforesaid, then and in every such Case such Justices shall and they are hereby required to commit such Offender to the Common Goal or House of Correction for the County or Jurisdiction where such Offender shall be or reside, there to remain without Bail, until he shall have paid such Moneys as aforesaid, or shall have compounded with the said Council for such Moneys, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Council are hereby empowered to make and receive,) or until he shall have delivered a true Account as aforesaid, together with such Vouchers and Lists as aforesaid, or until he shall have delivered up such Books, Papers, and Writings, or have given Satisfaction to respect thereof, to the said Council, or to such other Person as aforesaid, as the Case may be: Provided always, that no Person so committed shall be detained in Prison for Want of sufficient Distress only for a longer Space of Time than Three Calendar Months; provided also, that nothing in this Act contained shall prevent or abridge any Remedy by Action against any such Officer so offending as aforesaid, or against any Surety for any such Officer, but such Officer shall not be sued by Action and also proceeded against in a summary Manner by virtue of this Act for the same Cause.

LXI. And be it enacted, That in the City of Oxford, in the Towns of *Berwick-upon-Tweed*, and in the Counties of the Cities of *Bristol*, *Cardiff*, *Gloucester*, *Conventry*, *Exeter*, *Gloucester*, *Leicester*, *Lichfield*, *Lisieux*, *Norwich*, *Worcester*, and *York*, and in the Counties of the Towns of *Canterbury*, *Haverfordwest*, *Kingsmorton-upon-Hall*, *Newcastle-upon-Tyne*, *Northampton*, *Reading*, and *Southampton*, the Council shall on the First Day of November in every Year appoint a fit Person to execute the Office of Sheriff, with the like Duties and Powers as the Sheriff or the Person filling the Office of Sheriff in the said Towns and Coun-

Treasurer to pay no Money but by Order of Council.

Officers to account, An. according to the Order of the Council.

Summary Remedy against Officers for not accounting, &c.

Prisons Remedy by Action.

Councils of Cities and Towns which are Counties to name a Sheriff.



and respectively would have had if this Act had not passed; and every Person who, at the Time of the passing of this Act, shall hold the Office or execute the Duties of Sheriff in the said Towns and Counties respectively shall continue to hold and execute the same until the first Appointment of a Sheriff therein under the Provisions of this Act, and no longer.

In Great Britain, to appoint a Coroner

LXII. And be it enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is herein after provided, shall, within Ten Days next after the Grant of the said Court shall have been signified to the Council of such Borough, appoint a fit Person, not being an Alderman or Councillor, to be Coroner of such Borough as long as he shall will behave himself in his Office of Coroner, and shall fill up every Vacancy of the Office of Coroner of the Borough, by Death, Resignation, or Removal, within Ten Days next after such Vacancy shall have occurred, and none thereafter shall take any Inquisition which belongs to the Office of Coroner within such Borough save only the Coroner so from Time to Time to be appointed; and every such Coroner, for every Inquisition which he shall duly take within such Borough, shall be entitled to have the Sum of Twenty Shillings, and also the Sum of Nine-pence for every Mile exceeding Two Miles which he shall be compelled to travel from his usual Place of Abode to take such Inquisition, to be paid by the Treasurer out of the Borough Fund of such Borough, by Order of the Court of Quarter Sessions for such Borough.

In Great Britain, to act in the Name of the Sheriff of the County

LXIII. And be it further enacted, That on or before the First Day of February in every Year after the passing of this Act every Coroner appointed in any Borough shall make and transmit to One of His Majesty's Principal Secretaries of State a Return in Writing, according to such Form as the said Secretary of State from Time to Time shall direct, of all the Cases in which he may have been called upon to hold an Inquest touching the Cause of Death of any Person during the Year ending on the Thirty-fifth Day of December immediately preceding.

In Great Britain, to act in the Name of the Sheriff of the County

LXIV. And be it enacted, That in every Borough in and for which no separate Court of Quarter Sessions of the Peace shall be holden as a Person from and after the End of this present Year shall take any Inquisition which belongs to the Office of Coroner within such Borough, save only the Coroner for the County or District in which such Borough is situated; and the Coroner of such County or District, for every Inquisition which he shall duly take within any Place or Precinct within any such Borough, shall be entitled to have such reasonable Fees and Salary as would be allowed and due to him, and to be allowed and paid in like Manner, as for any other Inquisition taken by him within such County: Provided always, that nothing in this Act contained shall extend or be construed to annul, diminish, or affect the Authority of the Lord High Admiral, or of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom for the Time being, or of the Judge of the High Court of Admiralty of England, as the Lieutenant of the Lord High Admiral in the said Court, to appoint Coroners to act within the Jurisdiction of the Admiralty in the several Ports and Havens and on the Sea Coast of England, and to take Inquisitions touching Deaths happening within the said Jurisdiction, as hath heretofore been done.

In Great Britain, to act in the Name of the Sheriff of the County

LXV. And be it enacted, That the Council elected under this Act in any Borough shall have Power to remove from his Office every Bailiff, Treasurer, or Chamberlain, and every other ministerial or executive Officer of such Borough and Body Corporate who shall be in Office at the Time of the first Election of Councillors under this Act; and every such Bailiff, Treasurer, or Chamberlain, and every other ministerial or executive Officer in such Borough, shall continue to act in the same Capacity as heretofore, and to execute all the Duties heretofore belonging to his Office, and be entitled to have the same Salaries, Fees, and Emoluments as he would have had if this Act had not passed, and he shall be removed from his Office and no longer, unless he shall be re-appointed according to the Provisions of this Act; and every Officer who shall be in Possession or Receipt of any Monies, Goods, valuable Securities, Books, and Papers belonging to or concerning the Body Corporate whose Officer he is shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act; and the Council shall have the same Remedy against such Officer to recover the same as is heretofore provided in the Case of Officers appointed by such Council: Provided always, that all the Charters, Deeds, Manuscripts, and Records of every Borough, or relating to the Property thereof, shall be kept in such Place as the Council from Time to Time shall direct, and the Town Clerk for the Time being shall have the Charge and Custody of and be responsible for the same.

In Great Britain, to act in the Name of the Sheriff of the County

LXVI. And be it enacted, That every Officer of any Borough or County who shall be in any Office of Profit at the Time of the passing of this Act, whose Office shall be abolished, or who shall be removed from his Office under the Provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate Compensation, to be assessed by the Council, and paid out of the Borough Fund, for the Salary, Fees, and Emoluments of the Office which he shall so cease to hold, regard being had to the Nature of his Appointment to the said Office, and his Terms or Interest therein, and all other Circumstances of the Case; and every Person entitled to such Compensation as aforesaid shall deliver to the Town Clerk, or in case such Person shall himself be Town Clerk then to the Treasurer of the Borough, a Statement under the Hand of such Person setting forth the Amount received by him or his Predecessors in every Year during the Period of Five Years next before the passing of this Act on account of the Salary, Fees, Emoluments, Profits, and Perquisites in respect whereof he shall claim such Compensation, distinguishing the Office, Place, Situation, Employment, or Appointment in respect whereof the same shall have been received, and containing a Declaration that the same is a true Statement according to the best of the Knowledge, Information, and Belief of such Person, and also a full and true Copy of the same, to be deposited in the Public Library of the University of Cambridge, and also

In Great Britain, to act in the Name of the Sheriff of the County

setting forth the Sum claimed by him as such Compensation; and the Town Clerk or Treasurer, as the Case shall be, shall lay such Statements before the Council, who shall take the same into consideration, and determine thereon; and immediately upon such Determination being made the Person preferring such Claim, if he shall not himself be the Town Clerk, shall be informed thereof by Notice in Writing under the Hand of the Town Clerk, and in case such Claim shall be admitted in part and disallowed in part, such Notice shall specify the Particulars in which the same shall have been admitted and disallowed respectively; and in case the Person preferring such Claim shall think himself aggrieved by the Determination of the Council thereon, or in case One Third of the Members of the Council shall subscribe a Protest against the Amount of Compensation allowed by the Determination of the Council as excessive, it shall be lawful for the Person preferring such Claim, or any Member of the Council who shall subscribe such Protest, to appeal to the Lords Commissioners of His Majesty's Treasury, who shall thereupon make such Order as to them shall seem just; and such Order, signed by Three or more of such Lords Commissioners, shall be binding on all Parties: Provided always, that if the Council shall not determine on such Claim within Six Calendar Months after the aforesaid Statement shall be delivered to the Town Clerk or Treasurer, as the Case shall be, such Claim shall be considered as admitted: Provided also, that it shall not be lawful for any Member of the Council to subscribe such Protest as aforesaid except within such Period of Six Calendar Months: Provided also, that the Person preferring such Claim, if any Member of the Council shall so require, upon receiving Notice in Writing signed by the Town Clerk, unless such Person shall himself be Town Clerk, in which Case no such Notice shall be requisite, shall from Time to Time attend at any Meeting or adjourned Meeting of the Council for the Investigation of such Claim, and then and there, upon his Oath or solemn Affirmation, as he taken or made before the Mayor, (who is hereby authorized to administer the same,) shall answer all such Questions as shall be asked by any Member of the Council touching the Matters set forth in the Statement subscribed by such Person as aforesaid, and produce all Books, Papers, and Writings in his Possession, Custody, or Power relating thereto: Provided also, that every such Officer who shall be continued in or re-appointed to such Office under the Provisions of this Act, and who shall be subsequently removed from such Office for any Cause other than such Misconduct as would warrant Removal from any Office held during good Behaviour, shall be entitled to Compensation in this Manner as if he had been forthwith removed under the Provisions of this Act, and had not been continued in or re-appointed to such Office.

LXVII. And be it enacted, That the Sum payable to any Person as such Compensation as aforesaid shall be secured to such Person by Bond or Obligation under the Common Seal of the Borough out of whose Funds the same shall be payable, in a sufficient Penalty, conditioned for the Payment to such Person, his Executors or Administrators or Assigns, of such Sum, with all Arrears thereof (if any) accrued due before the Date of such Bond; and such Bond or Obligation shall be prepared and executed at the Expense of the Borough Fund, and delivered to the Person entitled to such Compensation as soon as conveniently may be after the Amount thereof shall have been admitted as aforesaid by the Council of the Borough; or shall have been determined, in the Event of such Appeal as aforesaid, by the Order of the said Lords Commissioners.

LXVIII. And be it enacted, That all Pensions and Allowances granted on or before the Fifth Day of June in the present Year, by the Corporate Body named in the said Schedules (A.) and (B.) in conjunction with any Borough, to any retired Officer or Servant, or to the Widow or Child of any Officer or Servant, and all Bursars and Allowances which during Seven Years next before the said Fifth Day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any School, or to the Governor or Master of any Hospital within such Borough, and all charitable Allowances which have been usually paid as aforesaid to the inmates of any Almshouse by such Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every Person entitled or accustomed to have and receive the same, by Bond or Obligation under the Common Seal of the Borough out of whose Funds the same shall be payable, in a sufficient Penalty, conditioned for the Payment to such Person, his Executors and Administrators, of such Pension, Stipend, or Allowance, with all Arrears thereof, if any, accrued due before the Date of such Bond; and such Bond or Obligation shall be prepared and executed at the Expense of the Borough Fund.

LXIX. And be it enacted, That all Acts whatsoever authorized or required by virtue of this Act to be done by the Council of such Borough, and all Questions of Adjournment or others that may come before such Council, may be done and decided by the Majority of the Members of the Council who shall be present at any Meeting held in pursuance of this Act, the whole Number present at such Meeting not being less than One Third Part of the Number of the whole Council; and at all such Meetings the Mayor, if present, shall preside; and the Mayor, or, in the Absence of the Mayor, such Alderman, or in the Absence of all the Aldermen, such Councillor as the Members of the Council then assembled shall choose to be the Chairman of that Meeting, shall have a Second or Casting Vote in all Cases of Equality of Votes; and Minutes of the Proceedings of all such Meetings shall be drawn up and fairly entered into a Book to be kept for that Purpose, and shall be signed by the Mayor, Alderman, or Councillor presiding at such Meeting; and the said Minutes shall be open to the Inspection of any Burgesee at all reasonable Times on Payment of a Fee of One Shilling: Provided always, that previous to any Meeting of the Council held by virtue of this Act a Notice of the Time and Place of such intended Meeting shall be given Three clear Days at least before such Meeting, by fixing the said

Compensation to be secured by Bond under Common Seal.

Restoration of retired Pensions and Allowances.

All Acts of the Council to be decided by a Majority of Councillors present: One Third Part of the whole Number to be a Quorum.

Minutes of Meetings of Council.

Notice as or near the Door of the Town Hall of the Borough; and such Notice shall be signed by the Mayor, who shall have Power to call a Meeting of the Council as often as he shall think proper; and in case the Mayor shall refuse to call any such Meeting after a Requisition for that Purpose signed by Five Members of the Council at the least shall have been presented to him, it shall be lawful for the said Five Members to call a Meeting of the Council by giving such Notice as is herein-before required in that Behalf, such Notice to be signed by the said Members instead of the Mayor, and stating therein the Business proposed to be transacted at such Meeting; and in every Case a Summons to attend the Council, specifying the Business proposed to be transacted at such Meeting, signed by the Town Clerk, shall be left at the usual Place of Abode of every Member of the Council or of the Premises in respect of which he is enrolled a Burgess, Three clear Days at least before such Meeting; and no Business shall be transacted at such Meeting other than is specified in the Notice: Provided always, that there shall be in every Borough Four quarterly Meetings in every Year at which the Council shall meet for the Transaction of general Business, and no Notice shall need to be given of the Business to be transacted at such quarterly Days; and the said quarterly Meetings shall be holden in Noon on the Ninth Day of November, or if the Ninth Day of November shall fall on a Sunday on the Day following, and at such Hour on each other Three Days before the First Day of November then next following as the Council at the quarterly Meeting in November shall decide; and the first Business transacted at the quarterly Meeting in November shall be the Election of Mayor.

Quarterly  
Meetings of  
Council.

Council may  
appoint  
Committees.

LXX. And be it enacted, That it shall be lawful for the Council of any Borough to appoint out of their own Body, from Time to Time, such and so many Committees, either of a general or special Nature, and consisting of such Number of Persons as they may think fit, for any Purpose which, in the Discretion of such Council, would be better regulated and managed by means of such Committee: Provided always, that the Acts of every such Committee shall be submitted to the Council for their Approval.

Charitable  
Trusts.

LXXI. And whereas divers Bodies Corporate now stand seized or possessed of sundry Hereditaments and Personal Estate, in Trust, in whole or in part, for certain charitable Uses, and it is expedient that the Administration thereof be kept distinct from that of the Public Stock and Borough Fund; be it enacted, That in every Borough in which the Body Corporate, or any One or more of the Members of such Body Corporate, is or is their Corporate Capacity, now stands or stand solely, or together with any Person or Persons elected solely by such Body Corporate, or solely by any particular Number, Class, or Description of Members of such Body Corporate seized or possessed for any Estate or Interest whatsoever of any Hereditaments, or any Sums of Money, Chattels, Securities for Money, or any other Personal Estate whatsoever, in whole or in part in Trust or for the Benefit of any charitable Uses or Trusts whatsoever, all the Estate, Right, Interest, and Title, and all the Powers of such Body Corporate, or of such Member or Members of such Body Corporate, in respect of the said Uses and Trusts, shall continue in the Persons who at the Time of the passing of this Act are such Trustees as aforesaid, notwithstanding that they may have ceased to hold any Office by virtue of which before the passing of this Act they were such Trustees, until the First Day of August One thousand eight hundred and thirty-six, or until Parliament shall otherwise order, and shall immediately thereupon utterly cease and determine: Provided always, that if any Vacancy shall be occasioned among the charitable Trustees for any Borough before the said First Day of August, it shall be lawful for the Lord High Chancellor or Lords Commissioners of the Great Seal for the Time being, upon Petition, in a summary Way, to appoint another Trustee to supply such Vacancy, and every Person so appointed a Trustee as last aforesaid shall be a Trustee until the Time or within the Person in the Room of whom he was chosen would regularly have ceased to be a Trustee, and he shall then cease to be a Trustee: Provided also, that if Parliament shall so otherwise direct, on or before the said First Day of August One thousand eight hundred and thirty-six, the Lord High Chancellor or Lords Commissioners of the Great Seal shall make such Orders as he or they shall see fit for the Administration, subject to such charitable Uses or Trusts as aforesaid, of such Trust Estates.

Council to act  
as Trustees  
where Corporate  
bodies were or  
officially sole  
Trustees.

LXXII. And be it enacted, That the Body Corporate named in the said Schedules (A.) and (B.) in conjunction with any Borough shall be Trustees for executing by the Council of such Borough the Powers and Provisions of all Acts of Parliament made before the passing of this Act, (other than Acts made for securing charitable Uses and Trusts,) and of all Trusts, (other than charitable Uses and Trusts,) of which the said Body Corporate, or any of the Members thereof in their Corporate Capacity, was or were sole Trustees before the Time of the First Election of Councillors in such Borough under this Act.

Council to ap-  
point a limited  
Number of  
Councillors to  
be sole Trustees  
for certain Pur-  
poses.

LXXIII. And be it enacted, That in every Borough in which the Body Corporate, or a particular or limited Number, Class, or Description of Members of the Body Corporate, or of Persons appointed by the Body Corporate, was or were before the passing of this Act Trustees jointly with other Trustees for the Execution of any Act of Parliament, or of any Trust, or in which the Body Corporate, or any particular or limited Number, Class, or Description of Members or Members of the Body Corporate, by any Statute, Charter, Bye Law, or Custom was or were before the passing of this Act lawfully appointed to or exercised any Powers, Duties, or Functions whatsoever not otherwise herein provided for, and the Continuance of which is not inconsistent with the Provisions of this Act, the Council of such Borough, on the Day named in such Act as last aforesaid, or in the Deed or Will by which such Trust is created for a new Election, Nomination, or Appointment of Trustees, or on which such new Election, Nomination, or Appointment has usually been made, (and if there shall be no such Day named or usually

observed, then on the First Day of January in every Year,) shall appoint the like Number of Members of the Council, or as near as may be to the like Number of Members of the Council, as there were theretofore Members or Nonmembers of such Corporate Body who in right of their Office were such Trustees, or charged with the Execution of such Powers, Duties, and Functions, in room of the Members or Nonmembers of such Corporate Body ceasing to be Trustees, or ceasing to exercise such Powers, Duties, and Functions by virtue of this Act, and in every Case of extraordinary Vacancy among the Trustees or Persons so appointed by the Council shall forthwith appoint one other Member of the Council in the Room of the Person by whom such Vacancy has been made, and to hold his Trust or Office for such Time as the Person by whom such Vacancy has been made would regularly have hold it.

LXXIV. And be it enacted, That notwithstanding any thing in this Act contained, every Number of any Body Corporate who in his Corporate Capacity, and every Nominee of any Body Corporate, or any particular Number, Class, or Description of Members of such Body Corporate, who at the Time of the passing of this Act shall be for a definite Number of Years or other shorter Time a Trustee of such Acts or Trusts as last aforesaid, shall continue to be such Trustee until the Time when he would have ceased to be such Trustee if this Act had not passed; and if a Trustee for an indefinite Time, or for Life, or for so long as he shall be a Member, or of a particular Class or Description of such Body Corporate, then until the First Day of January in the Year One thousand eight hundred and thirty-six, and no longer; and every Member of the Council appointed under the Provisions of this Act to be a Trustee of such Acts or Trusts as last aforesaid shall continue to be such Trustee until the Time herein provided for the new Appointment of a Member of the Council to be Trustee in his Room, notwithstanding that he may have ceased to be a Member of the Council; and in case any particular Member or Officer of any of the said Bodies Corporate shall have been appointed by any such Act, or by any such Trust Deed or Will as last aforesaid, to perform during a definite Number of Years or other shorter Time any specific Powers, Duties, or Functions whatsoever, the Person who at the Time of the passing of this Act shall be the Person designated and qualified to perform the same shall continue to perform the same until the Time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite Time, or for Life, or for so long as he shall be a Member, or of a particular Class or Description of such Body Corporate, then until the First Day of January in the Year One thousand eight hundred and thirty six, and no longer: Provided nevertheless, that nothing in this Act shall be construed to extend to the Body Corporate of the Trustees of the Liverpool Docks, but that every Person who at the Time of the passing of this Act shall be a Trustee of the Liverpool Docks, and none other, shall be continued to be such Trustee until the First Day of November in the Year One thousand eight hundred and thirty six, and no longer; and every such Trustee who is appointed to discharge, or in his Corporate Capacity discharges any Powers, Duties, or Functions whatsoever in respect of the said last-mentioned Trust Estate, and none other, shall continue to discharge the same, as if this Act had not passed, until the First Day of November in the Year One thousand eight hundred and thirty six, and no longer.

LXXV. And whereas it may be expedient that the Powers now vested in the Trustees appointed under sundry Acts of Parliament for paving, lighting, cleaning, watching, regulating, supplying with Water, and improving certain Boroughs, or certain Farms thereof, should be transferred to and vested in the Councils of such Boroughs respectively: be it enacted, That the Trustees appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees, or the Persons whom Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a Meeting to be called for that Purpose, transfer in Writing under their Hands and Seals all the Powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid to the said Body Corporate of such Borough, and the said Body Corporate of such Borough shall thereupon be Trustee for executing by the Council of such Borough the several Powers and Provisions of any such Act or Acts of Parliament, and the Members of the Council shall have the same Powers and be subject to the same Duties as if their Names had been originally inserted in such Act or Acts, or as if they had been elected under the Provisions of any such Act or Acts as such Trustees respectively: Provided always, that no such Transfer as aforesaid shall be made of the Powers vested by virtue of the Acts mentioned in Schedule (E) which relate to the Town of Cambridge, without the Consent of the Chancellor, Master, and Scholars of the University of Cambridge.

LXXVI. And be it enacted, That the Council to be elected for any Borough shall, immediately after their First Election, and so from Time to Time thereafter as they shall deem expedient, appoint, for such Time as they may think proper, a sufficient Number of their own Body, who, together with the Mayor of the Borough for the Time being, shall be and be called the Watch Committee for such Borough; and all the Powers herein-after given to such Committee may be executed by the Majority of those who shall be present at any Meeting of such Committee, the whole Number present at such Meeting being not less than Three; and such Watch Committee shall, within Three Weeks after their First Formation, and so from Time to Time thereafter as Occasion shall require, appoint a sufficient Number of Six Men, who shall be sworn in before some Justice of the Peace having Jurisdiction within the Borough to act as Constables for preserving the Peace by Day and by Night, and preventing Hoheries and other Felonies, and apprehending Offenders against the Peace; and the Men so sworn shall not only watch such Borough, but also within the County in which such Borough or Part thereof shall be situated, and also within every County being within Seven Miles of any Part of such Borough, and also within all Liberties in any such County, have all such Powers and Privileges, and be liable

Persons Trustee of certain Acts mentioned for a definite Time.

Trustees not to go out of Office by reason of ceasing to be of the Council until the Time arrived by the Terms of the Trust.

Powers vested in Trustees may be transferred to Councils.

A Watch Committee to be appointed, in consist of the Mayor and Councilmen, such Committee to appoint Constables for the Borough.

Constables to be for the County, &c. as well as Borough.

to all such Duties and Responsibilities, as any Constable duly appointed now has or hereafter may have within his Constabrick by virtue of the Common Law of this Realm, or of any Statutes made or to be made, and shall obey all such lawful Comands as they may from Time to Time receive from any of the Justices of the Peace having Jurisdiction within such Borough, or within any County in which they shall be called on to act as Constables, for conducting themselves in the Execution of their Office.

LXXVII. And be it enacted, That the Watch Committee for any such Borough as aforesaid may from Time to Time frame such Regulations as they shall deem expedient for preventing Neglect or Abuse, and for rendering such Constables efficient in the Discharge of their Duties; and the said Comander, or any Two Justices of the Peace having Jurisdiction within the Borough, may at any Time suspend or dismiss any Constable whom they shall think negligent in the Discharge of his Duty, or otherwise unfit for the same; and when any Man shall be so dismissed, or cease to belong to the said Constabrick Force, all Powers vested in him as a Constable by virtue of this Act shall immediately cease; and no Man so dismissed as aforesaid shall be re-appointed without the Consent of Two of the Justices of the Peace having Jurisdiction within the Borough.

LXXVIII. And be it enacted, That it shall be lawful for any Constable during the Time of his being on Duty to apprehend all idle and disorderly Persons whom he shall find disturbing the public Peace, or whom he shall have just Cause to suspect of Intention to commit a Felony, and to deliver any Person so apprehended into the Custody of the Constable appointed under this Act, who shall be in attendance at the nearest Watch-house, in order that such Person may be secured until he can be brought before a Justice of the Peace to be dealt with according to Law, or may give Bail for his Appearance before a Justice of the Peace, if the Constable shall think fit to take Bail, in the manner herein-after mentioned.

LXXIX. And be it enacted, That where any Person charged with any petty Misdemeanor shall be brought without the Warrant of a Justice of the Peace into the Custody of any Constable appointed under this Act, during his Attendance in the Night-time at any Watch-house within any such Borough as aforesaid, it shall be lawful for such Constable, if he shall think fit, to take Bail by Recognizance, without any Fee or Reward, from such Person, conditioned that such Person shall appear for Examination within Two Days before a Justice of the Peace within the Borough at some Time and Place to be specified in the Recognizance; and every Recognizance so taken shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the breach thereof, as if the same had been taken before a Justice of the Peace; and the Constable shall enter in a Book, to be kept for that Purpose in every Watch-house, the Names, Residence, and Occupation of the Party, and his Surety or Sureties, if any, entering into such Recognizance, together with the Condition thereof, and the Same respectively acknowledged, and shall lay the same before such Justice as shall be present at the Time and Place when and where the Party is required to appear; and if the Party does not appear at the Time and Place required, or within One Hour after, the Justice shall cause a Record of the Recognizance to be drawn up to be signed by the Constable, and shall return the same to the next General or Quarter Sessions of the Peace for the Borough, or for the County in which such Borough is situate, in those Boroughs for which there shall be no separate General or Quarter Sessions of the Peace, with a Certificate or the Back thereof, signed by such Justice, that the Party has not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Extracts and Schedules of every such Recognizance as of Recognizances forfeited in the Sessions of the Peace; and if the Party not appearing shall apply by any Person on his Behalf to purpouse the hearing of the Charge against him, and the Justice shall think fit to consent thereto, the Justice shall be at liberty to enlarge the Recognizance to such further Time as he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint or by finding the Party over to answer the Matter thereof at the Sessions, or otherwise, the Recognizance for the Appearance of the Party before a Justice shall be discharged without Fee or Reward.

LXXX. And be it enacted, That if any Constable of any Borough shall be guilty of any Neglect of Duty or of any Disobedience of any lawful Order, every such Offender, being convicted thereof before any Two Justices of the Peace, shall for every such Offence be liable to be imprisoned for any Time not exceeding Ten Days, or to be fined in any Sum not exceeding Forty Shillings, or to be dismissed from his Office, as such Justices shall in their Discretion think meet.

LXXXI. And be it enacted, That if any Person shall assault or resist any Constable of any Borough appointed under this Act in the Execution of his Duty, or shall aid or incite any Person so to assault or resist, every such Offender, being convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay such Sum not exceeding Five Pounds as the said Justices shall think meet: Provided always, that nothing herein contained shall prevent any Prosecution by way of Indictment against any Person so offending, but so as that such Person shall not be prosecuted by Indictment and also proceeded against under this Act for the same Offence.

LXXXII. And be it enacted, That the Treasurer of every Borough appointed under this Act shall pay to the Constable of such Borough appointed under this Act such Salaries, Wages, and Allowances, and at such Periods, as the Watch Committee for such Borough shall, subject to the Approbation of the Council, direct, and the Council shall order to be paid also any extraordinary Expenses which such Person shall appear to have necessarily incurred in apprehending Offenders and executing the Orders of any Justice of the Peace having Jurisdiction within such Borough, such Expenses having been first examined and approved by such Justice; and the said Treasurer shall also pay such further Sums

Watch Committee to make Regulations for the Management of the Constabrick.

Power to Constables to apprehend disorderly Persons, &c.

Constables in the Night may take Bail by Recognizance from Persons brought in by them for petty Misdemeanors, such Recognizances to be conditioned for their appearance before a Magistrate.

In default of Appearance Recognizance to be enforced.

Time offending may be postponed.

Penalty on Constables for Neglect of Duty.

Penalty on Persons who assault or resist Constables.

Penalty.

Regulation and Payment of Expenses, and Salaries for Constables, &c.

as the Watch Committee shall, subject to the Approbation of the Council, award to any of the Persons belonging to the said Constabulary Force, as a Reward for extraordinary Diligence or Exertion, or as a Compensation for Wounds or severe Injuries received in the Performance of their Duty, or as an Allowance to such of them as shall be disabled by bodily Injury received, or shall be worn out by Length of Service, and all other Charges and Expenses which the Watch Committee shall, subject to the Approbation of the Council, direct to be paid for the Purposes of the Constabulary Force under this Act.

LXXXIII. And be it enacted, That any Two or more of the Justices of the Peace having Jurisdiction within any Borough are hereby authorised and required to the Month of October in every Year to nominate and appoint by Precept in Writing, under their Hands, so many as they shall think fit of the Inhabitants of such Borough (not legally exempt from serving the Office of Constable), to act as Special Constables within such Borough whenever they shall be required by the Warrant of any of the Justices of the Peace having Jurisdiction within such Borough so to act, and set otherwise; and every such Warrant shall recite that in the Opinion of the Justice granting the same the ordinary Police Force of the Borough is insufficient at that Time to maintain the Peace of the Borough; and every Person so appointed a Special Constable shall take the Oath set forth in the Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His present Majesty, intituled *An Act for amending the Laws relative to the Appointment of Special Constables, and for the better Preservation of the Peace*, and shall have the Powers and Immunities and be liable to the Duties and Penalties enacted by the said last-mentioned Act; and every Person so appointed a Special Constable shall receive, out of the Borough Fund, for every Day during which he shall be called out to act as such, the Sum of Three Shillings and Sixpence, and no more.

LXXXIV. And be it enacted, That as soon as Constables shall have been appointed by the Watch Committee for any Borough, a Notice, signed by the Mayor of such Borough, specifying the Day on which such Constables shall begin to act, shall be fixed on the Door of the Town Hall and every Church within such Borough; and on the Day so specified in such Notice as much of all Acts made in conjunction with such Borough in the Schedule (E.) to this Act annexed, and of all Acts made before the passing of this Act, as relates to the Appointment, Regulation, Powers, and Duties, and to the Assessment or Collection of any Rate to provide for the Expenses of any Watchmen, Constables, Patrol, or Police for any Place situated within such Borough, shall cease and determine; and all Watch-houses and Watch houses in any such Place, and all Arms, Accoutrements, and other Necessaries provided at the Public Expence for any Watchmen, Constables, Patrol, or Police therein, shall be given up to such Person as shall be named by the said Mayor in such Notice, for the Use and Accommodation of the Constables to be appointed under this Act, and all the Property so to be given up shall be deemed to belong to the Body Corporate of such Borough; and in case any Person having the Charge, Control, or Possession of any Watch-house, Watch-box, Arms, Accoutrements, or Necessaries as aforesaid shall neglect or refuse to give up the same as herein before required, every such Offender, being convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay, over and above the Value of the Property not given up, such Sum not exceeding Five Pounds as the said Justices shall think meet; and where there shall be any Building in any such Place as aforesaid a Part only of which Building shall have been heretofore used as a Watch-house, such Part shall be given up every Day, from the Hour of Four in the Afternoon until the Hour of Nine in the Forenoon, for the Use and Accommodation of the Constables to be appointed under this Act; and if any Person having the Charge, Control, or Possession of any such Building shall neglect or refuse to give up such Part thereof for the Purpose aforesaid, or to permit free Access thereto or Egress therefrom during any Portion of the Time above prescribed, every such Offender, being convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay such Sum not exceeding Five Pounds as the said Justices shall think meet: Provided nevertheless, that in every Case in which before the passing of this Act a Rate might be levied in any Borough for the Purpose of watching, conjointly with any other Purpose, nothing in this Act contained shall be construed to prevent the levying and collecting of such Rate for such other Purpose solely, or to repeal the Powers given in any Act so far as the same relate to such other Purpose: Provided always, that where the Amount of such Rate before the passing of this Act might not exceed a given Rate in the Pound on the Value of Property rateable thereunto, the Rate so to be levied for such other Purpose solely shall not exceed such Proportion of the said given Rate in the Pound as shall appear to have been expended for such Purpose other than watching by an Account of the average yearly Expenditure during the last Seven Years, or where such Rate shall not have been levied during Seven Years, then during such last Number of Years as such Rate shall have been levied.

LXXXV. Provided always, and be it enacted, That any Rate for defraying the Expenses of any Watchman, Constables, Patrol, or Police in any such Place as aforesaid, made previously to the Day specified in such Notice as aforesaid, shall be levied and collected in the same Manner as if this Act had not been passed: Provided also, that nothing herein contained shall prevent the levying and collecting of any Rate in any such Place as aforesaid for the Purpose of paying any Debt contracted before the passing of this Act, or the Interest of any such Debt, but that such Rate shall and may be levied and collected in the same Manner as if this Act had not been passed.

LXXXVI. And be it enacted, That the Watch Committee of every such Borough shall, on the First Day of January, the First Day of April, the First Day of July, and the First Day of October in every

Magistrates to appoint annually a certain Number of Persons to act as Special Constables.

LXXXVII. c. 41

Payment of Special Constables.

On Notice of Appointment of Constables, the present Provisions as to Justices, &c. to cease.

Watch-houses, Arms, &c. to be given up for their Use.

Penalty for not giving them up.

Penalty on those who neglect, and so to Duties.

Watch Committee to visit and Report.

generally to the Secretary of State, and also a Copy of their Rules &c.

Council to order Parts of a Borough not within a Local Act as to lighting to be included in such Act.

Proviso as to Amount of Rates for Lighting.

Council may exercise the Powers of Inspectors under 24 & 25 W. 4. c. 63. for lighting any Part of the Borough not within a Local Act for lighting the same.

An Act to interfere with the Regulations for the Government, &c. of Dockyards, Arsenals, &c.

22 & 23 W. c. 40.

Council to have Power to make Bye Laws.

Year, transmit to One of His Majesty's Principal Secretaries of State a Report of the Number of Men appointed to act as Constables or Policemen in such Borough, and of the Description of Arms, Accoutrements, and Clothing, and other Necessaries furnished to each Man, and of the Salaries, Wages, and Allowances payable to such Constables or Policemen, and of the Number and Situation of all Station Houses in such Borough; and also a Copy of all Rules, Orders, and Regulations which shall from Time to Time be made by such Watch Committee or by the Council of such Borough for the Regulation and Guidance of such Constables or Policemen.

LXXXVII. And whereas Parts of certain Boroughs are within the Provisions of One or more Local Acts or Acts for regulating the lighting thereof, and certain other Parts of the same Boroughs are not within the Provisions of any Local Act for regulating the lighting thereof, and for Want of such lighting the Efficiency of the Constables may be much diminished, and great Facilities afforded for the Commission of Crimes and for the Escape of Offenders; for Remedy thereof be it enacted, That it shall be lawful for the Council of any Borough in any Part of which there is a Local Act for the lighting thereof to make an Order that any Part of such Borough not being within the Provisions of any Local Act for the lighting thereof shall, from and after a certain Day to be named in such Order, be taken to be within the Provisions of such Local Act or Acts for lighting any Part of such Borough as the Common Council shall specify in such Order; and after such Day the Part named in such Order shall be within the Provisions of the Act or Acts so specified, so far as relates to lighting, or to any Rates authorized to be levied for the Purpose of lighting, as fully as if such Part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, that every Part named in such Order shall be lighted in the like Manner as those Parts which before the making of such Order were within the Provisions of such Local Act, and that the Rate to be raised for the Purpose of defraying the Expenses of lighting any Part so named in such Order shall not exceed the Average Expence in the Poand of the lighting of the other Parts of such Borough.

LXXXVIII. And be it enacted, That if the Council of any Borough chosen under this Act shall, by public Notice to be affixed on the outer Door of the Town Hall or in some public Place within the Borough, declare that on a certain Day, to be named in such Notice, not less than Twenty-one Days after the Day on which such public Notice shall have been given, they will take upon themselves the Powers given to the Inspectors named in a certain Act made in the Third and Fourth Year of the present Majesty, intitled *An Act to repeal an Act of His late Majesty King George the Fourth, for the lighting and watching of Parishes in England and Wales, and to make other Provisions in lieu thereof*, so far as the same relates to the lighting the Whole or any Part of any Borough which is not within the Provisions of any Local Act, or in which there is no Power of levying Rates for lighting the same, the Council of such Borough shall, after the Day named in such Notice, have the same Powers and Duties as belong to Inspectors under the said last-mentioned Act in regard to lighting, and to levying Rates for the Purpose of lighting such Part of the Borough, except so far as the same are contrary to or inconsistent with the Provisions of this Act; and in such Case the Council shall have the sole Power to fix and determine the Amount of Money which they will call for in any One Year for the Purpose of lighting such Part of the Borough, so that such Sum shall not exceed the Rate of Sixpence in the Poand on the full and fair annual Value of all Property rateable to the Relief of the Poor within such Part of the Borough: Provided also, that it shall not be lawful in such Case for the Inhabitants of such Part of the Borough at any Time to determine that the Provisions of the said recited Act shall cease to be acted upon.

LXXXIX. Provided always, and be it enacted, That nothing herein contained shall be construed to interfere with the watching, paving, or lighting, and internal Regulations established for the Government and Security of any of His Majesty's Dockyards, Victualling Establishments, Arsenals, and Barracks respectively; nor shall any of the Tenements within the said Dockyards, Victualling Establishments, Arsenals, or Barracks, or the Inhabitants of the same, be liable to be assessed to the Rates for watching, paving, or lighting the other Parts of the City, Borough, or Parish within which the same may be respectively situated, unless such Tenements or the Inhabitants thereof are now or may hereafter become liable to be assessed to any such Rates made under or by virtue of any Law or Statute now in force; nor shall any thing herein contained extend to defrost or affect the Authority of Justices of the Peace which by an Act passed in the Second Year of His present Majesty's Reign, intitled *An Act to amend the Laws relating to the Division of the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments*, is vested in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, and in the Superintendents of the several Dockyards and other Naval and Victualling Establishments, in all Places and in all Matters relating to His Majesty's Naval Service, and to the Stores, Provisions, Ammunition, and Accoutrements thereof.

XC. And be it enacted, That it shall be lawful for the Council of any Borough to make such Bye Laws as to them shall seem meet for the good Rule and Government of the Borough, and for Prevention and Suppression of all such Nuisances as are not already punishable in a necessary Manner by virtue of any Act in force throughout such Borough, and to appoint by such Bye Laws such Fines as they shall deem necessary for the Prevention and Suppression of such Offences: provided that no Fine so to be appointed shall exceed the Sum of Five Pounds, and that no such Bye Law shall be made unless at least Two Thirds of the whole Number of the Council shall be present; provided that no

such Bye Law shall be of any Force until the Expiration of Forty Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the said Borough, to One of His Majesty's Principal Secretaries of State, and shall have been affixed as the outer Door of the Town Hall or in some other public Place within such Borough; and if at any Time within the said Period of Forty Days His Majesty, with the Advice of His Privy Council, shall disallow the same Bye Law or any Part thereof, such Bye Law or the Part thereof disallowed shall not come into operation: Provided also, that it shall be lawful for His Majesty, if He shall think fit, at any Time within the said Period of Forty Days, to enlarge the Term within which such Bye Law, if disallowed, shall not come into force; and so such Bye Law shall in that Case come into force until after the Expiration of such enlarged Term.

XCI. And be it enacted, That all the Provisions herein-after contained relative to Offences against this Act punishable upon summary Conviction shall be taken to apply to all Offences committed in breach of any Bye Law or Regulation made by virtue of this Act.

XCII. And be it enacted, That after the Election of the Treasurer in any Borough the Rent and Profits of all Hereditaments, and the Interest, Dividends, and annual Proceeds of all Messuages, Houses, Chancels, and valuable Securities belonging or payable to any Body Corporate named in conjunction with the said Borough in the said Schedules (A.) and (B.), or to any Member or Officer thereof in his Corporate Capacity, and every Fine or Penalty for any Offence against this Act (the Application of which has not been already provided for), shall be paid to the Treasurer of such Borough; and all the Moneys which he shall so receive shall be carried by him to the Account of a Fund to be called "The Borough Fund;" and such Fund, subject to the Payment of any lawful Debt due from such Body Corporate to any Person, which shall have been contracted before the passing of this Act, and unredemmed, or of so much thereof as the Council of such Borough from Time to Time shall be required or shall deem it expedient to redeem, and to the Payment from Time to Time of the Interest of so much thereof as shall remain unredemmed, and saving all Rights, Interests, Claims, or Demands of all Persons or Bodies Corporate (or upon the Real or Personal Estate of any Body Corporate by virtue of any Proceedings either at Law or in Equity which have been already instituted or which may be hereafter instituted, or by virtue of any Marriage or otherwise, shall be applied towards the Payment of the Salary of the Mayor, and of the Recorder and of the Police Magistrate herein-after mentioned when there is a Recorder or Police Magistrate, and of the respective Salaries of the Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the Payment of the Expenses incurred from Time to Time in preparing and printing Burgees Lists, Ward Lists, and Notices, and in other Matters attending such Elections as are herein mentioned, and, in Boroughs which shall have a separate Court of Sessions of the Peace as is herein-after provided, towards the Expenses of the Prosecution, Maintenance, and Punishment of Offenders, and towards such other Sum to be paid by such Borough to the Treasurer of such County as is herein-after provided, and towards the Expense of maintaining the Borough Gaol, House of Correction, and Corporate Buildings, and towards the Payment of the Constables, and of all other Expenses not herein otherwise provided for which shall be necessarily incurred in carrying into effect the Provisions of this Act; and in case the Borough Fund shall be more than sufficient for the Purposes aforesaid, the Surplus thereof shall be applied, under the Direction of the Council, for the public Benefit of the Inhabitants and Improvement of the Borough; provided that it shall not be lawful for the Council to be elected under the Provisions of this Act, in any Borough in which the Body Corporate named in conjunction with the said Borough in the said Schedules (A.) and (B.), before the Time of the passing of this Act shall have contracted any lawful Debt chargeable on any Tolls or Dues belonging or payable to the said Body Corporate, or to any Member or Officer thereof in his Corporate Capacity, or towards the Satisfaction whereof such Tolls or Dues or any Part thereof were applicable before the passing of this Act, to alter or reduce the Amount to be levied and payable of such Tolls or Dues, or to grant for any Consideration any Remission of or Exemption from such Tolls or Dues or any Part thereof, unless with the Consent in Writing under the Hands of a Majority in Number and Amount of the Creditors to whom such Debt is due, until after such Debt and all Arrears of Interest due thereon shall have been fully paid and satisfied; and in case the Borough Fund shall not be sufficient for the Purposes aforesaid, the Council of the Borough is hereby authorized and required from Time to Time to estimate, as correctly as may be, what Amount, in addition to such Fund, will be sufficient for the Payment of the Expenses to be incurred in carrying into effect the Provisions of this Act; and in order to raise the Amount so estimated the said Council is hereby authorized and required from Time to Time to order a Borough Rate in the Nature of a County Rate to be made within their Borough, and for that Purpose the Council of such Borough shall have within their Borough all the Powers which any Justices of the Peace assembled at their General or Quarter Sessions in any County in England have within the Limits of their Commission by virtue of an Act made in the Fifty-fifth Year of His late Majesty King George the Third, intituled *An Act to amend an Act of His late Majesty King George the Second, for the more easy assessing, collecting, and levying of County Rates*, or as near thereto as the Nature of the Case will admit, except as is herein-after excepted; and all Warrants required by the said Act to be issued under the Hands and Seals of Two or more Justices shall in like Case be signed by the Mayor, and sealed with the Seal of the Borough; provided that such Council shall not be empowered to receive, hear, or determine any Appeal against any such Rate; and if any Person shall think himself aggrieved by any such Rate it shall be lawful for him to appeal to the Recorder herein-after mentioned at the next Quarter Sessions for the Borough in which such Rate has been made, or in case there shall be no Recorder within such Borough, to the Justices at the next

As to Breach of Bye Laws.

All Corporate Property and all Fines received to be carried to the Account of the Borough Fund.

Payment of Debts, &c. Salaries of Recorder, Town Clerk, Treasurer, and other Officers, and Election Expenses to be paid out of such Fund.

Application of Surplus.

If the Fund be insufficient, the Council shall order a Rate to make up the Deficiency.

22 G. 3. c. 31.



Court of Quarter Sessions for the County within which such Borough is situate or whereto it is adjacent: and such Recorder or Justices respectively shall have Power to hear and determine the same, and to award Relief in the Process, as in the Case of an Appeal against any County Rate (and all such Sums levied in pursuance of such Borough Rate shall be paid over to the Accountant of the Borough Fund), and, subject to the Provisions herein before contained, shall be applied to all Purposes to which before the passing of this Act a Borough Rate or County Rate was by Law applicable in such Borough or County: Provided that in every Case in which before the passing of this Act any Rate might be levied in any Borough, or in any Parish or Place made Part of any Borough under the Provisions of this Act, for the Purpose of watching solely by Day or by Night, or for the Purpose of watching by Day or by Night conjointly with any other Purpose, it shall be lawful for the Council of such Borough to levy a Watch Rate sufficient to raise any Sum not greater than the average yearly Sum which during the last Seven Years, or where such Rate shall not have been levied during Seven Years then during such less Number of Years as such Rate shall have been levied, shall have been expended in the Maintenance and Establishment of Watchman, Constables, Patrole, or Police-men within the District in which such Rate was levied, and for that Purpose the Council shall have all the Powers herein before given to the Council in the Matter of the Borough Rate: and where any Part of any Borough shall not at the Time of the passing of this Act be within the Provisions of the Act authorizing the Levy of such Rate for watching, as aforesaid it shall be lawful for the Council from Time to Time to order that such Part, or so much thereof as to the Council shall seem fit, shall be added to the Watch Rate in like Manner as other Parts of the Borough to be specified in such Order, and such Watch Rate thereupon shall be levied within the Part mentioned in such Order in like Manner as in the other Parts of the Borough so specified, and all such Sums levied in pursuance of such Watch Rate shall be paid over to the Accountant of the Borough Fund: Provided always, that no such Order as last aforesaid shall be made for adding to such Watch Rate any Part of any Borough in which at the Time of passing this Act such Rate as aforesaid shall not be levied, and which is more than Two hundred Yards distant from any Street or contiguous Lines of Houses which shall be regularly watched within the Borough under the Provisions of this Act: Provided also, that nothing in this Act contained shall be construed to render liable to the Payment of any Debt contracted before the passing of this Act by any Body Corporate any Part of the Real or Personal Estate of the said Body Corporate which before the passing of this Act was not liable thereto, or to authorize the Levy of any Rate within any Part of any Borough for the Purpose of paying any Debt contracted before the passing of this Act which before the passing of this Act could not lawfully be levied therein towards the Payment of the same.

XCIII. And he it enacted, That the Treasurer of every Borough shall, in Books to be kept for that Purpose, enter true Accounts of all Sums of Money by him received and paid, and of the several Matters in which such Sums shall have been received and paid; and the Books containing the Accounts shall at all reasonable Times be open to the Inspection of any of the Aldermen or Councilors of such Borough: and all the Accounts, with all Vouchers and Papers relating thereto, shall, in the Months of March and September in every Year, be submitted by the Treasurer of the Borough to the Auditors hereinafter provided to be elected, and to such Member of the Council as the Mayor shall cause on the First Day of March in every Year, or in case of extraordinary Vacancy within Ten Days next after such Vacancy, for the Purpose of being examined and audited, from the First Day of September in the Year preceding to the First Day of March, and from the First Day of March to the First Day of September in the Year in which the said Auditors were elected and named, and if the said Accounts shall be found to be correct, the Auditors shall sign the same; and after such Accounts shall have been so examined and audited in the Month of September in every Year, the Treasurer shall make out in Writing, and shall cause to be printed, a full Abstract of his Accounts for the Year, and a Copy thereof shall be open to the Inspection of all the Rate-payers of such Borough, and Copies thereof shall be delivered to all Rate-payers of such Borough applying for the same, on Payment of a reasonable Price for such Copy.

XCIV. And he it enacted, That it shall not be lawful for the Council of any Body Corporate to be placed under this Act to sell, mortgage, or alienate the Lands, Tenements, or Hereditaments of the said Body Corporate, or any Part thereof, except in pursuance of some Covenant, Contract, or Agreement lawfully made or entered into on or before the Fifth Day of June in this present Year, by or on behalf of the Body Corporate of any Borough, or of some Resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth Day of June, or to demise or lease, except in pursuance of some Covenant, Contract, or Agreement lawfully made or entered into on or before the said Fifth Day of June by or on the behalf of such Body Corporate, or in pursuance of some Resolutions duly entered in the Corporation Books of such Body Corporate on or before the said Fifth Day of June, or except in the Cases hereinafter mentioned, any Lands, Tenements, or Hereditaments of such Body Corporate, or any Part thereof, or to enter into any new Covenant, Contract, or Agreement (except in the Cases hereinafter mentioned) for demising or leasing any such Lands, Tenements, or Hereditaments, or any Part thereof, for any Term exceeding Thirty-one Years from the Time when such Lease shall be made, or if made in pursuance of a previous Agreement, then from the Time when such Agreement shall have been entered into; and in every Lease which the said Council do not lawfully restrained from making there shall (except in the Cases hereinafter mentioned) be reserved and made payable during the whole of the Term thereby granted such clear yearly Rent as to the Council shall appear reasonable, without taking any Fine for the same: Provided nevertheless, that in every Case in which such Council shall deem it expedient to sell and alienate or to demise and lease for a longer

Account of  
Receipts and  
Expenditure  
to be kept,  
checked and  
certified.

Power of Sale  
with leasing  
restricted.

Term than Thirty-one Years, or upon different Terms and Conditions than those herein-before mentioned, any of the said Lands, Tenements, or Hereditaments, it shall be lawful for such Council to represent the Circumstances of the Case to the Lords Commissioners of His Majesty's Treasury: and it shall be lawful for such Council, with the Approbation of the said Lords Commissioners or any Three of them, to sell, alienate, and demise any of the Lands, Tenements, and Hereditaments of the said Body Corporate in such Manner and on such Terms and Conditions as shall have been approved by the said Lords Commissioners: Provided always, that Notice of the Intention of the Council to make such Application as aforesaid shall be fixed on the outer Door of the Town Hall, or in some public and conspicuous Place within the Borough, One Calendar Month at least before such Application; and a Copy of the Memorial intended to be sent to the said Lords Commissioners shall be kept in the Town Clerk's Office during such Calendar Month, and shall be freely open to the Inspection of every Burgess or all reasonable Hours during the same.

XCVI. Provided always, and to be enacted, That in all Cases in which any Body Corporate shall on the Fifth Day of June in this present Year have been bound or engaged by any Covenant or Agreement, express or implied, or have been enjoined by any Deed, Will, or other Document, or have been sanctioned or warranted by ancient Usage or by Custom or Practice, to make any Renewal of any Lease for Years, or for Life or Lives, or for Years determinable with any Life or Lives at any fixed or determinate or known or accustomed Period, or after the Lapse of any Number of Years, or on the dropping of any Life or Lives, and Years determinable after the Lapse of any Number of Years, at a Fixed estate, or under any special or specific Terms or Conditions, and also in all Cases in which any Body Corporate shall theretofore have ordinarily made Renewal of any Lease for Years, or for Life or Lives, or for Years determinable with any Life or Lives at any fixed or determinate or known or accustomed Period, or after the Lapse of any Number of Years, or upon the dropping of any Life or Lives, upon the Payment of an arbitrary Fine, it shall be lawful for the Council of such Borough to renew such Lease for such Term or Number of Years, either absolutely or determinable with any Life or Lives, or for such Life or Lives, and at such Rent, and upon the Payment of such Fine or Premium, either certain or arbitrary, and with or without any Covenant for the future Renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed.

XCVI. Provided nevertheless, and to be enacted, That in any of the Instances herein-after mentioned it shall be lawful for the Council from Time to Time to demise and lease, or to enter into any Contract or Agreement for demise and leasing, any of the said Lands, Tenements, or Hereditaments, to any Person, Body Politic, Corporate, or Collegiate, for any Term not exceeding twenty-five Years from the Time of making such Lease or Agreement, (that is to say,) of Tenements or Hereditaments the greater Part of the yearly Value of which shall at the Time of making the Lease or Agreement consist of any Building or Buildings, of Land or Ground proper for the Erection of any Houses or other Buildings thereupon, with or without Gardens, Yards, Cottages, or other Appurtenances to be used therewith, and, where the Lessee or intended Lessee shall consent or agree to erect a Building or Buildings thereon of greater yearly Value than such Land or Ground, of Land or Ground proper for Gardens, Yards, Cottages, or other Appurtenances to be used with any other House or other Building erected or to be erected on any such Ground, belonging either to such Body Corporate or to any other Proprietor, or proper for any other Purpose calculated to afford Convenience or Accommodation to the Occupiers of any such House or Building.

XCVII. And to be enacted, That it shall be lawful for the Council first to be elected in any Borough under the Provisions of this Act to call in question all Purchases, Sales, Leases, and Demises not made in presence of some Juste de Peace, Consent, Agreement, or Resolution made or entered into as aforesaid before the said Fifth Day of June, and all Contracts for the Purchase, Sale, Lease, or Demise of any Lands, Tenements, and Hereditaments, and all Divisions and Appropriations of the Monies, Goods, and valuable Securities, or any Part of the Real or Personal Estate, of which an or before the Fifth Day of June in this present Year the Body Corporate of which they are the Council, whether in their own Right or as Trustees for charitable or other Purposes, was seized or possessed, which shall have been made or contracted between the said Fifth Day of June and the Day of the Declaration of their Election; and for that Purpose, if it shall appear to the said Council that there is Ground for believing that any such Purchase, Sale, Lease, or Demise, or such Division or Appropriation of the Premises, was collusively made for no Consideration, or for an inadequate Consideration, it shall be lawful for the Council of such Borough, at any Time within Six Calendar Months next after the First Election of Councillors under this Act shall have been declared in such Borough, upon Notice of their Intention being first given in the *London Gazette*, and also affixed on the outer Door of the Town Hall or in some public Place within the Borough, to cause the Value of the Lands, Tenements, Hereditaments, and Premises in question to be inquired of and found by a Jury of Twelve indifferent Men of the County in which, or adjoining to which in the Case of *Shroveton upon-Trent*, and of all Counties of Cities and Towns Corporate, such Lands, Tenements, Hereditaments, or Premises do lie; and in order thereto the said Council is empowered to summon and call before such Jury all Persons having the Custody and Possession of any Deed or Agreement concerning the said Lands, Tenements, Hereditaments, and Premises made or entered into since the said Fifth Day of June, and to cause all such Deeds and Agreements to be produced before the said Jury, and examined by them, and to examine upon Oath every Person who shall be thought necessary to be examined (which Oath the

The Council of any Borough under this Act authorized to renew Leases, &c.

Leases of certain Buildings, and of Ground, for building on, or for making Gardens, &c. may be made for twenty-five Years.

Collusive Purchases, Sales, and Demises of Corporate Property since the 5th June 1835, to be inquired of and found by a Jury of Twelve indifferent Men.

Mayor be hereby empowered to administer); and the Council shall, by ordering a View or otherwise, use all lawful Means for the Information as well of themselves as of the said Jury in the Premises; and the Jury shall find the Value of the said Lands, Tenements, Hereditaments, and Premises, and the Consideration which shall have been given, and also that which ought of Right to have been given, for the Purchase, Sale, Lease, Demise, or Appropriation thereof, according to the Terms of such Purchase, Sale, Lease, Demise, Contract, or Appropriation, and taking into account all the Circumstances under which the same shall have taken place; and if the Jury by their Oaths shall find that no Consideration, or a Consideration less than that which they shall have so found to be the Value which ought therefore to have been given, shall have been lawfully given or contracted to be given by the Terms of any such Purchase, Sale, Lease, Demise, Contract, or Appropriation, the Party to such Purchase, Sale, Lease, Demise, Contract, or Appropriation shall have his Option, either to re-covery and restore the Lands, Tenements, Hereditaments, and Premises in question, and to abandon the Contract to which he shall have been Party, upon Receipt in each Case of the Consideration, if any, which he shall have given for the same, or to give therefore in each Case such additional Consideration as that the whole Consideration given shall be that which ought of Right to have been given, so found by the Jury as aforesaid, and in every such Case as last aforesaid the additional Consideration given or to be given shall be endorsed on the original Deed or Conveyance: and unless he shall so do within One Calendar Month next after the Finding of the Jury every such Purchase, Sale, Lease, Demise, Contract, and Conveyance shall be absolutely void and of none Effect as against the said Body Corporate and their Successors; and in every Case in which any such Contract shall have been abandoned as aforesaid, or in which any such Purchase, Sale, Lease, Demise, Contract, or Conveyance shall become void and of none Effect, under the Provisions of this Act, the Party who would otherwise have had the Benefit of the same shall be restored to his former Estate, Title, and Interest (if any) in the Premises as if no such Contract, Purchase, Sale, Lease, or Demise had been made or entered into, and for restoring and returning such Juries, and for imposing Fines on the Sheriff, his Deputy, Bailiff, or Agent, and on the Persons summoned and returned on the said Jury, and on any Person required to give Evidence, who shall in this Behalf contravene the Provisions of this Act, the Council of every such Borough shall have all the Powers given in their Behalf to the Treasurers or Commissioners of any Turnpike Road by an Act made in the Third Year of His late Majesty George the Third, intitled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*; and all the Costs of the said Jury, and of all Witnesses tendered by the said Council to be examined before the said Jury, shall in every Case be borne by the Council, and paid out of the Borough Fund: Provided nevertheless, that it shall be lawful for His Majesty, if He shall think fit, by the Advice of His Privy Council, upon Petition to Him setting forth the special Circumstances under which any such Purchase, Sale, Lease, Demise, Contract, or Appropriation of any of the said Lands, Tenements, Hereditaments, and Premises shall have been made since the said Fifth Day of June, to order that the same shall not be called in question under the Provisions of this Act; and in such Case as last aforesaid the same shall not be called in question or set aside or affected under the Provisions of this Act: Provided always, that in every Case in which such Petition shall have been presented it shall be lawful for His Majesty, if He shall think fit, to enlarge the Time within which (in case His Majesty shall not think fit to make such Order as aforesaid) the Council may have Power as aforesaid to call in question any Purchase, Sale, Lease, Demise, Contract, or Appropriation referred to in such Petition.

XXVIII. And be it enacted, That it shall be lawful for His Majesty from Time to Time to assign to so many Persons as he shall think proper His Majesty's Commission to act as Justices of the Peace in and for each Borough, and as and for each of the Counties of Cities and Towns respectively named in the said Schedule (A.), and in and for each of the Boroughs in the said Schedule (B.) to which His Majesty may be pleased upon the Petition of the Council thereof to grant a Commission of the Peace: Provided nevertheless, that every Person so to be assigned shall reside within the Borough for which he shall be so assigned, or within Seven Miles of such Borough, or of some Part thereof, during such Time as he shall act as a Justice of the Peace in and for such Borough.

XXIX. And be it enacted, That if the Council of any Borough shall think it requisite that a salaried Police Magistrate or Magistrates be appointed in and for such Borough, such Council be hereby empowered to make a Bye Law fixing the Amount of the Salary which he or they are so receive in that Behalf, and such Bye Law so made by any Council as aforesaid shall be transmitted to One of His Majesty's Principal Secretaries of State, and it shall be lawful thereupon for His Majesty, if he shall think fit, to appoint One or more fit Persons, according to the Number fixed in the said Bye Law (being Barristers at Law of not less than Five Years standing), to be doing His Majesty's Pleasure Police Magistrate or Magistrates and a Justice or Justices of the Peace for such Borough, and so direct that such Sum shall be paid quarterly out of the Borough Fund of such Borough as will be sufficient to pay such yearly Salary to each of the Justices so assigned as last aforesaid, not exceeding to the whole the Salary mentioned in the Prayer of such Petition, clear of all Fines or Deductions, as to His Majesty shall seem fit; and the Treasurer of such Borough shall thereupon pay to each Justice so assigned as last aforesaid, out of the Borough Fund of such Borough, the Salary so directed to be paid, by Four equal quarterly Payments, and in the same Proportion up to the Time of the Death of such Justice or his ceasing to act under such Assignment as aforesaid; provided that in every Case of Vacancy of the Office of Police Magistrate in any Borough aforesaid no new Appointment of Police Magistrate in such

His Majesty's Commission may be issued for certain Persons to act as Justices in any of such Boroughs.

Council may make Bye Laws, in which the Crown may appoint inferior Justices.

Borough shall be made until the Council shall agree make Application to One of His Majesty's Principal Secretaries of State in that Behalf; and as in the Case of the first Appointment of a Police Magistrate in such Borough.

C. And be it enacted, That the Council of every Borough to which a separate Commission of the Peace shall be granted under the Provisions of this Act shall be authorized and required to provide and furnish One or more fit and suitable Office or Offices, to be called "The Police Office" or "Office" of the Borough, for the Purpose of transacting the Business of the Justices of such Borough, and to pay from Time to Time out of the Borough Fund such Sums as may be necessary for providing, upholding, and furnishing, and for the necessary Expenses of such Police Office or Offices; provided that no Room or any House licensed as a Victualling House or Alehouse shall be used for the Purposes of any such Police Office.

C1. And be it further enacted, That every Person assigned to keep the Peace within any Borough under the Provisions of this Act, or any of these, shall, during the Continuance of such Assignment, execute the Duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although he may not have such Qualification by Estate as is required by Law in the Case of other Persons being Justices of the Peace for a County, provided that such Person be not disqualified by Law to act as a Justice of the Peace for any other Cause or upon any other Account than in respect of Estate, and although such Person may not be a Burgess of the Borough in and for which he shall have been assigned to act as a Justice of Peace; and that every Summons for the Appearance of any Person charged with any Offence, or Search Warrant, issued by any Justice of the Peace acting in and for any Borough in any Matter within his Jurisdiction, may be respectively served and executed within any County in which the said Borough shall be situate, or within any Distance not exceeding Seven Miles from such Borough, and within such Limits as aforesaid shall have the same Force and Effect as if the same had been originally issued or subsequently endorsed by a Justice of the Peace having Jurisdiction in the Place where the same shall be served or executed, any Law, Statute, Charter, or Usage to the contrary notwithstanding; and every such Summons and Warrant shall and may be lawfully served or executed within such Limits as aforesaid by the Constable or Special Constable to whom the same shall be directed: Provided nevertheless, that no such Person, by virtue of such Assignment, shall act as a Justice of the Peace at any Court of Goal Delivery or General or Quarter Sessions, or in making or laying any County Rate, or Issue in the Nature of a County Rate.

C11. And be it enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall be granted as aforesaid, at their first or any other Meeting, and they are hereby respectively required, to appoint a fit Person to be the Clerk to the Justices of such Borough, to be removable at their Pleasure, and so as often as there shall be a Vacancy in the said Office of Clerk to the Justices by Death, Resignation, Removal, or otherwise; provided that it shall not be lawful for the said Justices to appoint or continue as such Clerk to the Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the Partner of such Clerk of the Peace, or any Clerk or Person in the Employ of such Clerk of the Peace: Provided also, that it shall not be lawful for the said Clerk to the Justices, by himself or his Partner, to be directly or indirectly interested or employed in the Prosecution of any Offender committed for Trial by the Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Goal Delivery or General or Quarter Sessions; and any Person being an Alderman or Councillor, or Clerk of the Peace of any Borough, or the Partner or Clerk or in the Employ of such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the Premises, shall for every such Offence forfeit and pay the Sum of One hundred Pounds, save Misesy thereof to the Treasurer of such Borough to be paid over to the Credit and Account of the Borough Fund of such Borough, and the other Misesy thereof, with full Costs of Suit, to any Person who will sue for the same in any of His Majesty's Courts of Record at Westminster.

C111. And be it enacted, That the Council of every Borough, which shall be desirous that a separate Court of Quarter Sessions of the Peace shall be or continue to be holden in and for such Borough shall signify the same by Petition to His Majesty in Council, setting forth the Grounds of the Application, the State of the Goal, and the Salary which they are willing to pay to the Recorder in that Behalf; and it shall be lawful for His Majesty, if He shall be pleased thereupon to grant that a separate Court of Quarter Sessions of the Peace shall be thereafter holden in and for such Borough, to appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit Person, being a Barrister at Law of not less than Five Years standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold each Office during his good Behaviour, and upon any Vacancy in any such Office to appoint another fit Person, being a Barrister at Law of not less than Five Years standing, to be the Recorder in the Place of the Person so making such Vacancy; and the Council of every such Borough shall appoint a fit Person to be Clerk of the Peace during his good Behaviour; and the Recorder for the Time being of any Borough shall be a Justice of the Peace of and for such Borough, although he may not have such Qualification by Estate as is required by Law in the Case of any other Person being a Justice of the Peace for a County; and such Recorder shall have Precedence in all Places within the Borough of which he may be the Recorder next after the Mayor thereof; and in such Case it shall be lawful for His Majesty to direct that an annual Salary, not exceeding the Sum stated in the Petition of the Council, shall be paid to such Recorder by the Treasurer of such Borough

Council to pay such a Police Office.

Justice may be notified by Justice

Each Justice not to do in Courts of Goal Delivery, &c.

Justice to appoint a Clerk, who shall not be Clerk of the Peace, or an Alderman or Councillor, nor be concerned in the Prosecution of Offenders committed by the Borough Justice.

His Majesty may grant a separate Court of Quarter Sessions, and appoint a Recorder, in certain Boroughs.

Recorder to be a Justice of the Peace for the Borough.

See Act a Memorandum of the Powers for the Borough, Aldermen, &c.  
2W 4 c 42

out of the Borough Fund: Provided always, that no Person being such Recorder as aforesaid shall be eligible to serve in Parliament for such Borough, nor shall he be an Alderman, Councillor, or Police Magistrate of such Borough: Provided nevertheless, that nothing in this Act contained shall be construed to disqualify any such Recorder from being appointed a Barrister to revise any List of Voters under the Provisions of an Act passed in the Second Year of His Majesty, intitled *An Act to amend the Representation of the People in England and Wales*, nor from being eligible to serve in Parliament, otherwise than in hereto-before provided: Provided also, that in every Borough in and for which a separate Court of General or Quarter Sessions of the Peace is now holden, and of which the present Recorder or Deputy Recorder is a Barrister: of Five Years standing, such Recorder or Deputy Recorder, being qualified as aforesaid, shall be continued or appointed Recorder under the Provisions of this Act: Provided also, that in the Case of Sickness or unavoidable Absence, the Recorder of any Borough shall be empowered, under his Hand and Seal, with the Consent of the Council of such Borough, to appoint a Deputy Recorder, being a Barrister of Five Years standing, to act for him at the Quarter Sessions of the Peace then next ensuing, and no longer or otherwise.

Recorder and Justice to make Declaration before sitting

CIV. Provided nevertheless, and be it enacted, That no Recorder or Person assigned to keep the Peace within any such Borough shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the Oath provided to be taken by Justices of the Peace, except the Oath as to Qualification by Estate, and until he shall have made before the Mayor or before any Two or more of the Aldermen or Councillors of such Borough (who is and are lawfully authorized and required to administer the same) a Declaration in the following Form; (that is to say,)

" I, A. B. do hereby declare, That I will faithfully and impartially execute the Office of Recorder (or Justice of the Peace) for the Borough of \_\_\_\_\_ according to the best of my Judgment and Ability."

Justices of the Peace to be held for the Borough, of which the Recorder to be the sole Judge

CV. And be it enacted, That the Recorder of every Borough shall hold once in every Quarter of a Year, or at such other and more frequent Times as the said Recorder in his Discretion may think fit, or as His Majesty shall think fit to direct, a Court of Quarter Sessions of the Peace in and for such Borough, of which Court the Recorder of such Borough shall sit as the sole Judge; and such Court of Quarter Sessions of the Peace shall be a Court of Record, and shall have Cognizance of all Crimes, Offences, and Matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for Counties in England, and the said Recorder shall have Power to do all Things necessary for exercising such Jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court: Provided nevertheless, that no Recorder, by virtue of his Office, shall have Power to make or levy any County Rate, or Rate in the Nature of a County Rate, or to grant any Licence or Authority to any Person to keep an Inn, Alehouse, or Victualling House, to sell excisable Liquors by Retail, or to exercise any of the Powers herein specially vested in the Council of such Borough.

Recorder not to make or levy County Rate, &c.

CVI. And be it enacted, That in the Absence of the Recorder and Deputy Recorder the Mayor shall be authorized and required, at the proper Times appointed for the holding of such Court of Quarter Sessions of the Peace in and for such Borough, to open the said Court, and to adjourn upon the holding of the same, and to require all Recognizances conditioned for appearing at the same, until such further Day as such Mayor think and shall, and so from Time to Time, shall cause to be proclaimed: Provided nevertheless, that nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the Trial of Offenders, or to do any other Act in the Character of a Judge of such Court, save only in opening and adjourning the same, and requiring the said Recognizances in manner aforesaid.

Mayor, in the Absence of the Recorder and Deputy Recorder, may open and adjourn the Court.

Capital Jurisdiction, and all other Criminal Jurisdictions in Boroughs, other than are specified in this Act, abolished.

CVII. And be it enacted, That after the First Day of May One thousand eight hundred and thirty-six all Powers and Jurisdictions to try Treasons, Capital Felonies, and all other Criminal Jurisdictions whatsoever granted or confirmed by any Law, Statute, Letters Patent, Grant, or Charter whatsoever, to any Mayor, Bailiff, Aldermen, Recorder, or other Corporate or Chartered Officer, or Corporate or Chartered Justice of the Peace whatsoever, in any Borough, and all Right of any Body Corporate in any Borough, or any of the Members thereof, by virtue of any Law, Statute, Letters Patent, Grant, or Charter whatsoever, to elect or nominate any Justices to keep the Peace in and for any Borough, or by any Members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-mentioned Boroughs other than is hereto declared, shall cease: Provided nevertheless, that nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Goal Delivery, or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First Day of May, but every such Court may be holden in like Manner, and with the same Powers, until the said First Day of May, as if this Act had not been passed.

Chartered Admiralty Jurisdiction abolished.

CVIII. And be it enacted, That from and after the passing of this Act so much of all Laws, Statutes, and Charters, and so much of all Royal and other Charters, Grants, and Letters Patent heretofore granted to any Borough or Body Corporate, whereby such Borough, or any Place within the Precincts or Liberties of the same, or such Body Corporate, or the Precincts or Inhabitants of the same, claims or claims to be exempted and released from the Jurisdiction and Office of the Lord High Admiral of England, or of the High Court of the Admiralty of England, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward, or other Chartered or Corporate Officer of any Borough has or claims any thing belonging to the Office of Admiral, whether or not to be exercised by virtue of any Commission to them or any of them to be directed, shall be and the same is hereby repealed: Provided nevertheless, that nothing in this Act contained shall extend to alter or affect the Jurisdiction and

Office of the Lord Warden is his Office of Admiral of the Cinque Ports: Provided also, that all Saits and Motions wherein before the passing of this Act the Rights of any Bailiffs, or any Drovers or Perquisites to the Office of Admiral belonging, were drawn into question, may be contested, heard, determined, and adjudicated upon in like Manner as if this Act had not passed.

CIX. And whereas an Act was passed in the Thirty-eighth Year of His late Majesty George the Third, intitled *An Act to regulate the Trial of Causes, Judgments, and other Proceedings which arise within the Counties of certain Cities and Towns Corporate within this Kingdom, but certain Cities and Counties of Cities were excepted out of the Operation of the same: And whereas it is expedient to repeal in part the said Exemption: be it therefore enacted, That so much of the last recited Act as provides that nothing therein contained shall extend or be construed to extend to the City or County of the City of Bristol, or the City or County of the City of Chester, or to the Criminal Jurisdiction of the City of Bristol and County of the same City, shall be and the same is hereby repealed: and that the Town of Bristol upon Tame shall be taken to be a County of a Town Corporate, and to be within all the Provisions of the last-recited Act: and that after the First Day of May in the Year One thousand eight hundred and thirty-six, and until His Majesty shall be pleased to direct a Commission of Oyer and Terminer and Goal Delivery to be executed within any County of a City or Town Corporate, all Bills of Indictment for Offences committed within such County of a City or Town Corporate shall be performed and all Proceedings upon such Indictments shall be had as in the last recited Act is authorized to be done, and the Counties of the Cities and Towns Corporate named in the First Column of the Schedule (C.) to this Act annexed shall be considered as next adjoining to the County named in conjunction with the same respectively in the Second Column of the said Schedule (C.)*

CX. And be it enacted, That after the said First Day of May One thousand eight hundred and thirty-six every Person who shall thus stand committed to take his Trial at any Court of Goal Delivery, General or Quarter Sessions of the Peace for any Borough, charged with any Offence which the Recorder of such Borough after the said First Day of May will not have Jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining to which such Borough is situated, there to remain and take his Trial at the next Court of Quarter Sessions for such County, if the Offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Goal Delivery at their next Circuit: and all Persons bound by Recognizance to prosecute and give Evidence against such Offenders shall be bound to appear to prosecute and give their Evidence at the Court at which such Offenders shall be tried as aforesaid: and all such Recognizances and all Deposits relating to such Charges shall be transmitted to the proper Officer of the Court where such Offenders shall be tried: and the Sheriff, Under Sheriff, Gaolers, and other Officers of the County in which such Offenders shall be so tried are hereby authorized and required to every such Case to receive every Prisoner so committed to their Custody, and him safely to keep until delivered by due Course of Law: and the Judges of Assize and others named in His Majesty's Commissions of Oyer and Terminer and Goal Delivery, or the Justices for the County, as the Case may be, in which such Offenders shall be tried, are hereby authorized and required to hear and determine all such Cases, and to order the Payment of the usual and fit Expenses of the Prosecutors and Witnesses, and all other Costs and Expences which in like Case may be decreed to be paid by Order of the Court.

CXI. And be it enacted, That after the said First Day of May One thousand eight hundred and thirty-six the Justices assigned or hereafter to be assigned to keep the Peace in and for the County in which any Borough is situated, to which His Majesty shall not have granted that a separate Court of Quarter Sessions of the Peace shall be holden in and for the same, shall exercise the Jurisdiction of Justices of the Peace in and for such Borough as fully as by Law they and each of them can or ought to do in and for the said County, and so Part of any Borough in and for which a separate Court of Quarter Sessions of the Peace shall be holden shall be within the Jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt, any Law, Statute, Letters Patent, Charter, Grant, or Custom to the contrary notwithstanding.

CXII. And be it enacted, That within Ten Days after the Grant of a separate Court of Quarter Sessions of the Peace to any Borough the Council of such Borough shall send a Copy of such Grant, sealed with the Seal of the Borough, to the Clerk of the Peace of the County in which such Borough or any Part thereof is situated: and after the Grant of such Court to any Borough it shall not be lawful for the Justices of the Peace of any County wherein such Borough or Part of such Borough is situate to assess any Messuages, Lands, Tenements, or Hereditaments within such Borough to any County Rate thereafter to be made, but every Part of every such Borough shall thenceforward be wholly free and discharged from contributing, otherwise than it herein-after provided, to any Rate or Assessment of any Kind of and for the County in which any Part of such Borough is situated: Provided nevertheless, that all Arrears of such Rates theretofore made may be levied and collected as if this Act had not been passed.

CXIII. And whereas by an Act made in the Seventh Year of His late Majesty George the Fourth, intitled *An Act for improving the Administration of Criminal Justice in England and Wales, it was enacted that all Sums directed to be paid by virtue of that Act in respect of Felonies and Misdemeanors therein enumerated, committed in Liberties, Forests, Cities, Towns, and Places which do not contribute to the Payment of any County Rate, should be paid as therein is directed: be it therefore enacted, That all Sums directed to be paid by virtue of the last-recited Act in respect of Felonies and such Misdemeanors as aforesaid, committed or supposed to have been committed in any Borough in*

Certain Exemptions in 38 G. 3. c. 25. repealed; and Borough upon Tame to be a County of a Town.

Act to Trial of Offences committed in Counties of Cities and Towns Corporate.

Offenders committed to Borough Sessions where Jurisdiction is taken away to be tried in the adjoining County.

County Justices to have Jurisdiction in all Boroughs which have not a separate Court of Quarter Sessions of the Peace under this Act.

Certain Boroughs are to be annexed to County Rates.

Boroughs to pay the Expenses of Prosecutions at the Assizes. 7 G. 4. c. 27

which a separate Court of Quarter Sessions of the Peace shall be holden, shall be paid out of the Borough Fund of such Borough, any thing in the said Act contained notwithstanding; and the Order of Court shall in every such Case be directed to the Treasurer of such Borough instead of the Treasurer of the County.

Treasurers of  
Counties to  
keep an Ac-  
count of Ex-  
penditure of  
the  
Officers, &c.

CXIV. And be it enacted, That the Treasurer of every County in England and Wales shall keep an Account of all Costs arising out of the Prosecution, Maintenance, and Punishment, Conveyance and Transport of all Offenders committed for Trial to the Assizes in such County *Save* any Borough in which a separate Court of Quarter Sessions of the Peace shall be holden; and the Treasurer of every such County shall, not more than Twice in every Year, send a Copy of the said Account to the Council of each of the said Boroughs; and shall make an Order for Payment of the same on the Council of such Borough; and the Council of every such Borough shall forthwith order the same, with all reasonable Charges of making and sending such Account, to be paid to the Treasurer of such County out of the Borough Fund; and in case any Difference shall arise concerning the said Account, it shall be decided by the Arbitration of a Barrister to be named as is provided in the Case of Differences with respect to the Payment of Money under Contracts made by Authority of an Act made in the Fifth Year of His late Majesty King George the Fourth, intitled *An Act for amending an Act of the last Session of Parliament, relating to the building, repairing, and enlarging of certain Gaols and Houses of Correction, and for procuring Information as to the State of all other Gaols and Houses of Correction in England and Wales*: Provided that nothing herein contained shall be construed to alter or restrain the Powers given by the last-mentioned Act of contracting with the Justices of the Peace having Authority or Jurisdiction in and over any Gaol or House of Correction of the County wherein or whose such Borough is situated, or wherein it is adjacent, for the Conveyance, Support, and Maintenance in such last-mentioned Gaol or House of Correction of Prisoners committed thereto from such Borough, save only that all such Powers shall after the First Day of May One thousand eight hundred and thirty-six be vested in the Council of such Borough in the Name of the Body Corporate whose Council they are, and in case other, and for the Purpose of making such Contracts as aforesaid the Council of such Borough, and none other, shall have Power to make the Orders required by the said last-mentioned Act to be made by the Justices of the Borough at the Borough Sessions.

In case of  
Difference re-  
specting such  
Account the  
same to be  
referred to  
Arbitration, as  
provided in  
Act 5 G. 4

County may  
contract for  
maintaining  
Prisoners in  
the Gaol of any  
other Borough,  
if suffered.

CXV. And be it enacted, That in every Case in which it shall here be made to appear to the Satisfaction of One of His Majesty's Principal Secretaries of State that there is in any Borough a Gaol or House of Correction fit for the Confinement of Prisoners, the Council of any Borough shall have the same Powers of contracting, in the Name of the Body Corporate whose Council they are, with any Person or Body Corporate having the Government or ordering of such last-mentioned Gaol or House of Correction, in like Manner as is herein-before enacted concerning Contracts with Justices of the Peace having Authority or Jurisdiction in and over County Gaols and Houses of Correction; and all the Provisions of the last-recited Act made in the Fifth Year of His late Majesty shall extend, or as nearly as may be, to all such Contracts for the Conveyance to and Support and Maintenance of Offenders in such Borough Gaol or House of Correction; and in case His Majesty shall have granted to the Borough in which such Gaol or House of Correction shall be situated a separate Court of Quarter Sessions of the Peace, such Offenders may be tried and sentenced by such Court for all Offences of which the Court has Cognizance, and punished accordingly; and all the Provisions of the last-recited Act made in the Fifth Year of His late Majesty shall extend as nearly as may be to the Trial and Punishment of such Offenders, and to all Acts necessary for such Trial of contempt thereto.

County of ex-  
cepted Boroughs  
to have the same  
Powers under  
the Act  
4 G. 4 c. 21  
and 5 G. 4 c. 25,  
in relation to  
the Peace here  
& other Sessions  
in a Borough.

CXVI. And whereas by an Act passed in the Fourth Year of His late Majesty George the Fourth, intitled *An Act for considering and amending the Laws relating to the building, repairing, and repairing of certain Gaols and Houses of Correction in England and Wales*, it was provided, that certain Cities, Towns, and Places included in a certain Schedule (A.) to the said Act assented should be taken to be within the Provisions of the same: And whereas by an Act passed in the Fifth Year of His late Majesty George the Fourth, intitled *An Act for amending an Act of the last Session of Parliament, relating to the building, repairing, and enlarging of certain Gaols and Houses of Correction, and for procuring Information as to the State of all other Gaols and Houses of Correction in England and Wales*, so much of the last-recited Act as related to the Cities of *Canterbury, Lichfield, and London* was repealed: be it therefore enacted, That the Council of every Borough named in the last-mentioned Schedule (A.) (except the Cities of *Canterbury, Lichfield, and London*) shall have within their Borough all the Powers (except in hearing and determining Appeals against Convictions) which any Justices of the Peace assembled at their General or Quarter Sessions in any County in England have within the Limits of their Commission by virtue of the said last-recited Act or either of them, or as near thereto as the Nature of the Case will admit; and all Things in the said last-recited Act or either of them provided to be done at any General or Quarter Sessions of the Peace shall be done at some quarterly Meeting of the Council of such Borough.

Boroughs to  
pay a Portion  
of the County  
Expenses.

CXVII. And be it enacted, That the Treasurer of every County in England and Wales shall keep an Account of all Sums of Money received in and on account of the County Rate, and of the Sum of Money expended out of the County Rate for other Purposes than the Costs arising out of the Prosecution, Maintenance, and Punishment, Conveyance and Transport of Offenders committed for Trial in such County, and is the Use of Boroughs having a separate Court of Quarter Sessions of the Peace other than out of Coroners Inquests, and shall, not more than Twice in every Year, send a Copy of the said Account to the Council of every Borough situate within such County in which a separate

Court of Quarter Sessions of the Peace shall be holden, and which before the passing of the said Act, intitled *An Act to settle and direct the Division of Counties and the Limits of Cities and Boroughs in England and Wales, so far as respects the Election of Members to serve in Parliament*, was chargeable with or liable to contribute in whole or in part to the County Rate of such County, and shall make an Order on the Council of every such Borough for the Payment of such Proportion of such Sum as would have been chargeable, after deducting all Sums of Money received in aid of the County Rate as aforesaid, if this Act had not passed, upon such Borough as the same shall be benefited according to the Provisions of this Act; and the Council of such Borough shall forthwith order the same, with all reasonable Charges of making and sending the said Account, to be paid to the Treasurer of such County out of the Borough Fund; provided that in case any Difference shall arise concerning the last mentioned Account it shall be decided by the Arbitration of a Barrister to be named as is provided in the Case of Differences with respect to the Payment of Money under Contracts made by Authority of the said Act made in the Fifth Year of His late Majesty King George the Fourth, intitled *An Act for amending an Act of the last Session of Parliament, relating to the building, repairing, and enlarging of certain Goals and Houses of Correction, and for procuring Information as to the State of all other Goals and Houses of Correction in England and Wales*.

XXVIII. And be it enacted, That in every Borough in which by Charter or Custom there is or ought to be holden a Court of Record for the Trial of Civil Actions not regulated by the Provisions of any Local Act of Parliament, or in which, at the Time of the passing of this Act, a Barrister of Five Years standing shall not act as Judge or Assessor, the Recorder, or in the Absence of the Recorder, or in case there shall not be a Recorder, such Officer of the Borough as by the Charter constituting such Court or by Custom shall be the Judge of such Court, shall continue to be and act as such Judge; and the Council of such Borough in every Case, whether such Court be regulated by the Provisions of a Local Act of Parliament or otherwise, shall have Power for that Purpose to appoint the necessary Officer, other than the Recorder, before whom such Court is to be holden; and every such Judge or Assessor, other than the Mayor, shall hold his Office during his good Behaviour; and the Judge of every such Court shall hold the said Court at such Times and Places, and with such Rules of Practice, and with the same Powers and Jurisdiction as belonged to the said Court at the Time of passing this Act: Provided always, that in every Case in which such Court had not before the passing of this Act Authority to try such Actions as are herein-after next mentioned any such Court in which a Barrister of Five Years standing shall not act as Judge or Assessor shall have Authority to try Actions of Assumpsit, Covenant, and Debt, whether the Debt be by Specialty or as Simple Contract, and all Actions of Trespass or Trover for taking Goods and Chattels, provided the Sum or Damages sought to be recovered shall not exceed Twenty Pounds, and all Actions of Ejectment between Landlord and Tenant wherein the annual Rent of the Premises of which Possession is sought to be recovered shall not exceed Twenty Pounds, and upon which no Fine shall have been reserved or made payable: Provided also, that every such Judge respectively from Time to Time may make Rules for regulating the Practice of such Court over which he presides, but so that no such Rules shall be of force until they shall have been allowed and confirmed by Three or more Judges of the Superior Courts of Common Law at Westminster: Provided also, that the Jurisdiction of every Court of Record for the Trial of Civil Actions within any Borough shall be extended so far as the Meire and Bonds of every such Borough as the same shall be and be declared under the Provisions of this Act: Provided also, that no Action shall be tried by any such Judge, whereas the Title to Land, whether Freehold, Copyhold, or Leasehold, or other Tenure whatsoever, or to any Title, Toll, Market, Fair, or other Franchise shall be in question, in any Court which before the passing of this Act had not Authority to try Actions in which such Titles as last aforesaid were in question; and in case it shall appear in the Course of any Action in such Court as last aforesaid, or shall be made to appear upon Oath to such Court as last aforesaid, that any such Title as last aforesaid is in question in such Action, that then the Jurisdiction of such Court as last aforesaid in the Matter of such Action shall cease, and it shall be in the Discretion of the Court to award Costs against the Party commencing the same.

XXIX. And be it enacted, That the Council of every Borough in which there shall be holden a Court of Record for the Trial of Civil Actions as aforesaid shall appoint a Registrar of such Court, except in Boroughs where the Town Clerk acts as such Registrar, and such other Officers and Servants as are necessary for carrying on the Business and executing the Process of such Courts: provided that no Registrar or other Officer of such Court shall, by himself or any Partner, or by his or their Clerks, practise as an Attorney in such Court, nor shall any such Partner or Clerk not as Agent for any other Attorney in such Court: Provided also, that, unless disqualified as herein provided, every Attorney of His Majesty's Superior Courts at Westminster shall have full Liberty to practise as an Attorney in every such Court.

XXX. And be it enacted, That no Suit commenced in any Court of Record in any Borough before the First Day of May One thousand eight hundred and thirty-six shall abate by reason of any Change that shall have been made in the Constitution of such Court by the Provisions of this Act, but that the same may continue and be heard and determined as if it had been commenced before such Judge.

XXXI. And be it enacted, That every Person, being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the Trial of Civil Actions, (unless he shall be exempt or disqualified otherwise than in respect of Property here sitting on Juries by virtue of an Act passed in the Sixth Year of the Reign of King George the Fourth, intitled *An Act*

225N.4-1007

5 G. 4. c. 55

Borough Courts of Record to be holden on days to be named, but in certain Cases with extended Jurisdiction.

Process

Council to appoint Registrar and other necessary Officers of the Court

Relating to the Court to elect by Change of Jurisdiction.

Who to be Jurors

6 G. 4. c. 20



for consolidating and amending the Laws relative to Juries and Jurors) shall be qualified and liable to serve on Grand Juries in each Borough, and also upon Juries for the Trial of all Issues joined in any Court of Quarter Sessions of the Peace, and in any Court of Record for the Trial of Civil Actions triable within the Borough of which such Person shall be a Burgess; and the Clerk of the Peace of every such Borough shall give public Notice of the Time and Place of holding every such Quarter Sessions of the Peace, Ten Days at the least before the holding thereof, and shall, Seven Days at the least before the holding thereof, cause to be summoned a sufficient Number of Persons, being qualified and liable as aforesaid, to serve as Grand Jurors at such Sessions; and the Clerk of the Peace and Registrar of the Court of Record respectively shall also cause to be summoned not less than Twenty-six nor more than Sixty Persons so qualified and liable as aforesaid to serve as Jurors in every such Session, and at the holding of every such Court of Record for the Trial of Causes in case there shall be any Cause then to be tried; and such Summons shall be made by showing to the Person to be summoned, or in case he shall be absent from the usual Place of his Abode by leaving with some Person therein inhabiting, Notice under the Hand of such Clerk of the Peace or Registrar respectively containing the Substance of such Summons; and such Clerk of the Peace or Registrar respectively shall also make out a Panel of such Persons so summoned other than Grand Jurors, and such List and Panel shall respectively contain therein the Christian Names and Surnames, Places of Abode, and Descriptions of the several Persons therein named; and if any Person, having been duly summoned to attend on any Jury, shall not attend in pursuance of such Summons, or, being thence called, shall not answer to his Name, or after his Appearance wilfully withdraw himself from the Presence of the Court, the Court shall impose such Fine upon every Person so making Default (unless some reasonable Excuse shall be proved to the Satisfaction of the Court) as the Court shall think meet; and if any Person on whom such Fine shall be imposed shall refuse to pay the same to the Person who shall be authorized by the Court to receive the same, it shall be lawful for the Court, then or at its next Sitting, by Order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by Distress and Sale of the Goods of the Person on whom such Fine shall have been imposed, every such Fine, and the reasonable Charges of such Distress and Sale; and every Fine so received shall be paid to the Treasurer of the Borough, to be by him carried to the Account of the Borough Fund herein-before mentioned: Provided nevertheless, that no Person shall be summoned to serve as a Juror at such Sessions or Court of Record oftener than once in One Year.

CXXII. And be it enacted, That after the passing of this Act every Member of the Council for the Time being of every Borough, and every Justice assigned to keep the Peace therein, and the Treasurer and Town Clerk for the Time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, and except from serving on any Jury summoned to serve in the County wherein such Borough is situate; and all Burgoesses of every Borough in and for which a separate Court of Quarter Sessions of the Peace shall be held, shall be exempt from serving on any Jury summoned for the Trial of Issues joined in any Court of General or Quarter Sessions of the Peace in the County wherein such Borough is situate.

CXXIII. And be it enacted, That after the passing of this Act no Person in any Borough shall continue to be exempt from serving on Juries in any of the King's Courts of Record at Westminster, or in the Superior Courts, Civil or Criminal, of the Counties Palatine of Lancaster and Durham, or in any Court of Assize, Nisi Prius, Oyer and Terminer, Gaol Delivery, or Sessions of the Peace, or in any other of the King's Courts by virtue of any Writ, Grant, Charter, Prescription, or otherwise; and so much of an Act made in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act for consolidating and amending the Laws relative to Juries*, as provides that all Persons in any Borough exempt from serving upon Juries in any of the Courts aforesaid, by virtue of any Prescription, Charter, Grant, or Writ, shall continue to have and enjoy such Exemption in as ample a Manner as before the passing of that Act, and shall not be inserted in the Lists thereafter mentioned, shall be and the same is hereby repealed.

CXXIV. And be it enacted, That the Council of every Borough shall and they are hereby required, within Six Calendar Months next after their Election, to make and settle a Table of the Fees which shall be taken by the Clerk of the Peace in those Boroughs in which a separate Court of Quarter Sessions of the Peace shall be held, and in those Boroughs to which a Commission of the Peace shall have been granted, a Table of the Fees to be taken by the Clerk to the Justices, and in those Boroughs in which there shall be a Court of Record, a Table of the Fees to be taken by the Registrar and Officers of such Court; and such Tables of Fees shall be submitted to One of His Majesty's Principal Secretaries of State, and when such Tables of Fees shall be confirmed and allowed by such Secretary of State, either as such Table shall have been submitted to him, or such such Alterations, Additions, or Abatements as he shall think proper, the Fees therein mentioned may thereafter be lawfully taken by the Person therein named to be avoided thereunto; and it shall be lawful for the Council of such Borough, from Time to Time, as Occasion may require, to make new Tables of Fees to be taken instead of the Fees contained in the Tables which shall have been made as aforesaid, which new Table shall be confirmed and allowed in the Manner herein-before mentioned, otherwise the same shall be of no Validity; and that until Tables of the Fees so to be taken in any such Borough shall have been made and confirmed as aforesaid it shall be lawful for such Clerk of the Peace at the Quarter Sessions for any such Borough, and such Clerk to the Justices, to take the Fees authorized by the Table for the Time Printed Image digitized by the University of Southampton Library Digitisation Unit

summons of  
1799, &c.

Fees as Jurors  
for Non-attendance.

Members of  
the Council,  
An exempt  
from serving on  
Juries, and  
Burgoesses of  
Boroughs exempt  
from Juries of  
Quarter  
Sessions.

All clerical  
Exemptions  
from serving on  
Juries abolished.

§ C 4 s. 30, in  
part repealed.

See proviso in  
the Clerk of the  
Peace, Clerk to  
the Justices,  
and Registrars,  
and Officers of  
the Court of  
Record.

being to be taken by the Clerk of the Peace at the Quarter Sessions and Clerk of the Justices respectively for the County within or adjoining to which such Borough is situated, and for the Registrar and Officers of such Court of Record to take the Fees usually taken by them before the passing of this Act.

CXXV. And be it enacted, That the Town Clerk of every Borough shall cause a true Copy of the Tables of Fees in force for the Time being to be hung up in a conspicuous Part of the Room in which the Business of his Office is transacted, and also in the Room wherein the Justices of the Peace of such Borough shall sit for transacting their Business, and also in the Room wherein the Court of Quarter Sessions of the Peace for the Borough shall be held, and also in the Court of Record of the said Borough.

CXXVI. And be it enacted, That when by any Act any Penalties or Forfeitures are or shall hereafter be made recoverable in a summary Manner before any Justice or Justices of the Peace, and by such Act respectively the sums are or shall be limited and made payable to His Majesty, or to any Body Corporate, or to any Person whatsoever, save and except the Informer, who shall sue for the same, or any Party aggrieved, in every such Case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Quarter Sessions of the Peace shall be holden as aforesaid, shall, notwithstanding anything in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the Time being, to the Credit and an account of the Borough Fund of such Borough; and so such Penalty or Forfeiture, or Share of such Penalty or Forfeiture, shall in any Case be recovered by or adjudged to be paid to any other Person than the said Treasurer, unless such Person be the Informer or the Party aggrieved: Provided always, that nothing hereto contained shall extend to any Penalties or Forfeitures recovered under any Act relating to the Customs, Excise, and Post Office, or to Trade or Navigation, or any Branch of His Majesty's Revenues.

CXXVII. And for the more effectual Prosecution of Offences punishable upon summary Conviction by virtue of this Act, be it enacted, That the Prosecution for every such Offence shall be commenced within Three Calendar Months after the Commission of the Offence, and not otherwise; and that where any Person shall be charged on the Oath of a credible Witness with any such Offence before a Justice of the Peace the Justice may summon the Party charged to appear before any Two Justices of the Peace acting in and for the Borough in which such Offence shall have been committed, at a Time and Place to be named in such Summons; and if such Party shall not appear accordingly the Justices of the Peace then and there present upon Proof of the due Service of the Summons by delivering a Copy thereof to the Party, or by delivering such Copy at the Party's usual Place of Abode to some Inmate therein, and explaining the Purport thereof to such Inmate, may either proceed to hear and determine the Case in the Absence of the Party, or may issue their Warrant for apprehending and bringing such Party before them, as they shall think proper.

CXXVIII. And be it enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough to issue his Summons requiring any Person to appear before any such Justices of the Peace for the Purpose of giving Evidence touching any Offence against this Act; and if any Person so summoned shall neglect or refuse to appear at the Time and Place appointed by such Summons, and no reasonable Excuse for his Absence shall be proved before the Justices of the Peace then and there present, or if any Person appearing in obedience to such Summons shall refuse to be examined on Oath touching any such Offence by the Justices then and there present, every Person so offending shall, on Conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such Sum of Money not exceeding Five Pounds or to the contrary Justices shall seem meet; and so Person, although liable to the Rate contributing to the Borough Fund of any Borough, shall be deemed so incompetent Witness in Proof of any Offence against this Act by reason of any Penalty or Forfeiture for such Offence being applicable to the Use of such Borough Fund; and no Justice of the Peace shall be disabled from acting in the Execution of this Act by reason of his being liable to the Rate contributing to the Borough Fund of any Borough.

CXXIX. And be it enacted, That the Justices of the Peace by whom any Person shall be summarily convicted and adjudged to pay any Sum of Money for any Offence against this Act may adjudge that such Person shall pay the same either immediately or within each Period as the said Justice shall think fit; and in case such Sum of Money shall not be paid at the Time so appointed the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender, with the reasonable Charges of such Distress; and for Want of sufficient Distress such Offender shall be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, as to the convicting Justice shall seem meet, for any Term not exceeding One Calendar Month where the Sum to be paid shall not exceed Five Pounds, and for any Term not exceeding Two Calendar Months in any other Case, the Imprisonment to cease in each of the Cases aforesaid upon Payment of the Sum due.

CXXX. And be it enacted, That the Justices of the Peace before whom any Person shall be summarily convicted of any Offence against this Act may cause the Conviction to be drawn up in the following Form of Warrant, or in any other Words to the like Effect, as the Case may require: (that is to say,)

• • • • • } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ is the Year of  
 • • • • • } our Lord \_\_\_\_\_ in the Borough of \_\_\_\_\_ in the County of \_\_\_\_\_  
 • • • • • } A. O. is convicted before us, J. P. and J. J. P. Two of His Majesty's Justices of the  
 • • • • • } Peace for the said County [or Borough, or otherwise, as the Case may be], for that the said A. O. did  
 • • • • • } \_\_\_\_\_

Table of Fees  
to be hung up.

Application of  
Fines.

Limitation of  
Time for Pro-  
secution of  
Offences pun-  
ishable upon  
summary Con-  
viction.

Power to sum-  
mon Witness  
Penalty for Dis-  
obedience to  
Summons, &c.

No Witness or  
Justice to be in-  
competent on  
the Ground of  
Residence.

Penalty on  
Fines, &c.

may be levied  
by Distress,  
or Offender im-  
prisoned.

Form of Con-  
viction.

\* Here specify the Offence, and the Time and Place when and where the same was committed, as the Case may be; and we do adjudge that the said A. G. shall for the said Offence forfeit the Sum of £1000; and shall pay the same immediately (or shall pay the same on or before the Day of ) to the Treasurer for the said Borough, to be by him applied according to the Directions of the Statute in that Case made and provided. Given under our Hands the Day and Year first above mentioned.

Legal agent  
Verdicts under  
the Act.

CCXXXI. And be it enacted, That any Person who shall think himself aggrieved by any summary Conviction in pursuance of this Act may appeal to the next Court of General or Quarter Sessions of the Peace to be holden not less than Twelve Days after such Conviction for the County or for the Borough wherein the Cause of Complaint shall have arisen, provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and seven clear Days at the least before such Sessions, and shall also either remain in Custody until the Sessions, or enter into a Recognizance with a sufficient Surety, before a Justice of the Peace, within such Three Days, or at any Time during his Custody, on giving to the Complainant Three Days Notice in Writing of his Intention so to do, and of the Name, Description, and Place of Abode of his proposed Surety, conditioned personally to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and upon such Notice being given and such Recognizance entered into the Justice before whom the same shall be entered into shall liberate such Person if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet, and in case of the Dismissal of the Appeal or the Affirmance of the Conviction shall order and adjudge the Offender to be dealt with and punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment.

No Certiorari,  
&c.  
As to Informa-  
tion in Writ-  
tants, &c.

CCXXXII. And be it enacted, That no Conviction, Order, Warrant, or other Matter made or purporting to be made by virtue of this Act shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of His Majesty's Courts of Record at Westminster; and no Warrant of Committment shall be hold void for reason of any Defect therein, provided that it be therein alleged that it is founded on a Conviction, and there be a good and valid Conviction to sustain the same; and where any distress shall be made for levying any Money by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Seizure, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser of any kind on account of any Irregularity afterwards committed by him, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage, if any, as an Action upon the Case.

Virtue of Pro-  
ceedings against  
Persons acting  
under this Act.  
Notice of Ac-  
tion.

CCXXXIII. And for the Protection of Persons acting in the Execution of this Act, be it enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Calendar Months after the Fact committed, and not otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amounts shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become Nonsuit, or discontinue any such Action after Issue joined, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Honors by the same as any Defendant hath by Law in other Cases.

Jurisdiction of  
the Courts  
Preserved.

CCXXXIV. And be it enacted, That the Courts of Quarter Sessions of the Peace of the Towns and Ports of *Hunting, Southwick, Deane, and Hyde*, and of the ancient Town of *Rye*, or of such of the said Towns and Ports and ancient Towns to which His Majesty shall grant a separate Court of Quarter Sessions of the Peace, shall have Jurisdiction over Offences and Matters committed, arising, and happening as well within the Boundaries of such Towns and Ports and ancient Towns respectively as within the ancient Members and Liberties not being Corporate of the same respectively, and also within the Towns named in the Schedule to this Act which are ancient Corporate Members and Liberties of the said Towns and Ports and ancient Town respectively, and to which His Majesty shall not grant a separate Court of Quarter Sessions of the Peace; and also any or either of the said Towns and Ports of *Hunting, Southwick, Deane, and Hyde*, and ancient Town of *Rye*, to which His Majesty shall not grant a separate Court of Quarter Sessions of the Peace, and their or its Members and Liberties, shall for all Purposes relating to the Jurisdiction of Courts of Quarter Sessions of the Peace be respectively within the Jurisdiction of the Courts of Quarter Sessions of the Peace of the nearest other of the said Towns and Ports or ancient Town to which His Majesty shall grant a separate Court of Quarter Sessions of the Peace; and the Recorders, Clerks of the Peace, and Coroners of the said Towns and Ports and ancient Towns respectively, or of such of them to which His Majesty shall grant a separate Court of Quarter Sessions of the Peace respectively, shall and may have and exercise the same Jurisdiction, Powers, and Authorities within or subject to the Jurisdiction of such Courts, respec-

tively, as within the said ancient Towns and Ports and ancient Towns respectively of which they are or may be appointed Recorders, Clerks of the Peace, or Coroners.

CXXXV. And be it enacted, That the Justices of the Peace of the Towns and Ports of *Hereford*, *Scarbro', Dover*, and *Hyke*, and of the ancient Town of *Rye*, or of such of the said Towns and Ports and ancient Towns as shall have Justices of the Peace assigned to them by virtue of this Act, shall and may have and exercise the same Jurisdiction, Powers, and Authorities over Offences and Matters committed, arising, and happening within the ancient Members and Liberties not being Corporate of such Towns and Ports and ancient Towns respectively, as such Justices shall and may have and exercise within the Towns and Ports and ancient Towns for which they are or may be respectively Justices of the Peace; and also His Majesty's Justices of the Peace, sitting under the Authority of a Commission or Commissions, issued by virtue of an Act passed in the Fifth Year of the Reign of His late Majesty King George the Third, intitled *An Act to facilitate the Execution of Justice within the Cinque Ports*, shall and may have and exercise all the Jurisdiction, Powers, and Authorities given to such Justices by such Act of Parliament, as well within the Members and Liberties not being Corporate of the said Towns and Ports and ancient Towns respectively as within the said Towns named in the Schedules to this Act being Corporate Members and Liberties thereof; or any of them, or any of the said Towns and Ports and ancient Towns which shall not have Justices of the Peace assigned to them by virtue of this Act: Provided always, that nothing herein contained shall affect the Liability of all Inhabitant Householders within any of the Members and Liberties of the Cinque Ports and ancient Towns thereof, not being Corporate, to serve on Juries at Quarter Sessions as heretofore.

CXXXVI. Provided always, and be it enacted, That nothing contained in this Act shall alter or affect certain Letters Patent bearing Date in the Fifth Year of the Reign of His Majesty King Edward the Sixth, founding a Free Grammar School at *Leam*, in the County of *Lincoln*, and creating a Body Corporate for the Management and Regulation thereof, and for the Benefit of Twelve poor Persons mentioned in the said Letters Patent, by the Name of the "Warden and Six Assistants of the Town of *Leam* and Free School of King Edward the Sixth in *Leam*;" but that the said Warden and Assistants shall continue and be a Body Corporate with perpetual Succession under the Provisions of the said Letters Patent, for the Management and Regulation of the said School and the Purposes aforesaid only, and shall remain and be used and entitled to all Lands, Tolls, Tenements, and Hereditaments now vested in them for the Purposes therein expressed, in the same Manner to all Intents and Purposes as if this Act had not been passed.

CXXXVII. And be it enacted, That nothing in this Act contained shall be construed to abate or affect the Rights or Privileges, Duties or Liabilities, of the Chancellors, Masters and Scholars of the Universities of *Oxford* or *Cambridge* respectively, as by Law possessed under the respective Charters of the said Universities or otherwise, or to entitle any Person to be enrolled a Citizen of the City of *Oxford* or Burgess of the Borough of *Cambridge*, by reason of his Occupation of any House, Chambers, or Premises in any of the Colleges or Halls of the Universities of *Oxford* or *Cambridge*, or either of them, or to compel any resident Member of either of the said Universities to accept any Office in or under the Body Corporate of the Mayor and Citizens of the City of *Oxford*, or of the Mayor and Burgesses of the Borough of *Cambridge*, or to subscribe the Levy of any Rate within the Precincts of the said Universities, or of any of the Colleges or Halls of the same which now by Law cannot be levied therein.

CXXXVIII. And be it enacted, That all the Jurisdiction and Authorities now exercised in and over the Precincts or Close of any Cathedral shall be continued, as if this Act had not been passed, concurrently with the Jurisdiction and Authority of the Justices of the Peace of the Borough within which such Close is situated; and that nothing herein contained shall affect or interfere with the Rights and Privileges granted by Charter or Act of Parliament to the University of *Durham*.

CXXXIX. And be it enacted, That in every Case in which any Body Corporate, or any particular Class, Number, or Description of Members, or the governing Body of any Body Corporate, now in or are in their Corporate Capacity, and not as charitable Trustees, according to the Meaning and Provisions of this Act, seized or possessed of any Manors, Lands, Tenements, or Hereditaments whereunto any Advowson or Right of Nominatio or Presentatio to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any Advowson in gross, or full or have any Right or Title to nominate or present to any Benefice or Ecclesiastical Preferment, every such Advowson and every such Right of Nominatio and Presentatio shall be sold at such Time and in such Manner as the Commissioners appointed by His Majesty to consider the State of the Established Church in England and Wales with reference to Ecclesiastical Duties and Revenues may direct, so that the best Price may be obtained for the same; and it shall be lawful for the Council of each Body Corporate, and they are hereby authorized and required, with the Consent of the said Commissioners or any Three or more of them, in Writing under their Hands, to convey and assure under the Common Seal of such Body Corporate such Advowson or such Right of Nominatio or Presentatio as aforesaid to the Purchaser or Purchasers thereof respectively, his or their Heirs, Executors, Administrators, and Assigns, or to such Uses as he or they shall direct: and the Proceeds of every such Sale shall be paid to the Treasurer of the Borough, whose Receipt shall be a sufficient and effectual Discharge to the Purchaser or Purchasers to whom the same shall be given for the Amount of his or their Purchase Money, and shall be by him invested in Government Securities for the Use of the Body Corporate, and the usual Interest payable thereon shall be

Justification of the Cinque Ports heretofore preferred

51 G 3 3 34

Proviso as to Juries in the Cinque Ports.

An act to alter Letters Patent founding a Grammar School in Leam

Saving of the Rights of the Universities of Oxford and Cambridge.

Not to affect Jurisdiction over Precincts of Cathedrals, &c.

In Cases where Bodies Corporate are sold on their Corporate Capacity of Advowsons, &c. the same may be sold as Ecclesiastical Commissioners may direct.

Vacancy arising before Sale to be supplied by Bishop of the Diocese.

Periods connected with the Registration and Election may be deferred by Order in Council.

The King incorporates Chartres of Incorporation

Incorporation Chartre.

Act may be altered, &c.

carried to the Account of the Borough Fund: Provided always, that in any Case of Vacancy arising before any such Sale shall have taken place and been completed, such Vacancy shall be supplied by the Presentation or Nomination of the Bishop or Ordinary of the Diocese in which such Benefice or Ecclesiastical Preferment is situated.

CXL. And whereas it may happen that the several Provisions of this Act cannot be carried into effect within the several Periods in the present Year hereto-before specified and limited in that Behalf: be it therefore enacted, That it shall be lawful for His Majesty, if He shall think fit, by the Advice of His Privy Council, to order any Days and Times before the First Day of February next for doing the several Matters required or authorized by this Act to be done in lieu of the several Days and Times for the present Year hereto-before specified, or any of them; and in such Case all Matters mentioned in such Order shall be done on and within such Days and Times as shall be mentioned respectively in that Behalf in such Order, as if the Days and Times mentioned in such Order had in every Instance been mentioned in this Act instead of the Days and Times hereto-before respectively mentioned in that Behalf, and not otherwise: Provided always, that nothing herein contained shall authorize His Majesty to appoint any Days or Times other than set hereto-before specified for any Matters required or authorized by this Act to be done after the Expiration of this present Year: Provided also, that no Person shall be entitled to be enrolled in the Burghs Roll of any Borough in this present Year unless he would have been entitled on the last Day of August in this Year to have his Name included in some Overseers List, if such List had been made out on the Fifth Day of September in this Year.

CXLI. And whereas sundry Towns and Boroughs of England and Wales are not Towns Corporate, and it is expedient that several of them should be incorporated, be it enacted, That if the Inhabitants Householders of any Town or Borough in England and Wales shall petition His Majesty to grant to them a Charter of Incorporation, it shall be lawful for His Majesty, by any such Charter, if He shall think fit, by Advice of His Privy Council, to grant the same, to extend to the Inhabitants of any such Town or Borough within the District to be set forth in such Charter the Powers and Privileges in this Act contained: Provided nevertheless, that Notice of every such Petition, and of the Time when it shall please His Majesty to order that the same be taken into consideration by His Privy Council, shall be published by Royal Proclamation in the London Gazette One Month at least before such Petition shall be so considered.

CXLII. And be it enacted, That in the Construction of this Act the Word "Borough" shall be construed to mean City, Borough, Port, Cinque Port, or Town Corporate, named in One of the said Schedules (A.) and (B.), and the Words "Body Corporate" shall be construed to mean Body Corporate named in One of the said Schedules (A.) and (B.); and the Word "Burgess" shall be construed to mean Citizens in the Case of a City; and the Word "County" shall be construed to mean County, Riding, Parts, Liberty, or Division; and the Word "Trustees" shall be construed to mean Trustees, Commissioners, or Directors, or the Persons charged with the Execution of a Trust or public Duty, by whatever Name they are designated; and the Word "Parish" shall be construed to mean Parish, Township, Vill, Hamlet, Cluggerly, Tithing, District, Precinct, or Place constituting its own Poor; and the Words "Overseers of the Poor" shall be construed to mean all Persons who execute the Duties of Overseers of the Poor; and that in all Things hereto-before provided to be done, until the First Election of Councilors in any Borough under this Act shall have been declared, the Word "Mayor" shall be construed to mean the Chief Officer of a Borough, by whatever Name he is now called; and in describing any Person or Thing, any Word importing the Singular Number shall be construed to mean also several Persons or Things respectively, unless there be something in the Subject or Context repugnant to such Construction; and that no Misnomer or inaccurate Description of any Person, Body Corporate, or Place named in any Schedule to this Act inserted, or in any Roll, List, Notice, or Vesting Paper required by this Act, shall hinder the full Operation of this Act with respect to such Person, Body Corporate, or Place, provided that the Description of such Person, Body Corporate, or Place be such as to be reasonably understood.

CXLIII. And be it enacted, That this Act may be altered or amended by any Act to be passed in the present Session of Parliament.

SCHEDULES to which this Act refers.

## SCHEDULE (A.)

## ENGLAND AND WALES.

BOROUGHES which are to have a COMMISSION of the Peace.

SECTION I.—PARLIAMENTARY BOUNDARIES to be taken until altered by Parliament.

| Borough.           | Wards. | Aldermen. | Councillors. | Style of Corporate Body.   |
|--------------------|--------|-----------|--------------|--|
| Aberystwith        | 0      | 4         | 12           | Mayor and Burgesses of the Town, Borough, and Liberty of Aberystwith.  |
| Ablegdon           | 0      | 4         | 12           | Mayor, Bailiffs, and Burgesses of the Borough of Ablegdon.   |
| Barnstaple         | 2      | 6         | 18           | Mayor, Aldermen, and Burgesses of the Borough and Parish of Barnstaple in the County of Devon.   |
| Bath               | 7      | 14        | 42           | Mayor, Aldermen, and Citizens of the City of Bath.   |
| Bodford            | 2      | 6         | 12           | Mayor, Bailiffs, and Burgesses of the Town of Bodford.   |
| Berwick-upon-Tweed | 5      | 6         | 18           | Mayor, Bailiffs, and Burgesses of the Borough of Berwick-upon-Tweed.   |
| Bridgewater        | 2      | 6         | 15           | Mayor, Aldermen, and Burgesses of the Borough of Bridgewater.  |
| Bristol            | 2      | 6         | 15           | Bailiffs and Burgesses of the Borough of Bristol.  |
| Bristol            | 10     | 16        | 49           | Mayor, Burgesses, and Commonalty of the City of Bristol.   |
| Bury St. Edmund's  | 8      | 6         | 18           | Aldermen and Burgesses of Bury St. Edmunds in the County of Suffolk.   |
| Cambridge          | 5      | 10        | 30           | Mayor, Bailiffs, and Burgesses of the Borough of Cambridge.  |
| Canterbury         | 5      | 6         | 18           | Mayor and Commonalty of the City of Canterbury.  |
| Cardiff            | 2      | 6         | 18           | Bailiffs, Aldermen, and Burgesses of the Town of Cardiff.  |
| Cardiff            | 5      | 10        | 30           | Mayor, Aldermen, Bailiffs, and Citizens of the City of Cardiff.  |
| Cardarthen         | 5      | 6         | 18           | Mayor, Burgesses, and Commonalty of the Borough of Cardarthen.   |
| Caerwron           | 2      | 6         | 18           | Mayor, Bailiffs, and Burgesses of the Town and Borough of Caerwron.  |
| Chester            | 5      | 10        | 30           | Mayor and Citizens of the City of Chester.   |
| Chichester         | 2      | 6         | 18           | Mayor, Aldermen, and Citizens of the City of Chichester.   |
| Colchester         | 5      | 6         | 18           | Mayor and Commonalty of the Borough of Colchester.   |
| Dartmouth          | 0      | 4         | 12           | Mayor, Bailiffs, and Burgesses of the Borough of Clifton Dartmouth Hardness in the County of Devon.  |
| Deesbig            | 0      | 4         | 12           | Aldermen, Bailiffs, and Burgesses of the Borough of Deesbig.   |
| Derby              | 6      | 12        | 36           | Mayor, Aldermen, and Burgesses of the Borough of Derby.  |
| Devizes            | 2      | 6         | 18           | Mayor and Burgesses of the Borough of Devizes.   |
| Dorchester         | 0      | 4         | 12           | Mayor, Bailiffs, Aldermen, and Burgesses of the Borough of Dorchester in the County of Dorset.   |
| Dover              | 5      | 6         | 18           | Mayor, Jurats, and Commonalty of the Town and Port of Dover.   |
| Durham             | 5      | 6         | 18           | Mayor, Aldermen, and Commonalty of the City of Durham and Framwellgate.  |
| Evesham            | 0      | 4         | 12           | Mayor, Aldermen, and Burgesses of the Borough of Evesham.  |
| Gateshead          | 5      | 6         | 18           | Boroughholders and Freeomen of the Borough of Gateshead.   |
| Gloucester         | 3      | 6         | 18           | Mayor and Burgesses of the City of Gloucester in the County of the City of Gloucester.   |
| Guildford          | 0      | 4         | 12           | Mayor and Burgesses of the Town of Guildford in the County of Surrey.  |
| Harwich            | 0      | 4         | 12           | Mayor and Burgesses of the Borough of Harwich.   |
| Haverfordwest      | 0      | 4         | 12           | Mayor, Sheriffs, Bailiffs, and Burgesses of the County of the Town of Haverfordwest, or of the Town and County of the Town of Haverfordwest. |
| Hereford           | 5      | 6         | 18           | Mayor, Aldermen, and Citizens of the City of Hereford.   |
| Hertford           | 0      | 4         | 12           | Mayor, Aldermen, and Commonalty of the Borough of Hertford.  |
| Ipswich            | 5      | 10        | 30           | Bailiffs, Burgesses, and Commonalty of the Town or Borough of Ipswich.   |
| Kendal             | 5      | 6         | 18           | Mayor, Aldermen, and Burgesses of the Borough of Kirby-in-Kendal in the County of Westmorland.   |

| Borough.                 | Ward. | Aldeermen. | Constables. | Style of Corporate Body.  |
|--------------------------|-------|------------|-------------|---|
| Kidderminster            | 3     | 6          | 18          | High Bailiff and Commonalty of the Borough of Kidderminster in the County of Worcester.                           |
| Kington-upon-Hull.       | 7     | 14         | 42          | Mayor and Burgesses of the Town or Borough of Kington-upon-Hull.  |
| King's Lynn              | 5     | 6          | 18          | Mayor and Burgesses of the Borough of Lynn Regis.   |
| Leeds                    | 12    | 16         | 48          | Mayor, Aldermen, and Burgesses of the Borough of Leeds in the County of York.                                     |
| Leicester                | 7     | 14         | 42          | Mayor, Bailiff, and Burgesses of the Borough of Leicester.  |
| Leominster               | 0     | 4          | 12          | Bailiff, and Burgesses of the Borough of Leominster.  |
| Lichfield                | 2     | 6          | 18          | Bailiff and Citizens of the City of Lichfield.  |
| Liverpool                | 10    | 25         | 48          | Mayor, Bailiffs, and Burgesses of the Borough of Liverpool.   |
| Macclesfield             | 6     | 12         | 36          | Mayor, Aldermen, and Burgesses of the Borough of Macclesfield.  |
| Mossesath                | 0     | 4          | 12          | Mayor, Bailiff, and Commonalty of the Town and Borough of Mossesath.  |
| Neath                    | 0     | 4          | 12          | Persecute, Aldermen, and Burgesses of the Borough of Neath.   |
| Newark                   | 5     | 6          | 18          | Mayor and Aldermen of the Borough of Newark in the County of Nottingham.  |
| Newcastle-under-Lyne.    | 2     | 6          | 18          | Mayor, Bailiffs, and Burgesses of Newcastle-under-Lyne in the County of Stafford.                                 |
| Newcastle-upon-Tyne.     | 7     | 14         | 42          | Mayor and Burgesses of the Town of Newcastle-upon-Tyne in the County of the Town of Newcastle-upon-Tyne.          |
| Newport, Monmouth.       | 2     | 6          | 18          | Mayor, Aldermen, and Burgesses of the Borough of Newport.   |
| Newport (Isle of Wight). | 2     | 6          | 18          | Mayor, Aldermen, and Chief Burgesses of the Borough of Newport in the Isle of Wight in the County of Southampton. |
| Northampton              | 5     | 6          | 18          | Mayor, Bailiff, and Burgesses of Northampton.   |
| Norwich                  | 8     | 16         | 48          | Mayor, Sheriffs, Citizens, and Commonalty of the City of Norwich.   |
| Nottingham               | 7     | 14         | 42          | Mayor and Burgesses of the Town of Nottingham.  |
| Oxford                   | 5     | 10         | 80          | Mayor, Bailiffs, and Commonalty of the City of Oxford in the County of Oxford.                                    |
| Pembroke                 | 2     | 6          | 18          | Mayor, Bailiffs, and Burgesses of the Town and Borough of Pembroke.   |
| Peole                    | 2     | 6          | 18          | Mayor, Bailiffs, Burgesses, and Commonalty of the Town of Peole.  |
| Portsmouth               | 7     | 14         | 42          | Mayor, Aldermen, and Burgesses of the Borough of Portsmouth in the County of Southampton.                         |
| Preston                  | 6     | 12         | 36          | Mayor, Bailiff, and Burgesses of the Borough of Preston in the County Palatine of Lancaster.                      |
| Reading                  | 3     | 6          | 18          | Mayor, Aldermen, and Burgesses of the Borough of Reading in the County of Berks.                                  |
| Ripon                    | 0     | 4          | 12          | Mayor, Burgesses, and Commonalty of the Borough of Ripon in the County of York.                                   |
| Rochester                | 5     | 6          | 18          | Mayor and Citizens of the City of Rochester in the County of Kent.  |
| St. Albans               | 0     | 4          | 12          | Mayor and Aldermen and Burgesses of the Borough of Saint Albans in the County of Hertford.                        |
| Strum, New               | 5     | 6          | 18          | Mayor and Commonalty of the City of New Strum in the County of Wilts.   |
| Scarborough              | 2     | 6          | 18          | Bailiffs and Burgesses of the Town of Scarborough.  |
| Shrewsbury               | 5     | 10         | 50          | Mayor, Aldermen, and Burgesses of the Town of Shrewsbury in the County of Salop.                                  |
| Southampton              | 5     | 10         | 50          | Mayor, Bailiffs, and Burgesses of the Town of Southampton.  |
| Stafford                 | 2     | 6          | 18          | Mayor, Aldermen, and Burgesses of the Borough of Stafford.  |
| Stamford                 | 2     | 6          | 18          | Mayor, Aldermen, and Capital Burgesses of the Town or Borough of Stamford in the County of Leicesters.            |
| Stockport                | 7     | 14         | 42          | Mayor, Aldermen, and Burgesses of the Borough of Stockport.   |
| Sudbury                  | 0     | 4          | 12          | Mayor, Aldermen, and Burgesses of the Borough of Sudbury.   |
| Sunderland               | 7     | 14         | 42          | Mayor, Aldermen, and Commonalty of the Borough of Sunderland.   |
| Swansea                  | 5     | 6          | 18          | Persecute, Aldermen, and Burgesses of the Borough of Swansea.   |
| Tiverton                 | 5     | 6          | 18          | Mayor and Burgesses of the Town and Parish of Tiverton in the County of Devon.                                    |
| Truro                    | 2     | 6          | 18          | Mayor, Aldermen, and Capital Burgesses of the Borough of Truro.   |
| Warwick                  | 2     | 6          | 18          | Mayor, Aldermen, and Burgesses of the Borough of Warwick.   |

| Borough                      | Ward. | Aldermen. | Councillors. | Style of Corporate Body.   |
|------------------------------|-------|-----------|--------------|--|
| Wells                        | 0     | 4         | 12           | Mayor, Masters, and Burgesses of the City or Borough of Wells in the County of Somerset.   |
| Weymouth and Melcombe Regis. | 2     | 6         | 18           | Mayor, Aldermen, Bailiffs, Burgesses, and Commonalty of the Borough and Town of Weymouth and Melcombe Regis in the County of Dorset. |
| Wigan                        | 5     | 10        | 30           | Mayor, Aldermen, and Burgesses of the Borough of Wigan.  |
| Winchester                   | 3     | 6         | 18           | Mayor, Bailiffs, and Commonalty of the City of Winchester.   |
| Windsor                      | 2     | 6         | 18           | Mayor, Bailiffs, and Burgesses of the Borough of New Windsor in the County of Berks.   |
| Worcester                    | 6     | 12        | 36           | Mayor, Aldermen, and Citizens of the City of Worcester.  |
| Yarmouth, Great              | 6     | 12        | 36           | Mayor, Aldermen, Burgesses, and Commonalty of the Borough of Great Yarmouth in the County of Norfolk.                                |

## SECTION 2.—MUNICIPAL BOUNDARIES to be taken until altered by Parliament.

|                      |   |    |    |  |
|----------------------|---|----|----|--|
| Andover              | 0 | 4  | 12 | Bailiff, approved Men, and Burgesses of the Borough of Andover.  |
| Banbury              | 0 | 4  | 12 | Mayor, Alderman, and Burgesses of the Borough of Banbury in the County of Oxford.                          |
| Beverley             | 2 | 6  | 18 | Mayor, Aldermen, and Burgesses of the Borough of Beverley in the County of York.                           |
| Bewley               | 0 | 4  | 12 | Bailiffs, Burgesses, and Inhabitants of the Town and Borough of Bewley.                                    |
| Bideford             | 0 | 4  | 12 | Mayor, Aldermen, and Capital Burgesses of the Borough, Town, and Manor of Bideford in the County of Devon. |
| Boston               | 3 | 6  | 18 | Mayor, Aldermen, and Burgesses of the Borough of Boston.   |
| Brecon               | 0 | 4  | 12 | Bailiff, Aldermen, and Burgesses of the Borough of Brecon.   |
| Bridgwater           | 0 | 4  | 12 | Bailiffs, Aldermen, and Burgesses of the Borough of Bridgwater.  |
| Chilsteroc           | 0 | 4  | 12 | Bailiff and Burgesses of the Borough of Chilsteroc in the County of Lancaster.                             |
| Chesterfield         | 0 | 4  | 12 | Mayor, Aldermen, and Burgesses of the Borough of Chesterfield.   |
| Congleton            | 3 | 6  | 18 | Mayor, Aldermen, and Burgesses of the Borough of Congleton in the County of Chesh.                         |
| Coventry             | 6 | 12 | 36 | Mayor, Bailiffs, and Commonalty of the City of Coventry.   |
| Deal                 | 2 | 6  | 18 | Mayor, Jurats, and Commonalty of the Town of Deal in the County of Kent.                                   |
| Doncaster            | 3 | 6  | 18 | Mayor, Aldermen, and Burgesses of the Borough of Doncaster in the County of York.                          |
| Exeter               | 6 | 12 | 36 | Mayor, Bailiffs, and Commonalty of the City of Exeter.   |
| Falmouth             | 0 | 4  | 12 | Mayor, Aldermen, and Burgesses of the Town of Falmouth in the County of Cornwall.                          |
| Grantham             | 0 | 4  | 12 | Aldermen and Burgesses of the Town or Borough of Grantham.   |
| Grinstead            | 2 | 6  | 18 | Mayor, Jurats, and Inhabitants of the Villages and Parishes of Grinstead and Melton in the County of Kent. |
| Grimsby              | 0 | 4  | 12 | Mayor and Burgesses of the Town of Grimsby in the County of Lincoln.                                       |
| Hastings             | 3 | 6  | 18 | Mayors, Jurats, and Commonalty of the Town and Port of Hastings in the County of Sussex.                   |
| Kingston-upon-Thames | 3 | 6  | 18 | Bailiffs and Freeman of the Borough of Kingston-upon-Thames.   |
| Lancaster            | 3 | 6  | 18 | Mayor, Bailiffs, and Commonalty of the Town of Lancaster in the County Palatine of Lancaster.              |
| Lincoln              | 3 | 6  | 18 | Mayor, Sheriff, Citizens, and Commonalty of the City of Lincoln.   |
| Liskeard             | 0 | 4  | 12 | Mayor and Burgesses of the Borough of Liskeard otherwise Liskeard in the County of Cornwall.               |
| Louth                | 2 | 6  | 18 | Warden and Six Assistants of the Town of Louth and Free School of King Edward the Sixth in Louth.          |
| Ludlow               | 0 | 4  | 12 | Bailiffs, Burgesses, and Commonalty of the Town and Borough of Ludlow.                                     |
| Maidstone            | 3 | 6  | 18 | Mayor, Jurats, and Commonalty of the King's Town and Parish of Maidstone in the County of Kent.            |
| Malden               | 0 | 4  | 12 | Mayor, Aldermen, and Capital Burgesses and Commonalty of Malden  |



| Borough.       | Wards. | Aldermen. | Councillors. | Style of Corporate Body.   |
|----------------|--------|-----------|--------------|--|
| Newbury        | 0      | 4         | 12           | Mayor, Aldermen, and Burgesses of the Borough of Newbury.                                    |
| Oswestry       | 12     | 6         | 18           | Mayor, Aldermen, Common Councilmen, and Burgesses of Oswestry.                               |
| Penzance       | 2      | 6         | 18           | Mayor, Aldermen, and Commonalty of the Town of Penzance in the County of Cornwall.           |
| Plymouth       | 6      | 12        | 36           | Mayor and Commonalty of the Borough of Plymouth.   |
| Portsmouth     | 0      | 4         | 12           | Mayor, Aldermen, and Burgesses of the Borough or Town of Portsmouth.                         |
| Richmond       | 0      | 4         | 12           | Mayor and Aldermen of the Borough of Richmond in the County of York.                         |
| Romsey         | 0      | 4         | 12           | Mayor, Aldermen, and Burgesses of the Town of Romsey infra the County of Southampton.        |
| St. Ives       | 0      | 4         | 12           | Mayor and Burgesses of the Borough of St. Ives.  |
| Saffron Walden | 0      | 4         | 12           | Mayor and Aldermen of the Town of Saffron Walden in the County of Essex.                     |
| Stockton       | 2      | 6         | 18           | Mayor, Aldermen, Burgesses, and Commonalty of the Borough of Stockton.                       |
| Tewkesbury     | 0      | 4         | 12           | Bailiff, Burgesses, and Commonalty of the Borough of Tewkesbury in the County of Gloucester. |
| Walsall        | 3      | 6         | 18           | Mayor and Commonalty of the Borough and Foreign of Walsall in the County of Stafford.        |
| Welchpool      | 0      | 4         | 12           | Bailiffs and Burgesses of the Borough of Poole in the County of Montgomery.                  |
| Weslock        | 3      | 6         | 18           | Burgesses of the Borough of Westlock.  |
| Witch          | 2      | 6         | 18           | Burgesses of the Borough of Witch.   |
| York           | 6      | 12        | 24           | Mayor and Commonalty of the City of York.  |

## SCHEDULE (B.)

## ENGLAND AND WALES.

BOROUGHs which are not to have a COMMISSION of the PEACE, unless on Petition and Grant.

## SECTION 1.—PARLIAMENTARY BOUNDARIES to be taken until altered by Parliament.

| Borough.   | Wards. | Aldermen. | Councillors. | Style of Corporate Body.  |
|------------|--------|-----------|--------------|---|
| Arundel    | 0      | 4         | 12           | Mayor and Burgesses of the Borough of Arundel.                            |
| Bosworth   | 0      | 4         | 12           | Mayor, Bailiff, and Burgesses of the Borough of Bosworth.                 |
| Cardigan   | 0      | 4         | 12           | Mayor, Common Council, and Burgesses of the Town and Borough of Cardigan. |
| Llanidloes | 0      | 4         | 12           | Mayor and Burgesses of the Borough of Llanidloes.                         |
| Pwllheli   | 0      | 4         | 12           | Mayor, Bailiff, and Burgesses of the Borough of Pwllheli.                 |
| Rushin     | 0      | 4         | 12           | Aldermen and Burgesses of the Borough of Rushin.                          |
| Tenby      | 0      | 4         | 12           | Mayor, Bailiff, and Burgesses of the Borough of Tenby.                    |
| Treford    | 0      | 4         | 12           | Mayor and Burgesses of the Borough of Treford.                            |
| Tatnes     | 0      | 4         | 12           | Mayor and Burgesses of the Borough of Tatnes in the County of Devon.      |

## SECTION 2.—MUNICIPAL BOUNDARIES to be taken until altered by Parliament.

|                 |   |   |    |   |
|-----------------|---|---|----|---|
| Basingstoke     | 0 | 4 | 12 | Mayor, Aldermen, and Burgesses of the Town of Basingstoke in the County of Southampton. |
| Beccles         | 0 | 4 | 12 | Portreeve, Surveyors, and Commonalty of the Fen of Beccles in the County of Suffolk.    |
| Blandford Forum | 0 | 4 | 12 | Bailiff and Burgesses of the Borough of Blandford Forum in the County of Dorset.        |

| Borough.           | Wards. | Aldermen. | Councillors. | Style of Corporate Body.  |   |
|--------------------|--------|-----------|--------------|---|---|
| Bodmin             | -      | 0         | 4            | 12  | Mayor and Burgesses of the Borough of Bodmin in the County of Cornwall.   |
| Buckingham         | -      | 0         | 4            | 12  | Bailiff and Burgesses of the Borough and Parish of Buckingham in the County of Buckingham.                          |
| Calce              | -      | 0         | 4            | 12  | Guild Stewards and Burgesses in the Borough of Calce.   |
| Chard              | -      | 0         | 4            | 12  | Portreeve and Burgesses of the Borough of Chard in the County of Somerset.  |
| Chippenham         | -      | 0         | 4            | 12  | Bailiffs and Burgesses of the Borough of Chippenham in the County of Wilts.   |
| Chipping Norton    | 0      | 4         | 12           | Bailiffs and Burgesses of the Borough of Chipping Norton in the County of Oxford. |   |
| Darebury           | -      | 0         | 4            | 12  | Bailiffs, Burgesses, and Commonalty of the Borough of Darebury in the County of Northampton.                        |
| Droitwich          | -      | 0         | 4            | 12  | Bailiffs and Burgesses of the Borough of Wych otherwise Droitwich in the County of Worcester.                       |
| Eye                | -      | 0         | 4            | 12  | Bailiff, Burgesses, and Commonalty of the Town and Barsh of Eye.  |
| Faversham          | -      | 0         | 4            | 12  | Mayor, Jurats, and Commonalty of the Town of Faversham.   |
| Folkestone         | -      | 0         | 4            | 12  | Mayor, Jurats, and Commonalty of the Town of Folkestone.  |
| Flint              | -      | 0         | 4            | 12  | Mayor, Bailiffs, and Burgesses of the Borough of Flint.   |
| Glastonbury        | -      | 0         | 4            | 12  | Mayor and Burgesses of the Town of Glastonbury in the County of Somerset.   |
| Godalming          | -      | 0         | 4            | 12  | Warden and Inhabitants of the Town of Godalming.  |
| Godmanchester      | -      | 0         | 4            | 12  | Bailiffs, Assistants, and Commonalty of the Borough of Cirencester alias Godmanchester.                             |
| Helston            | -      | 0         | 4            | 12  | Mayor and Commonalty of the Borough of Helston.   |
| Huntingdon         | -      | 0         | 4            | 12  | Mayor, Aldermen, and Burgesses of the Borough of Huntingdon.  |
| Hythe              | -      | 0         | 4            | 12  | Mayor, Jurats, and Commonalty of the Town and Port of Hythe in the County of Kent.                                  |
| Launceston         | -      | 0         | 4            | 12  | Mayor and Commonalty of the Borough of Dissolved otherwise Launceston.  |
| Llanvory           | -      | 0         | 4            | 12  | Bailiff and Burgesses of the Borough of Llanvory.   |
| Lynce Regis        | -      | 0         | 4            | 12  | Mayor and Burgesses of the Borough of Lynce in the County of Dorset.  |
| Lynnington         | -      | 0         | 4            | 12  | Mayor and Burgesses of the Borough of Lynnington.   |
| Maydenhead         | -      | 0         | 4            | 12  | Mayor, Burgesses, and Burgesses of the Town of Maydenhead.  |
| Merborough         | -      | 0         | 4            | 12  | Mayor and Burgesses of the Borough and Town of Merborough in the County of Wilts.                                   |
| Morpeth            | -      | 0         | 4            | 12  | Bailiffs and Burgesses of the Borough of Morpeth in the County of Northumberland.                                   |
| Pereyn             | -      | 0         | 4            | 12  | Mayor and Burgesses of Pereyn in the County of Cornwall.  |
| Reford, East       | -      | 0         | 4            | 12  | Bailiffs and Burgesses of East Reford in the County of Nottingham.  |
| Rye                | -      | 0         | 4            | 12  | Mayor, Jurats, and Commonalty of the ancient Town of Rye.   |
| Sandwich           | -      | 0         | 4            | 12  | Mayor, Jurats, and Commonalty of the Town and Port of Sandwich in the County of Kent.                               |
| Shaftesbury        | -      | 0         | 4            | 12  | Mayor and Burgesses of the Borough of Shaftesbury otherwise Shaftesbury in the County of Dorset.                    |
| South Wold         | -      | 0         | 4            | 12  | Bailiffs, Aldermen, and Burgesses of the Borough of South Wold.   |
| South Molton       | -      | 0         | 4            | 12  | Mayor and Burgesses of the Borough and Parish of South Molton in the County of Devon.                               |
| Stratford-on-Avon  | 0      | 4         | 12           | Mayor, Aldermen, and Burgesses of the Borough of Stratford-upon-Avon.             |   |
| Taxworth           | -      | 0         | 4            | 12  | Bailiffs and Commonalty of the Borough of Taxworth.   |
| Tenbury            | -      | 0         | 4            | 12  | Mayor, Jurats, and Commonalty of the Town and Hundred of Tenbury in the County of Kent.                             |
| Torrington         | -      | 0         | 4            | 12  | Mayor, Aldermen, and Burgesses of the Borough and Town of Great Torrington in the County of Devon.                  |
| Wallingford        | -      | 0         | 4            | 12  | Mayor, Burgesses, and Commonalty of the Borough of Wallingford.   |
| Wycombe, Chipping. | -      | 0         | 4            | 12  | Mayor, Bailiffs, and Burgesses of the Borough of Chipping Wycombe (otherwise Wicombur) in the County of Buckingham. |

## SCHEDULE (C.)

|                      |                  |
|----------------------|------------------|
| Berwick-upon-Tweed.  | Northumberland.  |
| Bristol.             | Gloucestershire. |
| Chester.             | Cheshire.        |
| Exeter.              | Devonshire.      |
| Kington-upon-Hull.   | Yorkshire.       |
| Newcastle-upon-Tyne. | Northumberland.  |

## SCHEDULE (D.)

No. 1.

THE LIST OF BURGESSES of the Borough of \_\_\_\_\_ in the Parish [or Township] of \_\_\_\_\_

| Christian Name and Surname of each Person as full Length. | Nature of the Property rated. | Street, Lane, or other Place in this Parish [or Township] where the Property is situated in which he is now rated. |
|---|-------------------------------|--|
| Ashton, John  | Shop                          | No. 25, Church Street.   |
| Bates, Thomas   | House                         | Brook's Farm.  |

(Signed) A. B. Overseers of the said Parish  
C. D. [or Township].

No. 2.

## NOTICE OF CLAIM.

To the Town Clerk of the Borough of \_\_\_\_\_

I HEREBY give you Notice, That I claim to have my Name inserted in the Burgess List of the Borough of \_\_\_\_\_ that I occupy [here describe the House, Warehouse, Counting-house, or Shop then occupied by the Claimant] in the Borough, and that I have been rated in the Parish of [here state the Parish or several Parishes, and the Time during which the Claimant has been rated in each of them within the Borough, necessary for his Qualification.]

Dated the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year \_\_\_\_\_  
(Signed) John Allen of [Place of Abode].

No. 3.

## NOTICE OF OBJECTION.

To the Town Clerk of the Borough of \_\_\_\_\_ [or to the Person objected to, as the Case may be].

I HEREBY give you Notice, That I object to the Name of Thomas Bates of Brook's Farm in the Parish of \_\_\_\_\_ [describe the Person objected to as described in the Burgess List] being retained on the Burgess List of the Borough of \_\_\_\_\_

Dated the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year \_\_\_\_\_  
(Signed) John Ashton of [here state the Place of Abode and Property for which he is and to be rated in the Burgess List].

No. 4.

## LIST OF CLAIMANTS.

The following Persons claim to have their Names inserted on the Burgess List of the Borough of \_\_\_\_\_

| Christian Name and Surname of each Claimant. | Nature of the Property for which he is now rated. | Situation of the Property for which he is now rated. | Parish [or Parishes] in which he has been rated, as stated in the Claim.   |
|--|---|--|--|
| Allen, John                                  | House   | No. 17, High Street.                                 | Rated in the last Year in Saint Mary's Parish in the Borough, and in the Two preceding Years in Saint James's Parish in the Borough. |

(Signed) A. B. Town Clerk.

No. 5.

## LIST OF PERSONS OBJECTED TO.

The following Persons have been objected to as not being entitled to have their Names retained on the Burgess List of the Borough of

| Christian Name and Surname of such Person objected to. | Nature of the Property for which he is now rated. | Situation of the Property for which he is said to be now rated in the Overseer's List. | T parish in which the Property for which he is now said to be rated is in the Overseer's List. |
|--|---|--|--|
| Bates, Thomas  | House   | Brook's Farm   | Saint James'   |

(Signed) A.R. Town Clerk.

## SCHEDULE (E.)

## ABERDEEN:

An Act for better paving, lighting, watching, and otherwise improving the Town of Aberdeen in the County of Berks, for removing Nuisances, Annoyances, and Encroachments therein, and for preventing the same in future. [5 Geo. 4. c. 189.]

## ARUNDEL:

An Act for the better paving, cleansing, and lighting the Streets, Lanes, Ways, and Passages within the Borough of Arundel in the County of Sussex, and for removing and preventing Encroachments, Obstructions, and Annoyances therein. [25 Geo. 3. c. 50.]

## BARBURY:

An Act for paving, cleansing, lighting, watching, and otherwise improving the several Streets, Lanes, public Passages and Places in the Borough of Barbury in the County of Oxford. [5 Geo. 4. c. 150.]

## BARNSTAPLE:

An Act for paving, improving, and regulating the Streets and public Places in the Borough and Parish of Barnstaple, and for better Regulation of the present Markets, and providing orders therein. [31 Geo. 3. c. 124.]

## BASINGSTOCK:

An Act for paving the Footways and Crosspaths, and lighting, watching, cleansing, widening, and otherwise improving the Streets, Lanes, and other public Passages and Places in the Town of Basingstock in the County of Southampton. [25 Geo. 3. c. 7.]

## BATH:

An Act for paving, cleansing, lighting, watching, and regulating the Streets, Squares, Lanes, Ways, Passages, and public Places within such Part of the Parish of Walcot in the County of Somerset as is not within the Circuit, Precinct, and Jurisdiction of the City of Bath in the same County; and for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions, and for establishing a proper and effective Police therein; and for licensing and regulating Hackney Coaches, Chans, Porters, Basket Men, and Basket Women within the said City of Bath, and a certain Distance thereof. [33 Geo. 3. c. 89.]

An Act for paving, cleansing, watering, lighting, watching, and regulating the Streets, Squares, Lanes, Ways, Passages, and public Places within the Parish of Bathwick in the County of Somerset, and for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions, and for establishing a proper and effective Police therein. [41 Geo. 3. c. 125.]

An Act for better paving, cleansing, lighting, watching, regulating, and improving the City of Bath, and the Liberties and Precinct thereof. [34 Geo. 3. c. 103.]

An Act to amend an Act of His late Majesty, for paving, cleansing, lighting, watching, and regulating the Streets and public Places within such Part of the Parish of Walcot in the County of Somerset as is set within the City of Bath. [5 Geo. 4. c. 74.]

## BECCLES:

An Act for paving, lighting, cleansing, and otherwise improving the Streets and other public Passages and Places within the Town of Beccles in the County of Suffolk. [36 Geo. 3. c. 81.]

## BEDFORD:

An Act for the Improvement of the Town of Bedford in the County of Bedford, and for rebuilding the Bridge over the River Ouse in the said Town. [15 Geo. 3. c. 158.]

An Act for amending and enlarging the Powers of an Act of His present Majesty, intitled "An Act for the Improvement of the Town of Bedford in the County of Bedford, and for rebuilding the Bridge over the River Ouse in the said Town." [50 Geo. 3. c. 82.]

**BREMICK UPON TWEED:**

An Act for lighting the Streets and Lanes of the Borough of Berwick-upon-Tweed, and the Quays and Wharfs belonging to the said Borough, and that Part of the Bridge over the River Tweed which lies within the Liberties of the said Borough, and also the Street of Castlegate within the said Borough or the Liberties thereof; and for paving the Footpaths of the Streets of the said Borough and of Castlegate aforesaid; and for preventing Obstructions, Nuisances, and Annoyances therein. [40 Geo. 3. c. 25.]

**BEVERLEY:**

An Act for lighting, watching, and regulating the Streets and Lanes and other public Passages and Places in the Town of Beverley in the County of York. [48 Geo. 3. c. 87.]

An Act to extend and enlarge the Powers of an Act passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, for lighting, watching, and regulating the Streets, Lanes, and other public Passages and Places within the Town of Beverley in the County of York. [5 Geo. 4. c. 156.]

**BOSTON:**

An Act for lighting and watching the Streets, Lanes, and other public Passages and Places within the Borough of Boston in the County of Lincoln, and for removing and preventing Nuisances, Annoyances, and Obstructions therein. [16 Geo. 3. c. 25.]

An Act for the better paving, cleansing, and otherwise improving the Borough of Boston in the County of Lincoln. [22 Geo. 3. c. 80.]

An Act for amending and rendering more effectual an Act passed in the Thirty-second Year of His present Majesty, for better paving, cleansing, and otherwise improving the Borough of Boston in the County of Lincoln. [40 Geo. 3. c. 40.]

An Act for amending and rendering more effectual an Act passed in the Sixteenth Year of His present Majesty, for lighting and watching the Streets, Lanes, and other public Passages and Places within the Borough of Boston in the County of Lincoln, and for removing and preventing Nuisances therein. [40 Geo. 3. c. 41.]

**BRECKNOCK:**

An Act for supplying the Borough and Town of Brecknock, and Liberties thereof, with Water, and for paving, cleansing, regulating, and lighting the Streets, Lanes, and public Passages there, and for widening and making commodious some of the said Streets, Lanes, and Passages. [16 Geo. 3. c. 55.]

**BRIDGEWATER:**

An Act to enlarge the Market House and regulate the Markets within the Borough of Bridgewater in the County of Somerset; for paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the said Borough, or adjacent thereto; and for the Improvement thereof. [7 Geo. 4. c. 7.]

**BRIDPORT:**

An Act for taking down the Market House in the Borough of Bridport in the County of Dorset, and rebuilding the same, together with a Slaughter or Court House, in a more convenient Situation; for removing the Shambles or Butchers Row; for paving, cleansing, lighting, and watching the said Borough; for removing and preventing Nuisances and Annoyances; and for prohibiting the covering of any new Houses or Buildings within the Borough with Thatch. [25 Geo. 3.]

**BRISTOL:**

An Act for the better preserving the Navigation of the Rivers Avon and Frome, and for cleansing, paving, and lighting the Streets of the City of Bristol. [13 Will. 3. c. 20.]

An Act for making more effectual an Act passed in the Eleventh and Twelfth Years of the Reign of King William the Third, for the better preserving the Navigation of the Rivers Avon and Frome, and for cleansing, paving, and enlightening the Streets of the City of Bristol, so far as the same Act relates to the paving and enlightening of the said Streets; and for the regulating Hackney Coachmen, Hatters, Draymen, and Cartmen, and the Markets and Sellers of Hay and Straw, within the said City and Liberties thereof. [22 Geo. 2.]

An Act for establishing, maintaining, and well-governing a Nightly Watch within the City of Bristol. [20 Geo. 2. c. 35.]

An Act to explain and render more effectual an Act made in the last Session of Parliament, intitled "An Act for establishing, maintaining, and well-governing a Nightly Watch within the City of Bristol." [29 Geo. 2. c. 47.]

An Act for widening several Streets, Lanes, Ways, and Passages within the City of Bristol, and for opening several new Streets and Passages within the same; and for explaining, amending, and enlarging the Powers of the several Acts passed for paving, cleansing, lighting, watching, and regulating the Streets and other Places within the said City and Liberties thereof. [6 Geo. 3. c. 56.]

An Act for removing and preventing Encroachments, Obstructions, Annoyances, and other Nuisances within the City of Bristol and the Liberties thereof; and for licensing and better regulating Hackney Coaches, Chairs, Waggons, Carts, and other Carriages, and the Omniers, Drivers, and Carriers thereof respectively, and Porters and other Persons, within and for certain Distances

**Bristol**—continued.

round the said City and Liberties; and for better regulating the Shipping and Trade, and the Rivers, Wharfs, Beckes, and Quays, and the Markets, within the same City and Liberties; and for other Purposes. [28 Geo. 3. c. 65.]

An Act for amending, altering, and enlarging the Powers of several Acts passed for paving, pitching, cleansing, and lighting the Streets and other Places within the City of Bristol and Liberties thereof. [40 Geo. 3. c. 26.]

An Act for the Employment, Maintenance, and Regulation of the Poor of the City of Bristol, and for altering the Mode of assessing the Rates for the Relief of the Poor, and certain Rates authorized to be raised and levied within the said City by certain Acts for improving the Harbour there, and for paving, pitching, cleansing, and lighting the same City; and for the Relief of the Churchwardens and Overseers from the collecting of such Rates; and for amending the Act for paving, pitching, cleansing, and lighting the said City. [5 Geo. 4. c. 26.]

An Act for repairing, lighting, and watching the District of the United Parishes of Saint James and Saint Paul in the County of Gloucester, and for the Care of the Poor thereof. [2 Geo. 4. c. 80.]

An Act for lighting and watching the Parish of Clifton in the County of Gloucester. [3 Geo. 4. c. 70.]

**Bury SAINT EDMUND'S:**

An Act for better paving, lighting, cleansing, watching, and otherwise improving the Town of Bury Saint Edmund's in the County of Suffolk. [31 Geo. 3. c. 9.]

An Act to amend, extend, and render more effectual an Act of His late Majesty, for paving, lighting, cleansing, watching, and otherwise improving the Town of Bury Saint Edmund's in the County of Suffolk. [1 Geo. 4.]

**CAMBRIDGE:**

An Act for better paving, cleansing, and lighting the Town of Cambridge, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages within the said Town. [28 Geo. 3. c. 69.]

An Act to amend and enlarge the Powers of an Act passed in the Twenty-eighth Year of the Reign of His present Majesty, intitled "An Act for the better paving, cleansing, and lighting the Town of Cambridge, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages within the said Town." [54 Geo. 3. c. 104.]

**CANTERBURY:**

An Act for paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Walls of the City of Canterbury and the Liberties thereof, and also several Streets and other Places near or adjoining to the said City; and for removing and preventing Inconveniences, Obstructions, Nuisances, and Annoyances therein. [27 Geo. 3. c. 31.]

**CARLISLE:**

An Act for better paving, cleansing, and lighting the Streets, Lanes, and public Passages in the Town of Carlisle and Liberties thereof, in the County of Gloucester, and for removing and preventing Nuisances and Annoyances therein. [Geo. 3. c. 7.]

**CARLISLE:**

An Act for lighting the Streets, Lanes, and other public Passages and Places within the City of Carlisle in the County of Cumberland, and the Suburbs of the said City; for paving the Foot-paths of the Streets of the said City and Suburbs; and for otherwise improving the said City. [44 Geo. 3. c. 58.]

An Act for watching, regulating, and improving the City of Carlisle and the Suburbs thereof. [7 & 8 Geo. 4. c. 86.]

**CHESTER:**

An Act for better regulating the Poor, maintaining a Nightly Watch, Fighting, paving, and cleansing the Streets, Rows, and Passages, providing Fire Engines and Firemen, and regulating the Hackney Coachmen, Chairmen, Carmen, and Porters, within the City of Chester. [2 Geo. 5.]

An Act to amend, alter, and enlarge the Powers of an Act passed in the Second Year of the Reign of His present Majesty, so far as the same relates to maintaining a Nightly Watch, and lighting and cleansing the Streets, Rows, and Passages, within the City of Chester, and for providing Nightmen and Annoyances in the Streets, Rows, and Passages within the said City, and for regulating and improving the Police thereof. [43 Geo. 3. c. 47.]

**CHICHESTER:**

An Act for repealing an Act made in the Eighteenth Year of the Reign of Queen Elizabeth, intitled "An Act for paving of the City of Chichester;" and for the better paving, repairing, and cleansing the Streets, Lanes, and public Ways and Passages within the Walls of the said City, and for removing and preventing Inconveniences, Obstructions, and Annoyances therein. [23 Geo. 3. c. 65.]

An Act for better lighting and for watching the City of Chichester and Places adjacent. [1 & 2 Geo. 4. c. 68.]

**CHEPPING WYCOMBE:**

An Act for paving, widening, cleansing, watching, lighting, and regulating the Streets and other public Places within the Borough of Chepping Wycombe in the County of Bucks, and for removing and preventing Nuisances and Obstructions therein. [53 Geo. 3. c. 168.]

**CHIPPENHAM:**

An Act for lighting, watching, cleansing, paving, and otherwise improving the Town of Chippenhams in the County of Wils. [4 Will. 4. c. 47.]

**COVENTRY:**

An Act for the better paving, cleansing, lighting, and watching the City of Coventry and the Suburbs thereof, and removing and preventing Nuisances and Annoyances therein; and for regulating the public Wells and Pumps within the said City and Suburbs. [80 Geo. 3. c. 77.]

**DARTMOUTH:**

An Act for building a Market House in the Borough of Clifton Dartmouth Hardness in the County of Devon, and for better paving, lighting, widening, and improving the Streets and other public Places within the said Borough. [35 Geo. 3. c. 25.]

**DEVON:**

An Act for paving, cleansing, lighting, and watching the Town of Devon in the County of Northampton, and for regulating the Market there, and for enabling the Bailif, Burgesses, and Commonalty of the Borough of Devon to purchase the Moot-Hall, and to rebuild the same. [46 Geo. 3. c. 118.]

**DEAL:**

An Act for more effectually paving, cleansing, lighting, and watching the Highways, Streets, and Lanes within the Town and Borough of Deal in the County of Kent, and for removing and preventing Encroachments, Nuisances, and Annoyances therein. [58 Geo. 3. c. 78.]

**DERBY:**

An Act for paving, cleansing, lighting, and otherwise improving the Streets, Lanes, and other public Passages and Places within the Borough of Derby, and for selling a certain Piece of Waste Ground situate within the said Borough, called New's Green, towards defraying the Expence of the said Improvements. [52 Geo. 3. c. 78.]

An Act for better paving and otherwise improving the Borough of Derby. [6 Geo. 4. c. 122.]

**DEVIZES:**

An Act for amending, regulating, cleansing, lighting, watching, and keeping in repair the Streets, Lanes, and Passages within the Borough of The Devizes in the County of Wils, and for preventing Nuisances, Annoyances, and Obstructions therein. [21 Geo. 3. c. 35.]

An Act for paving, lighting, cleansing, watching, and improving the Borough of Devizes in the County of Wils, and for removing and preventing Nuisances and Annoyances therein. [6 Geo. 4. c. 102.]

**DORCHESTER:**

An Act for repealing so much of an Act passed in the Fourth Year of the Reign of His present Majesty as relates to the lighting the Streets and Places within the Borough and Suburbs of Doochester in the County of York; and for more effectually lighting, watching, and otherwise improving the said Borough, and for preventing Nuisances therein. [45 Geo. 3. c. 147.]

**DORCHESTER:**

An Act for better cleansing, lighting, and watching the Streets, Lanes, and other public Passages within the Borough of Dorchester in the County of Dorset, and in the Tidying of Colliers-row in the Town of Dorchester aforesaid; for paving the Footways and repairing certain Herseways of such Parts thereof as are not Trespice; and for paving the Footways and repairing the Herseways of such Parts thereof as are not Trespice; for removing Nuisances, Annoyances, and Obstructions therein; and for preventing Houses or Buildings hereafter to be erected in the said Borough and Tidying from being thanked. [16 Geo. 3. c. 97.]

An Act for better paving, cleansing, lighting, watching, watering, and otherwise improving the Streets and other public Passages and Places within the Borough of Dorchester in the County of Dorset, and the Tidying of Colliers-row in the Town of Dorchester aforesaid. [4 Will. 4. 22 May.]

**DOVER:**

An Act for better paving, cleansing, lighting, and watching the Streets and Lanes in the Town of Dover in the County of Kent, and in the several Parishes of Saint Mary the Virgin and Saint James the Apostle in the said Town and County, and for removing and preventing Nuisances and Annoyances therein. [18 Geo. 3. c. 78.]

An Act to amend an Act made in the Eighteenth Year of His present Majesty, for paving, cleansing, lighting, and watching the Town of Dover, and for removing and preventing Nuisances and Annoyances therein. [20 Geo. 3. c. 26.]

An Act to amend Two Acts of His late Majesty, for paving, cleansing, lighting, and watching the Town of Dover, and for removing and preventing Nuisances and Annoyances therein. [11 Geo. 4. c. 117.]

**DURHAM:**

An Act for paving, cleansing, lighting, watching, and regulating the Streets, Lanes, Ways, and public Passages and Places within the City of Durham and Borough of Fronsbergate, and the Suburbs thereof, and the Streets thereto adjoining; for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions therein; for widening and resewing more commodious sewers of the said Streets, Lanes, Ways, and public Passages and Places, and for regulating and improving the Markets, within the said City and Suburbs. [30 Geo. 3. c. 67.]

**EVESHAM:**

An Act for paving, cleansing, lighting, watching, regulating, and improving the Borough of Evesham in the County of Worcester; for repairing, improving, and maintaining the Bridge over the River Avon within the said Borough; and for selling certain Waste Lands within the said Borough, and for appropriating the Moneys arising from such Sales towards the Purposes therein mentioned. [3 Geo. 4. c. 87.]

**EXETER:**

An Act for enlightening the Streets within the City of Exeter and Suburbs thereof. [1 Geo. 5.]

An Act for better repairing the Streets, Lanes, and Passages within the City of Exeter and County of the said City; and for amending an Act passed in the First Year of His present Majesty, intitled "An Act for enlightening the Streets within the City of Exeter and Suburbs thereof;" and for the better regulating of the Watch within the said City and County, and for otherwise improving the same. [46 Geo. 3. c. 28.]

An Act for better and more effectually paving, lighting, cleansing, watching, and otherwise improving the Streets, Ways, and other public Passages and Places in the City and County of the City of Exeter. [50 Geo. 3. c. 146.]

An Act for better paving, lighting, watching, cleansing, and otherwise improving the City of Exeter and County of the same City. [2 & 3 Will. 4. c. 106.]

**FAVERHAM:**

An Act for the better paving, repairing, cleansing, lighting, and watching the Highways, Streets, Lanes, and other public Passages and Places within the Town and Liberty of Faversham in the County of Kent, and also certain Places near or adjoining thereto; and for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein. [29 Geo. 3. c. 60.]

**FOLKESTONE:**

An Act for paving, repairing, and cleansing the Highways, Streets, and Lanes in the Town of Folkestone, and Liberty thereof, in the County of Kent, and for removing and preventing Nuisances and Annoyances therein. [36 Geo. 3. c. 48.]

**GATESHEAD:**

An Act for cleansing, lighting, and otherwise improving certain Streets and Places within and near the Town and Borough of Gateshead in the County of Durham. [54 Geo. 3. c. 109.]

**GLASTONBURY:**

An Act for paving and improving the Streets and other public Passages and Places in the Parishes of Saint John the Baptist and Saint Benedict in the Town of Glastonbury in the County of Somerset. [51 Geo. 3. c. 175.]

**GLOUCESTER:**

An Act for the more effectual Relief and Employment of the Poor within the City of Gloucester, and for lighting the Streets of the said City. [3 Geo. 3. c. -.]

An Act for rebuilding the Bridge over the River Severn at Malvern, near the City of Gloucester; for widening, widening, and securing Over's Causeway leading from the said City towards Malvern more improved; and for enforcing the proper paving and cleansing of the several Streets within the said City, and for removing Nuisances and Annoyances therefrom, and preventing the like in future. [17 Geo. 3. c. 68.]

An Act for erecting a new Gaol, and for removing certain Gateways, in the City of Gloucester, and for amending the several Acts passed for the Maintenance and Support of the Poor of the said City, and for lighting, paving, and regulating the Streets there. [31 Geo. 3. c. 75.]

An Act for establishing a proper Place for holding Markets and Fairs for the Sale of Live Stock in the City of Gloucester and the Suburbs thereof, and for opening convenient Arches therein, and for watching and otherwise improving the said City. [1 & 2 Geo. 4. c. 22.]

An Act to provide for lighting the Suburbs of the City of Gloucester with Gas. [4 Will. 4. c. 64.]

**GODALMING:**

An Act for paving, lighting, watching, and otherwise improving the Town of Godalming in the County of Surrey. [6 Geo. 4. c. 177.]

**GRAVESEND:**

An Act for paving, cleansing, and lighting the High Street, East Street, and West Street in the Town and Parishes of Gravesend and Milton, in the County of Kent, and for lighting the other Streets; and for removing all Encroachments and Annoyances within the said Town and Parishes. [15 Geo. 3. c. 13.]

An Act for altering and enlarging the Powers of an Act of the Thirteenth Year of His present Majesty, for improving the Town and Parishes of Gravesend and Milton in the County of Kent;



**GRAVESEND—continued.**

and for the better Assessment and Collection of the Poor Rates and other Rates within the Parish of GRAVESEND. [26 Geo. 3. c. 77.]

An Act for paving, cleansing, lighting, watching, and improving the Town and Parishes of Gravesend and Milton in the County of Kent, and for removing and preventing Nuisances and Annoyances therein. [5 Geo. 4. c. 34.]

**GUILDFORD:**

An Act establishing, regulating, and maintaining a Nightly Watch, and for enlightening the open Places and Streets, within the Town of Guildford in the County of Surrey. [32 Geo. 2.]

An Act for paving, cleansing, and otherwise improving the Town of Guildford in the County of Surrey. [82 Geo. 3. c. 51.]

**HARWICH:**

An Act for paving, cleansing, lighting, and watching the Town of Harwich in the County of Essex, and supplying the same with Water. [39 Geo. 3. c. 118.]

**HASTINGS:**

An Act for better paving, lighting, watching, and otherwise improving the Town of Saint Leonard in the County of Sussex. [2 Will. 4. c. 45.]

An Act for paving, lighting, watching, cleansing, and improving the Town and Port of Hastings in the County of Sussex, and for establishing and regulating Markets therein, and applying the Inhibition thereof with Water, and for other Purposes. [2 Will. 4. c. 91.]

**HEREFORD:**

An Act for paving, repairing, cleansing, and lighting the Streets and Lanes in the City of Hereford and Suburbs thereof, and removing Nuisances and Annoyances therein, and for creating a Fund towards the Expenses thereof, by inclosing diverse Waste Grounds within the Liberties of the said City; and for the better Application of Clarity Money: for setting the poor People of the said City to work; and to enable Bodies Corporate to alienate their Houses and Lands within the said City. [14 Geo. 3. c. 38.]

An Act to enlarge, amend, and render more effectual the Provisions of an Act of His present Majesty, for paving and lighting the City of Hereford, and removing Nuisances therein; and for enabling the Corporation of the said City to sell and apply the Product of certain Messuages and Lands in establishing Market Places and otherwise improving the said City. [30 Geo. 3. c. 25.]

**HERTFORD:**

An Act for paving the Footways, and cleansing, lighting, and watching the Streets and other public Passages and Places, within the Borough of Hertford, and removing and preventing Obstructions, Nuisances, and Annoyances therein. [28 Geo. 3. c. 75.]

An Act to amend and extend the Provisions of an Act for paving and improving the Streets and other public Passages and Places within the Borough of Hertford. [9 Geo. 4. c. 58.]

**HUNTINGDON:**

An Act for paving, cleansing, and lighting the High Street and other Places within the Town of Huntingdon, and for removing and preventing Nuisances and Annoyances therein. [25 Geo. 3. c. 9.]

**HYTHE:**

An Act for paving, repairing, cleansing, lighting, and watching the Highways, Streets, and Lanes in the Town and Port of Hythe and Liberty thereof in the County of Kent, and for removing and preventing Nuisances and Annoyances therein. [28 Geo. 3. c. 16.]

**IPSWICH:**

An Act for the paving of the Town of Ipswich. [15 Eliz. c. 24.]

An Act for paving, lighting, cleansing, and otherwise improving the Town of Ipswich in the County of Suffolk, and for removing and preventing Encroachments, Obstructions, and Annoyances therein. [35 Geo. 3. c. 92.]

An Act for amending and rendering more effectual an Act passed in the Thirty-third Year of the Reign of His present Majesty, for paving, lighting, cleansing, and otherwise improving the Town of Ipswich in the County of Suffolk, and for removing and preventing Encroachments, Obstructions, and Annoyances therein. [37 Geo. 3. c. 44.]

An Act for amending and enlarging the Powers of Two Acts of His present Majesty, for paving, lighting, cleansing, and improving the Town of Ipswich in the County of Suffolk, and removing and preventing Encroachments, Obstructions, and Annoyances therein; and for watching the said Town. [55 Geo. 3. c. 20.]

An Act to alter and amend several Acts of His late Majesty's Reign, for paving, lighting, and otherwise improving the Town of Ipswich in the County of Suffolk. [1 & 2 G. 4. c. 106.]

**KINGSTON-UPON-HULL:**

An Act for explaining, amending, and making more effectual several Acts of Parliament relating to the Maintenance and Employment of the Poor of the Town of Kingston-upon-Hull; and for better paving, preserving, and cleansing the Streets, Squares, Lanes, and Alleys in the said Town, and preventing Obstructions therein; and for preserving the Lamps which shall be set up to enlighten the Streets of the said Town, and securing the Property of such Lamps to the Owners. [28 Geo. 2. c. 27.]

## KINGSTON-UPON-HULL—continued.

- An Act to amend and render more effectual several Acts made for cleansing and whitening the Streets of the Town of Kingston-upon-Hull, and for preventing Annoyances therein. [2 Geo. 3.]
- An Act for amending and supplying the Deficiencies of an Act passed in the Second Year of the Reign of His present Majesty King George the Third, intitled "An Act to amend and render more effectual several Acts made for cleansing and whitening the Streets of the Town of Kingston-upon-Hull, and for preventing Annoyances therein." [4 Geo. 3.]
- An Act for building a new Gaol for the Town and County of the Town of Kingston-upon-Hull, and for purchasing an additional Burial Ground for the Use of the Parish of the Holy Trinity in the said Town; for regulating the Affairs of Hackney Coaches, Chaises, and Perches, and the Prices of Carriage of Goods, for altering the Time of Lighting Lamps; for ascertaining the Breadth of Party Walls, and for preventing certain Nuisances, within the said Town, Liberties, and Precincts thereof; for amending so Act of the Parliament Year of the Reign of His present Majesty, for making and establishing public Quays or Wharfs at Kingston-upon-Hull, in respect to such as are or may be built opposite to certain Streets in the said Act described, and for other Purposes. [33 G. 3. c. 35.]

- An Act for paving, cleansing, lighting, watching, and regulating the Streets, Squares, Lanes, and other public Passages and Places within the Parish of Sanctus in the East Riding of York, and for removing and preventing Nuisances, Encroachments, and Obstructions, and for licensing and regulating Hackney Coaches, Chairs, Perches, Coal Carriers and Water Carriers, Trucks, Carts, and other Carriages, within the said Parish. [41 Geo. 3. c. 30.]

- An Act for watching and more effectually lighting, cleansing, and otherwise improving the Town of Kingston-upon-Hull, and the Liberty of Trippett and the Lordship of Mynton in the Parish of the Holy Trinity in the said Town, and for preventing Nuisances therein; and also for preventing Frauds and Impositions in the Quay, Measure, and Carriage of Coal sold in the said Town and the Neighbourhood thereof. [50 Geo. 3. c. 41.]

## KIDDERMINSTER:

- An Act for paving, cleansing, lighting, watching, and otherwise improving the Streets and other public Passages and Places in Kidderminster, in the County of Worcester. [50 Geo. 3. c. 85.]

## KINGSTON-UPON-THAMES:

- An Act for the better lighting and watching the Town of Kingston-upon-Thames in the County of Surrey, and for removing and preventing all Obstructions, Encroachments, and Nuisances therein. [13 Geo. 3. c. 61.]

## KING'S LYNN:

- An Act for paving, cleansing, lighting, and watching and improving the Borough of King's Lynn in the County of Norfolk, and for removing Nuisances and Annoyances therein; and for holding the Saturday and Beant Markets within more convenient Parts of the said Borough. [43 Geo. 3. c. 37.]

## LANCASTER:

- An Act for lighting, watching, paving, cleansing, and improving the Streets, Highways, and Places within the Borough and Town of Lancaster in the County Palatine of Lancaster. [5 Geo. 4. c. 65.]

## LEEDS:

- An Act for better supplying the Town and Neighbourhood of Leeds in the County of York with Water; and for more effectually lighting and cleansing the Streets and other Places within the said Town and Neighbourhood, and removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions therein. [30 Geo. 3. c. 38.]

- An Act to amend and enlarge the Powers of an Act passed in the Thirtieth Year of His present Majesty, for better supplying the Town and Neighbourhood of Leeds in the County of York with Water, and for more effectually lighting and cleansing the Streets and other Places within the said Town and Neighbourhood, and for removing and preventing Nuisances and Annoyances therein; and for erecting a Court House and Prison for the Borough of Leeds; and for widening and improving the Streets and Passages in the said Town. [40 Geo. 3. c. 122.]

- An Act to amend and enlarge the Powers and Provisions of an Act of His present Majesty, for erecting a Court House and Prison for the Borough of Leeds in the County of York and other Purposes; to provide for the Expense of the Prosecution of Felons in certain Cases, and to establish a Police and Nightly Watch in the Town, Borough, and Neighbourhood of Leeds aforesaid. [35 Geo. 3. c. 42.]

- An Act for lighting, cleansing, and improving the Town and Neighbourhood of Leeds in the County of York. [5 Geo. 4. c. 124.]

## LEOMINSTER:

- An Act for inclosing Leeds in the Borough of Leominster in the County of Hereford, and in the Township of Louisa in the Parish of Eye, in the said County; and for paving and otherwise improving the Streets and other public Places within the Town of Leominster in the said County. [48 Geo. 3. c. 148.]

## LEICESTER:

- An Act for paving, cleansing, lighting, watching, and regulating Streets, Lanes, and other public Passages and Places within the City of Leicestershire and the Suburbs thereof. [46 Geo. 3. c. 42.]

## LINDSEY:

An Act for paving, lighting, watching, and improving the City of Lincoln and the Ball and Close of Lincoln, and for regulating the Police thereof. [9 Geo. 4. c. 37.]

## LIVERPOOL:

An Act for the building a Church in the Town of Liverpool in the County Palatine of Lancaster, and for enlightening and cleansing the Streets of the said Town, and for keeping and maintaining a Nightly Watch there. [21 Geo. 3. c. 28.]

An Act for opening, making, widening, and altering certain Streets, Passages, and Places within the Town of Liverpool in the County Palatine of Lancaster; for supplying the said Town with fresh and wholesome Water; for removing and preventing Nuisances and Annoyances therein; for appointing additional Market Places; and for extending so much of the Powers of an Act of the Second Year of His present Majesty as relates to Hackney Coachmen, Chairmen, Carters, and Porters, to a certain Distance beyond the Liberties of the said Town. [35 Geo. 5. c. 12.]

An Act for enlarging and varying some of the Powers contained in certain Acts of Parliament relating to the lighting, watching, and cleansing the Streets and other Places within the Town of Liverpool, and for removing and preventing Nuisances and Annoyances therein. [38 Geo. 3. c. 15.]

An Act for the reviving, extending, and varying the Powers of an Act passed in the Twenty-sixth Year of His late Majesty King George the Third, for making and widening certain Streets, Passages, and Places in the Town of Liverpool in the County Palatine of Lancaster, and for several other Purposes in the said Act mentioned; and also for further improving the said Town. [1 Geo. 4. c. 13.]

An Act for widening and improving certain Streets in the Town of Liverpool in the County Palatine of Lancaster; for the further Provisions of Nuisances and Annoyances in the said Town; for the Regulation of Weighing Machines, Weights, and Measures; and the Establishment of a Fire Police therein. [7 Geo. 4. c. 57.]

An Act for the better Passage and Sewerage of the Town of Liverpool in the County Palatine of Lancaster; and for settling the Boundaries of the said Town and the Township of Kirkdale, and Parts of the Townships of Everton and West Derby. [11 Geo. 4. c. 15.]

## LOUTH:

An Act for paving, lighting, watching, cleansing, regulating, and otherwise improving the Town and Parish of Louth in the County of Lincoln. [6 Geo. 4. c. 128.]

## LUDLOW:

An Act for paving the Footpaths within the Borough of Ludlow in the County of Salop, and for lighting, watching, and otherwise improving the said Borough. [35 Geo. 5. c. 25.]

## MACELESFIELD:

An Act for lighting, watching, and regulating the Police within the Borough of Macclesfield in the County of Chester. [24 Geo. 3. c. 25.]

An Act for better lighting, watching, and improving the Borough and Township of Macclesfield in the County of Chester, and regulating the Police thereof. [6 Geo. 4. c. 96.]

An Act for better supplying the Inhabitants of the Borough of Macclesfield in the County of Chester with Water, and to establish the Rates payable for the same. [11 Geo. 4. c. 124.]

## MADDESTON:

An Act for widening, improving, regulating, paving, cleansing, and lighting the Streets, Lanes, and other public Passages and Places within the King's Town of Maddeston in the County of Kent; for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein; for better supplying the said Town with Water; and for repairing the Highways within the Parish of Maddeston. [31 Geo. 3. c. 22.]

An Act for altering and extending an Act passed in the Thirty-first Year of the Reign of His present Majesty, intitled "An Act for widening, improving, regulating, paving, cleansing, and lighting the Streets, Lanes, and other public Passages and Places within the King's Town of Maddeston in the County of Kent; for removing and preventing Encroachments, Obstructions, Nuisances, and Annoyances therein; for better supplying the said Town with Water; and for repairing the Highways within the Parish of Maddeston;" and for raising a further Sum of Money for completing the Purposes of the said Act. [42 Geo. 3. c. 20.]

An Act to enlarge the Powers of Three Acts of His present Majesty, for paving, cleansing, and lighting the Streets and other public Places within the King's Town of Maddeston in the County of Kent, and better supplying the Inhabitants with Water; and for watching the said Town, and making public Wharfs thereon. [60 Geo. 5. c. 16.]

## MONMOUTH:

An Act for paving the Footways, and cleansing, lighting, and watching the Streets, in the Town of Monmouth. [28 Geo. 5. c. 81.]

## NEWARK:

An Act for the better paving, lighting, and cleansing of the Streets, Lanes, and other public Passages and Places in the Town of Newark-upon-Trent in the County of Nottingham, and for removing the Market for Butcher's Meat in the said Town, and for regulating the said Market, and for repealing an Act made in the Twenty-seventh Year of the Reign of His late Majesty

## NEWARK—continued.

Queen Elizabeth, intituled "An Act for the paving of Newark-upon-Trent in the County of Nottingham." [38 Geo. 5. c. 26.]

## NEWRY:

An Act for lighting, watching, paving, cleansing, and improving the Streets, Highways, and Places within the Borough, Town, and Parish of Newry and the Tithing or Hamlet of Breenabuland in the Parish of Sperrin in the County of Berks. [5 Geo. 4. c. 72.]

## NEWCASTLE UPON-TYNE:

An Act for paving, lighting, watching, cleansing, regulating, and improving the Borough of Newcastle-upon-Tyne. [50 Geo. 5. c. 71.]

## NEWCASTLE UPON-TYNE:

An Act for lighting the Streets and other Places, and maintaining a regular and night Watch, within the Town and County of the Town of Newcastle-upon-Tyne, and for regulating the Hackney Coachmen and Chairmen, Cartmen, Porters, and Watermen within the same. [5 Geo. 3.]

An Act for widening, enlarging, and clearing the Streets, Lanes, and other public Places, and for opening new Streets, Markets, and Passages, within the Town of Newcastle-upon-Tyne and the Liberties thereof, and for removing and preventing Obstructions therein; and for regulating the public Markets, and Common Stage Waggons, Drays, and Carts carrying Goods for Hire. [25 Geo. 3. c. 59.]

An Act for lighting and watching the Streets and other Places without the Walls but within the Liberties of Newcastle-upon-Tyne. [22 Geo. 3. c. 70.]

## NEWPORT (Isle of Wight):

An Act for paving, repairing, cleansing, lighting, and watching the Streets, Lanes, Ways, Passages, and Places within the Borough of Newport in the Isle of Wight, and for the Removal of present and the Prevention of future Incroachments, Nuisances, and Annoyances therein. [25 Geo. 5. c. 110.]

## NEWPORT (Monmouth):

An Act for lighting, watching, paving, cleansing, and improving the Streets, Highways, and Places within the Town and Borough of Newport in the County of Monmouth. [7 Geo. 4. c. 6.]

## NORTHAMPTON:

An Act for paving, cleansing, lighting, and watching the Town of Northampton, and for removing and preventing Incroachments, Obstructions, and Annoyances therein. [18 Geo. 5. c. 78.]

An Act for altering and amending an Act passed in the Eighteenth Year of the Reign of His present Majesty, intituled "An Act for paving, cleansing, lighting, and watching the Town of Northampton, and for removing and preventing Incroachments, Obstructions, and Annoyances therein; and for continuing the Term of certain Tolls by the said Act." [57 Geo. 3. c. 45.]

An Act for better paving, lighting, watching, and improving the Town of Northampton, and for taking down, widening, and rebuilding the Bridge over the Nile or Nen, at the South Entrance of the said Town, and improving the Avenues to the said Bridge. [54 Geo. 3. c. 103.]

## NORWICH:

An Act for better paving, lighting, cleansing, watching, and otherwise improving the City of Norwich. [46 Geo. 5. c. 67.]

An Act for amending and enlarging an Act of His late Majesty, for better paving, lighting, cleansing, and otherwise improving the City of Norwich. [6 Geo. 4. c. 78.]

## NOTTINGHAM:

An Act for enlightening the Streets, Lanes, and Passages within the Town and County of the Town of Nottingham. [2 Geo. 5.]

An Act to alter, amend, and enlarge the Powers of an Act of the Second Year of His late Majesty's Reign, intituled "An Act for enlightening the Streets, Lanes, and Passages within the Town and County of the Town of Nottingham." [1 & 2 Geo. 6. c. 70.]

## OWINGTUN:

An Act for paving, cleansing, lighting, watching, and otherwise improving the Streets and other public Passages and Places in the Town and Borough of Owington in the County of Salop. [40 Geo. 5. c. 140.]

## OXFORD:

An Act for amending certain of the Mileways leading to Oxford; for making a commodious Entrance through the Parish of Saint Clement; for rebuilding or repairing Magdalen Bridge; for making commodious Roads from the said Bridge through the University and City and the Avenues leading thence; for cleansing and lighting the Streets, Lanes, and Places within the said University and City and the Suburbs thereof, and the Parish of Saint Clement; for removing Nuisances and Annoyances therefrom, and preventing the like for the future; for empowering Colleges and Corporations to situate their Estates there; for removing, holding, and regulating Markets within the said City, and for other Purposes. [11 Geo. 2. c. 19.]

An Act to amend and enlarge the Powers of an Act passed in the Eleventh Year of His present Majesty's Reign, for performing several Works and making Improvements within the University and City of Oxford and the Suburbs thereof, and in the adjoining Parish of Saint Clement. [21 Geo. 5. c. 47.]

## OXFORD.—continued.

An Act for enlarging the Terms and Powers of Two Acts of His present Majesty, for amending certain Mileways leading to Oxford, and making Improvements in the University and City of Oxford, the Suburbs thereof, and adjoining Parish of Saint Clement, and for other Purposes. [5 Geo. 3. c. 72.]

An Act for continuing the Term and amending and enlarging the Powers of Three Acts of His Majesty King George the Third, for amending certain Mileways leading to Oxford, and making Improvements in the University and City of Oxford, the Suburbs thereof, and adjoining Parish of Saint Clement, and for other Purposes in the said Acts mentioned. [5 & 6 W. 4. c. -]

## PENRHOPE:

An Act for supplying with Water the Town of Penrhope and the Neighbourhood thereof, within the County of Penrith. [9 Geo. 4. c. 118.]

## PLYMOUTH:

An Act for improving the Town of Plymouth in the County of Devon. [51 Geo. 3. c. 105.]

An Act for better paving, lighting, cleansing, watching, and improving the Town and Borough of Plymouth in the County of Devon, and for regulating the Police thereof, and for removing and preventing Nuisances and Annoyances therein. [5 Geo. 4. c. 23.]

## POSTFRYACT:

An Act for paving and otherwise improving the Streets and other public Passages within the Town of Postfleet in the County of York; for better supplying the said Town with Water; and for altering and amending an Act passed in the Twentieth Year of His present Majesty, intitled "An Act for dividing the Pock of Postfract in the County of York, and for other Purposes mentioned therein." [30 Geo. 3. c. 40.]

## PORTSMOUTH:

An Act for the better paving and cleansing the Streets and other public Passages in the Town of Portsmouth in the County of Southampton, and for preventing Nuisances and Annoyances therein, and for widening and rendering the same more commodious. [8 Geo. 3.]

An Act for lighting and watching the Town of Portsmouth in the County of Southampton; and for explaining and amending an Act passed in the Eighth Year of His present Majesty's Reign, for the better paving and cleansing the Streets and other public Passages in the said Town, and for preventing Nuisances and Annoyances therein, and for widening and rendering the same more commodious. [16 Geo. 3. c. 33.]

An Act for the better paving, cleansing, widening, and regulating the Streets, Courts, Roads, Lanes, Ways, Rows, Alleys, and public Passages and Places within the Town of Portsea in the County of Southampton; and for removing and preventing Nuisances, Annoyances, and Obstructions within the said Town. [32 Geo. 3. c. 100.]

An Act for better lighting and watching the Town of Portsea in the County of Southampton; and for amending an Act passed in the Thirty-second Year of His late Majesty, for paving, cleansing, and regulating the Streets and public Places within the said Town, and removing and preventing Nuisances and Annoyances therein. [7 Geo. 4. c. 64.]

## PRESTON:

An Act to light, watch, pave, cleanse, and improve the Streets, Highways, and Places within the Borough of Preston in the County Palatine of Lancaster, and to provide Fire Engines and Firemen for the Protection of the said Borough. [55 Geo. 3. c. 22.]

## READING:

An Act for better paving, lighting, cleansing, watching, and otherwise improving the Borough of Reading in the County of Berks. [7 Geo. 4. c. 26.]

## ROCHESTER:

An Act for paving, cleansing, lighting, and watching the High Streets and Lanes in the Parish of Saint Nicholas within the City of Rochester and Parish of Street in the County of Kent, and for making a Road through Star Lane, across certain Fields adjoining thereto, to Chatham Hill in the said County. [9 Geo. 3. c. 32.]

## SANDWICH:

An Act for the better repairing, paving, cleansing, lighting, and watching the Highways, Streets, and Lanes of and in the Town and Port of Sandwich in the County of Kent, and in the several Parishes of Saint Peter the Apostle, Saint Mary the Virgin, and Saint Clement, in the said Town, Port, and County; and for removing and preventing Encroachments, Nuisances, Obstructions, and Annoyances in the said Highways, Streets, and Lanes, and on the common Quay belonging to the said Town and Port, and in the Haven adjoining to the said Quay, and the Bridge built over the said Haven; and for regulating the Berths and Mooring Places of Vessels at the said Quay, and the proper Times for Vessels to pass through the said Bridge. [21 Geo. 3. c. 67.]

## SARUM, NEW:

An Act for the better repairing and paving the Highways, Streets, and Watercourses within the City of New Sarum; and for enlightening the Streets, Lanes, and Passages, and better regulating the Nightly Watch within the said City. [10 Geo. 2.]

## BARN, NEW—continued.

An Act to alter, extend, and amend the Powers of Two Acts passed in the Tenth Year of the Reign of His late Majesty King George the Second, and in the Twelfth Year of the Reign of His present Majesty, for better paving, lighting, and watching the City of New Sarum in the County of Wilt.

[50 Geo. 2. c. 23.]

## SCARBOROUGH:

An Act for paving and otherwise improving the Streets and other Places in the Township of Scarborough in the North Riding of the County of York, and for licensing Hackney Carriages and establishing other Regulations in the said Township.

[31 Geo. 3. c. 94.]

## SHREWSBURY:

An Act for the better paving and amending, cleansing, enlightening, and watching the Streets, Highways, Lanes, and Passages within the Town of Shrewsbury in the County of Salop.

[23 Geo. 2. c. 75.]

An Act for repealing an Act passed in the Twenty-ninth Year of the Reign of His Majesty King George the Second, for paving, lighting, and watching the Town of Shrewsbury in the County of Salop; and for granting other Powers in lieu thereof.

[18. 9 Geo. 3. c. 85.]

## SOUTHAMPTON:

An Act for the better paving, repairing, and cleansing the Streets and other public Passages in the several Parishes of Saint Michael, Saint John, Holy Rood, Saint Lawrence, All Saints-within-the-Bar, All Saints without-the-Bar, and East Street and Bay Row, within the Town of Southampton and Liberties thereof, and for preventing Nuisances and Annoyances therein; and for widening and rendering the same more commodious, and for lighting and watching the said Streets and public Passages.

[10 Geo. 3. c. 35.]

An Act to amend an Act made in the Tenth Year of His present Majesty, for paving, repairing, cleansing, lighting, and watching the Streets and other public Passages in the Town of Southampton.

[30 Geo. 3. c. 103.]

## STAFFORD:

An Act for paving, lighting, watching, cleansing, regulating, and improving the Streets, Lanes, and other public Passages and Places within the Borough of Stafford in the County of Stafford.

[13 Geo. 4. c. 95.]

## ST. ALBAN'S:

An Act for paving the Footways and Crosspaths, and for cleansing, lighting, watching, and regulating the Streets and other public Passages and Places, within the Borough of Saint Alban in the County of Hertford.

[14 Geo. 3. c. 8.]

## STOCKPORT:

An Act for lighting, cleansing, watching, and otherwise improving the Streets, Lanes, and other public Passages and Places within the Town of Stockport in the County Palatine of Chester; and for regulating the Police of the said Town.

[7 Geo. 4. c. 115.]

## STOCKTON:

An Act for lighting, cleansing, and otherwise improving the Town and Borough of Stockton in the County of Durham.

[1 Geo. 4. c. 68.]

## SUNDERLAND:

An Act for lighting and watching the Town of Bishop Wearmouth and Bishop Wearmouth Parishes, for cleansing, paving, and regulating the Footpaths, and for removing and preventing Nuisances and Encroachments therein.

[30 Geo. 3. c. 33.]

An Act for paving, lighting, watching, and cleansing the Town of Sunderland near the Sea in the County of Durham; for renewing the Market; for building a Town Hall or Market House; and for otherwise improving the said Town; and for establishing a Watch on the River Wear.

[30 Geo. 3. c. 27.]

An Act for paving, lighting, watching, cleansing, and improving the Town and Parish of Sunderland near the Sea in the County of Durham, for removing the Market, and for otherwise improving the said Town.

[7 Geo. 4. c. 120.]

## SWANSEA:

An Act for better paving, repairing, cleansing, lighting, and watching the several Streets and other public Passages and Places within the Town and Franchise of Swansea in the County of Glamorgan, and for removing and preventing Nuisances, Annoyances, and Obstructions therein.

[40 Geo. 3. c. 70.]

## TARROWBURY:

An Act for paving, repairing, cleansing, lighting, and watching the Streets, Lanes, Ways, Passages, and Places within the Town of Trowbury and the Precincts thereof, in the County of Gloucester; for the Removal of pestilent and Prevention of future Encroachments, Nuisances, and Annoyances therein; for regulating Carts and other Carriages, and increasing the Rates of Carriage; and for widening some Part of the Street called Church Street, within the said Town.

[23 Geo. 3. c. 17.]

## TIVERTON:

An Act for the better and more easy rebuilding of the Town of Tiverton in the County of Devon, and for determining Differences touching Houses and Buildings burnt down or demolished by

**TIVERTON—continued.**

reason of the late dreadful Fire there, and for the better preventing Daughters from Fire for the future. [5 Geo. 2.]

An Act for paving and otherwise improving the Town of Tiverton in the County of Devon. [34 Geo. 2. c. 22.]

An Act for amending and enlarging the Powers and Provisions of an Act of His late Majesty King George the Third, intitled "An Act for paving and otherwise improving the Town of Tiverton in the County of Devon, and for lighting the said Town." [5 Geo. 4. c. 60.]

**TRURO:**

An Act for paving, cleansing, lighting, and widening the Streets, Lanes, and Passages, for removing and preventing Encroachments, Nuisances, and Annoyances, and for regulating the Porters and Drivers of Carts, within the Borough of Truro, and Part of the adjoining Parishes, in the County of Cornwall. [30 Geo. 3. c. 62.]

**WALLINGFORD:**

An Act for paving the Footways, and for cleansing, lighting, watching, and regulating the Streets, Lanes, Passages, and Piers, within the Borough of Wallingford in the County of Berks, and for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions therein. [35 Geo. 3. c. 75.]

**WALSALL:**

An Act for paving, lighting, watching, cleansing, widening, regulating, and otherwise improving the Town of Walsall and the Neighbourhood thereof, within the Parish of Walsall in the County of Stafford. [5 Geo. 4. c. 68.]

**WELLS:**

An Act for more effectually repairing and improving certain Roads leading to and from the City or Borough of Wells in the County of Somerset; and for paving, cleansing, lighting, watching, and watering the said Roads, and the Streets, Lanes, and public Passages within the said City or Borough, the Liberty of Saint Andrew, and Suburbs of the said City and Borough, and removing and preventing Nuisances and Annoyances therein. [1 & 2 Geo. 4. c. 12.]

An Act for lighting with Gas the City and Borough of Wells in the County of Somerset, the Liberty of Saint Andrew, and Suburbs of the said City or Borough. [2 Will. 4. c. 57.]

**WEYMOUTH and MELCOMBE REGIS:**

An Act for paving, cleansing, lighting, and watching the Borough and Town of Weymouth and Melcombe Regis in the County of Dorset, and for removing all Encroachments, Obstructions, and Annoyances therein. [16 Geo. 3. c. 57.]

An Act for more effectually cleansing, lighting, and watching the Borough and Town of Weymouth and Melcombe Regis in the County of Dorset, and removing Encroachments and Annoyances therein; for licensing and regulating Chaises and other Persons plying for Hire, for establishing Markets, and for giving farther Powers to the Quay Master of the Harbour of the said Town. [30 Geo. 3. c. 187.]

**WINCHESTER:**

An Act for the better paving, repairing, cleansing, lighting, and watching the Streets and other public Passages within the City of Winchester, and also within the several Parishes of Saint Bartholomew, Hild, Saint John's in the Soken, Saint Peter's Cheesehill, Saint Swithin, and Saint Michael in the West Soken, in the Suburbs of the said City; and for preventing Nuisances and Annoyances therein, and for widening and rendering the same more commodious. [11 Geo. 3. c. 9.]

An Act for amending and enlarging the Powers of an Act of His present Majesty, for paving, cleansing, lighting, and watching the Streets and public Passages in the City of Winchester, and several Parishes in the Suburbs thereof, and for removing and preventing Nuisances therein. [40 Geo. 3. c. 2.]

**WINDSOR:**

An Act for the better paving, cleansing, lighting, and watching the Streets and Lanes in the Parish and Borough of New Windsor in the County of Berks, and for preventing Nuisances and Annoyances therein. [5 Geo. 3. c. 10.]

**WIMBORCH:**

An Act for the establishing a Cattle Market within the Town of Wimborch in the Isle of Ely; for taking down and removing Shambles therein; for paving, cleansing, lighting, and watching the said Town, and removing Nuisances therein; for preserving and improving the Port and Harbour of Wimborch, and for regulating the Pilots belonging therein. [30 Geo. 3. c. 203.]

**WORCESTER:**

An Act for better supplying the City of Worcester and the Liberties thereof with Water; and for more effectually paving, lighting, watching, and otherwise improving the said City. [4 Geo. 4. c. 20.]

**YARMOUTH (GREAT):**

An Act for better paving, lighting, cleansing, and watching the Town of Great Yarmouth in the County of Norfolk, and for removing Nuisances and Annoyances therein, and for making other Improvements in the said Town. [30 Geo. 3. c. 25.]

## YORK:

An Act for paving, lighting, watching, and improving the City of York and the Suburbs thereof, and the Liberty of Saint Peter within the said City, and for regulating the Police of the same respectively. [6 Geo. 4. c. 187.]

An Act for improving and enlarging the Market Places within the City of York, and rendering the Approaches thereto more commodious; and for regulating and maintaining the several Markets and Fairs held within the same City and the Suburbs thereof; and for amending an Act of His late Majesty, for paving, lighting, watching, and improving the said City; and other Purposes. [8 Will. 4. c. 62.]

## C A P. LXXVII.

An Act to repeal the Duty and Drawback on Flint Glass, to impose other Duties and another Drawback in lieu thereof, and to reduce the Drawback on German Sheet Glass exported in Pases; and to repeal the Drawback on unground and unpolished Plate Glass; and to amend the Laws relating to the Duties on Glass. [9th September 1835.]

WHEREAS it is expedient to reduce the Duties and Drawbacks on Flint Glass, and the Drawback now payable on the Exportation of German Sheet Glass in Pases, and to repeal the Drawback now payable on the Exportation of unground or unpolished Plate Glass, and it is necessary to amend the Laws for securing the Duties on Glass: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of October One thousand eight hundred and thirty-five the Duties and Drawbacks now payable and allowed on Flint Glass shall be and the same are hereby repealed, save and except as to any Arrear of Duty which may be due and owing, or which may be charged or incurred, or any Drawback which may be payable on any Flint Glass exported on or before the said Tenth Day of October One thousand eight hundred and thirty-five.

II. And be it further enacted, That in lieu of the Duty on Flint Glass by this Act repealed there shall be raised, levied, collected, and paid, throughout the United Kingdom, the Rates and Duties of Excise hereinafter mentioned: (that is to say,) for and upon every One hundred Pounds Weight Avoirdupois, and so in proportion for any greater or less Quantity, of the fused Materials or Metal or other Preparations whatever, by what Namesoever the same may be called or known, that shall be made in Great Britain or Ireland, for the Purpose of making Flint Glass, the Sum of Six Shillings and Eight-pence, such Duty to be charged on the gross Weight of such Materials or Metal or other Preparations in the Pot, of which fused Materials or Metal or other Preparations, Three hundred two hundred being taken as the Specific Gravity, Eleven shall be the Circular Diameter for finding the Contents in each Pot in Pounds Weight Avoirdupois, without any Deduction, Abatement, or Allowance whatsoever.

III. And be it further enacted, That in lieu of the Drawback on Flint Glass hereby repealed the following Drawback shall be allowed and paid; (that is to say,) for and upon every One hundred Pounds Weight Avoirdupois, and so in proportion for any greater or less Quantity, of Flint Glass which shall be made in Great Britain or Ireland, and for and in respect of which, or of the Materials, Metal, or other Preparations from which the same shall have been made, all Excise Duties payable thereon shall have been duly charged, and which shall be exported as Merchandise from thence to Foreign Parts, the Sum of Eighteen Shillings and Nine-pence.

IV. And be it further enacted, That at the End of every Record or Period of Six Weeks an Account shall be taken and made out by the Supervisor, Surveyor, or Officer of the District or Place in which the Glasshouse of any Maker of Flint Glass shall be situate, of the whole Quantity of Flint Glass for or in respect of which such Maker of Flint Glass as aforesaid shall have been charged with Duty upon the fused Materials, or Metal or other Preparations from which such Flint Glass shall have been made, after Deductions of the gross Weight of all fused Materials, Metal, or other Preparations taken account of by the Officer, and laid out of the Pot, according to the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intitled *An Act to repeal the Excise Duties and Drawbacks on Flint Glass made in Great Britain, and to impose other Duties and another Drawback in lieu thereof, throughout the United Kingdom; and to continue the Jurisdiction and Powers for recovering Penalties under Customs and Excise Laws in Ireland, until further Provision can be made*, and of another Act passed in the Second and Third Years of the Reign of His present Majesty, intitled *An Act to repeal the Excise Duties on Flint Glass, and to impose other Duties in lieu thereof, and to amend the Laws relating to Glass*, and of the whole Weight of manufactured Flint Glass Wares weighed, or which shall have been made by such Maker of Flint Glass as aforesaid, within each Record or Period of Six Weeks as aforesaid; and if, upon such Account being taken and made out as aforesaid, the Weight of such manufactured Glass and Glass Wares as aforesaid shall exceed the Quantity of such Glass as aforesaid with which such Maker shall have been so charged with Duty, after such Deductions as aforesaid, by any Quantity greater than the Quantity of Forty per Centum of or upon the whole Quantity of such Flint Glass as last aforesaid, every such Maker shall be charged with and pay the Sum of Two-pence per Pound upon each and every Pound Weight of such Excess, over and above any Duty which such Maker of Flint Glass as aforesaid shall have paid or may have

Duties and Drawbacks on Flint Glass repealed, except, &c.

New Duty of 6s. 8d. on every One hundred Pounds Weight of fused Materials for making Flint Glass.

Drawback of 18s. 9d. on every One hundred Pounds Weight of Flint Glass exported.

Officer to make out an Account at the End of each Record or Period of Six Weeks of the whole Quantity of Glass charged with Duty, and the whole Weight of Glass weighed within each Period, and to assign 40 per Cent additional on all Excess above 40 per Cent. 8 Ed. 4. c. 117. 2 Ed. 4. c. 112.



been charged with upon the flaxed Materials or Metal or other Preparations from which such Flat Glass is afterwards shall have been made.

V. And be it further enacted, That in lieu of the Drawback of Four Pounds Eighteen Shillings per Hundred Weight now payable on German Sheet Glass exported in Packages there shall be allowed and paid for every Hundred Weight of Pieces of German Sheet Glass made in any Part of the United Kingdom, and for which the Duty shall have been charged, and which shall after the passing of this Act be exported as Merchandise from any Part of the United Kingdom to Foreign Parts, such Pieces not being of less Dimensions than Six Inches in Length by Four Inches in Breadth, Four Pounds Four Shillings, and so in proportion for any greater or less Quantity than an Hundred Weight of such Pieces.

VI. And be it further enacted, That the said Duties and Drawbacks on Flat Glass, and the said Drawback on German Sheet Glass, by this Act imposed and granted, shall be under the Management of the Commissioners of Excise, and that the said Duties and Drawbacks shall be respectively raised, levied, collected, recovered, allowed, and paid in such and the like Manner, and in or by any of the general or special Ways, Means, or Methods, by which the former Duties and Drawbacks, in lieu of which the same are hereby imposed and granted, were or might be raised, levied, collected, recovered, allowed, and paid, and the respective Persons, Goods, Merchandise, and Commodities liable to the Payment or chargeable with the said Duties imposed, or entitled to the said Drawbacks granted by this Act, shall be and the same are hereby made subject and liable to all and every the Conditions, Regulations, Rules, Restrictions, and Forfeitures to which such Persons, Goods, Merchandise, and Commodities were generally or specially subject and liable by any Act or Acts in force on or immediately before the Commencement of this Act respecting the Duties of Excise under the Management of the Commissioners of Excise; and all and every Pass, Penalty, Fine, and Forfeiture of any Nature or Kind whatsoever, for any Diligence whatever committed against or in breach of any such Act or Acts, and the several Clauses, Powers, and Directions therein contained, shall be and are hereby directed and declared to extend to and shall be respectively applied, practised, and put in execution for and in respect of the said Duties and Drawbacks hereby imposed and granted and allowed, in as full and ample a Manner to all Intents and Purposes as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Fines, Penalties, and Forfeitures, were particularly repeated and re-enacted in this Act: Provided always, that nothing herein contained shall alter or affect the Drawback now payable on the Exportation of Pieces of Window Glass commonly known as Crown Glass, not being German Sheet Glass, but the Drawback on such Glass exported shall continue and be payable in the same Manner as if this Act had not been passed.

VII. And be it further enacted, That no Drawback shall be allowed or payable on the Exportation of any Flat Glass Ware or Commodities which shall not be good, fine, and merchantable Articles, perfectly manufactured of Metal fully and properly flaxed or fused and finished, by all rough, waste, and useless Parts being removed therefrom, and of such Quality as to be worth at least Five-pence per Pound, exclusive of the Duty, if made or if the same had been made into Articles for Home Consumption; and every Person who shall pack or cover or stow, or cause to be packed, covered, or shipped, for Exportation or Drawback, any lead or unmerchantable Flat Glass, or any Flat Glass Ware or Commodities which shall not be of the Description, Quality, and Value aforesaid, shall forfeit Twofold the Value of the Drawback sought to be obtained, or One hundred Pounds, at the Election of the Commissioners of Excise, together with all the Flat Glass so packed, covered, or shipped, which may be seized by any Officer of Excise or Customs.

VIII. And be it further enacted, That it shall not be lawful for any Maker of Flat Glass or any other Person to open or flatten out any Shade or Cylinder made of white or uncoloured Flat Glass, except as herein-after provided, on pain of forfeiting all Flat Glass so opened or flattened out, and One hundred Pounds: Provided always, that Makers of Flat Glass may open out and flatten Cylinders of white or uncoloured Glass into Plates, such Plates when opened and flattened out not being of less Thickness than Two Tenth Parts of an Inch, nor of greater Dimensions than Fourteen Inches square.

IX. And for preventing Frauds by Persons other than Makers of Flat Glass opening out and flattening Shades or Cylinders of Flat Glass, be it further enacted, That every Glass Bender or Stainer, not being a Maker of Glass, who shall make use of any Arch or Oven for the heating, opening, or flattening, or bending or staining of Glass, shall make Entry with the Officer of Excise of the District or Division in which his Premises shall be situate of every Arch or Oven and of every Room and Place used by him for heating, opening, or flattening, or bending or staining Glass, or keeping Glass opened or flattened, or to be opened and flattened out: and it shall not be lawful for any such Bender or Stainer of Glass to receive or have in any Arch or Oven or in any Room or Place as aforesaid any Shade or Cylinder made of white or uncoloured Flat Glass; and every Person who shall make use of any Arch or Oven for heating, opening, or flattening, or bending or staining Glass, without having made such Entry as aforesaid, shall forfeit Fifty Pounds, together with all the Glass found on such unlicensed Premises; and every Glass Bender or Stainer on whose Premises any Shade or Cylinder of white or uncoloured Flat Glass shall be found shall forfeit the same, together with Five Pounds for every such Shade or Cylinder.

X. And be it further enacted, That it shall be lawful for any Officer of Excise at all Times to enter into and inspect the Premises of every Bender or Stainer of Glass, and to examine all Glass therein; and if any such Officer shall be obstructed, or be hindered or prevented from so entering, or from examining

Drawback on German Sheet Glass exported in Pieces of 4, 6 or 12 Hundred Weights.

Duties and Drawbacks to be collected and paid under former Regulations.

Act not to affect the Drawback on Crown Glass.

Flat Glass not to be entitled to Drawback, unless properly manufactured and finished, and worth at least 5d. per Pound.

Flat Glass made into Cylinders not to be opened or flattened out, except as herein provided.

For preventing Frauds on unmerchantable Premises not being Makers of Glass.

Officers to enter Premises of unlicensed Persons, and

raising any Glass in any such Premises, the Beslar or Stalzar at or in whose Premises such Obstruction, Hindrance, or Prevention shall take place shall forfeit Fifty Pounds.

XI. And be it further enacted, That no Glass exported in Pases of a greater Specific Gravity than Two thousand eight hundred shall be entitled to Drawback as Crown Glass or German Sheet Glass; but all Glass produced for Exportation in Pases as Crown Glass or German Sheet Glass of a greater Specific Gravity than Two thousand eight hundred, and all coloured Glass exported as Drawback, shall be deemed and taken to be Flint Glass, and shall not be entitled to any higher Rate of Drawback than the Drawback on Flint Glass granted by this Act.

XII. And whereas it is expedient that Provision should be made for allowing the Makers of Flint Glass to make and store Glass out to be sold or sent into Consumption until after the Tenth Day of October One thousand eight hundred and thirty-five, when the Duty now payable on Flint Glass is to cease and determine, and the new Duty hereby imposed is to commence and take effect; be it therefore enacted, That every Maker of Flint Glass who shall intend to make any Flint Glass Wares or Commodities not to be sold or sent into Consumption before the Eleventh Day of October One thousand eight hundred and thirty-five shall give Notice of such his Intention to Writing to the proper Officer of Excise before storing any such Glass, and in such Notice shall specify some separate and secure Room or Store, to be approved of by the Commissioners of Excise or their Officers, for the keeping thereof of all such Flint Glass Wares and Commodities as are intended to be so stored; and such Maker of Flint Glass may from Time to Time, when giving Notice for charging the Pots in his Glasshouse, also give Notice in Writing to the proper Officer of Excise, that all the Flint Glass to be made in that Journey in Flint Glass not to be sold or sent into Consumption until after the Tenth Day of October One thousand eight hundred and thirty-five, and that he is desirous of storing the same; and all such Glass shall be made under the Regulations and shall be charged with the Duties now in force; and as often as any Notice for weighing such Glass shall be given the Officer of Excise, having received such Notice, shall attend and weigh and take an Account of all such Glass in the Weighing-room; and such Account having been taken, all such Glass shall be forthwith removed into the Weighing-rooms, there to remain for the Time required by Law, and shall then be deposited and stored in the separate Room or Store approved of by the Commissioners of Excise or their Officers, under the Locks and Keys of the Officers of Excise, and otherwise secured in such Manner as the Commissioners of Excise shall direct; and all such Flint Glass shall be kept so stored and secured until on or after the Eleventh Day of October One thousand eight hundred and thirty-five, on which Day the proper Officers of Excise shall take an Account of all the said Glass which shall have been so stored and secured as aforesaid; and if upon such Account the whole Quantity of Glass shall be found in the Stock of the Maker thereof, stored and secured as aforesaid, and the Officers of Excise shall be satisfied that it is the same Glass which was so made, and that no Part thereof has been sent into Consumption, or any Addition made thereto, or any Alteration therein, the Commissioners of Excise are hereby authorized and empowered to allow in the respective Makers of such Glass the Difference in the Charge of Duty now payable on Flint Glass and the Duty hereby imposed, and to deliver the said Glass to the Makers thereof on the Charge and Payment of the Duty by this Act made payable.

XIII. Provided always, and be it enacted, That in case any Maker of Flint Glass shall be desirous of taking out any Glass so stored for Consumption before the said Eleventh Day of October it shall be lawful for such Maker to give Notice to the Officer of Excise, specifying the Quantity of such Glass as required to be taken out, such Quantity not being less than One Hundred Weight; and the Officer of Excise, having received such Notice, shall attend and take an Account of and weigh the Quantity of Glass specified in such Notice, and shall deliver the same to the Maker thereof; and on all such Glass so delivered out before the said Eleventh Day of October the full Duty of Excise now payable shall be paid. Provided also, that not more than One such Notice shall be given on the same Day between the Hours of Six o'Clock in the Morning and Six o'Clock in the Evening.

XIV. And be it further enacted, That if any Flint Glass which shall be made under the Regulations aforesaid or set to be sent into Consumption until after the Tenth Day of October One thousand eight hundred and thirty-five shall not at any Time previous thereto be so stored and secured in such separate and secure Room or Store, approved of by the Commissioners of Excise or their Officers, or if any such Maker of Flint Glass shall open or procure to be opened any such Room or Store, or injure any of the Locks, Keys, or Fastenings thereof, or remove or cause or procure to be removed any Flint Glass from or out of the same, or shall send out or deliver any such Flint Glass so made to be stored, except under such Notice as is herein-before provided, or if on the Eleventh Day of October One thousand eight hundred and thirty-five, or at any Time previous thereto, the Officers of Excise shall not find all such Flint Glass so stored and secured and unaltered, except as aforesaid, or if any such Maker of Flint Glass shall use or practice any Art or Device to deceive any Officer of Excise in taking an Account of such Flint Glass or of any Part of his Stock, or to remove any Part of such Flint Glass, or to evade any Part of the Duty on Flint Glass with which previous to the said Eleventh Day of October One thousand eight hundred and thirty-five he might or would be chargeable, or to obtain any greater Allowance under the Regulations aforesaid than he shall be entitled to; then and in any such Case the Flint Glass Maker so offending shall forfeit all Claim to any such Allowance or abatement, and shall pay all the full Duties charged on such Glass, together with any Penalty or Penalties or Forfeitures which he may thereby incur under any of the Laws of Excise.

5 &amp; 6 Geo. IV.

§ X

XV. And

entire Glass therein.

Glass exported in Pases of greater Specific Gravity than 2,800 not entitled to Drawback.

Makers of Flint Glass entitled to make and store Glass, not to be sold or consumed before the Glass appointed for the Duty now payable thereon.

Glass may be taken out of Store before such last-mentioned Period, Notice being given, and on Payment of full Duty.

Makers of Flint Glass, not allowing or fraudulently removing Glass so intended to be stored, liable to full Duty, together with Penalties.

Plate Glass and German Sheet or Crown Glass not to be made at the same Time in the same House.

XV. And be it further enacted, That it shall not be lawful for any Maker of Crown Glass or German Sheet Glass, who shall also be a Maker of Plate Glass, to make or manufacture at the same Time from the same Furnace or within the same Glasshouse or Building any Crown Glass or German Sheet Glass and Plate Glass, but all such Plate Glass shall be made and manufactured in a separate Place, when no Crown Glass or German Sheet Glass shall be making or manufacturing, or any fixed Materials or Metal for making the same shall be in such Glasshouse or Building; and every such Maker as aforesaid who shall make or manufacture at the same Time in the same Glasshouse or Building any Plate Glass and any Crown Glass or German Sheet Glass shall forfeit One hundred Pounds, and all the Plate Glass and Crown Glass or German Sheet Glass found so in the course of Manufacture at the same Time shall also be forfeited.

Declaring the Acts for securing the Duty on Crown Glass to extend to German Sheet Glass.

XVI. And whereas the same Account of Duty is imposed on German Sheet Glass made in the United Kingdom as on Crown Glass, but in some of the Regulations for securing the said Duty on German Sheet Glass is not mentioned, whereby Doubts may arise whether German Sheet Glass is included in some of the Regulations prescribed by such Acts: for obviating of which Doubts, be it further declared and enacted, That all the Regulations contained in any Act or Acts for securing the Duties on or regulating the Manufacture of spread Window Glass or Crown Glass, and all the Provisions, Clauses, Enactments, Powers, Penalties, and Forfeitures in such Act or Acts contained, shall extend to and be put in force in securing the Duties on and regulating the Manufacture of German Sheet Glass.

Manufacturers of German Sheet Glass to provide a Room for depositing Goods not requiring to be assayed.

XVII. And whereas in the Manufacture of German Sheet Glass certain Goods and Wares are made which do not require to be assayed, and it is expedient to provide for securing the Duty on such Articles; be it therefore enacted, That every Manufacturer of German Sheet Glass making any Goods or Wares which do not require to be assayed shall and he is hereby required to provide in his Glasshouse a good, sufficient, and well-lighted Room for the placing and depositing therein such Goods and Wares as do not require to be assayed in an assaying Arch; and such Room, and the Door or Entrance thereof, shall be securely locked, fastened, and sealed by the Officer or Officers of Excise under whose Survey such Maker shall from Time to Time be at all Times when there shall be any such Glass as aforesaid therein, save and except when the same shall be opened by such Officer or Officers for the Purpose of depositing thereon such Glass as aforesaid, or of weighing and taking an Account of such Glass; and when any such Maker shall be desirous of having the Door or Entrance of such Room unlocked and opened for any of the Purposes aforesaid, such Maker shall give to the Officer of Excise under whose Survey he shall be One Hour's previous Notice in Writing of his Intention of depositing such Glass in such Room, and Six Hours Notice for weighing such Glass for the Charge of Duty, specifying in such Notice the particular Time and Hour when he is desirous to have the same so unlocked and opened, whereupon the Officer shall attend, pursuant to such Notice, and shall unlock and open the said Door or Entrance, and shall continue the same so unlocked and opened for so long a Time as shall be necessary for the Purpose specified in such Notice, and such Officer shall thereupon again lock, fasten, and secure the said Door or Entrance; and all Locks, Keys, and Fastenings requisite and necessary for locking and securing the said Room shall be provided and maintained at the Expense of such Manufacturer; and if any Maker of German Sheet Glass shall refuse to provide such Room as aforesaid, or to pay for any Lock, Key, or Fastening provided by the Supervisor of Excise for locking and securing the same, he shall forfeit One hundred Pounds.

Makers to deposit the German Sheet Glass or Wares not requiring to be assayed in Trays or Baskets to be provided by them, and to convey the same into the Room provided for that Purpose, as soon as they, under the Penalty of 100*l*.

XVIII. And be it further enacted, That every Maker of German Sheet Glass who shall make or manufacture any German Sheet Glass which does not require to be put or deposited into any Assay or to be assayed therein, such Maker having provided such Room as by this Act required for placing and depositing the same therein, shall, as soon as such German Sheet Glass shall be made or manufactured into Glass Wares, lay or deposit all such German Sheet Glass, or the Wares into which the same shall be made or manufactured, in Trays or Baskets, to be by him in that behalf provided, and shall immediately, or as soon as the same shall be filled, carry and convey all such Trays or Baskets, with the Glass or Wares laid or deposited therein as aforesaid, into the Room by him provided for such Purpose, and shall place and deposit such Trays or Baskets, or the German Sheet Glass or Wares therein, in such Room, and keep and continue the same therein until the Officer shall have finally weighed and taken an Account thereof for Charge of Duty; and every Maker of German Sheet Glass who shall make or manufacture any such Glass as aforesaid, and shall not so lay or deposit all such Glass, or the Wares into which the same shall be made or manufactured, in such Trays or Baskets as aforesaid, or who shall not immediately, or as soon as the same shall be filled, carry and convey every such Tray or Basket, with such Glass therein, into such Room as aforesaid, or who shall not place or deposit the German Sheet Glass or Wares therein in such Room, or shall not keep or continue the same therein until the Officer shall have finally weighed and taken an Account thereof as aforesaid, shall for every such Offence forfeit and lose the Sum of One hundred Pounds: Provided always, that any Officer or Officers of Excise shall be at liberty to weigh or take an Account of all German Sheet Glass brought into or deposited in such Room in such Manner and at such Times as he or they may think fit.

Makers to provide Scales and Weights in the Room for unassayed Glass.

XIX. And be it further enacted, That every Maker of German Sheet Glass shall and he is hereby required to keep sufficient and just Scales and Weights in such Room as aforesaid, and shall at his own Expense buy, provide, and affix within such Room fit and proper Hooks or Staples, and also permit and suffer any Officer or Officers of Excise at any Time to use the same for the Purpose of weighing

and taking an Account of and re-weighing in such Room the Glass, as he may think fit, which shall at any Time be deposited therein; and if any such Maker shall neglect to keep such Scales and Weights, or either of them, or shall not at his own Expence first, provide, and affix in manner aforesaid such fit and proper Hooks or Staples as aforesaid, or shall not permit or suffer any Officer or Officers of Excise to use the same, such Maker shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds; and if any such Maker shall in the weighing or re-weighing of any such German Sheet Glass make use of, or trust or procure or suffer to be made use of, any false, unjust, or insufficient Scales or Weights, or shall practice any Art, Device, or Contrivance by which any Officer or Officers may be hindered or prevented from taking the just and true Weight of any such German Sheet Glass, then and in every such Case such Maker shall for every such Offence forfeit the Sum of Two hundred Pounds, with all such false, unjust, or insufficient Scales and Weights respectively, and the same shall and may be seized by any Officer of Excise.

Penalty for  
Neglect, 100<sup>l</sup>

Making use of  
false Scales,  
Penalty, 200<sup>l</sup>.

XX. And be it further enacted, That the Drawback now payable on unground and unpolished Plate Glass shall be and the same is hereby repeated: and no Drawback shall be allowed or payable on any Plate Glass exported after the passing of this Act from the United Kingdom, except such Glass shall be ground and polished, and in all other respects conformable to the Regulations in respect to the Drawback on and Export of ground and polished Plate Glass contained in an Act passed in the Fifty-sixth Year of the Reign of His Majesty King George the Third, intituled *An Act to repeal certain Drawbacks and counterbalancing Duties of Excise on Beer and Malt, and to alter the Drawbacks on Plate Glass, and to prevent Frauds thereon.*

Drawback on  
unground and  
unpolished  
Plate Glass  
exported

27 G. 3. c. 128.

XXI. And be it further enacted, That so much of any Act or Acts as prohibits or prevents Plate Glass from being made or manufactured of any greater Thickness than Five Eighths of an Inch shall be and the same is hereby repeated: and it shall be lawful for any Maker of Plate Glass to make and manufacture the same of any Thickness: provided always, that no Plate Glass shall be certified to be exported as Drawback which shall be in any Part thereof when ground and polished of a less Thickness than One Eighth of an Inch.

Repeal of the  
Restrictions as  
to the Thickness  
of Plate Glass.

XXII. And be it further enacted, That so much of any Act or Acts as requires a Certificate of the Charge or Payment of Duty to accompany any Glass which shall be removed from *Ireland* into *Great Britain* shall be and the same is hereby repeated.

Repeal of Cer-  
tificates.

XXIII. And be it further enacted, That this Act or any of the Provisions thereof may be repealed, altered, or amended by any Act to be passed in this present Session of Parliament.

Act may be  
altered, &c.

### C A P. LXXXVIII.

An Act to explain and amend an Act passed in the Second and Third Year of the Reign of King William the Fourth, for amending the Representation of the People in Scotland; and to diminish the Expences there. [9th September 1835.]

WHEREAS it is expedient that the Time for fixing the Day of Election of Members to serve in Parliament for Cities, Burghs, or Towns in Scotland should be shortened after the Receipts of the Writs by the Sheriff, and that the Poll at each Election should be taken in One Day: And whereas an Act was passed in the Second and Third Year of the Reign of His present Majesty, intituled *An Act to amend the Representation of the People in Scotland*, whereby it is provided that the Day of Election shall be not less than Ten or more than Sixteen Days after the Day on which the Writ is received: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That each Sheriff to whom any Writ for the Election of a Member or Members to serve for any City, Burgh, or Town, or District of Cities, Burghs, or Towns, shall be directed, under the Provisions of the said recited Act, shall likewise on the Back of the Writ the Day on which he received it, and shall (except only in the Cases hereinafter provided) within Two Days thereafter announce a Day or Days for the Election or Elections, which Day or Days shall (except only in the Cases hereinafter provided) be not less than Four nor more than Ten Days in Cities, Burghs, and Towns, or Districts of Cities, Burghs, and Towns, after the Day on which the Writ was received, and shall give due Intimation thereof as is provided in the said recited Act.

28 J W 4. c. 63.

Electors to attend on the Writ the Day on which he received it, and within Ten Days announce the Day or Days within Ten Days.

II. Provided always, and be it enacted, That in the Districts comprehending *Kirkcaldy*, *Wick*, *Dunfermline*, *Dunrobin*, *Tain*, *Cromarty*, *Aberdeen*, *Combermere*, *Jeonoury*, and *Glen*, the Provisions of the said recited Act, in so far as they relate to the Annunciation of the Day of Election, and the Interval to elapse between the Receipt of the Writ and the Proclamation thereof, shall remain in full Force and Effect, any thing contained in this Act notwithstanding.

Proviso as to  
Shires and  
Districts of  
Burghs  
hereto specified.

III. And be it enacted, That the Sheriff may, if required by or on behalf of any Candidate, or, if not so required, if it shall appear to him expedient, increase or alter the Number, Situation, or Arrangement of the existing Polling Places and Districts, or Parts thereof, as that not more than Three hundred Electors shall be allotted to poll in each Booth or Compartment for any of the Cities, Burghs, or Towns within his Shire; and where an Alteration has been made by the Sheriff in the Number, Situation, or Arrangement of the Polling Places in any such City, Burgh, or Town, the Town Clerk shall forthwith make up a List of the Polling Places, and cause Copies thereof to be affixed to the Doors of all the Parish or Town Churches within each City, Burgh, or Town.

Sheriff may  
alter Polling  
Places and  
Polling Places.

On Requisition, Sheriff to arrange Booths as in next section also 100 Electors shall poll in each Booth in such Polls to be kept open only One Day.

IV. And be it further enacted, That on the Requisition of any Candidate, or of any Elector being the Proposer or Secondor of any Candidate, the Booths or Compartments at each Polling Place shall be so divided and arranged by the Sheriff or his Subordinate duly authorized by him that not more than One hundred Electors shall be allotted to poll in each such Booth or Compartment: Provided always, that such Candidate or Elector making such Requisition shall pay all Expenses incident upon such Division or Arrangement.

V. And be it enacted, That no Poll at any Election for any City, Burgh, or Town, or District of Cities, Burghs, or Towns, shall be kept open for more than One Day, and that only between the Hours of Eight in the Morning and Four in the Afternoon; provided always, that at any Time after a Poll has been commenced the Poll at any One Place may be closed if all the Candidates or their Agents and the Sheriff or his Substitute shall agree in so closing it; and after the Poll shall have been closed at all the Polling Places the Sheriff or his Substitute may freshen upon Receipt of the whole Poll Books, and after having summed them up, make Proclamation of the Member or Members chosen, at any Hour not later than Two of the Clock in the Afternoon, without waiting for the Day appointed for the Declaration: Provided also, that where the Proceedings at any Election shall be interrupted or obstructed by any Riot or open Violence, whether such Proceedings shall consist of the Nonattendance of Candidates or of the taking the Poll, the Sheriff or his Substitute at the Place where the Riot or open Violence has occurred may adjourn the Nonattendance or the taking the Poll at the particular Polling Place or Places at which such Riot or open Violence shall have happened to the following Day or some other convenient Time, and, if necessary, may repeat such Adjournment till such Interruption or Obstruction shall have ceased, he always giving Notice to the Sheriff, or his Substitute who is to make the Return, of such Adjournment having been made; and the State of the Poll shall not be finally declared, nor the Result of the Election proclaimed, until the Poll be so interrupted or obstructed shall be closed and transmitted to the Sheriff or his Substitute who is to make the Return.

Sheriff Subordinate to transmit these Poll Books to the Sheriff.

Return may be delayed when Poll Books not received.

Proclamation to be made the Day after Receipt of Poll Books.

Sheriff, as Agent of Freeholder, to remove such Freeholder's Name from District to County Town List.

Vote of Freeholder to be enclosed as well as Vote of Life Freeholder.

Sheriff, in case of necessity Absence, may appoint a special Substitute.

Appointing of the Sheriff's Court of Appeal.

Enacted Act repealed as far

VI. And be it enacted, That where a Poll takes place for a District of Burghs situated in different Counties the Poll Books shall at the final Close thereof be forthwith sealed up and delivered or transmitted by the Sheriff or Sheriff Substitutes in charge of the Polls to the Sheriff appointed by the said recited Act to make the Return of the Member for such District.

VII. And be it enacted, That in case any of the Poll Books of any County, City, Burgh, or Town shall not have been received by the returning Sheriff in Time to cast up the Votes on the several Poll Books and to declare the Election within the Period prescribed by this Act, the said Sheriff shall postpone the Declaration of the Election till the said several Books are received.

VIII. And be it enacted, That the Sheriff shall, on the Day after the Receipt of the Poll Books, and before Four of the Clock in the Afternoon, declare the Result of the Election, and make Proclamation accordingly: Provided that if the Poll Books shall be received on a Saturday such Declaration and Proclamation shall be made before Four of the Clock on the Monday following.

IX. And be it enacted, That any Freeholder of any County or Shire in Scotland whose Rights are preserved to him by the said recited Act shall be entitled to make Application to the Sheriff of such County or Shire, and upon One Month's Notice thereof being published on the Doors of the said Sheriff Court, to poll at all Times thereafter at the Polling Place for the District within which the County Town is situated; and the Sheriff shall delete his Name from the District List, and insert it in that for the District in which the County Town is situate: Provided always, that after making such Application to the said Sheriff, and publishing such Notice on the Doors of the said Sheriff Court, it shall not be lawful for the said Freeholder to poll in any other District of such County or Shire; and provided also, that where a Fire and Life Renter are registered in respect of the same Freehold Qualification they shall both occur in the said Application.

X. And be it enacted, That the Vote of any Bur of a Freehold Qualification in any County or Shire in Scotland whose Rights are preserved to him by the said recited Act shall always be taken by the Sheriff on a Paper apart, and shall not be reckoned by him in casting up the Votes at any Election where it shall appear that the Life Renter has voted.

XI. And be it enacted, That where a Sheriff is necessarily absent from any Place where any Duty, other than that of acting as a Judge of Appeal, is required of him by the said recited Act or by this Act, it shall be competent for him to appoint a special Substitute to act for him at such Place; and in the Event of so such special Substitution, his ordinary Subordinate at the Place shall be entitled and is hereby required to act in his Room; and if the Office of Sheriff shall at any Time be vacant by Death or Resignation, when any of the Duties imposed by the said recited Act or by this Act (other than those imposed upon him as a Judge of Appeal) are required to be performed, the ordinary Substitute at the Head Burgh of the Shire appointed by the former Sheriff shall be entitled and is hereby required to act until a Successor to such former Sheriff shall be appointed and be in a Capacity to act.

XII. And be it enacted, That the Sheriff composing the Court of Appeal constituted by the said recited Act may assemble at the different Circuit Towns on such Day as they shall fix between the Fifteenth and Twenty-fifth Days of September in each Year, whether the Circuit Courts for this end the succeeding Years shall have been held prior to these Dates or not; and where such Court shall consist of four Sheriffs, the Sheriff against whose Judgment any Appeal shall be brought shall have no Voice in the Determination of any such Appeal.

XIII. And be it enacted, That in all Cases in which the Provisions of the said recited Act shall be inconsistent with this Act, and in as far as shall be necessary to give effect to the true Intent and

Meaning of this Act, but no further, the said recited Act shall be and the same is to such Extent hereby repealed; but the said recited Act shall in all other respects remain in full Force and Effect, and be as good and effectual to carry this Act into execution as if the same were herein repeated and re-enacted.

XIV. And be it further enacted, That this Act shall take effect from and after the passing thereof.

XV. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in the present Session of Parliament.

## C A P. LXXXIX.

An Act to suspend, until after the Sixth Day of April One thousand eight hundred and thirty-six, Proceedings for recovering Payment of certain Instalments of the Money advanced under the Acts for establishing Tithe Compositions in Ireland. [9th September 1835.]

WHEREAS by an Act passed in the Third and Fourth Years of His Majesty's Reign, intitled 'An Act for the Relief of the Owners of Tithes in Ireland, and for the Amendment of an Act passed in the last Session of Parliament, entitled 'An Act to amend Three Acts passed respectively in the Fourth, Fifth, and in the Seventh and Eighth Years of His late Majesty King George the Fourth, providing for the establishing of Compositions for Tithes in Ireland, and to make such Compositions permanent, it is amongst other Things enacted, that it should be lawful for any Person entitled to any Tithes arising out of Lands in Ireland, for the Years One thousand eight hundred and thirty-one, One thousand eight hundred and thirty-two, or One thousand eight hundred and thirty-three, to make Application to the Lord Lieutenant, praying Relief, under the said Act, in respect of such Tithes; and it is further enacted, that such Application should be made by a Memorial, with a Schedule thereto annexed, setting forth such Particulars as in the said Act are in that Behalf mentioned; and it is by the said Act further enacted, that the said Memorial and Schedule, acceded as therein is mentioned, should be transmitted to recover therein mentioned to the Lord Lieutenant, who should thereupon authenticate and direct such Sum to be advanced to such Memorialist as should appear by the said Memorial and Schedule to be due and owing to him on account of the Tithes therein included; and it is thereby further enacted, that the said Lord Lieutenant should cause every such original Memorial and Schedule, together with a Certificate under his Hand of the Amount of the Advances so made in the Memorials, to be lodged in the Office of the Remembrance of the Court of Exchequer in Ireland, and that the Amount stated in each such Certificate to have been so advanced should be repaid by Five equal Instalments, the First thereof to be made on the First Day of November One thousand eight hundred and thirty-four, and One of the Four remaining Instalments on the First Day of November in each of the succeeding Four Years, in the Manner and subject to the Conditions recited in the said Act: And whereas under the Powers contained in the said Act Advances to a large Amount have been made to Parties entitled to Tithes arising out of Lands in Ireland, for the said Years One thousand eight hundred and thirty-one, One thousand eight hundred and thirty-two, and One thousand eight hundred and thirty-three: And whereas it may be expedient not to enforce immediate Payment, from the Parties to whom such Advances have been made, of the several Instalments which become due from them on the First Day of November One thousand eight hundred and thirty-four, and which will become due on the First Day of November One thousand eight hundred and thirty-five: be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury, if it shall seem to them expedient so to do, to delay or suspend the Institution or Prosecution of any Proceedings for Recovery or enforcing Payment of any such Instalments as aforesaid until after the Sixth Day of April One thousand eight hundred and thirty-six.

## C A P. LXXX.

An Act to apply a Sum of Money out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and thirty-five, and to appropriate the Supplies granted in this Session of Parliament. [10th September 1835.]

§ 1. There shall be applied, for the Service of the Year 1835, £5,147,000 out of the Consolidated Fund.

II. The Treasury may cause £5,147,000 of Exchequer Bills to be made out in manner prescribed by 45 G. 3. c. 1.

III. The Clauses, &c. in that Act extended to this Act.

IV. Exchequer Bills to bear Interest not exceeding 5½ per Cent. per Annum;

V. Bank may advance £5,147,000 on the Credit of this Act.

VI. The Treasury to cause Bills prepared by virtue of this Act to be delivered to the Bank as Security for Advances.

VII. Money raised to be applied by the Treasury to Services voted in this Session.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

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|  |           |  |  |
|--|-----------|--|--|
| IX. These shall be issued and applied, towards the Supply for 1835, £380,000 12s. 7d., being the Surplus of Ways and Means for any preceding Years.  |           |  |  |
| X. Moneys coming into the Exchequer by no. 5 B & 12. act, —£15,000,000 by Exchequer Bills under c. 4. act, —£13,521,550 by Exchequer Bills under c. 44. act, —and also the aid £3,197,000 and £280,000 12s. 7d. shall be applied as hereafter expressed. |           |  |  |
| XI. There shall be issued and applied,   |           |  |  |
| £6,245,723   | 0 0       | For Naval Services, viz.   |  |
| 153,054  | 0 0       | For Wages of 26,500 Seamen and Marines, and to the Ordinary and Yard Craft   |  |
| 250,895  | 0 0       | For their Victuals   |  |
| 103,594  | 0 0       | For Salaries, &c. of Officers, and contingent Expenses of the Admiralty Office   |  |
| 92,188   | 0 0       | For ditto of the Navy Pay Office   |  |
| 26,590   | 0 0       | For ditto of the Scientific Departments of the Navy  |  |
| 815,105  | 0 0       | For Half Pay of Navy and Marines   |  |
| 222,025  | 0 0       | For Military Pensions  |  |
| 210,225  | 0 0       | For Civil Pensions and Allowances  |  |
| 350,612  | 0 0       | For Wages of Artificers and Labourers and others in His Majesty's Naval Establishments at Home                                       |  |
| 551,218  | 0 0       | For Naval Stores for building and repairing and Purchase of Ships, and Purchase of Steam Machinery, and repairing Decks, Wharfs, &c. |  |
| 10,218   | 0 0       | For Medicine and Medical Stores  |  |
| 95,546   | 0 0       | For Naval Miscellaneous Services   |  |
| 160,450  | 0 0       | For Charges of Transport, and Conveyance and Victualing of Troops, and Freight of Stores on account of Army and Ordnance             |  |
| 96,550   | 0 0       | For conveying Convict, to New South Wales  |  |
| 118,547  | 0 0       | For Salaries, &c. of Officers, and contingent Expenses of Naval Establishments at Home   |  |
| 20,661   | 0 0       | For ditto of Naval Establishments Abroad   |  |
| 25,758   | 0 0       | For Wages of Artificers, Labourers, and others in His Majesty's Naval Establishments Abroad  |  |
| 69,440   | 0 0       | For new Works and Improvements in Yards  |  |
| XII.   | 6,188,391 | 6 5  | For Land Forces and other Services aforesaid, viz.   |
|  | 2,078,328 | 6 7  | For Forces in the United Kingdom and Stations Abroad (except India)  |
|  | 70,151    | 0 10   | For Allowances to principal Officers of Public Departments in the United Kingdom, their Deputies and Clerks, and contingent Expenses   |
|  | 6,490     | 0 0  | For the Military Asylum and Aberdeen Military School   |
|  | 1,275,675 | 6 1  | For Clerks and Aids in Hospitals   |
|  | 100,528   | 15 0   | For Volunteer Corps in Great Britain   |
|  | 116,121   | 4 6  | For General Staff Officers and Officers of Hospitals in the United Kingdom and on Foreign Stations (except India), and the Garrison of the Cape Ports and Tower of London            |
|  | 15,096    | 0 0  | For Rewards for Military Services and Allowances to Garrison Officers in the United Kingdom and Foreign Stations   |
|  | 106,000   | 0 0  | For Pay of General Officers not being Colonels of Regiments  |
|  | 78,000    | 0 0  | For Full Pay for reduced and retired Officers  |
|  | 355,500   | 0 0  | For Half Pay and Allowances to reduced and retired Officers  |
|  | 76,080    | 0 0  | For Half Pay and reduced Allowances to Officers of disbanded Foreign Corps, Pensions to wounded Foreign Officers, and Allowances to Widows and Children of deceased Foreign Officers |
|  | 144,029   | 0 0  | For Pensions to Widows of Officers   |
|  | 180,000   | 0 0  | For Compassionate List, Allowances of His Majesty's Bounty, and Pensions to wounded Officers   |
|  | 44,585    | 2 8  | For Superannuations to Persons formerly belonging to Public Departments  |
|  | 124,350   | 8 2  | For the Commissariat Department  |
|  | 51,445    | 16 3   | For Half Pay, Pensions, and Allowances in ditto  |
|  | 7,516     | 0 0  | For augmenting the Pay of General Officers   |
|  | 218,961   | 5 4  | For Disbanded Militia of the United Kingdom  |

To  
31st March 1835.From  
1st April 1835 to  
31st March 1836.To  
31st March 1836.

|                 |    |    |  |
|-----------------|----|----|--|
| MIL. £1,206,059 | 0  | 0  | For Ordnance Services for the Year 1835-6.   |
| 71,193          | 0  | 0  | For Salaries to the Master-General, Officers, and Clerks at the Tower, Pall Mall, and Dublin.  |
| 8,506           | 0  | 0  | For Salaries to the Departments at Woolwich.   |
| 14,381          | 0  | 0  | For Salaries to the Ordnance Establishments at Home.   |
| 97,583          | 0  | 0  | For ditto Abroad and in Ireland.   |
| 35,477          | 0  | 0  | For ditto of Barrack Masters and Sergeants.  |
| 4,420           | 0  | 0  | For Master Gunners in Great Britain, Guernsey, Jersey, and Ireland.  |
| 74,254          | 0  | 0  | For the Engineers, Sappers, and Miners, and Establishment for their Instruction.   |
| 575,445         | 0  | 0  | For the Royal Artillery.   |
| 53,962          | 0  | 0  | For Horse Artillery and Riding House Troop for the United Kingdom.   |
| 609             | 0  | 0  | For Director General of Artillery and Field Train Department.  |
| 10,040          | 0  | 0  | For the Medical Establishment of the Military Department of the Ordnance.  |
| 50,888          | 0  | 0  | For Superintendance of Ordnance Works and Repairs in Great Britain, Ireland, and the Colonies.                                       |
| 1,684           | 0  | 0  | For Ordnance Works and Repairs, and Storekeepers Expenditure.  |
| 26,215          | 0  | 0  | For Superintendance of building and Repair of Barracks.  |
| 66,503          | 0  | 0  | For building and Repair of Barracks.   |
| 64,011          | 0  | 0  | For Barrack Masters Department.  |
| 131,932         | 0  | 0  | For Military, Civil, and Barrack Contingencies.  |
| 63,000          | 0  | 0  | For the Ordnance and Military Store Branch.  |
| 20,000          | 0  | 0  | For Stores for Foreign Works and Repairs for the Year 1835-7.  |
| 1,500           | 0  | 0  | For Ordnance Services not provided for in 1834-5.  |
| 164,228         | 0  | 0  | For Superannuations, retired Allowances, Pensions, &c. for 1835-6.   |
| 161,068         | 0  | 0  | For Bread, Meat, &c. for Troops in Great Britain, and for Coal, &c. to Stations in the Colonies.                                     |
| XIV. 28,584,700 | 0  | 0  | To pay of Exchange Bills charged on the Aids of 1834 and 1835.   |
| XV. 621,250     | 0  | 0  | To pay of Exchange Bills issued for Public Works, and for Relief of Persons who have sustained Losses in the West Indies.            |
| XVI. 1,040      | 0  | 0  | For the Civil Establishment of the <i>Bahama Islands</i> to the 31st March 1835.   |
| 4,259           | 15 | 4  | For ditto of <i>Bermuda</i> .  |
| 5,120           | 0  | 0  | For ditto of <i>Prince Edward's Island</i> .   |
| 12,050          | 15 | 10 | For ditto of Settlements in <i>Western Africa</i> .  |
| 14,250          | 18 | 6  | For Ecclesiastical Establishments in <i>North America</i> .  |
| 7,417           | 1  | 8  | For Settlement in <i>Western Australia</i> .   |
| 22,000          | 0  | 0  | For the Indian Department in <i>Cuxida</i> in 1835.  |
| 965             | 10 | 0  | For the Civil Government of <i>Holigwood</i> to 31st March 1835.   |
| 9,000           | 0  | 0  | For ditto of <i>Newfoundland</i> .   |
| 6,652           | 11 | 6  | For ditto of <i>Nova Scotia</i> .  |
| 70,000          | 0  | 0  | For Civil and Military Establishments at <i>St. Helena</i> , from 30th April 1835 to 31st March 1836.                                |
| XVII. 95,700    | 0  | 0  | To Barristers for revising Lists of Voters.  |
| 180,000         | 0  | 0  | For Civil Contingencies to 31st March 1836.  |
| 17,795          | 0  | 0  | For the <i>British Museum</i> to Christmas 1835.   |
| 43,200          | 0  | 0  | For Public Buildings and Works, heretofore charged upon the Civil List.  |
| 10,750          | 0  | 0  | For Works, &c. at <i>Kingstown Harbour</i> to 31st March 1836.   |
| 11,875          | 0  | 0  | For ditto at <i>Portpatrick Harbour</i> .  |
| 5,478           | 0  | 0  | For <i>Holyhead</i> and <i>Liverpool Roads</i> and <i>Holyhead</i> and <i>Beach Harbour</i> .  |
| 16,000          | 0  | 0  | For new Buildings at the <i>British Museum</i> .   |
| 12,000          | 0  | 0  | For Expenses of erecting a National Gallery.   |
| 7,025           | 0  | 0  | For Repairs at <i>Whitehall Chapel</i> .   |
| 44,000          | 0  | 0  | For temporary Accommodation of the Houses of Parliament.   |
| 6,125           | 0  | 0  | For Works at the new Post Office Station at <i>St. John's Place</i> .  |
| 20,700          | 0  | 0  | For the Officers of the Houses of Parliament, and Provisions of retired Officers of the Two Houses, and for the Fee Funds, for 1835. |
| 22,400          | 0  | 0  | For the Expenses of the Houses of Parliament for 1835.   |
| 26,500          | 0  | 0  | For Deficiency of Fee Fund at the Treasury   |
| 10,122          | 0  | 0  | For ditto at the Home Office   |
| 15,487          | 0  | 0  | For ditto at the Foreign Office  |
| 12,455          | 0  | 0  | For ditto at the Colonial Office   |
| 19,642          | 0  | 0  | For ditto at the Privy Council Office  |
| 6,000           | 0  | 0  | For contingent Expenses at the Treasury  |
| 5,414           | 0  | 0  | For ditto in the Home Department   |
| 51,500          | 0  | 0  | For ditto in the Foreign Department  |
| 5,900           | 0  | 0  | For ditto in the Colonial Department   |
| 4,150           | 0  | 0  | For ditto in the Privy Council   |

To  
31st March 1836.



|           |    |    |   |                          |
|-----------|----|----|---|--------------------------|
| £ 22,002  | 0  | 0  | For Salaries &c. of Comptroller General of the Exchequer and Paymaster of Civil Services  | } To<br>31st March 1835. |
| 5,700     | 0  | 0  | For Messengers and Officers at the Treasury and Exchequer   |                          |
| 2,006     | 0  | 0  | For Professors in Oxford and Cambridge  |                          |
| 2,000,000 | 0  | 0  | For Supplies granted for 1834 or any preceding Year   | }                        |
| 12,000    | 0  | 0  | For Salaries and Expenses of Insolvent Debtors Court  |                          |
| 1,461     | 0  | 0  | For Superintendance of Affairs to 5th April 1835.   |                          |
| 17,000    | 0  | 0  | For the Proconsular at <i>Athens</i>  | } To<br>31st March 1835. |
| 4,094     | 0  | 0  | For the State Paper Office and Office for the Custody of Records  |                          |
| 5,180     | 0  | 0  | For Commissioners of Municipal Corporations in 1835.  |                          |
| 10,200    | 0  | 0  | For Commissioners of Criminal Law.  | }                        |
| 2,700     | 0  | 0  | For Commissioners of County Rates.  |                          |
| 42,841    | 0  | 0  | For Commissioners of Poor Laws.   |                          |
| 11,000    | 0  | 0  | For Commissioners for preventing Traffic in Slaves.   | }                        |
| 25,068    | 0  | 0  | For Salaries, &c. of Consuls, and of Superintendants of Trade at <i>Canton</i>  |                          |
| 6,112     | 0  | 0  | For Salaries of Factory Inspectors under 5 & 6 W. 4. c. 105.  |                          |
| 65,318    | 0  | 0  | For retired Allowances to Persons formerly in Public Offices or in the Public Service   | To<br>31st March 1835.   |
| 11,800    | 0  | 0  | For <i>Toshense</i> and <i>Crossen</i> Emigrants, <i>Dutch</i> Naval Officers, <i>St Domingo</i> Sufferers, <i>American</i> Laylists, &c. | }                        |
| 1,830     | 0  | 0  | For the Vaccine Establishment for 1835.   |                          |
| 5,000     | 0  | 0  | For the Refuge for the Destitute, ditto.  |                          |
| 2,500     | 0  | 0  | For confining and maintaining Criminal Lunatics   | }                        |
| 6,900     | 0  | 0  | For Protestant Dissenting Ministers, French Refugee Clergy and Laity, &c.   |                          |
| 35,300    | 0  | 0  | For Foreign and other Secret Services   |                          |
| 121,756   | 0  | 0  | For Stationery, &c. for Public Departments in the United Kingdom and the Colonies, and for Paper for printing for Parliament in 1835      | To<br>31st March 1835.   |
| 5,000     | 0  | 0  | For Expenses of Gold Coinage  | }                        |
| 8,000     | 0  | 0  | For Prosecutions relating to the Corn   |                          |
| 8,000     | 0  | 0  | For Low Charges   |                          |
| 64,000    | 0  | 0  | For Convicts at Home and in <i>Bonaville</i>  | }                        |
| 50,000    | 0  | 0  | For Support of captured Negroes, &c.  |                          |
| 147,500   | 0  | 0  | For Convicts in <i>New South Wales</i> and <i>Van Diemen's Land</i>   |                          |
| 10,000    | 0  | 0  | For Expenses of Record Commission to 31st August 1835.  | }                        |
| 2,500     | 0  | 0  | For Compensation to <i>Sir A. B. King</i> .   |                          |
| 4,000     | 0  | 0  | For Parliamentary Fees on Turnpike Road Acts in 1835.   |                          |
| 90,000    | 0  | 0  | For the Execution of Schoolmasters in England to 31st March 1835.   | }                        |
| 1,000     | 0  | 0  | For the Geographical Society.   |                          |
| 24,511    | 0  | 0  | For Canal Commissions in <i>Canada</i> .  |                          |
| 16,667    | 0  | 0  | For Salaries to Governors, &c. in the <i>West India</i> Colonies  | To<br>31st March 1835.   |
| 60,730    | 0  | 0  | For Salaries of Special Justices under 5 & 6 W. 4. c. 75.   | }                        |
| 1,600     | 0  | 0  | For Salaries of Agents for Emigration   |                          |
| 58,000    | 0  | 0  | For Miscellaneous Charges for Scotland  |                          |
| 51,000    | 0  | 0  | For the Expenses of Parliament, &c. for 1835.   | }                        |
| 7,000     | 0  | 0  | For Service of Plate and Outfit for Speaker of the House of Commons.  |                          |
| 4,875     | 0  | 0  | For Commissioners for inquiring into Charities, for Half a Year from 31st March to 30th September 1835.                                   |                          |
| 6,000     | 0  | 0  | For Commissioners of Excise Inquiry.  | }                        |
| 5,000     | 0  | 0  | For Maintenance, &c. of Criminal Lunatics for 1835.   |                          |
| 110,000   | 0  | 0  | For Charges hitherto paid out of County Rates for 1835.   |                          |
| 115,000   | 0  | 0  | For Compensation for Losses by Act of the <i>Danish</i> Government in 1807.   | }                        |
| 68,051    | 15 | 10 | For Compensation for Losses by Fire of the Custom House, <i>DuWit</i> .   |                          |
| 6,000     | 0  | 0  | For <i>Egyptian</i> Antiquities for the <i>British Museum</i> .   |                          |
| 22,500    | 0  | 0  | For Bursars for revising Lists of Voters in 1835.   | }                        |
| 10,000    | 0  | 0  | For the distressed <i>Wives</i> in this Country.  |                          |
| 10,000    | 0  | 0  | For erecting Model Schools to 31st March 1835.  |                          |
| 25,000    | 0  | 0  | For educating, &c. the emancipated Negro Population in 1835.  | }                        |
| 6,220     | 0  | 0  | For Salaries, &c. of Special Justices in the Colonies.  |                          |

|          |        |   |   |   |                  |
|----------|--------|---|---|---|------------------|
| 4 XVIII. | £5,000 | 0 | 0 | For the Franching Hospital in Dublin  |                  |
|          | 90,000 | 0 | 0 | For the House of Industry in Dublin, the Lunatic Department and Hospitals attached                          |                  |
|          | 200    | 0 | 0 | For the <i>Abolition</i> Marine Society   |                  |
|          | 1,000  | 0 | 0 | For the Female Orphan House in Dublin   |                  |
|          | 2,800  | 0 | 0 | For the Waterland Lock Hospital   |                  |
|          | 1,000  | 0 | 0 | For the Lying-in-Hospital   |                  |
|          | 1,200  | 0 | 0 | For Dr. <i>Stewart's</i> Hospital   |                  |
|          | 3,800  | 0 | 0 | For the Fever Hospital and House of Recovery, Dublin  |                  |
|          | 500    | 0 | 0 | For the Hospital for Insane   |                  |
|          | 5,500  | 0 | 0 | For the Royal Dublin Society  |                  |
|          | 500    | 0 | 0 | For the Royal Irish Academy   |                  |
|          | 500    | 0 | 0 | For the Royal <i>Abolition</i> Academy  |                  |
|          | 1,800  | 0 | 0 | For the Royal <i>Abolition</i> Academic Institution   |                  |
|          | 55,000 | 0 | 0 | For the Advancement of Education in Ireland   | To               |
|          | 8,028  | 0 | 0 | For <i>Rosses</i> Catholic College  | 31st March 1835. |
| XIX.     | 700    | 0 | 0 | For Board of Charitable Bequests in Ireland   |                  |
|          | 28,423 | 0 | 0 | For Secretaries to Lord Lieutenant, of the Privy Council Office, and Printing for Public Offices in Ireland |                  |
|          | 12,686 | 0 | 0 | For Household of the Lord Lieutenant and other Officers, formerly charged on the Civil List                 |                  |
|          | 6,697  | 0 | 0 | For the Office of Vice Treasurer and Teller of the Exchequer  |                  |
|          | 4,100  | 0 | 0 | For publishing Proclamations and Statutes   |                  |
|          | 25,400 | 0 | 0 | For Dissenting Ministers  |                  |
|          | 45,000 | 0 | 0 | For Criminal Prosecutions   |                  |
|          | 16,000 | 0 | 0 | For the Dublin Police   |                  |
|          | 3,538  | 0 | 0 | For Public Works  |                  |
|          | 7,000  | 0 | 0 | For Townland Survey of Ireland  |                  |
|          | 12,300 | 0 | 0 | For Board of Works for 1835   |                  |

XX. Supplies to be applied only for the Purpose aforesaid.

XXI. Rules to be observed in the Application of the Sum appropriated to Half Pay. This Act not to prevent receiving Half Pay under any Act relating to the General or Local Militia, the Yeomanry, or Volunteers.

XXII. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1818. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament.

XXIII. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXIV. Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oath having been taken as required by 4 & 5 W. 4 c. 84, indemnified.

XXV. Half Pay allowed to the Officers of the *Moor* Fencibles.

XXVI. Half Pay Allowances to Chaplains of Regiments not being in Possession of Ecclesiastical Benefices derived from the Crown.

XXVII. The Surplus of the Sum appropriated for Half Pay by 4 & 5 W. 4 c. 85, authorized to be disposed of to named or meritorious Officers, or their Widows or Children, as His Majesty shall direct.

XXVIII. Widows and Persons claiming Pensions or Allowances to take the required Oath. By whom such Oath is to be administered.

### C A P. LXXXI

An Act for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege.

[10th September 1835.]

WHEREAS by an Act made and passed in the Parliament of Ireland in the Thirty-sixth Year of the Reign of His Majesty King George the Third, entitled *An Act to further explain and amend* 20 G. 3. (1)  
*an Act passed in the Twenty-third and Twenty-fourth Years of His present Majesty's Reign, intitled*  
*'An Act for constituting a Post Office within the Kingdom; and to explain and amend an Act passed in*  
*the Twenty-eighth Year of His present Majesty's Reign, intitled 'An Act to explain and amend an Act*  
*passed in the Twenty-third and Twenty-fourth Years of His present Majesty's Reign, intitled 'An Act*  
*for constituting a Post Office within the Kingdom,'* and by an Act made and passed in the Fifty-second 20 G. 2. c. 148  
*Year of the Reign of His said Majesty King George the Third, intitled 'An Act for amending and*  
*revising into One Act the Provisions contained in any Laws now in force imposing the Penalty of Death*  
*for any Act done as Breach of or in Resistance to any Part of the Laws for collecting His Majesty's*  
*Revenues in Great Britain, it is amongst other Things enacted, that if any Person whatsoever employed*  
*by or under the Post Office of Great Britain, receiving, stamping, sorting, carrying, conveying,*  
*or delivering Letters or Packets, or in any other Business relating to the said Office, shall*  
*steal, embezzle, or destroy any Letter or Packet, or Bag, or Mail of Letters, with which he or she*  
 54 c. 10. 14.

shall have been entrusted in consequence of such Employment, or which shall in any other Manner have come to his or her Hands or Possession whilst so employed, containing the Whole or any Part or Parts of any Bank Note, Bank Post Bill, Bill of Exchange, Exchange Bill, South Sea or East India Bank, Dividend Warrant, either of the Bank, South Sea, East India, or any other Company, Society, or Corporation, Navy or Victualling or Transport Bill, Ordinance Debenture, Seaman's Ticket, State Lottery Ticket or Certificate, Bank Receipt for Payment of any Loan, Note of Assignment of Stock in the Funds, Letter of Attorney for receiving Annuities or Dividends or for selling Stock in the Funds or belonging to any Company, Society, or Corporation, American Provincial Bill of Credit, Goldsmith's or Banker's Letter of Credit or Note for or relating to the Payment of Money, or other Bond or Warrant, Draft, Bill, or Promissory Note whatsoever for the Payment of Money, or shall steal and take out of any Letter or Packet with which he or she shall have been so entrusted, or which shall have come to his or her Hands or Possession, the Whole or any Part or Parts of any such Bank Note, Bank Post Bill, Bill of Exchange, Exchange Bill, South Sea or East India Bond, Dividend Warrant, either of the Bank, South Sea, East India, or other Company, Society, or Corporation, Navy or Victualling or Transport Bill, Ordinance Debenture, Seaman's Ticket, State Lottery Ticket or Certificate, Bank Receipt for Payment of any Loan, Note of Assignment of Stock in the Funds, Letter of Attorney for receiving Annuities or Dividends or for selling Stock in the Funds belonging to any Company, Society, or Corporation, American Provincial Bill of Credit, Goldsmith's or Banker's Letter of Credit or Note for or relating to the Payment of Money, or other Bond or Warrant, Draft, Bill, or Promissory Note whatsoever for the Payment of Money, every Person so offending, being thereof convicted, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy: And whereas in and by the said recited Act it is further enacted, that if any Person shall steal and take from any Carriage, or from the Possession of any Person employed to convey Letters sent by the Post of Great Britain, or from or out of any Post Office, or House or Place for the Receipt or Delivery of Letters or Packets, or Bags or Mails of Letters, sent or to be sent by such Post, any Letter or Packet, or Bag or Mail of Letters sent or to be sent by such Post, or shall steal and take any Letter or Packet out of any such Bag or Mail, every Person so offending, and being thereof convicted, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy: And whereas in and by the said recited Act it is further enacted, that if any Person shall counsel, command, hire, persuade, procure, aid, or abet any such Deputy, Clerk, Agent, Letter Carrier, Post Boy or Rider, or any Officer or Person whatsoever employed by or under the said Office, in receiving, stamping, sorting, charging, carrying, conveying, or delivering Letters or Packets, or in any other Business relating to the said Office, to commit any of the Offences in the said recited Act, and herein-before mentioned, or shall, with a fraudulent Intention, buy or receive the Whole or any Part or Parts of any such Security or Instrument as in the said recited Act and herein-before described, which shall have been contained in, and which at the Time of buying or receiving thereof he or she shall know to have been contained in any such Letter or Packet as so secured, embargoed, stolen, or taken by any Deputy, Clerk, Agent, Letter Carrier, Post Boy, or Rider, or any other Officer or Person so employed as aforesaid, or which such Person so buying or receiving as aforesaid shall at the Time of buying or receiving thereof know to have been contained in and stolen and taken out of any Letter or Packet stolen and taken from or out of any Mail or Bag of Letters sent and conveyed by such Post, or from or out of any Post Office, or House or Place for the Receipt or Delivery of Letters or Packets, or Bags or Mails of Letters sent or to be sent by such Post, every Person so offending, and being thereof convicted, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy, and should and might be tried, convicted, and sentenced of such Felony as well before as after the Trial or Conviction of the principal Felon, and whether the said principal Felon should have been apprehended, or should be amenable to Justice, or not: And whereas by an Act passed in the Seventh and Eighth Years of the Reign of King George the Fourth, intituled *An Act for consolidating and amending the Laws in England relative to Larceny and other Offences committed therein*, and by another Act made and passed in the Ninth Year of His said Majesty's Reign, intituled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences committed therein*, it is amongst other Things enacted, that if any Person shall break and enter any Church or Chapel, and steal therein any Church, or having stolen any Church in any Church or Chapel shall break out of the same, every such Offender, being convicted thereof, shall suffer Death as a Felon: And whereas it is expedient that a lesser Punishment than that of Death should be provided for the Parliament of the Offenders convicted of any of the Offences so specified in the said Act of the Fifty-second Year of the Reign of His Majesty King George the Third, and in the said Act of the Seventh and Eighth Years of the Reign of King George the Fourth: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of each of the said Acts as inflicts the Punishment of Death upon Persons convicted of any of the Offences therein and herein-before specified shall be and the same is hereby repealed, and that from and after the passing of this Act every Person convicted of any of the Offences in the said Act so specified, or of aiding or abetting, counselling or procuring the Commission thereof, shall be liable to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned, with or without hard Labour, in the Common Goal or House of Correction for any Term not exceeding Four Years.

28 G. 4. c. 20.

5 G. 4. c. 25.

In pursuance of the recited Acts as respects the Parliament of Death for Letter Stealing and Stealing specified, and Transportations substituted.

## C A P. LXXXII.

An Act to abolish certain Offices connected with Fines and Recoveries and the Curstines in the Court of Chancery, and to make Provision for the Abolition of certain Offices in the Superior Courts of Common Law in England.

[10th September 1835.]

WHEREAS by an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act for the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance*, it is enacted, that after the Thirty-first Day of December One thousand eight hundred and thirty-three no Fine shall be levied or Common Recovery suffered of Lands or Tenure, and that every Fine or Common Recovery levied or suffered contrary to the Provisions of that Act shall be absolutely void, save and except in Cases where a Writ of Dedimus or other Writ in the regular Proceedings of such Fine or Recovery shall have been sued out on or before the said Thirty-first Day of December One thousand eight hundred and thirty-three: And whereas by the Operation of the said Act the Business of certain Offices in the Court of Common Pleas and of the Allocation Office has almost wholly ceased; and it is expedient that the said Offices should be abolished, and the few Duties remaining to be performed transferred to some other Officer: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty-first Day of December One thousand eight hundred and thirty-five the several Offices in His Majesty's Court of Common Pleas hereafter mentioned, to-wit, of the Clerographer, and the Secondary Register and Clerks of Counties in the Office of the Chirographer, of the Clerk of the King's Bench, and of the Clerk of the Return Office and of the Instrument of Writs for Fines and Recoveries, and also the several Offices in the Allocation Office, consisting of Two Commissioners, a Receiver General, Two Entering Clerks, a Master at Chancery appointed for taking Affidavits, and an Office Keeper, shall be and the same are hereby abolished.

28 W. 4. c. 11

Common Offices abolished.

Records, &c. transferred to the Register in London under 25 & 26 W. 4. c. 58. subject to Orders of the Court of Common Pleas.

Business of abolished Offices transferred to the Register under 2 & 3 W. 4. c. 74.

Searches may be made and Copies taken, which shall be as available as heretofore.

Fines heretofore paid in the Allocation Office to be paid to Judges.

II. And be it further enacted, That the several Records, Books, and other Documents of and concerning the Duties and Business of the said Offices so abolished as aforesaid shall on or before the said Thirty-first Day of December be delivered by the several Officers or Persons now having Custody of the same into the Hands and Possession of the Officer of the Court of Common Pleas at Westminster for the Time being appointed or to be appointed by the Lord Chief Justice of the Court of Common Pleas, for the Purpose of examining, filing, and recording all Certificates of the taking of Acknowledgments by Married Women of Deeds under the Provisions of the said in part recited Act, to be by him kept and preserved; subject nevertheless to such Rules, Orders, and Regulations as the Court of Common Pleas shall or may from Time to Time make or ordain in respect of the same.

III. And be it further enacted, That from and after the said Thirty-first Day of December, in all such Cases where Parties intending to levy a Fine or suffer a Common Recovery shall on or before the Thirty-first Day of December One thousand eight hundred and thirty-three have sued out a Writ of Dedimus or any other Writ in the regular Proceedings of such Fine or Recovery, the Proceedings, Matters, and Things usually done, performed, filed, or recorded by the Officers whose Offices are hereby abolished, or any of them, which are by Law required or lawful to be done, performed, filed, or recorded in respect of every such Fine or Recovery, shall be done, performed, filed, or recorded by the said Officer of the Court of Common Pleas for the Time being appointed or to be appointed for examining, filing, and recording the before-mentioned Certificates; and the Proceedings, Matters, and Things in all such Fines and Recoveries so done, performed, filed, or recorded by the said Officer of the Court of Common Pleas shall from and after the Thirty-first Day of December One thousand eight hundred and thirty-five be as full and effectual to all Intests and Purposes in Law and Equity as if the said Proceedings, Matters, and Things had been done, performed, filed, and recorded by the Officers whose Offices are hereby abolished; any Law, Custom, or Usage to the contrary notwithstanding: Provided always, that the said Officer of the Court of Common Pleas for the Time being in the Performance and Execution of the Duties and Business hereby transferred to him shall be subject to all the Enactments and Provisions now in force by virtue of any Statute or Statutes, and to all the Rules, Orders, and Regulations of the Court of Common Pleas now in force or which may hereafter be made relating to all such Fines and Recoveries, where the Writ of Dedimus or other Writ in the regular Proceedings of such Fines and Recoveries shall have been sued out on or before the said Thirty-first Day of December One thousand eight hundred and thirty-three.

IV. And be it further enacted, That from and after the said Thirty-first Day of December One thousand eight hundred and thirty-five Searches may be made and Copies or Extracts of and from the said Records, Books, and Documents shall and may be had and taken, in such Times and in such Manner as both here the accustomed Practice in the Offices hereby abolished: and all such Copies or Extracts, signed and authenticated by the said Officer of the Court of Common Pleas for the Time being appointed or to be appointed as aforesaid, shall be as available in Evidence, and as valid and effectual, to all Intests and Purposes, as the same would by Law have been if the same had been signed, authenticated, and given by the Officers whose Offices are hereby abolished, or any of them.

V. And be it further enacted, That from and after the said Thirty-first Day of December any Fine or Fines usually called Pre Fines and Post Fines, now payable on Allocation of Lands or other Hereditaments to the Receiver General of Allocations Fines, in Cases where the Writ of Dedimus or any other Writ in the regular Proceedings of levying a Fine or suffering a Common Recovery shall have been issued on

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or before the Thirty-first Day of December One thousand eight hundred and thirty-three shall be assessed by and paid to the Officers of the Court of Common Pleas for the Time being appointed or to be appointed as aforesaid, in like Manner as the same is or are now paid and payable to the said Receiver General of Alms for the Time being; and the said Officer of the Court of Common Pleas for the Time being is hereby required to keep a true and full Account of every Pre and Post Fine received by him, and to account for such Fines to the Lord High Treasurer or Commissioners of His Majesty's Treasury at such Times and in such Manner as he or they may direct.

VI. And be it further enacted, That it shall be lawful for each Officer of the Court of Common Pleas for the Time being appointed or to be appointed as aforesaid, from and after the Thirty-first Day of December, to demand and receive the same Fees and Emoluments for all Proceedings, Masters, and Things done, performed, filed, or recorded by him as the several Officers whose Offices are hereby abolished have been accustomed to demand and receive; and the said Officer of the Court of Common Pleas for the Time being is hereby required to account for all such Fees and Emoluments received by him to the said Lord High Treasurer or Commissioners of His Majesty's Treasury at such Times and in such Manner as he or they may direct; and the said Lord High Treasurer or Commissioners of His Majesty's Treasury is and are hereby authorized and empowered to allow such Officer of the Court of Common Pleas for the Time being such Remission for the Performance of the Duties imposed upon him by this Act as he or they shall think reasonable and proper.

VII. And whereas by the Operation of the said in part recited Act for the Abolition of Fines and Recoveries several Lords of Liberties and other Persons in England and Wales, who are lawfully entitled to receive certain Sums or Fines, or Parts of Fines, payable on the Alms of Lord and other Hereditaments by Fine or Recovery, have been and will be wholly deprived thereof, and it is reasonable and fit that Compensation should be made to the said Persons for such Losses; be it therefore enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, by Warrant under their Hands in order and direct that from and after the Thirty-first Day of December One thousand eight hundred and thirty-three such annual or other Compensation as in his or their Discretion shall seem just and reasonable shall be made to all and every the Lords of Liberties, Lessees or Grantees under the Crown, Bodies Corporate and Politic and other Persons who at the Time of the passing of the said Act were lawfully entitled to Fines or Parts of Fines payable on Alienation of Land and other Hereditaments in England or Wales as aforesaid, for any Loss which they have and will respectively sustain by reason of the Abolition of such Fines; and all such Compensation, whether annual or in gross, shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided always, that an Account of all such Compensation shall within Fourteen Days next after the same shall be so granted be laid before the Common House of Parliament, if Parliament shall be then assembled, or if Parliament shall not be then assembled then within Fourteen Days after the Meeting of Parliament then next following.

VIII. And whereas the Receiver General of Alms for the Time being, prior to the Commencement of the Year One thousand eight hundred and thirty-four, paid to the Keeper or Clerk of the Hamper in the Court of Chancery, or to his Deputy, the Sum of Two thousand Pounds per Annum out of the Moneys received for Fines at the Alms for the Office upon Writs of Covenant and Writs of Entry, towards defraying the Salaries, Allowances, and other Payments charged upon the said Keeper or Clerk of the Hamper by Acts of Parliament and other Authorities: And whereas in consequence of the Abolition of Fines and Recoveries the said Receiver General has not been enabled to pay the said Sum since the Commencement of the Year One thousand eight hundred and thirty-four, and it is necessary that Provision should be made for charging it upon the Consolidated Fund; be it therefore enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, if he or they shall think proper, to direct a Sum not exceeding Two thousand Pounds per Annum to be charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and to be issued and paid and payable to the Keeper or Clerk of the Hamper in the Court of Chancery, or to his Deputy, at such Times and in such Portions as the said Lord High Treasurer or the Commissioners of His Majesty's Treasury may direct, to enable the said Keeper or Clerk of the Hamper, or his Deputy, to provide for and discharge the Salaries, Allowances, and other Payments charged upon and payable in the said Office of the Hamper, the first Payment of Two thousand Pounds per Annum, or such Part thereof as may be required, to be reckoned and be payable from the First Day of January One thousand eight hundred and thirty-four.

IX. And whereas by the Operation of this Act the Emoluments of the Acting Consistors of the Court of Chancery will be entirely taken away, and it is reasonable and fit that Compensation should be made to the Persons now holding those Situations, for the Loss thereof; be it therefore enacted, That it shall and may be lawful for the Lord High Treasurer or any Three or more of the Commissioners of His Majesty's Treasury for the Time being, by Warrant under his or their Hands, to order and direct that such annual or other Compensation as to him or them, in their Discretion, shall seem just and reasonable, shall be made to the Persons now performing the Duties of Acting Consistors of the Court of Chancery, for any Loss of Emoluments arising from such Employment which they may respectively sustain by reason of the Abolition of the Offices of the Consistors of the said Court by the Provisions of this Act, and such Compensation, whether annual or in gross, shall be issued and paid and payable out of and be charged and chargeable upon the Consolidated Fund of the United Kingdom

of Great Britain and Ireland: Provided always, that an Account of such Compositions shall within Fourteen Days next after the same shall be so granted be laid before the Commons House of Parliament, if Parliament shall be then assembled, or if Parliament shall not be then assembled then within Fourteen Days after the Meeting of Parliament then next following.

X. And whereas by the Operation of an Act passed in the Second Year of the Reign of His present Majesty, intitled *An Act for Uniformity of Process in Personal Actions in His Majesty's Courts of Law* at Westminster, and of another Act passed in the Third and Fourth Years of the Reign of His present Majesty, intitled *An Act for the Abolition of Fees and Revenues, and for the Substitution of more simple Modes of Assistance*, the Business of the Carriers of the High Court of Chancery has been greatly diminished, and it is expedient that their Offices should be abolished, and the few remaining Duties transferred to some other Officer belonging to the said Court: be it therefore enacted, That from and after the said Thirty-first Day of December the Offices of the Clerks of the said High Court of Chancery shall utterly cease and determine, and all and every the Duties of the said Carriers shall be performed by the Clerks of the Petty Bag Office in the said Court for the Time being, and all the Acts to be done by the said Clerks of the Petty Bag Office in the Performance of the Duties of the said Carriers, from and after the said Thirty-first Day of December, shall, in all respects, and to all Intents and Purposes, have the same Force and Effect as if the same had been done and performed by the said Carriers or by their Deputies.

XI. And be it further enacted, That the several Records, Books, and other Documents of and concerning the Duties and Business of the Offices of the said Carriers shall, on or before the said Thirty-first Day of December, be delivered by the said Carriers or their Deputies into the Hands and Possession of the said Clerks of the Petty Bag Office, to be by them kept and preserved for the same Uses and Purposes as the said Records, Books, and other Documents have been heretofore kept and preserved in the Office of the said Carriers.

XII. And be it further enacted, That it shall be lawful for the said Clerks of the Petty Bag Office for the Time being, from and after the said Thirty-first Day of December, to demand and receive the same Fees for all Acts, Matters, and Things done, performed, and executed by them as the several Carriers whose Offices are hereby abolished have been accustomed to demand and receive: and the said Clerks of the Petty Bag Office for the Time being are hereby required to account for all such Fees received by them to the said Lord High Treasurer or Commissioners of His Majesty's Treasury, at such Times and in such Manner as he or they may direct; and the said Lord High Treasurer or Commissioners of His Majesty's Treasury is and he is hereby authorized and empowered to allow the Clerks of the Petty Bag Office for the Time being such Remuneration for the Performance of the Duties hereby imposed upon them as he or they shall think reasonable and proper.

## C A R. LXXXIII.

An Act to amend the Law touching Letters Patent for Inventions. [10th September 1835.]

WHEREAS it is expedient to make certain Additions to said Alterations in the present Law touching Letters Patent for Inventions, as well for the better protecting of Patents in the Rights intended to be secured by such Letters Patent, as for the more ample Benefit of the Public from the same: Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Person who, as Grievor, Assignee, or otherwise, hath obtained or who shall hereafter obtain Letters Patent, for the sole making, exercising, vending, or using of any Invention, may, if he think fit, enter with the Clerk of the Patents of England, Scotland, or Ireland, respectively, as the Case may be, having first obtained the Leave of His Majesty's Attorney General or Solicitor General in case of an English Patent, of the Lord Advocate or Solicitor General of Scotland in the Case of a Scotch Patent, or of His Majesty's Attorney General or Solicitor General for Ireland in the Case of an Irish Patent, certified by his Fiat and Signature, a Declaration of any Part of either the Title of the Invention or of the Specification, stating the Reasons for such Declaration, or may, with such Leave as aforesaid, enter a Memorandum of any Alteration in the said Title or Specification, not being such Declaration or such Alteration as shall exceed the exclusive Right granted by the said Letters Patent; and each Declaration or Memorandum of Alteration, being filed by the said Clerk of the Patents, and enrolled with the Specification, shall be deemed and taken to be Part of such Letters Patent or such Specification in all Courts whatsoever: Provided always, that any Person may enter a caveat, in like Manner as Caveats are now used to be entered, against such Declaration or Alteration; which caveat being so entered shall give the Party entering the same a Right to have Notice of the Application being heard by the Attorney General or Solicitor General or Lord Advocate respectively: Provided also, that no such Declaration or Alteration shall be receivable in Evidence in any Action or Suit (save and except in any Proceeding by Scire facias) pending at the Time when such Declaration or Alteration was enrolled, but in every such Action or Suit the original Title and Specification above shall be given in Evidence, and deemed and taken to be the Title and Specification of the Invention for which the Letters Patent have been or shall have been granted: Provided also, that it shall be lawful for the Attorney General or Solicitor General or Lord Advocate, before granting such Fiat, to

Carriers of the Court of Chancery abolished from and after the 31st December 1835, and Duties trans ferred to Petty Bag Office. 35, 4, 7, 24, 49, 4 & 71

Records, &c. of the Carriers transferred to the Clerks of the Petty Bag Office

Clerks of the Petty Bag Office to receive the same Fees as the Carriers for all Acts done by them.

Any Person having obtained Letters Patent for any Invention may enter a Declaration of any Part of his Specification, or a Memorandum of any Alteration therein, which when filed, shall be deemed Part of such Specification.

Caveat may be entered as heretofore.

Declaration not to be used in Evidence pending at the Time.

Attorney General may require the

Party to whom the Bill Disclaims.

Made of proceeding where Petitioner is proved not to be the real Inventor, though he believed himself to be so.

If any Petition or Suit or Verdict or Decree shall pass for the Patent, the Judge may give a Certificate, which shall nullify the Patent, upon a Verdict in law for the Patent, to certify the Title Copy.

Made of proceeding in case of Application for the Prohibition of the Term of a Patent.

Where of Actions, or Notice of Objections to be given.

As to Costs in Actions for infringing Letters Patent.

require the Party applying for the same to advertise his Disclaimer or Alteration in such Manner as to such Attorney General or Solicitor General or Lord Advocate shall seem right, and shall, if he so require such Advertisement, certify in his Fiat that the same has been duly made.

II. And be it enacted, That if in any Suit or Action it shall be proved or specially found by the Verdict of a Jury that any Person who shall have obtained Letters Patent for any Invention or supposed Invention was not the first Inventor thereof, or of some Part thereof, by reason of some other Person or Persons having invented or used the same, or some Part thereof, before the Date of such Letters Patent, or if such Patentee or his Assigns shall discover that some other Person had, unknown to such Patentee, invented or used the same, or some Part thereof, before the Date of such Letters Patent, it shall and may be lawful for such Patentee or his Assigns to petition His Majesty in Council to confirm the said Letters Patent or to grant new Letters Patent, the Matter of which Petition shall be heard before the Judicial Committee of the Privy Council; and such Committee, upon examining the said Matter, and being satisfied that such Patentee believed himself to be the first and original Inventor, and being satisfied that such Invention or Part thereof had not been publicly and generally used before the Date of such first Letters Patent, may report to His Majesty their Opinion that the Prayer of such Petition ought to be complied with, whereupon His Majesty may, if He think fit, grant such Prayer; and the said Letters Patent shall be available in Law and Equity to give to such Petitioner the sole Right of using, making, and vending such Invention as against all Persons whatsoever, any Law, Usage, or Custom to the contrary thereof notwithstanding: Provided, that any Person opposing such Petition shall be entitled to be heard before the said Judicial Committee: Provided also, that any Person, Party to any former Suit or Action touching such first Letters Patent, shall be entitled to have Notice of such Petition before proceeding the same.

III. And be it enacted, That if any Action at Law or any Suit in Equity for an Account shall be brought in respect of any alleged Infringement of such Letters Patent heretofore or hereafter granted, or any Sore Pleas to repeal such Letters Patent, and if a Verdict shall pass for the Patentee or his Assigns, or if a final Decree or decretal Order shall be made for him or them, upon the Merits of the Suit it shall be lawful for the Judge before whom such Action shall be tried to certify on the Record, or the Judge who shall make such Decree or Order to give a Certificate under his Hand, that the Validity of the Patent came in question before him, which Record or Certificate being given in Evidence in any other Suit or Action whatever touching such Patent, if a Verdict shall pass, or Decree or decretal Order be made, in favour of such Patentee or his Assigns, he or they shall receive Treble Costs in such Suit or Action, to be taxed at Three Times the taxed Costs, unless the Judge making such Second or other Decree or Order, or trying such Second or other Action, shall certify that he ought not to have such Treble Costs.

IV. And be it further enacted, That if any Person who now hath or shall hereafter obtain any Letters Patent as aforesaid shall advertise in the London Gazette Three Times, and in Three London Papers, and Three Times in some Country Paper published in the Town where or near to which he carried on any Manufacture of any Thing made according to his Specification, or near to or in which he resides in case he carried on no such Manufacture, or published in the County where he carries on such Manufacture or where he lives in case there shall not be any Paper published in such Town, that he intends to apply to His Majesty in Council for a Prohibition of his Term of sole using and vending his Invention, and shall petition His Majesty in Council to that Effect, it shall be lawful for any Person to enter a Covenant at the Council Office; and if His Majesty shall refer the Consideration of such Petition to the Judicial Committee of the Privy Council, and Notice shall first be by law given to any Person or Persons who shall have entered such Covenants, the Petitioner shall be heard by his Counsel and Witnesses to prove his Case, and the Persons entering Covenants shall likewise be heard by their Counsel and Witnesses; whereupon, and upon hearing and inquiring of the whole Matter, the Judicial Committee may report to His Majesty that a further Extension of the Term in the said Letters Patent should be granted, not exceeding Seven Years; and His Majesty is hereby authorized and empowered, if He shall think fit, to grant new Letters Patent for the said Invention for a Term not exceeding Seven Years after the Expiration of the first Term, any Law, Custom, or Usage to the contrary in anywise notwithstanding: Provided that no such Extension shall be granted if the Application by Petition shall not be made and prosecuted with Effect before the Expiration of the Term originally granted in such Letters Patent.

V. And be it enacted, That in any Action brought against any Person for infringing any Letters Patent the Defendant on pleading thereto shall give to the Plaintiff, and in any Sore Pleas to repeal such Letters Patent the Plaintiff shall file with his Declaration, a Notice of any Objections on which he means to rely at the Trial of such Action, and no Objection shall be allowed to be made on behalf of such Defendant or Plaintiff respectively at such Trial unless he prove the Objections stated in such Notice: Provided always, that it shall and may be lawful for any Judge at Chambers, or Barrister served by such Defendant or Plaintiff as such Plaintiff or Defendant respectively to show Cause why he should not be allowed to offer other Objections whereof Notice shall not have been given as aforesaid, to give Leave to offer such Objections, on such Terms as to such Judge shall seem fit.

VI. And be it enacted, That if any Action brought for infringing the Right granted by any Letters Patent, in taxing the Costs thereof regard shall be had to the Part of such Case which has been proved at the Trial, which shall be certified by the Judge before whom the same shall be had, and the Costs of each Part of the Case shall be given according as either Party has succeeded or failed therein, regard being

being had to the Notice of Objectors, as well as the Counts in the Declaration, and without Regard to the general Result of the Trial.

VII. And be it enacted, That if any Person shall write, print, or print, or mould, cast, or carve, or engrave or stamp, upon any Thing made, used, or sold by him, for the sole making or selling of which he hath not or shall not have obtained Letters Patent, the Name or any Instance of the Name of any other Person who hath or shall have obtained Letters Patent for the sole making and vending of such Thing without Leave in Writing of such Patentee or his Assigns, or if any Person shall upon such Thing not having been purchased from the Patentee or some Person who purchased it from or under such Patentee, or not having had the License or Consent in Writing of such Patentee or his Assigns, write, print, mould, cast, carve, engrave, stamp, or otherwise mark the Word "Patent," the Words "Letters Patent," or the Words "By the King's Patent," or any Words of the like Kind, Messing, or Impert, with a view of imitating or counterfeiting the Stamp, Mark, or other Device of the Patentee, or shall in any other Manner imitate or counterfeit the Stamp or Mark or other Device of the Patentee, he shall for every such Offence be liable to a Penalty of Fifty Pounds, to be recovered by Action of Debt, Bill, Plea, Process, or Information in any of His Majesty's Courts of Record at Westminster or in Ireland, or in the Court of Session in Scotland, or Heirs and Successors, and the other to any Person who shall use for the same: Provided always, that nothing herein contained shall be construed to extend to subject any Person to any Penalty in respect of stamping or in any way marking the Word "Patent" upon any Thing made, for the sole making or vending of which a Patent before obtained shall have expired.

Penalty for stamp, moulding, &c. the Name of a Patentee, &c.

## C A P. LXXXIV.

An Act to empower Grand Juries in Ireland to raise Money by Presentment for the Construction, Enlargement, or Repair of Piers and Quays. [10th September 1835.]

WHEREAS it would tend to encourage the Fisheries of Ireland, as well as to facilitate the Export of Agricultural Produce and the Introduction of various Commodities into the Interior, if a sufficient Number of Piers and Quays were built upon the Banks of Navigable Lakes and Rivers in Ireland: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when any Person shall be desirous of presenting the Erectors of any Pier or Quay, or the repairing or enlarging of any existing Pier or Quay on the Bank of any Navigable River or Lake, or the making or repairing of any Road or Approach to any such Pier or Quay, in any County, County of a City, or County of a Town in Ireland, or in deepening or embanking of any such Lake or River, it shall and may be lawful for such Person to make Application, and for the Grand Jury of the said County, County of a City, or County of a Town to make Presentment, for such Purpose, in like Manner, and subject to all the Regulations and Provisions which are contained in the first Act of the Third and Fourth of William the Fourth, intitled An Act to amend the Laws relating to Grand Juries in Ireland, respecting Public Works; and every such Application shall be proceeded on in every respect as if it were for a Public Work under the said recited Act of the Third and Fourth of William the Fourth: Provided always, that no Sum or Sums of Money shall be presented for the Erection of any Pier or Quay, or the making any Roads or Approaches thereto, until the Person or Persons making Application by Presentment for such Work shall have first paid into the Hands of the Treasurer of the County, County of a City, or County of a Town in which the proposed Work is to be executed, a Sum equal to One Third Part of the whole estimated Expence of said Work, such Payment to be certified to the Grand Jury of such County, County of a City, or County of a Town, by the said Treasurer's Receipt, previous to their making any Presentment thereon, and such Grand Jury may then make a Presentment for the remaining Two Thirds of such estimated Expence: Provided always, that the Consent in Writing under the Hand and Seal of the Owner or Owners in Fee, or of the Person or Persons having a Lease of Lives reasonable for ever, or a Term of Years not less than Ninety-nine being unexpired of the Time of making such Presentment of the Lands on which the said Work is to be constructed, shall have been lodged in the Office of the Treasurer of such County, County of a City, or County of a Town Six clear Days before the Assizes at which such Presentment is to be applied for: And provided always, that the whole Sum to be so presented for by the Grand Jury for any One Pier, Quay, Embankment, or other Work in this Act described shall not exceed the Sum of Three hundred Pounds Sterling, or for the repairing of any Pier or Quay, or of the Roads or Approaches thereto, or for deepening or embanking any River or Lake, exceeding in the whole the Sum of Three hundred Pounds Sterling.

Grand Jury may make a Presentment for repairing or enlarging any Pier or Quay

54 & W. c. 17

Proviso, that One Third of the Estimate to be first deposited with County Treasurer

Consent of Owners, &c.

Limiting the Amount of Presentments for One Work to 3000.

Justices may grant Order for Repairs.

II. And be it enacted, That it shall and may be lawful for any Two Justices of the Peace in Petty Sessions assembled, in any County, County of a City, or County of a Town, under their Hands and Seals, to order any Sum not exceeding Two Pounds to be expended in repairing any Pier or Quay now existing or to be built on the Bank of any Navigable River or Lake under the Provisions of this Act or of the first Act of the Third and Fourth of William the Fourth which may be suddenly damaged, in like Manner in all respects as they are empowered by the said recited Act of the Third and Fourth of William the Fourth to direct the Repairs of any Roads or Bridges which may be suddenly damaged.



Pier or Quay  
to become Pub-  
lic Property -  
No Stamp Duty  
on Contracts

III. And be it enacted, That every Pier or Quay which shall be built or enlarged under the Provisions of this Act and of the said recited Act of the Third and Fourth of His Majesty the Fourth shall be deemed to become Public Property.

IV. And be it enacted, That no Contract for the making, erecting, repairing, or enlarging any Public Work to be entered into by virtue of this Act, or of the said recited first Act of the Third and Fourth of His Majesty the Fourth, shall be liable to any Stamp Duty.

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**LOCAL AND PERSONAL ACTS,**  
DECLARED PUBLIC,  
AND TO BE JUDICIALLY NOTICED.

N. B.—The Continuance of each of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the accompanying Letter of the End of the Title.

(a) For 21 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.

(b) For 21 Years, &c. from the passing of the Act.

The following are all PUBLIC ACTS; in each of which is annexed a Clause in the Form following.

“And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.”

Cap. v.

An Act for the Improvement of the High Street in the Borough of Ludbury in the County of Hereford. [15th April 1835.]

Cap. vi.

An Act for making, maintaining, and repairing a Turnpike Road from the Town of Belfast to the Town of Cranlin in the County of Antrim. [4.] [15th April 1835.]

[One full Toll only to be taken on some Day for passing over the whole of the Road from Belfast to Cranlin. § 28. One full Toll only to be taken on some Day or some Gate, § 27. If Horses have passed through a Gate not driving, and return drawing a Carriage, the Toll paid on the Horses to be deducted, § 31. Tolls to be paid on Carriages offered to others, § 25. The King and Royal Family, Heirs, Servants, Bricks, Lanes, Timber, Gravel, Materials for Roads or Bridges running directly into or crossing the Road between the Gates at or near its extreme Ends situate at Cranlin and Belfast, and Messrs (except Leas), Inhabitants of Bushantry, Cows in the Streets or Passages not bought or sold, Cows as going to be ground at any of the Manor Mills or land up or removed in the House, &c. of the Owners and not for Sale, Horses in going to or returning from being shod or firmed or to or from Work within the Parishes through which the Road shall pass, or going to or returning from Pasture or watering (if not passing more than Two Miles on the Road), or Horses, &c. crossing the Road only and not passing above 100 Yards thereon, or Horses, &c. going to or returning from Funerals of Persons dying and buried in the said Parishes, Officers or Soldiers on March or Duty, their Arms or Baggage, wounded, sick, or disabled Officers and Soldiers, Overseers or public Stoves, Yeomanry or Volunteer Cavalry or Infantry, Magistrates, Constables, &c. while on Duty, Vagrants and Prisoners and by legal Warrants, and Persons going to or returning from Elections for the County excepted from Toll, § 44. Tolls paid on Waggons, &c. going empty for Road Materials, &c. to be repaid when returning laden, § 46. Toll not to be taken for Beasts, &c. heavy in Waggons, &c. laden with Manure, &c. § 47.]

Cap. vii.

An Act for more effectually repairing the Road from Carnarvon to Newcastle Emlyn, and several other Roads, and for making and maintaining new Lines of Road, all in the County of Carmarthen. [6.] [15th April 1835.]

[§ 4. c. lxxvii. repealed. Three full Tolls only to be taken for passing along the whole Line of Road, Two full Tolls only to be taken for passing from Carnarvon to Newcastle, and One full Toll only from Carnarvon to Mydvan, and Two full Tolls only from Carnarvon to Rhyd Ceirin, on the Star Road, § 14. One Half Toll only to be taken for Troop, Post, or Load for Manure from March to September, both inclusive, § 13. Tolls to be paid but once a Day at some Gate, § 16. No more Money to be paid on Branch Roads than is collected thereon, § 20.]

Cap. viii.

An Act to enable the Utwontwy Life Assurance Society and their Successors to purchase Annuities upon or for Lives, and also to lend Money or Stock upon Mortgage for the Purpose of Investment.

## Cap. v.

An Act for better assessing and collecting the Poor and other Rates in the Parish of *Birling* in the County of *Essex* [12th June 1835.]

## Cap. vi.

An Act for better supplying with Water the Parish of *Bassington*, and the Neighbourhood thereof, in the County of *Kent*. [12th June 1835.]

[*Saving the Rights of Commissioners of Sewers*, *§* 108.]

## Cap. vii.

An Act to authorize the Sale to and Purchase by *John Lord Rolle* of the Rights of Persons claiming to have divers Rights on such Parts of *Great Torrington* and *Coole Hall Common* in the County of *Devon* as now form Part of the Cut or Canal called the *Rolle Canal* [12th June 1835.]

[*Reserving Rights of Way over the Tanning Paths of the Canal from Treen Bridge to Great Torrington Mill*, and across the Canal to a Piece of *Great Torrington Common* called *Deeble*, *§* 9.]

## Cap. viii.

An Act for incorporating the *Warrington and Nantwich Railway* with the *Grand Junction Railway*, and for extending to the said first-mentioned Railway the Provisions of the several Acts of Parliament relating to the said last-mentioned Railway; and for other Purposes relating thereto [12th June 1835.]

[10 G. 4. c. xxxvii. and 11 G. 4. c. lvi. repealed, *§* 1. Powers of 5 W. 4. c. xxxiv. and 4 W. 4. c. 1. extended to this Act, *§* 2. Saving the Rights of the *Stanley Canal and Liverpool and Manchester Railway Companies*, *§* 16.; and of the Right Honourable *Lord Lyford* and the *Rector of Wintock*, *§* 17.]

## Cap. ix.

An Act to enable the *Grand Junction Railway Company* to alter the Line of such Railway, and to make Two Branches therefrom in the County of *Stafford*, and for other Purposes relating thereto. [12th June 1835.]

[Powers of 5 W. 4. c. xxxiv. and 4 W. 4. c. 1. (except as altered) extended to this Act, *§* 1. Saving the Rights of the *Birmingham Canal Company*, *§* 91.; and of the *London and Birmingham Railway Company*, *§* 24.]

## Cap. x.

An Act for making a Railway from *Croydon* to join the *London and Greenwich Railway* near *London*.

[12th June 1835.]

[*Saving the Rights of the Kent Water Works Company*, *§* 0.; and of the *Great Surrey Canal Company*, *§* 15.; and of the *London and Greenwich Railway Company*, *§* 25.; and of the Commissioners, *&c.* under the *Fence Inclosure Act*, *§* 30.; and of the Commissioners of Sewers for *East Molesey* in *Surrey* to *Barnesley* in *Kent*, *§* 205.]

## Cap. xi.

An Act to enlarge the Powers of the *New Pembrey Harbour Act*, to change the Name of the Harbour to that of *Berry Port*, and to enable the *Berry Port Company* to raise a further Sum of Money. [12th June 1835.]

[Powers of 6 G. 4. c. cxi. (except as altered) extended to this Act, *§* 1. Company empowered to raise a further Sum of £45,000 for Completion of the Harbour, *§* 3.]

## Cap. xii.

An Act for constructing and maintaining a Harbour at *New Quay* in the County of *Cardigan*.

[12th June 1835.]

[*Ships and Vessels in His Majesty's Service, or in the Employ of the Ordnance, Customs, Excise, or Post Office, exempted from Rates*, *§* 75. Saving the Rights of the *Trinity House*, *§* 104.]

## Cap. xiii.

An Act for making and maintaining a Pier and other Works at *Dyfford* in the County of *Kent*.

[12th June 1835.]

[*Soldiers and Sailors exempted from Toll*, *§* 85. *Vessels and Boats in His Majesty's Service, or in the Service of the Customs or Excise, the Ordnance or Post Office, exempted from Toll*, *§* 89. Saving the Rights of the *Trinity House*, *§* 121.; and of the Corporation of *London*, *§* 125.; and of Commissioners of Sewers and Parsonage, *§* 126, 128.; and of the *Whitman's Company*, *§* 129.; and of *Trustees of Roads and Dyfford Creek Bridge Company*, *§* 130.]

## Cap. xiv.

An Act to enable the Commissioner appointed under Two Acts for draining certain Lands situated on or near the River *Leven* in the Counties of *Keweenaw* and *Ply* to raise a further Sum of Money for the Purposes of the said Acts. [12th June 1835.]

[Powers of 7 & 8 G. 4. c. cv. and 1 & 2 W. 5. c. 5. (except as altered) extended to this Act, *§* 1.]

## Cap. xv.

An Act to enlarge and regulate the Market now held in the Town of *Devonport* in the County of *Devon*, and to establish a Market within the said Town for Corn, Grains, and other Articles, and to regulate the Assent of Tolls to be paid within the said Markets. [12th June 1835.]

[*Saving the Rights of Sir John St. Aubyn and his Heirs*, § 32; and of the Commissioners of the Town of *Devonport*, § 31.]

## Cap. xvi.

An Act for lighting with Gas the Town and Neighborhood of *Llanelly* in the County of *Carmarthen*. [12th June 1835.]

## Cap. xvii.

An Act for building a new Parish Church in the Town of *Boston* in the County of *Devon*. [12th June 1835.]

[*Saving the Rights of the Bishop of Exeter*, § 60.]

## Cap. xviii.

An Act for paving, cleansing, lighting, and regulating the several Parishes of *Saint Margaret, Saint John the Evangelist, and Saint James*, within the Liberty of *Westminster* in the County of *Middlesex*, and the Precinct of the *Swery*, and also Part of the Liberty of *Stiffren Hill, Holm Gardens, and Ely Road*, within the same County, and for other Purposes therein mentioned. [12th June 1835.]

[2 G. 3. c. 21. 3 G. 3. c. 25. 4 G. 3. c. 33. 5 G. 3. c. 81. 6 G. 3. c. 21. 11 G. 3. c. 22. 20 G. 3. c. 33. and 30 G. 3. c. xxxv. in part repealed, § 1. *Saving the Rights of Trustees of Turnpike Roads*, § 100; and of *Water Companies*, § 101; and of Commissioners of Sewers for *Halifax, Westminster, and Middlesex*, § 103, 104. *Not to affect certain new Streets, Golden Square, or Saint James's Square*, § 105.]

## Cap. xix.

An Act for repairing the Road from *Little Boston* in the County of *Northampton* to *Rockingham* in the same County. (a) [12th June 1835.]

[25 G. 3. c. 148. and 29 G. 3. c. iv. repealed, § 1. *One full Toll only to be taken for passing and repairing on some Day during all the Gates between the Commencement of the Road at the Foot of St. Mary's Bridge, and the Termination thereof at the West Side of the Toll Bar, at the North End of the Town of Rockingham*, § 8. *Tolls to be paid but once a Day at some Gate*, § 9. *Money not to be expended in repairing Streets*, § 15.]

## Cap. xx.

An Act for repairing the Road from *Farnborough* to *Berchell* in the Parish of *Sussex* in the County of *Kent*, and for making several Diversions in the said Road. (b) [12th June 1835.]

[26 G. 3. c. xxxiv. repealed, § 1. *Tolls to be paid but once on some Day for passing and repairing through all the Gates on the Road*, § 8.]

## Cap. xxi.

An Act for making and maintaining a Road from *New Quay* in the County of *Cardigan* to *Aberegra* in the same County. (b) [12th June 1835.]

[*One full Toll only to be taken on some Day for passing and repairing once through all the Gates on the Road*, § 13. *Tolls to be paid but once a Day at some Gate*, § 14.]

## Cap. xxii.

An Act for improving certain Roads within the County of *Hereford* communicating with the City of *Hereford*. (b) [12th June 1835.]

[30 G. 3. c. lxviii. and 30 G. 3. c. lx. repealed, § 1. *Two full Tolls only to be taken on some Day for passing and repairing through all the Gates on the Road*, § 20. *Tolls not to be levied in repairing Streets*, § 22.]

## Cap. xxiii.

An Act to incorporate the *Arwenne Road* in the Parishes of *Saint Marydore* with the *Meryeldene* and *Flewley Turnpike Roads* in the County of *Middlesex*. [12th June 1835.]

[7 G. 4. c. xx. revised, § 1. *No Toll Gate to be placed on the Arwenne Road*, § 2. *No more Money than is allowed on Brown Road to be applied to Brown and Arwenne Road*, § 5. *Act to commence from its passing and continue in force during the Term granted by several Acts*, § 8.]

## Cap. xxiv.

An Act for making and maintaining a Turnpike Road from the Town of *Barnegapost* in the Parishes of *Beleigh* and *Coolfield Turnpike Road* at or near *Anty Cross* in the Parish of *Gashfield*, all in the County of *Sussex*. (a) [12th June 1835.]

[*Double Toll to be taken for Timber, &c. Bricks, Tiles, Gux or other Iron, Chalk, Stone, Sand, or Gravel, between the 20th October and 1st April*, § 7. *No Exemption for Chalk, Lime, &c. for Manure*, § 8. *Toll to be paid for Horses, &c. every Third Time of passing on some Day*, § 9. *Money not to be levied in repairing Streets, &c.*, § 15.]

## Cap. xxv.

An Act for more effectually repairing the *Derlington* and *West Anokind* and the *Cocheton Bridge* and *Staindrop Roads* in the County of *Darham*, and for consolidating the *Trusts* thereof. (4)

[19th June 1835.]

[23 G. 3. c. 146. 25 G. 3. c. 120. 24 G. 3. c. xix. and 24 G. 3. c. xxv. repealed, § 1. No Toll to be paid on repairing one or more Days, § 15. *Lease for Measure* excepted from Toll, § 14. Two full Tolls only to be taken on some Day for passing and repairing through all the Gates on the Road, and One full Toll only between *Boroughbridge* and the *Darham Turnpike Road* at the East End of *Boonpike* in *Derlington*, or the *Boroughbridge* and *Darham Road* at Five Cross Lanes near the *Royal Inn* and *Royal Oak*, and One full Toll only on the District which lies between the North Side of the *Stockton* and *Burward Castle Road*, near the Village of *Pareobridge* and the *Royal Oak*, and One full Toll only between the *Royal Oak* and the *Termination of the District* at the Red House at *Edderby* and the *Greenfield Lane*, and One full Toll only between *Cocheton Bridge* and the Village of *Swanbourne*, and between *Swanbourne* and *Staindrop*, § 17. Money not to be applied in repairing Streets, &c. § 18.]

## Cap. xxvi.

An Act for more effectually repairing the Road from the *Ertry Turnpike Road* to *Bobbleford*, and certain Roads leading from *Britannian Poweray* and *Tatton*, and other Roads communicating therewith; and for repairing *Tatton Bridge*, and erecting Bridges over the *Sheer Canal*, the *Rivers Trips and Lemes*, and the *Mill Lest*; all in the County of *Devon*. (a)

[19th June 1835.]

[5 G. 4. c. xii. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 22. Four full Tolls only to be taken on some Day for passing through all the Gates on the Road, and One full Toll only at *Tatton Bridge*, § 25. *Lease for Measure* excepted from Toll, § 24. No more Money to be laid out on *Brown Roads* than is collected thereon, § 27. Tolls not to be laid out in repairing Streets, &c. § 29. Nor in repairing *Tatton Bridge*, § 35.]

## Cap. xxvii.

An Act for repairing and improving the Roads in the Counties of *Northumberland* and *Darham* called the *Ford* and *Leasid Turnpikes*, and for making certain new Branches in the said Counties. (a)

[12th June 1835.]

[23 G. 3. c. 145. and 23 G. 3. c. xvi. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 16. Four full Tolls only to be taken on some Day for passing and repairing along the whole Lease of Road, § 17. Tolls not to be laid out in repairing Streets, &c. § 22.]

## Cap. xxviii.

An Act for making Turnpike certain Highways between the Towns of *Nasheld* and *Clapton* in the County Palatine of *Cheshire*. (a)

[12th June 1835.]

[One full Toll only to be taken for passing and repairing on some Day once through all the Gates between *Newtosh* and *Whitlanch*, and Two full Tolls only between *Middleton* and *Clapton*, § 3. Toll to be paid for *Horses* on repairing if drawing a different Carriage, &c. and going Two Miles on the Road, § 16. Money not to be expended in repairing Streets, &c. § 18.]

## Cap. xxix.

An Act for building a Bridge over the River *Exe* from the *Skilbay* at the City of *Exeter*, and for making Approaches thereto; and for removing the present Ferry across the said River, and establishing another Ferry or a Foot-bridge in lieu thereof.

[17th June 1835.]

[Saving the Rights of the Corporation of *Exeter*, § 62.]

## Cap. xxx.

An Act to amend the Acts relating to the *Newchester*, *Bolton*, and *Bury Canal* Navigation and Railway, and to make a Branch Railway to *Bolton*.

[17th June 1835.]

[Powers of 1 & 2 W. 4. c. 12. and 2 & 3 W. 4. c. 103. (except as altered) extended to this Act, § 1. Saving the Rights of the *Murray and French Navigation Company*, § 50.]

## Cap. xxxi.

An Act to authorize the *Newcastle upon Tyne* and *Carlisle Railway Company* to make an additional Branch Railway or Turnroad; and for other Purposes connected with their Undertaking.

[17th June 1835.]

[Saving the Rights of the Commissioners appointed by 1 & 2 W. 4. c. 26., § 32. Saving of Tolls of the Corporation of *Newcastle*, § 55.]

## Cap. xxxii.

An Act to amend an Act for improving the Navigation of the River *Clot*, and for deepening and extending the Harbour of *Penryn*, in the County of *Reston*.

[17th June 1835.]

[27 G. 3. c. 56. repealed, § 1. Ships in His Majesty's Service, or in the Employ of the Customs or Excise, Ordnance or Post Office, exempted from Toll, § 56. Materials for the River or Harbour excepted from Duties, § 57. *Furn* Provisions, and *Lives*, &c. for *Measures*, belonging to *Occasors* or *Occupiers* of Lands within Five Miles of the River excepted from *Boats* and *Duties*, § 58. Goods not carried lighter than *Wharfedale* to pay Half Rates only, § 59. Saving the Powers of the *Cycle Trustees* and Jurisdiction of the *Justices of the Peace*, § 60.]

## Cap. xxxiii.

An Act to enable the *Edinburgh Water Company* to borrow a further Sum of Money. [17th June 1835.]  
[Company entitled to borrow of £118,000, § 1.]

## Cap. xxxiv.

An Act to consolidate and extend the Powers and Provisions of the several Acts relating to the *Birmingham Canal Navigations*. [17th June 1835.]

[8 G. 3. c. 88. 9 G. 3. c. 55. 11 G. 3. c. 87. 23 G. 3. c. 90. 26 G. 3. c. 4. 28 G. 3. c. 87. (in part) 28 G. 3. c. 10. (in part) 26 G. 3. c. 87. 46 G. 3. c. 106. 51 G. 3. c. 28. 55 G. 3. c. 21. and 58 G. 3. c. 211. repealed, § 1. Saving the Rights of Lords of Manors or Land Owners to the Fisheries, § 92. Saving the Rights of the Staffordshire and Worcestershire Canal Navigations, § 255. and of the Wyrley and Essington Canal Navigations, § 258. and of the Birmingham Waterworks Company, § 260.]

## Cap. xxxv.

An Act for making, maintaining, and repairing certain Roads near the Towns of *Abbots and Tetton* in the County of *Devon*. (8) [17th June 1835.]

[11 G. 4. c. xxvii. repealed, § 1. No more Money to be laid out on Branch Roads than is collected thereon, § 12. Lites for Messes excepted from Toll, § 15. Tolls not to be laid out in repairing Streets, § 16. Toll paid at any Gate between *Abbots and Cloudford Bridge* or *South or Eastern Side of Every Torrey* to clear all the other Gates on some Day, § 17.]

## Cap. xxxvi.

An Act for repairing and maintaining the Road from the *Willington Bridge Road* in the Parish of *Leeds* to *Tiny Lane End* in the Parish of *Brands*, and other Roads branching therefrom, and for making and maintaining a new Road from the aforesaid Road at *Scutflow Hill* in the Township of *Wortley* to *Putney*, all in the West Riding of the County of *York*. (9) [17th June 1835.]

[6 G. 4. c. iii. repealed, § 1. Tolls to be paid but once a Day on the *Willington and Tiny Lane End District*, § 10. 11. Toll to be paid every Time of passing for Carts, &c. *locas* with Cows, § 13. Tolls to be paid but once a Day on the *Wortley and Putney District*, § 17, 18.]

## Cap. xxxvii.

An Act for making and maintaining a Road from *Stendish* to *Compton* in the County Palatine of *Chester*, and a Branch Road communicating therewith. (6) [17th June 1835.]

[Tolls to be paid but once a Day at some Gate, § 15. Steam Carriages to pay every Time of passing and repassing, § 16. Tolls not to be laid out on repairing Streets, &c., § 18. No more Money to be laid out on Branch Road than is collected thereon, § 19.]

## Cap. xxxviii.

An Act for more effectually repairing the Road from *Mulver's Pond* in the County of *Southampton*, through *Asdowny*, to the Eighteen Mile Stone from the City of *New Sarum* near *Willoughby Hedge* in the County of *Wilt*, and several other Roads leading out of the said Road. (9) [17th June 1835.]

[5 G. 4. c. xcv. repealed, § 1. Tolls to be paid but once a Day at some Gate, § 10. Tolls to be taken at Four Gates only on some Day, § 11. No more Money to be expended on Branch Road than is collected thereon, § 16.]

## Cap. xxxix.

An Act for more effectually repairing and improving the Road from the Town of *Hitchin*, through *Slagford*, to the Turnpike Road from *Saint Albans* to *Bufford*, and also the Road from the Turning out of the said Road to *Hewlow* and *Gayford Bridge*, and other Roads therein mentioned, in the Counties of *Hertford* and *Bedford*. (9) [17th June 1835.]

[20 G. 2. c. 43. 9 G. 3. c. 87. 30 G. 3. c. 115. and 35 G. 3. c. xxii. repealed, § 1. Two full Tolls only to be taken on some Day for passing or repassing through all the Gates on the Road, § 11. No Toll to be taken for repassing once through some Gate on some Day, § 12. Inhabitants of *Hewlow* excepted from Toll at any Gate in that Village for Articles for their own Use, § 16. No Money to be expended in repairing Streets, § 20.]

## Cap. xl.

An Act for more effectually repairing the Road from *Saint Bramford's Gate* in the County of the City of *Surrey* to *Stoughton* in the County of *Norfolk*, and from *Beffington Bridge* in *Buckingham* to the Bounds of *Yaxham*, and also a Lane called *Hunguon's Lane*, near the Gates of the said City. (8) [17th June 1835.]

[10 G. 3. c. 67. 32 G. 3. c. 112. and 35 G. 3. c. 8. repealed, § 1. Toll paid at One Gate to clear the road, and no Toll to be paid on repassing these Gates, and Two full Tolls only for passing and repassing on some Day through all the Gates on the Road, § 10. Steam Carriages to pay every Time of passing, § 14. No Money to be laid out on Roads that have no Toll Gates, § 17. Tolls not to be expended in repairing Streets &c.]

## Cap. xli.

An Act for more effectually repairing the Road from Dryfield, through *Essex*, to *Beage* in the County of *Derby*, and for making a new Lane of Road communicating therewith. (a) [27th June 1835.]  
 [33 G. 3. c. 177. and 34 G. 3. c. cxxix. repealed, § 1. Tolls to be paid but once on some Day for passing and repairing some Gate § 7. Two full Tolls only to be taken on some Day for passing and repairing one through all the Gates on the Road, § 8. Abolition of Tolls for Cylindrical Wheels of a certain Breadth, § 13. No Excisions allowed to certain Carriages having the Heads of the Tires projecting more than a Quarter of an Inch, § 15.]

## Cap. xlii.

An Act to empower the *Dulwich* Oil Gas Light Company to produce Gas from Coal, Peat, Turf, and other Materials; and to amend the Act relating to the said Company. [17th June 1835.]  
 [Powers of 5 G. 4. c. xlii. (except as altered) extended to this Act, § 1.]

## Cap. xliii.

An Act to enable the Inhabitants of *Greenwich Square* in the County of *Middlesex* more effectually to pave, cleanse, light, water, and embellish the said Square. [2d July 1835.]  
 [34 G. 3. c. 52. repealed, § 1. Saving the Rights of Commissioners of Sewers, § 67; and of the War Millstone Works Company, § 69.]

## Cap. xliiv.

An Act for enlarging the Powers of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, to consolidate and amend several Acts for the further Improvement of the Port of *London*, by making Docks and other Works at *Blackwall* for the Accommodation of *East India* Shipping. [2d July 1835.]  
 [45 G. 3. c. 126. 46 G. 3. c. 118. and 34 G. 3. c. cccxviii. and 2 G. 4. c. xcv. re-vested, and Powers of last Act (except as altered) extended to this Act, § 1.]

## Cap. xlv.

An Act for lighting, watching, and improving the Parish of *Torwalton* in the County of *Devon*. [2d July 1835.]  
 [No Money to be laid out in repairing, &c. *Tarponay Harbour*, § 115. Saving the Rights of the *Tarponay Harbour*, &c. § 116.]

## Cap. xlvi.

An Act for improving and regulating the Town of *Aberystwyth* in the County of *Cardigan*, and for supplying the Inhabitants thereof with Water. [2d July 1835.]  
 [Saving the Rights of the Corporation of *Aberystwyth*, § 1.]

## Cap. xlvii.

An Act to alter and amend Three several Acts for paving, cleansing, and improving the Town of *Dunor*, and for making further Improvements in the said Town. [2d July 1835.]  
 [Powers of 18 G. 3. c. 76. 30 G. 3. c. xxvii. and 11 G. 4. c. cxxii. (except as altered) extended to this Act, § 1.]

## Cap. xlviii.

An Act for more effectually repairing, improving, and preserving the Harbour and Quay of *Wells* in the County of *Weymouth*. [2d July 1835.]  
 [15 G. 3. c. 4. and 8 & 9 G. 3. c. 5. repealed, § 1. *Francis in His Majesty's Service, or in the Kingdom of the Ordinance, Customs, or Excise, exempted from Toll*, § 50. Saving the Rights of the Corporations of the *Trinity House* and of *Kington-upon-Hull*, § 64.]

## Cap. xlvix.

An Act for improving the Haven of *Great Yarmouth* in the County of *Norfolk*, and the several Rivers connected therewith, and for repairing or taking down and rebuilding a certain Bridge over the said Haven at *Great Yarmouth* aforesaid, and a certain Bridge called *Saint Olave's Bridge*, over the River *Wensum*, in the Counties of *Norfolk* and *Suffolk*; and for suspending for a limited Period certain Duties payable to the Corporations of *Great Yarmouth*, and imposing other Duties in lieu thereof. [2d July 1835.]  
 [12 G. 3. c. 14. 25 G. 3. c. 26. and 40 G. 3. c. 19. repealed, § 1. *Francis in His Majesty's Service, or in the Kingdom of the Ordinance, Customs, or Excise, or Post Office, exempted from Rates and Duties*, § 43. Saving the Rights of the Corporation as to the Duty or Toll called *Messuages*, § 150. Saving the Rights of the City of *Norwich* and Borough of *Great Yarmouth*, § 152; and of the *Enclosure Loan Commissioners*, § 153; and of the *Trinity House*, § 154; and of the *Bunker Navigation Company*, § 155.]

## Cap. l.

An Act for establishing a new Market for Live Stock and Agricultural Produce, and erecting a Market House or Corn Exchange, in the City of *Winchester*. [2d July 1835.]  
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## Cap. li.

An Act for removing the Markets held in the Town of *Cardiff* in the County of *Glamorgan*, and for providing other Market Places in lieu thereof. [3d July 1835.]  
[*Saving the Rights of the Marquis of Bute and the Corporation of Cardiff*, § 61.]

## Cap. li.

An Act for paving, lighting, and watching the Town and Parish of *Dowdles Market* in the County of *North*. [3d July 1835.]

## Cap. lii.

An Act for removing the Markets held in the Town and Borough of *North* in the County of *Glamorgan*, and for providing a new Market Place in the said Town in lieu thereof. [3d July 1835.]  
[*Saving the Rights of the Parishes, Aldermen, and Burgesses of North*, § 60; and of *Arden and Knaply*, § 70.]

## Cap. liii.

An Act for altering, amending, and extending the Powers and Provisions of an Act of the Sixth Year of His late Majesty King *George the Fourth*, for the Regulation of Buildings in the Town of *Liverpool*, and for the other Purposes therein mentioned; and for granting further and additional Powers for the Improvement and Regulation of the said Town, and the Preservation of Property therein from Fire and otherwise. [3d July 1835.]  
[*Powers of 6 G. 4. c. lxxx. (except as altered) extended to this Act*, § 1.]

## Cap. liii.

An Act to make and maintain a Railway from *Shrewsbury* and *Arbuckle* in the County of *Shropshire* to the Union Canal at *Cannock* in the County of *Stafford*. [3d July 1835.]

## Cap. liii.

An Act to enable the *London and Birmingham Railway Company* to extend and alter the Line of said Railway, and for other Purposes relating thereto. [3d July 1835.]  
[*Powers of 5 G. 4. W. 6. c. xxxxi. (except as hereby altered) extended to this Act*, § 1. *Saving the Rights of the Regents Canal Company*, § 54; and of *Commissioners of Sewers for Holloway and Finsbury Divisions*, § 125.]

## Cap. liva.

An Act to enable the *Leeds and Selby Railway Company* to improve the Line of the said Railway; and for amending and enlarging the Powers and Provisions of an Act relating to such Railway. [3d July 1835.]  
[*Powers of 11 G. 4. c. lxx. (except as altered) extended to this Act*, § 55.]

## Cap. liva.

An Act for making a Railway from *Proton* to *Wye*, and for improving the Harbour of *Wye*, in the County Palatine of *Lancaster*. [3d July 1835.]  
[*Ships driven in the Harbour by Storm of Weather or by an Enemy to be liable to use Mainly only of Rates or Duties*, § 158. *Vessels in His Majesty's Service, or in the Employ of the Ordnance, Customs, or Excise, or Post Office, exempted from Rates or Duties*, § 140. *Saving the Rights of the Trinity House*, § 205.]

## Cap. lvi.

An Act for consolidating the Shares and Berths Canal Navigation, and for extending the Powers of the Act of Incorporation of the Company of Proprietors of the said Canal. [3d July 1835.]  
[*Powers of 1 & 2 G. 4. c. xcvi. (except as altered) extended to this Act*, § 55.]

## Cap. lvi.

An Act for providing in or near the Borough of *Casper* more extensive Accommodation for holding the Courts and Meetings of the Sheriff, Justices of the Peace, and Commissioners of Supply of the County of *Fife*, and for the Custody of the Records of the said County. [3d July 1835.]

## Cap. lvii.

An Act for better supplying with Water the Town of *Ashton-under-Lyne*, and the Neighbourhood thereof, within the Parish of *Ashton-under-Lyne*, in the County Palatine of *Lancaster*. [3d July 1835.]

## Cap. lviii.

An Act for more effectually making, repairing, and maintaining the Turnpike Roads in the County of *Edinburgh*. (c) [3d July 1835.]

[21 G. 2. c. 58. 28 G. 2. c. 20. 4 G. 3. c. 10. 24 G. 5. c. 18. 29 G. 3. c. 105. 38 G. 2. c. xiv. and 45 G. 5. c. xxxiv. repealed so far as they relate to Turnpike Roads within the County of *Edinburgh*, § 1. *Waggons, &c. with broad Wheels of a certain Description to pay Two Thirds only of the usual Toll*, § 9. *Tolls to be paid only once in Six Miles, unless with a new Loading*, § 11. *One full Toll only to be taken between the City of *Edinburgh* and the Confines of the County of *Haddington**, § 12.]



## Cap. lxxii.

An Act for improving and more effectually repairing the several Roads leading into and from the City of Worcester. [20 July 1833.]

[56 G. 3. c. xlv. and 57 G. 3. c. xlv. repealed, § 1. Carriages carrying Materials for Bridges, &c. not exempt from Toll, unless the Wheels are of the Breadth of Six Inches and the Axles counterbored, § 24. Waggon, &c. with Wheels of the above Description not liable to Toll for Overweight, § 25. Toll to be paid for Days drawing Carriages, § 26. Double Toll to be paid for Building Materials between the 1st of October and 1st of April, unless in Carriages with Wheels of the Breadth of Six Inches, § 23. Two full Tolls only to be taken in any District for passing and repassing on same Day, and only One Toll for Carts, &c. carrying agricultural Produce and returning empty, or Lutes with Coals or Manure, § 28. Tolls to be paid but once a Day within Three Miles, § 29. Tolls to be paid but once a Day at same Gate, § 31. Tolls not to be laid out in repairing Streets, &c., § 40.]

## Cap. lxxi.

An Act for repairing the Roads from Stearns Common to Woodgate, Teulbridge Walls, and Kipping's Cross, and from Teulbridge Walls to Woodgate, in the County of Kent. (B) [20 July 1835.]

[54 G. 3. c. clxxiv. repealed, § 1. Chalk and Lime for Manure exempted from Toll between the 1st of April and 1st of October, and Soil for sowing exempted (at all Times) from Toll, § 10. One Toll only to be paid for passing and repassing once through the same Gate on same Day, § 11. Tolls to be taken at Three Gates only for passing and repassing between Stearns Common and Kipping's Cross, § 12; and at Two Gates only between Teulbridge Walls and Teulbridge Walls, § 13., and at One Gate only between Teulbridge Walls and Woodgate, § 14. Payment of Toll at One Gate to clear all other Gates within a Quarter of a Mile, § 15. Money not to be laid out in repairing Streets, &c. § 10. Penalty of 40s. for lopping out Lanes, &c., § 21.]

## Cap. lxx.

An Act for more effectually repairing the Lanes and Turnpike Roads, and making certain additional Roads. (B) [20 July 1835.]

[55 G. 3. c. 23. 21 G. 3. c. 66. 41 G. 3. c. x. and 55 G. 3. c. lii. repealed, § 1. Tolls to be paid but once a Day at same Gate, § 18. Lime for Manure exempted from Toll, provided the Wheels of the Carriage are of the Breadth of 4½ Inches; Furs, Post, &c. for Fuel, and Sea Sand exempted from Toll, § 19. Two full Tolls only to be taken on same Day for passing and repassing through all the Gates on the Road, except the Holmestrey District, and Two full Tolls only on that District, § 22. No more Money to be laid out on Roads than is collected thereon, § 21. Tolls not to be laid out on repairing Streets, &c., § 27. Saving the Rights of the Duchy of Cornwall, § 44.]

## Cap. lxxv.

An Act for more effectually repairing and improving the Road from the Junction of the Oldbrook Road with the Doverton Road near Herston Hill, through Bloodford and Dorchester, to Asherwell Hill, in the Counties of Wilt and Dorset. (B) [20 July 1835.]

[9 G. 4. c. xli. repealed, § 1. Six full Tolls only to be taken on same Day for passing over the whole Lane of Road, § 14. Tolls to be paid but once a Day at same Gate, § 15. No more Money to be laid out on Broad Roads than is collected thereon, § 16. Trustees not to repair Streets in Bloodford and Dorchester, § 22.]

## Cap. lxxvi.

An Act for more effectually repairing and improving the Road from Newry to Clonmelan, through the County of Armagh. (B) [20 July 1835.]

[Tolls to be paid but once a Day at same Gate, § 56. No Toll to be taken for Horses, &c. belonging to the King or Royal Family, nor for Stoves, Bricks, &c., or Materials for Roads, nor for Hay or Corn in the Streets, or Potatoes, the Produce of Lands lying alongside the Road, nor for Cows going to be ground at any of the Manor Mills within each District, to be laid up or consumed by the Owners and not for Sale, nor for Livestock, &c. or other Manure, nor for Implements of Husbandry, Horses going to or returning from being shod or farrowed or to or from Work or Pasture or Veterinary, if not passing more than Two Miles on the Road, nor for Horses, &c. crossing the Road only and not passing more than 100 Yards thereon; nor for Mills, Soldiers on March or Duty, their Arms and Baggage, wounded, sick, or disabled Officers or Soldiers, Public Stoves, Yarns or Yachting Company or Infirmary in going to or returning from Exercise, nor for Magistrates, Constables, &c. on Duty, nor for Vagrants or Prisoners sent by legal Warrants, nor for Persons going to or returning from voting at Elections for the County, § 57.]

## Cap. lxxvii.

An Act for further regulating the Statute Labour and repairing the Highways and Bridges in the County of Edinburgh. [20 July 1835.]

[4 G. 3. c. 86. 24 G. 3. c. 16. 25 G. 3. c. 23. 45 G. 3. c. xxxiv. 40 G. 3. c. xxxvii. and 5 G. 4. c. xli. repealed, except as to certain Improvements, § 1. Powers of 1 & 2 W. 4. c. 45. applicable to Improvements, § 2.]

## Cap. lxiv.

An Act for continuing the Term and extending and enlarging the Powers of Three Acts of His Majesty King George the Third, for amending certain Mileways leading to Oxford, and making Improvements in the University and City of Oxford, the Suburbs thereof, and adjoining Parishes of Saint Clement; and for other Purposes in the said Acts mentioned. [21st July 1835.]

[Civitas Pars of 11 G. 3. c. 19. 21 G. 5. c. 47. and 22 G. 5. c. lxxii. continued, and to be in force, together with this Act, for Thirty one Years, § 1 & 102. Saving the Rights of the University and City, § 29 & 100.]

## Cap. lxx.

An Act for making and maintaining a Bridge over the River called "The Portland Ferry," in the County of Dorset, with proper Approaches thereto. [21st July 1835.]

[Tolls to be paid but once a Day for Foot Passengers, § 51. The King and Royal Family, Merch, Soldiers on March or Duty, Public Streets, Yeomanry Cavalry and Volunteer Infantry, Vagrants sent by legal Process, and Processors sent by legal Warrants exempted from Toll, § 55.]

## Cap. lxxi.

An Act for amending an Act passed in the last Session of Parliament for establishing a Floating Bridge over the River Bechen near the Town of Southampton, with proper Approaches thereto, and making Roads to communicate therewith. [21st July 1835.]

[§ 5 & 5 F. 1. c. lxxv. revised and in part repealed, § 1 & 6. Merch, Soldiers on March or Duty, their Arms and Baggage, Public Streets, Vagrants sent by legal Process, Processors under legal Warrants, Volunteers or Yeomanry on March or Duty, Yeomanry or Volunteer Cavalry, and Processors going to or returning from visiting an Ecclesiastical for the County of Southampton, exempted from Toll, § 7.]

## Cap. lxxii.

An Act for lighting, watching, cleansing, regulating, and otherwise improving the Town of Tushobry Walk in the Counties of Kent and Sussex, and for regulating the Supply of Water and establishing a Market within the said Town. [21st July 1835.]

[Saving the Rights of the Landlords of Rotherfield, Worthingstone, &c., § 170.]

## Cap. lxxiii.

An Act for paving, lighting, and otherwise improving the Town of Herefordston, and the adjoining Townships of Preshelton and Corbett, in the Parishes of Preshelton and Ewinston, in the County of Pembrokeshire. [21st July 1835.]

[Saving the Rights of the Corporation of Herefordston, § 129. Act of the Commissioners of the Water Act, § 130.]

## Cap. lxxiv.

An Act to amend several Acts relating to the Bridge and to the City and Port of Londonberry.

[21st July 1835.]  
[Proviso of 50 G. 3. c. 81. (L.) 40 G. 5. (F.) 24 G. 5. c. cxxx. 5 G. 4. c. ciii. 6 G. 4. c. clxxx. and 2 & 3 H. 4. c. cvii. (except as otherwise extended to this Act, § 1. One Toll only to be payable for passing over the Bridge, § 12. Saving the Rights of the Irish Society, § 27.]

## Cap. lxxv.

An Act for making and maintaining a Dock and other Works in the Port of Newport in the County of Monmouth, with a Railway and Stone Road therewith. [21st July 1835.]

[Saving the Rights of the Monmouthshire Canal Company, § 101.]

## Cap. lxxvi.

An Act to enable the Proprietors or Shareholders in the Argus Life Assurance Company to sue and be sued in the Name of any One of the Directors or of the Chairman or Secretary for the Time being of the said Company. [21st July 1835.]

## Cap. lxxvii.

An Act for providing a Market Place and regulating the Markets in the Town and Borough of Monksey Tield in the County of Gloucestershire. [21st July 1835.]

[Saving the Rights of the Morgans of Bote, § 25.]

## Cap. lxxviii.

An Act for erecting and maintaining a Pier or Harbour at Gosrock in the County of Devon.

[21st July 1835.]

[Deep Sea Steam Boats and Vessels laden Outward bound exempted from Rates, § 51. Fishing and Pilot Boats belonging to Persons residing in Gosrock exempted from Rates, § 52. Passage Duty not exigible more than once for some Voyages, § 53. Passengers Luggage exempted from Toll, § 55. Saving the Rights of the Clyde Trustees, § 96; and of the Proprietors of the Estate of Gosrock, § 99; and of the Priests thereof, § 100.]

## Cap. lxxix.

An Act for the further Improvement of the Harbour of Ayr. [21st July 1835.]

[§ 7 G. 3. c. xx. repealed, § 1. Vessels in His Majesty's Service, or in the Employ of the Customs or Excise, or Ordnance or Post Office, exempted from Rates, § 44. Act to take effect Two Calendar Months from its passing, and to continue in Force for Twenty-one Years, and to be in Force of the Act, 1835-1855, § 77 & 78.]

Cap. lxxx.

An Act for supplying the Town of *Paisley* in the County of *Renfrew* with Water. [21st July 1835.]

Cap. lxxxii.

An Act for the better supplying the Parish of *Richwood* in the County of *Surrey* with Water.

[21st July 1835.]

[*Serving the Rights of the City of London as Conservators of the Thames*, § 98.; and of the *West Middlesex Waterworks Company*, § 94.]

Cap. lxxxiii.

An Act for enlarging and amending the Powers and Provisions of the Acts passed for making and maintaining a Railway or Turnpike from the Sea Shore at or near *Whitstable* in the County of *Kent* to or near to the City of *Canterbury*, and the Works connected therewith; and to authorize the Company of Proprietors to raise a further Sum of Money.

[21st July 1835.]

[*Powers of 5 G. 4. c. cxx.*, 7 & 8 G. 4. c. xi., and 9 G. 4. c. xxix. (except as altered) extended to this Act, § 1. Company empowered to borrow £100,000, § 23. Fines in His Majesty's Service, or in the Employ of the Ordnance, Customs, or Excise, or Post Office, exempted from Toll, § 27. *Serving the Rights of Commissioners of Sewers*, § 25.; and of the *Company of Free Fishers and Drovers of Whitstable*, § 34.]

Cap. lxxxiiii.

An Act for enabling *John Brandling* and *Robert Willson Brandling* Esquires to purchase and take Lease of Lands and Hereditaments for the Formation of a Railway from *Gatclough* to *South Shields* and *Moss-Wearmouth*, all in the County Palatine of *Darlington*, with Branches therefrom.

[21st July 1835.]

Cap. lxxxv.

An Act for making and maintaining a Railway from *Nunthorpe* to *Cospar Angus* in the County of *Foyler*.

[21st July 1835.]

Cap. lxxxvi.

An Act for making and maintaining a Railway between the Town of *Paisley* and the South Side of the River *Clyde* at *Renfrew Ferry*, and for constructing Wharfs, Quays, or Landing Places there; all in the County of *Renfrew*.

[21st July 1835.]

Cap. lxxxvii.

An Act for better lighting with Gas the Town and Neighbourhood of *Leeds* in the Borough of *Leeds* in the West Riding of the County of *York*.

[21st July 1835.]

Cap. lxxxviii.

An Act for altering the Line of Road from the *Milsford* of *Glasgow* to the City of *Glasgow*, and improving the Roads leading therefrom into the said City.

[21st July 1835.]

[*Powers of 11 G. 4. c. cxxxviii.* and 1 & 2 W. 4. c. 42. (except as altered) extended to this Act, § 1. Act to be in force from its passing, and continue for the Term of first-mentioned Act, § 14.]

Cap. lxxxix.

An Act for improving and keeping in repair certain Roads in the Counties of *Fife* and *Clackmannanshire*, and for better maintaining the Ferry over the River *Dee* called the *Lower King's Ferry*, in the said County of *Fife*. (s)

[21st July 1835.]

[7 G. 4. c. lxxxviii. and 10 G. 4. c. lxxxvi. repealed, § 1. One full Toll only to be taken on some Day for passing and repassing once through all the Gates on each District, § 18. *Horses*, &c., repassing with a different Carriage, &c. to be again liable to Toll of passing Two Miles on the Road, § 18. *Serving the Rights of the Commissioners of the River Dee*, § 22. Money not to be laid out in repairing Streets, § 25.]

Cap. lxxxix.

An Act for more effectually repairing and improving the Road from the Side Gate on the *Hiveckley* and *Lathworith Turpin's Road* in the Parish of *Burbridge* in the County of *Leicester* to the *Leicester Turpin's Road* in or near to the Village of *Norborough* in the said County. (s)

[21st July 1835.]

[54 G. 3. c. xxiv. repealed, § 1. One Third only of the Toll to be taken for passing between the *Hiveckley End of the Road* and its Point of Junction with the *First Lane* therefrom leading to *Acton Flavelly*, § 7. No Toll to be taken for passing from *Haverle* to *Norborough*, § 8. Two full Tolls only to be taken on some Day for passing and repassing along the Road, § 10. No Toll to be paid within Five Miles of the Gate at which Toll shall here be paid, § 11. Tolls to be paid but once a Day at some Gate, § 12. Lane for Messengers exempted from Toll between the First of April and the First of November, § 17. Tolls not to be laid out in repairing Streets, § 20. Penalty for hanging out Lanes, &c., § 22.]

Cap. xc.

An Act to explain and amend the Powers of an Act of His late Majesty King *George the Fourth*, for making a Pier at *Southend* in the County of *Essex*.

[20th July 1835.]

[*Powers of 10 G. 4. c. xlix.* (except as altered) extended to this Act, § 2.]

Cap. xci.

An Act for better lighting with Gas the Borough of *Sheffield* in the West Riding of the County of *York*, Printed under the Authority of the University of Southampton Library Depository.

[20th July 1835.]

[*Serving the Rights of the present Gas Company*, § 8.; and of the *Duke of Norfolk*, § 25.]

## Cap. xcii.

An Act for making and maintaining a Railway from *Neepole* to the *Muir of Essie*, and from thence to the *Muir of Glensmas*, in the County of *Ferfar*. [20th July 1835.]

## Cap. xciii.

An Act to amend an Act relating to the *Bolton and Worsley* Railway. [20th July 1835.]  
 [Powers of 2 & 3 W. 6. c. xlvii. (except as altered) extended to this Act, § 1. Saving the Rights of Commissioners appointed by 1 & 2 W. 6. c. 26.—§ 5.]

## Cap. xciv.

An Act for amending and consolidating the Acts of Parliament for the Recovery of Small Debts in the City of *London* and the Liberties thereof, and for enabling the Goods of the Debtors to be taken in Execution. [21st August 1835.]

[1 Jac. 1. c. 14. 5 Jac. 1. c. 15. 14 G. 2. c. 10. 25 G. 3. c. 45. and 59 & 60 G. 3. c. cix. repealed, § 1.]

## Cap. xciv.

An Act to amend and extend the Powers vested in the *Grand Junction Waterworks Company*, and for other Purposes relating thereto. [21st August 1835.]

[Powers of 35 G. 3. c. 30. 35 G. 5. c. 43. 36 G. 5. c. xxxviii. 37 G. 5. c. cxi. 37 G. 5. c. cxx. 38 G. 5. c. lv. 39 G. 5. c. lxxxv. 5 G. 6. c. xxxv. and 7 G. 6. c. cxi. (except as altered) extended to this Act, § 1. Saving the Rights of the *New River* and other Companies, § 55.; and of the Commissioners of Sewers for *Windsor*, § 56.; and of the Corporation of *London*, § 58.; and of the *Grand Junction Canal Company*, § 59.; and of the *Bishop of London and his Successors*, § 60.; and of the *Parish of Marylebone* as to certain Acts, § 41. Not to affect the *Metropolitan Paving Act*, § 42.]

## Cap. xcvi.

An Act to authorize the *Edinburgh Railway and Dock Company* to make certain additional Railways or Tramroads, and for other Purposes connected therewith. [21st August 1835.]

## Cap. xcvi.

An Act for effecting an Extension of the *Batholme Railway*, in the County of *Leicester*; and for altering, amending, and enlarging the Powers of an Act of the Seventh Year of His late Majesty, for making the said Railway. [21st August 1835.]

[Powers of 7 G. 4. c. xlviii. extended to this Act, § 1.]

## Cap. xcvi.

An Act to amend an Act of the Third Year of His present Majesty, for more effectually supplying with Water the City and County of the City of *London* and Places adjacent thereto. [21st August 1835.]

[Powers of 3 W. 4. c. xxxii. (except as altered) extended to this Act, § 1.]

## Cap. xcix.

An Act to enable the *Bolton Waterworks Company* to extend their Works; and for explaining and enlarging the Powers of the Act relating to such Company. [21st August 1835.]

[Powers of 7 G. 4. c. xxxiii. (except as altered) extended to this Act, § 1.]

## Cap. c.

An Act for the better paving, lighting, watching, cleansing, and otherwise improving the Borough of *Trow* in the County of *Cornwall*, and for forming a new Street within the same Borough. [21st August 1835.]

[50 G. 5. c. 62. repealed, § 1.]

## Cap. ci.

An Act for paving, lighting, watching, and otherwise improving the Town of *Bojow* in the County of *Somerset*; and for amending and enlarging Two Acts of Parliament passed in the Third and Sixth Years of the Reign of His late Majesty King *George the Fourth*, relating to the said Town. [21st August 1835.]

[Property and Powers vested in Commissioners under 5 G. 4. c. lvii. and 6 G. 4. c. cxxxv. extended to these appointed under this Act, § 1.]

## Cap. cii.

An Act for building a Bridge over the River *Frost* at *Willington* in the County of *Derby*. [21st August 1835.]

[No Toll to be taken for *Horses*, &c. when employed in carrying or returning empty from carrying Produce of *Lands* situate on one Side of the River and taken over the Bridge to the other Side to be stacked or bound; nor for *Horses* for *Lands* lying within Four Miles of the Bridge, § 58. One Half Toll only to be taken for *Livestock* beyond Four Miles, § 51. The King and Royal Family exempted from Toll, § 64. Certain other Exemptions from Toll, § 65.]

## Cap. ciii.

An Act for repairing and otherwise improving the Roads from *Oxford* over *Batley* Common, to *Fyfield* in the County of *Bucks*; and for other Purposes relating thereto. [21st August 1835.]

[7 G. 3. c. 65. 8 G. 3. c. 56. 16 G. 3. c. 81. and 24 G. 5. c. cxxxvi. repealed, § 1. One full Toll only to be taken on some Day on the Road between *Oxford* and *Fyfield* and Two full Tolls only between *Oxford*

and *Witney*, § 8. *Three full Tolls only to be taken on some Day for passing through off the Gate on the Road*, § 11. *Tolls not to be applied in repairing Streets*, § 15.]

## Cap. cix.

An Act to rectify a Mistake in an Act passed in the present Session of Parliament, for more effectually repairing the Road from the *Lower Twyford Road to Bubbledon*, and certain Roads leading from *Bridportown Passway and Totter*, and other Roads communicating therewith, and for repairing *Totter Bridge*, and erecting Bridges over the *Silver Canal, the Rivers Tyns and Leman*, and the *Mill Leat*, all in the County of *Deron*. (a) [21st August 1835.]

[*Powers of 2 & 3 G. W. 4. c. xxvi. extended to this Act*, § 2.]

## Cap. cx.

An Act for more effectually repairing certain Roads leading to and from *Bolton*, and other Roads therein mentioned, in the County of *Cornwall*, and for making and maintaining certain new Roads communicating therewith. (a) [21st August 1835.]

[10 G. 4. c. xix. and 5 & 6 W. 4. c. lxxxix. repealed, § 1. *Two full Tolls only to be taken on some Day for passing through all the Gates on the Lowwater, Cornfield, Holland Bridge, Truro, Washbridge, Lelward, and Lestonville and Saint Austell Roads, or on the new Lines of Road*, § 11. *Tolls to be paid but once a Day at some Gate*, § 12. *All Gates in the Borough of Bolton to free each other, except Toward, Colwith, and Saint Nicholas Gates*, § 13. *Horses going to or returning from Pasture or watering, or going to or returning from being shod or ferrissed, if not going or returning more than Two Miles, exempted from Toll*, § 16. *No Exemption for agricultural Pasture, Meadows, &c. unless the Title of which be of certain Breadths*, § 17. *No more Money to be laid out on Love of Roads than is collected thereon*, § 25. *Tolls not to be laid out in repairing Streets*, § 26.]

## Cap. cxii.

An Act for the Improvement of the Registrar's Office, and other Offices of the Court of Chancery.

[21st August 1835.]

## Cap. cxiii.

An Act for making a Railway from *Bristol* to [join the *London and Birmingham Railway near London*, to be called "The Great Western Railway," with Branches therefrom to the Towns of *Bristol and Trowbridge* in the County of *Wilt*. [21st August 1835.]

[*Saving the Rights of Commissioners of Sewers for Westminster*, § 227. *Duties payable to the Corporation of London on Coals to be paid on Coals brought by the Railway near to London from Billington*, § 228. *Saving the Rights of the Corporation of London*, § 229.]

## Cap. cxiv.

An Act to rectify a Mistake in an Act passed in the present Session of Parliament, for lighting, watching, and improving the Parish of *Torcross* in the County of *Deron*. [21st August 1835.]

[*Powers of 5 & 6 W. 4. c. xlv. extended to this Act*, § 1.]

## Cap. cxv.

An Act to improve and maintain the *Port Dunloe Road*, and to make and maintain another Road, in the County of *Lennox*. (b) [21st August 1835.]

[35 G. 5. c. 100 and 56 G. 5. c. 66. repealed, § 1. *Powers of 1 & 2 W. 4. c. 45. (except as altered) extended to this Act*, § 2. *One Highway only to be taken for Mounse to be used on Lands adjoining the Road*, § 12. *Terraced Toll to be paid on certain Carriages*, § 13. *Toll to be paid but once for passing and repassing with some Loading*, § 14.]

## Cap. cxvi.

An Act for incorporating and granting certain Powers to the *North American Colonial Association of India*. [26th September 1835.]

## Cap. cxvii.

An Act for establishing a Market for the Sale of Cattle in the Parish of *Saint Mary Inington* in the County of *Wiltshire*. [26th September 1835.]

[*Saving the Rights of the Corporation of London*, § 25; and of *Commissioners of Sewers for Hammers and Fenchurch Divisions, the Parish of St. Leonard Shoreditch, and the Liberty of Norton Folgate*, § 24; and of the *Commissioners of the Metropolitan Roads*, § 25; and of the *Trustees of the Parish of St. Mary Inington*, § 26.]

## Cap. cxviii.

An Act to alter, amend, and enlarge the Powers of an Act of the Second and Third Years of His present Majesty, for making and maintaining a Railway from the *Care Hill* to the *Harbour of Brixham* in the County of *Devon*. [26th September 1835.]

[*Powers of 2 W. 4. c. xxxv. (except as altered) extended to this Act*, § 1. *Saving the Rights of Lord Devon*, § 83.]

## PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,  
AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—To each of these Acts is annexed a Clause in the Form following:

"And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom, and that a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others."

## Cap. 1.

An Act for vesting in George Kneller Esquire and his Heirs certain Freehold and Copyhold Estates situate at *Skewon* in the Parish of *Wymon* in the County of *York*, discharged from the Uses mentioned or referred to by the Marriage Settlement of the said *George Kneller*, and for substituting and settling certain Freehold and Copyhold Estates situate at *Hammerston Road* and *Thrausson* in the Parish of *Hosopthorpe* in the said County of *York* in lieu thereof, and to the like Uses. [24 July 1835.]

## Cap. 2.

An Act for vesting certain Freehold and Leasehold Hereditaments situate in the Town and County of the Town of *Southampton*, devised and bequeathed by the Will of *Ann Herdby* Widow, deceased, in Trustees for Sale; and for laying out the Monies to be produced by such Sale in the Purchase of other Estates to be settled in the same Manner. [24 July 1835.]

## Cap. 3.

An Act for vesting certain Shares of Estates now belonging to Sir *Cecil Augustus Bishops*, *Herbert Archibald Bishops*, *George Cyrus Bishops*, *Edward Cecil Bishops*, and *Catherine Mary Bishops*, Infants, and also to the said Sir *Cecil Augustus Bishops* alone, in Trustees, to be sold, and for vesting the Purchase Monies arising from such Shares in other Estates. [24 July 1835.]

## Cap. 4.

An Act for applying the Balance now lying in Bank of the Price of the Lands of *Glebekegale*, and others, contained in a Deed of Enail executed by the deceased Sir *Duncan Campbell of Lochail*, which were sold in virtue of the Powers contained in an Act of Parliament passed in the Fifty sixth Year of the Reign of His late Majesty King *George the Third*, towards Payment of certain Sums laid out by General *Duncan Campbell of Lochail* in the Improvement of the said entailed Estate. [24 July 1835.]

## Cap. 5.

An Act to enable the granting of Leases, and for other Purposes relating to the Estates of *William Harris* Esquire, deceased. [24 July 1835.]

## Cap. 6.

An Act for confirming a Partition, made under a Decree of His Majesty's High Court of Chancery, of an Estate in the County of *Chester* among *William Smart*, *Elizabeth Smart Spinster*, and others. [24 July 1835.]

## Cap. 7.

An Act for the Sale of Estates in *Ireland* devised by the Will of the Right Honourable *Charles* late Earl of *Masserene*, and for the Purchase of other Estates in *Ireland*, to be settled to the Uses of the said Will. [24 July 1835.]

## Cap. 8.

An Act for authorising the Sale of the entailed Lands of *North Ferryhill* or *Carbagone* in the County of *Fife*, and the entailed Lands and Estate of *Revilon* and *Winton* in the County of *Lincolne*, belonging to *William Scott Mansergh* Esquire, and the Purchase of other Lands to be entailed. [24 July 1835.]

## Cap. 9.

An Act for exchanging the *Broomkops and Civil Riding Estates* in the County of *Norfolk*, devised by the Will of *George James late Marquis of Chichester* deceased to *Lord Willoughby Henry Hugh Cholmondeley* for Life, with Remainders over, for Lands in *Norleton and Hazing* in the County Palatine of *Cheshire*, devised by the same Will to the said *Lord Willoughby Henry Hugh Cholmondeley* in Fee Simple. [24 July 1835.]

## Cap. 10.

An Act for inclosing Lands in the Parishes of *Tuesmoor, Milton-Abbot, Breston, and Lomerton*, in the County of *Devon*, called *Hootfield*. [24 July 1835.]

[Serving the Rights of the Lords of the Manors of *Hartwich, Milton-Abbot, Breston, and Lomerton*, § 45.]

## Cap. 11.

An Act for inclosing Lands in the Manor and Township of *Ullasely* in the Parish of *Kirby Wharfe* in the County of *York*. [24 July 1835.]

[Allotments to be made for Materials for Roads, § 26.; and for Watering Places, § 29.; and to the Lords of the Manor, § 30.]

## Cap. 12.

An Act for dividing, allotting, and inclosing the Common or Waste Lands called *Brownes* otherwise *Recessman*, in the several Parishes of *Acton and Babbly*, or One of them, in the County of *Gloucester*. [21st July 1835.]

[Allotments to be made for Materials for Roads, § 19.]

## Cap. 13.

An Act for inclosing and allotting Lands in the Parish of *Stratton* in the Isle of *Ely* and County of *Cambridge*, and for the Consolidation of Titles. [21st July 1835.]

[Allotment to be made to the Lord of the Manor for Right of Soil, § 31.; and to the Rector in fee of *Globe and Right of Common*, and to two of *Talbot*, § 32. 34. 37. Rector's Allotment to be fenced at the general Expense, § 41. Rector, with Consent of Bishop and Patron, may lease his Allotments for Twenty-one Years, in accordance with Twelve Calendar Months from passing of the Act, § 65. Serving the Rights of Commissioners of *Bedford Land*, § 66.]

## Cap. 14.

An Act for authorizing Sales, Leases, Grants, and Improvements of an Estate at *Liffington* in the County of *Worcester*, devised by the Will of *Matthew War Esquire*; and for other Purposes. [21st July 1835.]

## Cap. 15.

An Act to empower the Judges of the Court of Session in Scotland to sell the Lands of *Brownlocks* in the County of *Argyll*, and, after discharging the Debts affecting the same, to invest the Surplus in the Purchase of other Lands, to be enrolled. [21st July 1835.]

## Cap. 16.

An Act to enable the Prebendary of the Prebend of *Hymbleth*, founded in the Cathedral Church of the *Holy Trinity of Chichester*, to accept Surrenders of the existing Lease of any Part of the said Prebend, and to grant new Leases thereof. [21st July 1835.]

## Cap. 17.

An Act for confirming certain Leases granted by *Sir James Graham Baronet*, deceased, and by *Sir Scofield Graham Baronet*, his Son, of Land at *Kirkstall* and in the Township of *Healdingale-cum-Barby*, in the Parish of *Leeds* in the West Riding of the County of *York*. [21st July 1835.]

## Cap. 18.

An Act for enabling the Committee of the Estate of *Le Grand Pierre Sirville Esquire*, a Lunatic, to grant Leases of his settled Estates. [21st July 1835.]

## Cap. 19.

An Act to vest Part of the entailed Estate of *Crossarty*, lying within the County of *Blair*, and by Assentation within the County of *Crossarty*, in Trustees in Fee Simple, for the Purpose of selling the same, and of paying Debts which affect or may be made to affect the said entailed Estate; and for other Purposes connected therewith. [21st July 1835.]

## Cap. 20.

An Act for vesting in *Arrolsford Lord Douglas of Douglas*, or the Heir of Entail in Possession for the Time, certain detached Parts of the entailed Estates of *Douglas* in Fee Simple, upon erasing certain other Lands equivalent in Value to the same and to a Debt due by him to the said entailed Estates. [21st July 1835.]

## Cap. 21.

An Act for uniting the Rectory and Parish Church of *Stonow* in the County of *Sussex* with the adjoining Vicarage and Parish Church of *Fisher*, and for exchanging the Parsonage House and Glebe Land of *Stonow* and the Vicarage House of *Fisher* for certain Pieces of Land at *Fisher*, being Part of the settled Estates of the Right Honourable *Henry Thomas Earl of Clarendon*, on which a new Parsonage House has been built at the Expence of the said Earl. [21st July 1835.]

## Cap. 22.

An Act to enable the Mayor, Aldermen, and Citizens of the City of *Worcester* to grant renewable Leases of the *Worcester County Infirmary* and of the Land held therewith to the Governors of the said Infirmary, or their Trustees. [21st July 1835.]

## Cap. 23.

An Act for vesting the settled and unsettled Manors and Estates of *Charles Fox Spower*, an Infant, in the Guardians of *Gxford* and *Derby*, in Trustees, in order to effect the Sale thereof, for the Payment of Incumbrances, and for other Purposes. [21st July 1835.]

## Cap. 24.

An Act for empowering Trustees to sell certain Freehold, Copyhold, and Leasehold Estates in the County of *Norfolk*, settled under the Will of *Herbert Earl of Oxford* deceased, and for laying out the Money arising therefrom in the Purchase of Lands to be settled to the same Uses; and for the other Purposes therein mentioned. [21st August 1835.]

## Cap. 25.

An Act to authorize the making of Grants or Leases of Mines witen and under Parts of the Lands belonging to the Perpetual Curacy of the Parish of *Wolverhampton* in the County of *Stafford*. [21st August 1835.]

## Cap. 26.

An Act for vesting the Freehold and Leasehold Estates here belonging to *Richard Spence* of *Colton* in the County of *Yorkshire*, Esquire, deceased, in Trustees, to be sold for Payment of his Debts, and applying the Surplus for the Benefit of the Devisees in the Will of the said Deceased named. [25th August 1835.]

## Cap. 27.

An Act for raising, on the Security of certain Estates in the County of *Wilt* whereof the Right Honourable *Thomas Earl Nelson* is Tenant in Tail, a Sum of Money for the Purpose of discharging the Sum of Ten thousand Pounds equally charged thereon by *William Earl Nelson*, deceased, in favour of his Daughter *Charlotte Mary Lady Brisbane*; and for other Purposes. [21st August 1835.]



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TO THE

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\* Signifies that the Act relates exclusively to Ireland.

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 VOLUME THE THIRTEENTH,

Containing the Acts passed from 3 & 4 WILL. IV. to 5 & 6 WILL. IV  
 (1833—1835.)

**NOTE.** In this INDEX the Acts which relate to IRELAND or SCOTLAND exclusively, are classed under those General Heads, but arranged in Subdivisions according to the several Subjects, with References to and from other Parts of the Index.

Other Acts respecting particular Places are to be looked for, according to their several Subjects, by referring to the General Heads, under which the Acts are respectively arranged in Alphabetical Order of the Names of Places; such, for example, are *Bridges, Canals, County Acts, Courts, Barriers, Perjury, Poor, &c.*—the Acts under the Title *Inclosures and Turnpikes*, are classed in Alphabetical Order of the Counties in which the Inclosure takes place, or the Road begins.

All the Acts relating to Individuals or to Corporations are arranged in Alphabetical Order of the Names of the Persons or Corporations, under the general Title, *Personal Acts*.

The Public Local and Personal Acts are referred to in the Roman Numerals, by which their Series is distinguished in the respective Sessions.

Minute References are also made from one Head to another; and from the various Heads, under which the Subject may be looked for, to the Head under which the Statute is actually entered.

(Pv.) denotes Private Acts printed by the King's Printer, the printed Copies whereof may be given in Evidence.

A.

*Abolition of Slavery*, See Slaves.

*Accounts*, See Sheriffs.

*Actions*, See Law (Amendment of).

*Actions of Debt*, See Law (Amendment of), 4.

*Actions (Personal)*, See Process.

*Actions and Suits*, See Limitation of Actions and Suits.

*Admiralty Court*, See Justice (Administration of), 63.

*Advertisements*, See Stamps.

*Advowsons*, See Limitation of Actions, 31—36.

*Affidavits and Affirmations*.

1. To facilitate the taking of Affidavits and Affirmations in the Court of the Vice-Warden of the Stannaries of Cornwall, 4 & 5 W. 4. c. 43.

2. Commissioners of Superior Courts of Common Law at Westminster, having Commissions from Vice-Warden of the Stannaries, empowered to take Affidavits in the Court of the Vice-Warden. Persons swearing falsely before them guilty of Perjury, 1.

3. Commencement of Act, 1 2.

4. Public Act, 1 3.

See *Law (Amendment of)*; *Oaths and Affirmations*.

*Agra*, See East Indies, 124.

*Agricultural Produce*, See Stamps.

*Alienation Frauds*, See Sheriffs.

*Allowances*, See Civil List; Pensions.

*Alwanacks*, See Stamps, 37.

*Annuities*.

1. For transferring certain Annuities of 4*l.* per Centum per Annum into Annuities of 3*l.* 10*s.* per Centum per Annum, and for providing for paying off the Persons who may dissent to each Transfer, 4 & 5 W. 4. c. 51.

2. Every Person entitled to 100*l.* 4 per Cent. Annuities, and not dissenting, shall receive 100*l.* New 5*l.* per Cent. Annuities.

- Annuities. Dividends to be paid half-yearly. New 5 $\frac{1}{2$  10s. Stock to be redeemable after 30th January 1810, § 1.
- Interest to be charged on Consolidated Fund, § 2.
  - Persons not dissenting from receiving the New 5 $\frac{1}{2$  per Cent. Annuities, shall be deemed assenting. Time limited for dissenting, § 3.
  - Persons dissenting shall signify the same to the Governor and Company of the Bank of England. Paying of Dividends, § 4.
  - Dissents by the Accountant General of the Court of Chancery, and Accountant General of the Court of Exchequer, § 5.
  - Executors, Trustees, &c. may dissent. Indemnity for such Executors, § 6.
  - 4 per Cent. Annuities, where Dissent signified, transferable in Books as such, § 7.
  - Payments of Dividends on such 4 per Cent. Time of paying them of Transfers of them between the Banks of England and Ireland after 7th May 1834 void, § 8.
  - Books to be opened at the Bank of England for receiving the Entry of the New 5 $\frac{1}{2$  per Cent. Annuities, § 9.
  - Bank of England to employ their Cashier and Accountant General, § 10.
  - Accountant General to examine Receipts and Payments, § 11.
  - The several Annuities under this Act shall be added to the existing New 5 $\frac{1}{2$  per Cent. Annuities, § 12.
  - Annuities to be Personal Estate, § 13.
  - Power of Attorney for Receipt of Dividends on 4 per Cent. to remain in force for Receipt of New 5 $\frac{1}{2$  per Cent., § 14.
  - Certificates of Amount of Stock exchanged or paid off, &c. shall be sent to Commissioners for Reduction of the National Debt, § 15.
  - Bonds and Contracts to transfer 4 per Cent. to be deemed satisfied by a Transfer of the New 5 $\frac{1}{2$  per Cent., § 16.
  - Lessees of 4 per Cent. on Contract to replace may demand 100*l.* in Money for every 100*l.* in Stock, § 17.
  - Trusts as to 4 per Cent. shall extend to 5 $\frac{1}{2$  per Cent. and Directions to the Application of 4 per Cent. shall be carried into effect by the Application of the 5 $\frac{1}{2$  per Cent., § 18.
  - Questions as to Trusts in the 4 per Cent. may be decided by the Courts of Chancery or Exchequer, or the Court of Sessions, § 19.
  - Indemnifying the Bank of England for Acts done by their Officers under this Act, § 20.
  - Commissioners for the Reduction of the National Debt may advance Money for paying off Dissented 4 per Cent.; Dissented 4 per Cent. to be vested in Commissioners for the Reduction of the National Debt from 10th October 1836, who shall then be entitled to like Amount of 5 $\frac{1}{2$  per Cent., § 21.

See Appointment of Rents, &c.; National Debt; Savings Banks.

*Appeals.* See Justice (Administration of), 63, 64, 83—85.

### Apportionment of Rents, &c.

- To amend an Act [11 G. 2. c. 10.] respecting the Apportionment of Rents, Annuities, and other periodical Payments, 4 *Ann.* 1444; 22 *Geo.* 2. 222; 23 *Geo.* 2. 222; 24 *Geo.* 2. 222; 25 *Geo.* 2. 222; 26 *Geo.* 2. 222; 27 *Geo.* 2. 222; 28 *Geo.* 2. 222; 29 *Geo.* 2. 222; 30 *Geo.* 2. 222; 31 *Geo.* 2. 222; 32 *Geo.* 2. 222; 33 *Geo.* 2. 222; 34 *Geo.* 2. 222; 35 *Geo.* 2. 222; 36 *Geo.* 2. 222; 37 *Geo.* 2. 222; 38 *Geo.* 2. 222; 39 *Geo.* 2. 222; 40 *Geo.* 2. 222; 41 *Geo.* 2. 222; 42 *Geo.* 2. 222; 43 *Geo.* 2. 222; 44 *Geo.* 2. 222; 45 *Geo.* 2. 222; 46 *Geo.* 2. 222; 47 *Geo.* 2. 222; 48 *Geo.* 2. 222; 49 *Geo.* 2. 222; 50 *Geo.* 2. 222; 51 *Geo.* 2. 222; 52 *Geo.* 2. 222; 53 *Geo.* 2. 222; 54 *Geo.* 2. 222; 55 *Geo.* 2. 222; 56 *Geo.* 2. 222; 57 *Geo.* 2. 222; 58 *Geo.* 2. 222; 59 *Geo.* 2. 222; 60 *Geo.* 2. 222; 61 *Geo.* 2. 222; 62 *Geo.* 2. 222; 63 *Geo.* 2. 222; 64 *Geo.* 2. 222; 65 *Geo.* 2. 222; 66 *Geo.* 2. 222; 67 *Geo.* 2. 222; 68 *Geo.* 2. 222; 69 *Geo.* 2. 222; 70 *Geo.* 2. 222; 71 *Geo.* 2. 222; 72 *Geo.* 2. 222; 73 *Geo.* 2. 222; 74 *Geo.* 2. 222; 75 *Geo.* 2. 222; 76 *Geo.* 2. 222; 77 *Geo.* 2. 222; 78 *Geo.* 2. 222; 79 *Geo.* 2. 222; 80 *Geo.* 2. 222; 81 *Geo.* 2. 222; 82 *Geo.* 2. 222; 83 *Geo.* 2. 222; 84 *Geo.* 2. 222; 85 *Geo.* 2. 222; 86 *Geo.* 2. 222; 87 *Geo.* 2. 222; 88 *Geo.* 2. 222; 89 *Geo.* 2. 222; 90 *Geo.* 2. 222; 91 *Geo.* 2. 222; 92 *Geo.* 2. 222; 93 *Geo.* 2. 222; 94 *Geo.* 2. 222; 95 *Geo.* 2. 222; 96 *Geo.* 2. 222; 97 *Geo.* 2. 222; 98 *Geo.* 2. 222; 99 *Geo.* 2. 222; 100 *Geo.* 2. 222.

- Rents reserved on Leases determining on the Death of the Person making them (though not strictly Tenant for Life), or on the Death of the Tenant *per annum vic.* to be considered as within the Provisions of recited Act, § 1.
- All Rents, Annuities, and other Payments coming due at fixed Periods to be apportioned; subject to all such Deductions. Remedies for obtaining the apportioned Parts, § 2.
- Act not to apply to certain Cases, § 3.

*Apprentices.* See Cotton Mills; Parish Apprentices.

*Appropriation Acts.* See Revenue, II.

*Arbitration.* See Law (Amendment of), 40—42.

*Army.* See Soldiers.

### Army Pensions.

- To make further Provisions with respect to the Payments of Pensions granted for Service in the Royal Artillery, Engineers, and other Military Corps under the Control of the Master General and Board of Ordnance, and with respect to Deductions hereafter to be made from Pensions granted by the Commissioners of Chelsea Hospital, 3 *Ann.* 4. c. 20.
- Pensions hereafter granted by the Board of Ordnance to be granted by the Commissioners of Chelsea Hospital, § 1.
- Regulations relating to Army Pensions to be applicable to Pensions granted under this Act, § 2.
- Deduction from Pensions to be 2 $\frac{1}{2$  per Cent. instead of 5 per Cent. in the Cases herein-after mentioned, § 3.
- Grants for Payment of Prize not exceeding 40*l.* executed in the United Kingdom, to be exempt from Stamp Duty; and so for Aliens, § 4.

*Artillery.* See Army Pensions.

### Assessed Taxes.

- To continue, until the 30th Day of April 1836, Compulsions for the Assessed Taxes, 5 *Ann.* 4. c. 24.
- 3 *Ann.* 4. c. 115. recited. Compulsions extended for a further Term of One Year ending 30th April 1835.—§ 1.
- Except in Cases where Parties shall give Notice to determine the same on 30th April 1834.—§ 2.
- Act may be altered, &c., § 3.
- To reduce certain of the Duties on Dwelling Houses, and to repeal other Duties of Assessed Taxes, 3 *Ann.* 4. c. 25.
- 48 G. 5. c. 55. 4 G. 4. c. 11. recited. Relief to Occupiers of Dwelling Houses used partly for Residence and partly for Trade. Proviso, § 1.
- Duties reduced on inhabited Dwelling Houses from 10*l.* to 18*l.* where not within the preceding Exemption, § 2.
- Exemption from One Moiety of Duties on Dwelling Houses with Shops to extend to licensed Victuallers, § 3.
- Duties on Travellers, Clerks, Book-keepers, Stewards, Bailiffs, Drivers, Managers, Shopmen, Warehousemen, Porters, or Cellar-men, &c. to cease, § 4.
- 2 *Ann.* 4. c. 22. repealed as to Assessments made from April 1833, and the Duties thereby payable to cease, &c. 23 *Ann.* 4. c. 22.

## Assessed Taxes.

11. Exemptions, Nos. 1 & 2.—§ 5.
12. Exemptions for Houses occupied by Market Gardeners, § 6.
13. And for Dogs solely employed by Shepherds in the Care of Flocks in which they have a direct Interest, § 7.
14. Rules and Provisions of former Acts (except as varied) extended to this Act, § 8.
15. To continue for Five Years from 5th April 1835, and to amend, the Acts for authorizing a Composition for Assessed Taxes, 4 & 5 W. 4. c. 25.
16. Assessments for the Year ending 5th April 1835 to remain to same Amount if compounded for under this Act for the Term of Five Years, § 1.
17. Compositions under former Acts may be amended, § 2.
18. New Contracts of Composition are to be made, § 3.
19. Enumeration of Articles to be compounded for under this Act, § 4.
20. Persons assessed for the Year ending 5th April 1835 may compound on the Amount assessed in that Year, paying an additional Duty of 2*l.* per Cent., § 5.
21. Exemption as to Taxes in respect of Articles kept for Trade, &c.—§ 6.
22. Persons who have compounded for Window Tax for Year ending 5th April 1835, and Persons not then liable to said Tax, may open additional Windows free of Duty, Provis as to Additions to Houses, § 7.
23. Compounders on other Assessed Taxes may renew the same as the Amount charged thereby, together with a further Duty of 2*l.* per Cent., § 8.
24. Persons desirous of continuing their former Compositions to deliver their Contract or Copy, with Notice, before the 5th April 1835 in England, and before 1<sup>st</sup> January 1835 in Scotland, § 9.
25. Persons having compounded and reduced their Establishments may compound *de novo* on the Assessment of 1835, on giving Notice within Three Months, and sending thereto a Return of Articles chargeable, § 10.
26. Persons who, since compounding, have increased their Establishments to double the Amount compounded for, or who have compounded on too small an Amount of Duty, may enter into Compositions *de novo*, § 11.
27. Persons who have compounded under former Acts giving Notice of Reduction in their Establishments to enter into new Compositions, § 12.
28. Persons beginning to keep or increasing an Establishment in 1835, may compound on the Assessment of the succeeding Year, § 13.
29. Renewed Composition not to extend to Articles of a different Description than authorized by former Compositions, § 14.
30. Compounders, having removed to another Division of Commissioners, may compound therein, § 15.
31. Compounders entitled to the like Privileges of increasing Establishments, &c. as under former Acts. Exceptions, § 16.
32. As to Persons assessed in Two Places, or who have compounded under former Acts in Places where they are not entitled to compound under this Act, § 17.
33. Compounders not liable to Penalty of Assessed Tax Acts, except Penalty for Concealment as to said Assessment of Duty, § 18.
34. Persons occupying Houses or keeping Articles compounded for by other Persons, or set up by other Persons under colour of the Composition, to be liable to Duty, § 19.
35. Interest defined, Terms, &c. Assessed of Duty, § 19.
36. Persons procuring a Contract to be entered into as a less Amount than ought to be included, the Contract to be void, and the Offender to forfeit 5*l.*—§ 20.
37. Persons having dissipated their Establishments during their Residence out of Great Britain not entitled to compound, § 21.
38. In Cases of Sickness, Persons may sign their Contracts in the Presence of the Collector, § 22.
39. Compositions with Persons afterwards succeeding to Estates, and keeping larger Establishments, to cease with Power to compound on Assessment, § 23.
40. Commissioners and other Officers acting under the former Composition Acts to act in like Manner in the Execution of this Act, § 24.
41. Provisions of former Acts, to remain in force, § 25.
42. Limitation of Time for executing the Purposes of former Acts extended to this Act, § 26.
43. Persons intending to compound to give Notice thereof, together with a Statement of the Articles of Composition, § 27.
44. Errors or Mistakes in Compositions may be amended, § 28.
45. The Notices arising by Compositions to be paid into the Consolidated Fund, § 29.
46. Construction of Words, § 30.
47. Schedule to be deemed Part of the Act. How far it shall be used, § 31.
48. Schedule.
49. To grant Relief from the Duties of Assessed Taxes in certain Cases, 4 & 5 W. 4. c. 75.
50. Exemptions granted on Assessments made after 5th April 1835.—§ 1.
51. Barnhouses belonging to Farms under 500*l.* a Year excepted from the Duties on Windows, § 2.
52. Exemption in respect of Mole Servants under Eighteen Years of Age, § 3.
53. Roman Catholic Clergymen excepted from the additional Duties granted in respect of Bachelor Servants, § 4.
54. Clergymen and Dissenting Ministers whose Income is under 120*l.* a Year excepted from the Duty on One riding Horse, § 5.
55. Exemption granted by 11 G. 4. & 1 W. 4. c. 35, to Occupiers of Farms under 500*l.* a Year for the Duty on One Horse occasionally used for riding repealed. Exemption granted in lieu thereof to Occupiers of Farms under 500*l.* a Year, § 6.
56. Exemption in respect of Husbandsy Horses and Males occasionally used for other Purposes of Draught or let to draw for Hire, § 7.
57. Licensed Postmasters allowed to use their Post Horses in Husbandsy, and in driving Messengers, Caddies, &c. without being liable to Duty, § 8.
58. Exemption in respect of Horses used by Butchers, Shepherds, and Herdsmen, § 9.
59. And in respect of Dogs kept for the Care of Sheep, § 10.
60. Exemptions to be claimed in Manner directed by 43 G. 3. c. 163, § 35.—§ 11.
61. Servants, Horses, and Dogs wholly exempted from Duty not to be released for the Purpose of assessing the progressive Duties in respect of other Servants, &c. kept by the same Person, § 12.

See *Land Tax; Taxes.*

/s/ See *Freehold Estates.*

## Asiatic.

1. For the Appointment of convenient Places for the holding of Asiatic in England and Wales, 3 & 4 W. 4. c. 71.
2. 6 Geo. 2. c. 5. and 11 Geo. 2. c. 11. in part repealed, § 1.
3. His Majesty in Council may direct at what Places in any County Assizes and Sessions of Goal Delivery shall be hold, and that they may be holden in more than One Place in a County on the same Circuit, § 2.
4. Power to divide Counties for the Purpose of holding Assizes in different Divisions of the same County, § 5.
5. Power to direct the Court of Common Pleas at *Leicester* to be holden at any One or more Places in the County, and to divide the County for that Purpose, § 4.

See *Justice (Administration of)*, 17.

## Australia (South).

1. To empower His Majesty to erect *South Australia* into a *British Province* or Provinces, and to provide for the Colonization and Government thereof, 4 & 5 W. 4. c. 85.
2. His Majesty may establish one or more Provinces in that Part of *Australia* described in the Act, § 1.
3. His Majesty may empower Persons resident in the Colony to make Laws. Such Laws to be laid before the King in Council, § 2.
4. Commissioners may be appointed to carry this Act into execution, § 3.
5. Style of Board of Commissioners, § 4.
6. All Proceedings to be sealed, § 5.
7. Commissioners to make Orders for Sale of Land. Funds received as Purchase Money to form a Fund for relieving poor Emigrants to the Province, § 6.
8. No poor Person to be allowed a Passage from Fund unless Family also conveyed, § 7.
9. A Resident Commissioner to be appointed, § 8.
10. Treasurer and other Officers may be appointed and removed, § 9.
11. Powers may be delegated to Colonial Commissioners, § 10.
12. Treasurers to receive and pay all Monies, and to give Security, § 11.
13. Accounts to be audited, § 12.
14. Appointment of Officers, § 13.
15. Commissioners to take Oath, § 14.
16. Salaries to be fixed by Lords of Treasury, § 15.
17. Proceedings of Commissioners to be reported to Secretary of State, and laid before Parliament, § 16.
18. Until Sale of Lands, Money to be raised by Bond for carrying out poor Emigrants, § 17.
19. Power to borrow Money to pay Expenses of Colony, § 18.
20. Commissioners may reduce Rate of Interest, § 19.
21. Lands of Colony to be deemed a collateral Security, § 20.
22. Commissioners may sue and be sued in the Name of One Commissioner or of their Clerk or Secretary, § 21.
23. Convicts not to be transported to the Colony, § 22.
24. A Constitution to be established when there shall be 50,000 Inhabitants, § 23.
25. 20,000*l.* to be invested in Exchequer Bills as a Security upon the Mother Country, § 24.
26. If after Ten Years from the passing of this Act the Population shall be less than 20,000 natural born Subjects Lands to be liable to be disposed of by His Majesty, § 25.
27. Powers of Commissioners not to commence until the Money is raised, except for that Purpose, § 26.

## Australia (Western).

To continue to the Thirty-first Day of December One thousand eight hundred and thirty-six, and from thence to the End of the three next Sessions of Parliament, an Act of the Tenth Year of His late Majesty's Reize, for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*, 3 & 6 W. 4. c. 14.

*Awards*, See *Inclosures*.

## B.

*Bail*, See *Certiorari*.

*Ballage*, See *Package*.

## Bank of England.

1. For giving to the Governor and Company of the Bank of England certain Privileges for a limited Period under certain Conditions, 3 & 4 W. 4. c. 98.
2. 30 & 40 G. 3. c. 2. and 7 G. 4. c. 16. recited. Bank of England to enjoy an exclusive Privilege of Banking upon certain Conditions, § 1.
3. During such Privilege, no Banking Company of more than Six Persons to issue Notes payable on Demand within London, or 65 Miles thereof, § 2.
4. Any Company or Partnership may carry on Business of Banking in London or within 65 Miles thereof, upon the Terms herein mentioned, § 3.
5. All Notes of the Bank of England payable on Demand, which shall be issued out of London, to be payable at the Place where issued, &c., § 4.
6. Exclusive Privilege hereby given to end, upon One Year's Notice given at the End of Ten Years after August 1834. What shall be deemed sufficient Notice, § 5.
7. Bank Notes to be a legal Tender, except at the Bank and Branch Banks, § 6.
8. Bills not having more than Three Months to run not subject to Usury Laws, § 7.
9. Account of Bullion, &c., and of Notes in Circulation, to be sent weekly to the Chancellor of the Exchequer, &c., § 8.
10. Public to pay the Bank One Fourth Part of the Debt of 14,000,000*l.*—§ 9.
11. Capital Stock of the Bank may be reduced, § 10.
12. Governor, Deputy Governor, or Directors not to be disqualified by Resignation of their Share of the Capital Stock, § 11.
13. Proprietors not to be disqualified, § 12.
14. Bank to deduct the annual Sum of 120,000*l.* from Sum allowed for Management of National Debt, § 13.
15. Provisions of 30 & 40 G. 3. c. 2. to remain in force (except as altered), § 14.
16. Act may be amended this Session, § 15.
17. To provide for the Payment to the Governor and Company of the Bank of England of One Fourth Part of the Debt due from the Public to the said Company, in pursuance of an Act passed in the last Session of Parliament, 4 & 5 W. 4. c. 85.
18. 3 & 4 W. 4. c. 98. recited. 4,000,000*l.* reduced 5 per Cent. to be placed to the Credit of the Bank of England, and 400,000*l.* of the Public Debt of the United Kingdom.

don. Treasury to pay the Bank Interest on 8,873,700*l.* from 1st August 1834 till the 4,080,000*l.* shall be written in their Books. Bank to continue a Corporation, § 1.

*Bankers*, See Bank of England.

### *Bankruptcy (Court of).*

- To authorize His Majesty to give further Powers to the Judges of the Court of Bankruptcy, and so direct the Times of sitting of the Judges and Commissioners of the said Court, 3 & 4 W. 4. c. 47.
- 7 G. 4. c. 37, and 1 & 2 W. 4. c. 56. recited. His Majesty may direct the Judges, other than the Chief, of the Bankruptcy Court, to act in the Insolvent Debtors Court, § 1.
- Such Judges to have the same Powers as the Commissioners of the Insolvent Debtors Court, § 2.
- Insolvent Court empowered to order Prisoners to be brought before One of the Commissioners or Judge of the Court of Bankruptcy, § 3.
- Clerks of the Peace of Prisons to bring to the Place of issuing Petitions, the Duplicates of Petitions, &c., § 4.
- Treasury may direct Payment of travelling Expenses of Judges, &c., § 5.
- Court of Review may direct Registrars or Deputy Registrars to attend, § 6.
- Powers given to His Majesty with respect to the Court of Bankruptcy, § 7.
- Court of Review may make Orders as to taxing of Costs, § 8.
- For investing in Government Securities a Portion of the Cash lying unemployed in the Bank of England belonging to Bankrupt Estates, and applying the Interest thereon in discharge of the Expenses of the Court of Bankruptcy, and for the Relief of the Debtors in the said Court; and for removing Doubts as to the Extent of the Powers of the Court of Review and of the Subdivision Courts, 3 & 6 W. 4. c. 22.
- Part of the Money in the Bank belonging to Bankrupt Estates to be covered to an Account to be called "The Bankruptcy Fund Account," § 1.
- Sum advanced to Credit of Bankrupt Compensation Account to be repaid by Order of the Lord Chancellor, § 2.
- Lord Chancellor to appoint Accountant in Bankruptcy, § 3.
- Bankrupt Estates to be transferred into Nurse of Accountant in Bankruptcy, § 4.
- So much of 6 G. 4. c. 16. as directs the filing of the Certificate, and the Investment, &c. of unclaimed Dividends, repealed, § 5.
- Unclaimed Dividends to be paid into the Bank to the Credit of Accountant General, or, when appointed, to the Accountant in Bankruptcy, § 6.
- How unclaimed Dividends, &c. in the Hands of Assignees to be disposed of, § 7.
- Certificates to be given to Assignees, on Production of which Bank of England shall receive the Sums therein mentioned, and give Receipts, § 8.
- Interest to be received by the Governor and Company of the Bank, § 9.
- Salaries and other Expenses to be paid out of the same by Direction of the Lord Chancellor, § 10.
- Lord Chancellor may appoint additional Clerks if necessary, § 11.
- Accountant not to retain Fees, § 12.
- Repeal of Acts relating to Clerks, &c., § 13.

- Lord Chancellor may direct Interest from Securities to be carried to Secretary of Bankrupts Account, § 14.
- Salaries to be paid on such Days as the Chancellor shall direct, § 15.
- If the Fund is not sufficient at any Time then the Securities to be sold, § 16.
- Securities purchased may be changed, § 17.
- Cash in the Bank belonging to Bankrupt Estates to be one common and general Cash, § 18.
- Expenses of Proceedings under this Act to be paid out of the Fund, § 19.
- If Money not sufficient for the Purposes of this Act, the same to be made good by Parliament, § 20.
- Court in future to consist of One Chief Judge and Two Judges. In the Event of Death or Removal of a Registrar, Vacancy to be supplied by a Deputy Registrar acting under him, § 21.
- Annual Returns to Parliament, § 22.
- Mode of forming Subdivision Courts in case of Non-attendance of any Commissioners of the Division to which Cause is referred, § 23.
- Power given to Courts to administer Oaths on Affidavits, &c., § 24.
- Court of Review and Subdivision Courts declared to have been Courts of Record from the passing of 1 & 2 W. 4. c. 56.—§ 25.
- How Powers of the Act to be exercised, § 26.

See Justice (Administration of), 87.

*Bankrupts*, See Fines and Recoveries, 55—58; East Indies; Insolvent Debtors.

### *Banks.*

- To compel Banks issuing Promissory Notes payable to Bearer on Demand to make Returns of their Notes in Circulation, and to authorize Banks to issue Notes payable in London for less than Fifty Pounds, 3 & 4 W. 4. c. 33.
- Partnerships and Persons carrying on Banking Business and issuing Promissory Notes to keep Accounts of the Amount in Circulation, and make periodical Returns thereon to the Stamp Office in London. Such Returns to be verified on Oath. Penalty of 300*l.* for Default. False swearing punished as Perjury, § 1.
- Bank of more than Six Persons may draw on Agent in London, on Demand or otherwise, for less than 50*l.*, § 2.
- Act may be altered thro' Session, § 3.

*Base Fees*, See Fines and Recoveries.

### *Beer.*

- To amend an Act [1 W. 4. c. 65.] to permit the general Sale of Beer and Cider by Retail in England, 4 & 5 W. 4. c. 25.
- Licenses to be granted for Sale of Beer, but not to authorize Consumption thereof on the Premises unless granted upon Certificate, § 1.
- Every Person applying for a License to sell Beer to be drunk on the Premises to deposit with the Commissioners of Excise a Certificate of good Character signed by Six rated Inhabitants of the Parish, &c. and certified by One of the Overseers. If not Ten rated Inhabitants in the Place the Certificate of the Majority of them, § 2.

Repeal of Acts relating to Beer, as required, § 3.  
5 Pen.



4. Permitting drinking Beer in a neighbouring House or in any Shed, &c. with Intox to evade the Provisions of the Act to be deemed drinking on the Premises, § 4.
5. To what Persons Provisions for billeting Soldiers under Military Acts shall extend, § 5.
7. Justices of Peace to regulate Times of opening and closing Houses. Appeal. Proviso as to Hours to be fixed for opening and closing Houses, § 6.
8. Empowering Constables, &c. to visit licensed Houses, § 7.
9. Penalty for making or using false Certificates. Licenses obtained on false Certificates to be void, § 8.
10. No License for Beer to be drunk on the Premises to be granted without a Certificate, § 9.
11. Retailers compellable to produce their Licenses on Requisition of Two Magistrates, § 10.
12. Powers, Provisions, and Penalties of 1 W. 4. c. 64. to apply to Persons licensed under this Act, and to their Servants, &c., § 11.
15. Recited Act to continue in force, except as altered, § 12.
11. Duties on Beer Licenses under recited Act repealed, and new Duties granted in lieu thereof, § 13.
15. Such Duties to be under the Management of Commissioners of Excise, and to be recovered and accounted for under the Provisions of recited Act, § 14.
16. Not to affect Duty on Licenses to retail Cider and Perry but such Licenses to state Particulars, § 15.
17. Licenses under this Act not to authorize Persons to hold Licenses for Sale of Wine. Penalty on Persons licensed under this Act permitting West or Spirits to be consumed on the Premises, § 16.
18. Penalty on unlicensed Persons selling Beer and Cider by Retail to be drunk off the Premises, 10*l*.; to be drunk on the Premises, 5*l*., § 17.
19. The Board over the Door to state "Not to be drunk on the Premises," or "To be drunk on the Premises," § 18.
20. What is a retailing of Beer, Cider, or Perry, § 19.
21. Persons licensed to sell Beer or Cider under this Act liable to Penalties for selling Spirits or Wine without License, § 20.
22. Certificates not to be required for Houses in certain Situations if Population exceed Five thousand, § 21.

### Beer Shops, See Beer.

### Benefices, See Ecclesiastical Dignities.

### Bills of Exchange, See Bank of England; Securities.

### Bishops in India, See East Indies, 91—104.

### Boards of Stamps and Taxes, See Land Tax, 4.

### Boroughs and Franchises, See Justice (Administration of), 93.

### Bounties and Allowances of Customs, See Customs, 343.

### Bridges and Ferries.

1. *Blackfriars Bridge*, raising a Sum of Money for the Repair of, 3 § 4 W. 4. c. xxviii.
2. *Boar Bridge*, amending Act for rebuilding, and for improving several other Bridges in the Counties of Middlesex and Essex, 4 § 5 W. 1. c. lxxxix.
3. *Clyde River*, building a Bridge over, at *Croyhead*, 4 § 5 W. 4. c. lxxvii.
4. *Dee River*, better maintaining the *Lower King's Ferry* over, 5 § 6 W. 4. c. lxxxviii.
5. *Dunelmia River*, erecting a Bridge over, within the Town and County of *Hampshires* and the Liberties thereof, 3 § 4 W. 4. c. vi.
6. *Dee River*, building a Bridge over, from the *Shilley* at *Embsay*, and making Approaches thereto, and raising the present Ferry across the River, and establishing another Ferry on a Foot-bridge in lieu thereof, 5 § 6 W. 6. c. xxxi.
7. *Dee River*, amending Act for taking down and rebuilding *Filly Bridge* otherwise *Friers Bridge* across the River *Ida*, near the City of *Glasgow*, 4 § 5 W. 5. c. xxxi.
8. *Dee River*, establishing a Floating Bridge over, from or near *Cross House* within the Liberties of the Town of *Southampton* to the opposite Shore, with proper Approaches, and making Roads to communicate, 4 § 5 W. 4. c. lxxxv. [amended by 5 § 6 W. 4. c. lxxxi.]
9. *London Bridge*, amending Acts for extending the Approaches to *London Bridge*, 4 § 5 W. 4. c. xlii.
10. *Ouse River*, taking down and removing *Old Stratford Bridge*, and erecting a more commodious Bridge in lieu thereof, 4 § 5 W. 4. c. lxxvii.
11. *Phob*, building a Bridge over the Water from *Phob* to the Parish of *Monkswood*, with an Approach thereto, 4 § 5 W. 4. c. xlii.
12. *Portland Ferry*, making a Bridge over the River so called, in the County of *Dorset*, 5 § 6 W. 4. c. lxx.
13. *Snake otherwise Bosker Lake*, building a Bridge over, in the Parish of *Ancrothole* in the County of *Southampton*, 4 § 5 W. 4. c. iv.
14. *Traig and Loxton Rivers*, building Bridges over, and over the *Steer Canal* and *MW Leat*, 5 § 6 W. 4. c. xxv.
15. *Thames River*, amending Acts for building a Bridge over, at *Staines*, 4 § 5 W. 4. c. l.
16. *Tyne Bridge*, repairing, 5 § 6 W. 4. c. xxxii.
17. *Trent River*, building a Bridge over, from *Walton* to *Barnes* under *Newbold*, 5 § 4 W. 4. c. l.
18. ———— building a Bridge over, at *Willington*, 5 § 6 W. 4. c. vii.
19. *Wareham River*, repairing, &c. *St. Olave's Bridge* (repealing Acts), 5 § 6 W. 4. c. xlii.
20. *Yarrow* (Great), repairing, &c., the Bridge over the *Nave*, and other Bridges therein mentioned (repealing Acts), 5 § 6 W. 4. c. xlii.

### Buckingham Palace.

1. To authorize the Application of Part of the Land Revenue of the Crown for providing Fixtures, Furniture, Fittings, and Decorations for *Buckingham Palace*, 5 § 4 W. 4. c. vi.
2. 10 G. 4. c. 50. 1 W. 4. c. 25. 2 W. 4. c. 1. recited, § 1.
3. A Sum not exceeding 55,000*l*. to be paid out of the Hereditary Land Revenue of the Crown for Expenses of Fixings, Furniture, and Furnishings of *Buckingham Palace*, § 1.
4. Such Payments to have Precedence of all others arising from the *Revenue Lands*, 4 W.

## C.

## Calendars, See Stamps, 87.

## Canada, See Customs, 5.

## Canals, Rivers, Navigations, Railways, and Tunnels.

1. *Ankolew River*. Amending Act for making certain Parts of the River navigable, 5 & 4 W. 4. c. cxi.
2. *Bullocky Railway*. Effecting an Extension of the Railway, and amending Act for making the same, 5 & 6 W. 4. c. xciv.
3. *Birmingham Canal Navigation*. Consolidating, &c. the Powers of several Acts relating to, 5 & 6 W. 4. c. xcixiv.
4. *Birmingham and Liverpool Junction Canal Navigation Company*. Enabled to raise a further Sum of Money, 4 & 5 W. 4. c. cxxi.
5. *Blaydon and Heddon*. Making Railway from Blaydon to Heddon, with Six Branches thereat, 5 & 5 W. 4. c. cxxvi.
6. *Bolton and Wadsworth Railway*. Amending Act relating to, 5 & 6 W. 4. c. xciii.
7. *Bridgewater and Tameside Canal*. Making a navigable Canal thereon, in the Parish of *Crook Saint Michael*, and terminating in the Parish of *Chard*, with a collateral Cut thereon described, 5 & 5 W. 4. c. lxx.
8. *Bristol*. Making, &c. Railway from or near the City to *Covent Heath* in the Parish of *Wootton Bassett* (amending Act), 4 & 5 W. 4. c. li.
9. ——— Making Railway from *Bristol* to join the *London and Birmingham Railway* near *London*, to be called "The Great Western Railway," with Branches to *Broadford* and *Thamesbridge*, 5 & 6 W. 4. c. cvii.
10. *Calder and Hebble Navigation*. Enabling the Company to improve the Navigation, and amending Act, 4 & 5 W. 4. c. xli.
11. *Canterburys Railway*. Enabling the Company to raise a further Sum of Money, and amending former Act, 4 & 5 W. 4. c. lxx.
12. *Carl River*. Amending Act for improving the Navigation, and deepening and extending the Harbour of *Purby*, 5 & 6 W. 4. c. cxxxi.
13. *Chesire Railway*. Enabling Company to make additional Branch Railways, and amending Act, 5 & 4 W. 4. c. ix.
14. ——— Enabling the Company to make an Extension of the Line of their Railway, 5 & 4 W. 4. c. xxv.
15. *Croydon Railway*. Making Railway from *Croydon* to join the *London and Greenwich Railway* near *London*, 5 & 6 W. 4. c. x.
16. *Dart River*. Deepening, improving, &c. the Navigation of, from *Tatner Bridge* to *Lougham Wood Pass*, 4 & 5 W. 4. c. li.
17. *Dartford*. Incorporating certain Persons for the Carriage of Goods by means of a Railway from *Dartford* to *Sandwich* near the Sea, with a Branch to join the *Berkeley Railway* in the Township of *Barnet*, 5 & 5 W. 4. c. xxv.
18. *Edinburgh and Dalkeith Railway*. Enabling Company to make a Branch from said Railway to the Town of *Dalkeith*, and extending the *Leith* Branch, and other Purposes, 4 & 5 W. 4. c. lxxi.
19. *Golly Gully Farm*. Amending Act for making Railway from, to *Melgus Pool*, and making Wet Dock, 5 & 4 W. 4. c. li.
20. *General Steam Navigation Company*. Amending Act for granting a further Sum of Money, and amending former Act, 4 & 5 W. 4. c. lxxvii.
21. *Glossop and Berkeley Canal Company*. Enabled to take Water from the River *Froome*, and to alter, &c. several Acts relating to the said Canal, 4 & 5 W. 4. c. lvi.
22. *Grand Junction Railway Company*. Enabled to extend the Line of such Railway, and make Branch thereon to *Walsoken*, and other Purposes relating thereto, 4 & 5 W. 4. c. lv.
23. ——— Enabling the Company to alter the Line of their Railway, and make Two Branches thereon in the County of *Stafford*, 5 & 6 W. 4. c. lix.
24. *Hertford Dock and Railway Company*. Enabled to make a new Branch of Railway to the City of *Dartford* (amending Act), 4 & 5 W. 4. c. lvi.
25. ——— Making, &c. Railway from *Hertford* Railway near to *Moorty*, to the *Shoreope* and *Tyne* Railroad in the Township of *Consett*, 4 & 5 W. 4. c. lxxi.
26. *Hopb in the Parish of St. Ersk*. Making Railway from, to *Tremore Mine* in the Parish of *Greenop*, and several Branches thereon, 4 & 5 W. 4. c. lxxii.
27. *Leeds and Selby Railway*. Enabling the Company to improve the Line of Railway, and amending Act relating thereto, 5 & 6 W. 4. c. lvii.
28. *Leicester and Southampton Railway*. Enabling the Proprietors to execute additional Works and Branches, and amending former Act, 5 & 4 W. 4. c. lxx.
29. ——— Making Railway from the Termination of the *Leicester and Southampton Railway* to the *Abby-d-Don* Railway, and a Branch thereon, 5 & 4 W. 4. c. lxx.
30. *Leeds Railway and Dock Company*. Enabling the Company to make additional Railways, and other Purposes, 5 & 6 W. 4. c. xcvi.
31. *London and Birmingham*. Making Railway, 5 & 4 W. 4. c. cxxvii.
32. ——— Enabling the Company to extend and alter Line of Railway, 5 & 5 W. 4. c. lvi.
33. ——— and *Greenwich*. Making Railway, 5 & 4 W. 4. c. xlvii.
34. ——— and *Southampton*. Making Railway, 4 & 5 W. 4. c. lxxviii.
35. *Manchester, Bolton, and Bury Canal* Navigation and Railway. Amending Act relating to, and making new Branch to *Bolton*, 5 & 6 W. 4. c. xxx.
36. *Manchester and Kirkstall Railway*. Making Two Branch Railways from, and amending former Act, 5 & 4 W. 4. c. cxi.
37. *Manchester and Tameside Canal*. Enabling the Company of the *Western Branch* to effect an Agreement with *William Pugh of Bryn Llynwch, Esq.*, and securing certain Monies advanced and paid by him and others to and for the Use of the Company, 4 & 5 W. 4. c. xx.
38. *Newcastle upon Tyne and Carlisle Railway*. Authorizing the Company to make an additional Branch, and for other Purposes, 5 & 6 W. 4. c. cxxxi.
39. *Newbley*. Making Railway from *Newbley* to *Cooper Aspin*, 5 & 6 W. 4. c. lxxvii.
40. ——— Making Railway from *Newbley* to the *Muir of Esau*, and thence to the *Muir of Glessie*, 5 & 6 W. 4. c. cxi.
41. *Penryn*. Making Railway between the Town of *Penryn* and the South Side of the River *Clyde* at *Bryowrey Ferry*, and constructing Wharfs, Quays, &c., 5 & 6 W. 4. c. lxxxv.
42. *Pruton and Wye*. Making Railway from *Pruton* to *Wye*, and improving the Harbour of *Wye*, 5 & 6 W. 4. c. lxx.
43. *Ston Hall and Pinner Gap Railway*. Amending, &c. Act relating to the Company, 4 & 5 W. 4. c. li.
44. *Stoury and Arbroath*. Making Railway from, to the *Stoury and Arbroath Railway*, 5 & 6 W. 4. c. lxxv.

43. *Stroud and Moreton Railway.* Enabling the Company to make new Branch to Stroud-upon-Avon, 3 & 4 W. 4. c. 115.
44. *Tayf River.* Amending Act for empowering the Marquis of Bute to make a Ship Canal, commencing near the Mouth of the River Tayf, and terminating near the Town of Cardif, 4 & 5 W. 5. c. 816.
47. *Tay River.* Amending Act for improving the Navigation, 4 & 5 W. 6. c. 167.
48. *Thames Tunnel Company.* Amending Acts relating to, and extending the Powers thereby given for raising Money for the Completion of the Tunnel, 3 & 4 W. 4. c. 222.
49. *Warrington and Newton Railway.* Making Railway from, at Warrington, to Birmingham, to be called "The Grand Junction Railway," 3 & 4 W. 4. c. 221.
50. ——— Incorporating the Warrington and Newton Railway with the Grand Junction Railway, and extending to the former the Provisions of several Acts of Parliament relating to the latter Railway, 3 & 4 W. 4. c. 222.
51. *Wharfe.* Making Railway from *Wharfe* to *Poleing*, 3 & 4 W. 4. c. 223.
52. *Whitehall and Cadeby Railway.* Amending Acts relating to, and authorizing the Company to raise a further Sum of Money, 3 & 4 W. 4. c. 1033A.
53. *Wigan and Preston Railway.* Uniting the Wigan Branch Railway Company and the Preston and Wigan Railway Company, and altering the Line of the last-mentioned Railway (repealing Act), 3 & 4 W. 4. c. 225.
54. *Widn and Berke Canal Navigation.* Consolidating the Statute, and extending the Act of Incorporation of the Company, 3 & 4 W. 4. c. 86.
55. *Widn and Colburn Railway.* Extending the Time for completing, 4 & 5 W. 5. c. 28.

### Canonries, See Ecclesiastical Dignities.

### Capital Punishments.

1. For abolishing Capital Punishment in case of returning from Transportation, 4 & 5 W. 4. c. 67.
2. As much of 5 G. 4. c. 86, as inflicts the Punishment of Death for returning from Transportation repealed, Punishment substituted for each Offence, or for sending it, § 1.
3. For abolishing Capital Punishments in Cases of Letter-stealing and Swindling, 3 & 4 W. 4. c. 81.
4. As much of 36 G. 3. (1.) 82 G. 3. c. 143. 7 & 8 G. 4. c. 29, and 9 G. 4. c. 55, as inflicts the Punishment of Death for Letter-stealing and Swindling, and Transportation substituted, § 1.

### Carriages, See Assessed Taxes.

### Central Criminal Court, See Offences.

### Certiorari.

1. For preventing the vexatious Removal of Indictments into the Court of King's Bench; and for extending the Provisions of an Act of the Fifth Year of King William and Queen Mary, for preventing Delays at the Quarter Sessions of the Peace, to other Indictments; and for extending the Provisions of an Act of the Seventh Year of King George the Fourth, as to taking Bail in Cases of Felony, 3 & 4 W. 4. c. 23.
2. No Certiorari shall issue to remove Indictments, &c. from inferior Courts to the Court of King's Bench, at the Instance of a Defendant, without Leave from that Court, &c.

3. Defendants to enter into Recognizances before obtaining Writ of Certiorari to remove Indictment, &c.
4. Extending Provisions of Act G. 4. c. 68, as to taking of Bail in Cases of Felony, § 5.

### Chancery (Court of).

1. To provide for the Performance of the Duties of certain Offices connected with the Court of Chancery which have been abolished, 3 & 4 W. 4. c. 84.
2. 2 & 3 W. 4. c. 111. recited. After Death, &c. of present Clerk of Chancery of Orders and Letters, the Duties to be performed by an Officer designated "The Secretary of Letters." Proviso, § 1.
3. The Duties of Chief Wax and Seal, as Vacancies occur, to be respectively performed by the Pursuivant's Duties of Clerk of Presentations and Clerk of Dispositions and Faculties, as Vacancies occur, to be respectively performed by Secretary of Presentations, § 2.
4. Clerk of the Crown in Chancery and Clerk of the Patents to be appointed by the Crown, § 3.
5. Appointment of Salaries, § 4.
6. Regulations of Office, and Salary of Clerk of the Hanser, § 5.
7. Salaries to be in full Satisfaction of Duties, § 6.
8. Fees to be accounted for, and paid into His Majesty's Exchequer, and made Part of Consolidated Fund, § 7.
9. In what Manner Salaries of Officers are to be paid, § 8.
10. Re-appointment of Clerk of Inrolments in Bankruptcy, agreeably to 2 & 3 W. 4. c. 114—§ 2.
11. For the Regulation of the Proceedings and Practice of certain Offices of the High Court of Chancery in England, 3 & 4 W. 4. c. 94.
12. 2 & 3 W. 4. c. 111. recited. Offices abolished, § 1.
13. Six Registrars appointed. Filing up of Vacancies, § 2.
14. Registrar to attend each Judge of the Court as the Lord Chancellor, he shall direct, in case of Absence, they may appoint a Deputy, § 3.
15. Clerks to the Registrars appointed, § 4.
16. Mode of future Appointment of Sixth Clerk, § 5.
17. Assistant Clerks to Registrars, § 6.
18. Lord Chancellor may increase Number of Clerks in Registrars Office to Eight, § 7.
19. Master of Reports and Entries appointed, § 8.
20. Clerks in the Office of the Master of Reports and Entries, § 9.
21. As to Copies of Decrees, &c. No Recitals to be introduced in Decrees and Orders, § 10.
22. Clerks of Affidavits, Assistant Clerk, § 11.
23. Patentee of Balpenny Office, § 12.
24. Masters to hear certain Interlocutory Matters, subject to Appeal, § 13.
25. But not the Court, except an Appeal, § 14.
26. Costs on Interlocutory Matters, § 15.
27. Masters to be hereafter appointed by the King by Letters Patent, § 16.
28. Masters of the Court of Chancery to report yearly to the Lord Chancellor, and annex to each Report a List of Causes then pending in their Office, § 17.
29. As to the Person to be appointed Chief Clerk, § 18.
30. Sutors not compellable to take Oaths, § 19.
31. Officers and Clerks to hold their Offices during good Behaviour, § 20.
32. Hours of Business in the several Offices, § 21.
33. Lord Chancellor empowered to make Rules for simplifying the Proceedings in the Court of Chancery, &c.

54. And to amend or alter the *stat.* § 28.  
 55. Master of the Rolls to determine Motions arising in the High Court of Chancery, § 26.  
 56. Exception as to present Master of the Rolls, § 25.  
 57. Solicitors appointed to any Office under this Act to be struck off the Rolls, § 26.  
 58. Assessors authorized to administer Oaths to Witnesses, § 27.  
 59. Vacancies in Six Clerks Office not to be filled up until the Number is reduced to Two, § 28.  
 60. Restraint on sworn Clerks, § 28.  
 61. As to the Power given to the Lord Chancellor, § 30.  
 62. New Mode of issuing Subpoenas, § 31.  
 63. Annual Sums paid to Deputy Registers, &c. to cease, § 29.  
 64. Salaries to Officers, § 33.  
 65. Proportion of Salaries to Representatives of deceased Officers, § 34.  
 66. First Payment to Clerk of Affidavits, § 35.  
 67. Provision in case of Surplus or Deficiency in Fee Fund, § 36.  
 68. Table of Fees to be settled and paid to Fee Fund Account. Allowances for copying, § 37.  
 69. Table of Fees to be laid before Parliament, § 38.  
 70. £2,000 to be paid annually to the Masters in Ordinary, exclusive of the Assessment General, § 39.  
 71. *Id.* *pro* Fees to be paid to Copying Clerk in Masters Offices, § 40.  
 72. Officers and Clerks not to take Gratuities; Penalty on Commission of Offence, § 41.  
 73. How Offenders may be prosecuted, § 42.  
 74. Lord Chancellor may order Expenses of the Officers to be paid, § 43.  
 75. Lord Chancellor, &c. may diminish Fees, § 44.  
 76. Power to invest Surplus Interest of Suters Fund, § 45.  
 77. Money placed on, if required, to answer Demands of Suters, to be called in, § 46.  
 78. Power to change Securities, § 47.  
 79. Lords of the Treasury may grant Compensation to Persons herein mentioned, under certain Conditions, § 48.  
 80. Treasury may grant Compensation to Secretary of the Master of the Rolls, § 49.  
 81. Masters in Chancery appointed after the passing of this Act not to be entitled to Annuity for Length of Service, § 50.  
 82. Order for Payment of Annuity to Master to contain the Cause of making the same, § 51.  
 83. Copy of any Order for Annuity to be laid before House of Commons, § 52.  
 84. Commencement of Act, § 53.  
 85. Schedule.  
 86. To amend and extend an Act of the Second Year of His present Majesty, to effectuate the Service of Process issuing from the Courts of Chancery and Exchequer in England and Ireland, 4 & 5 W. 4. c. 18.  
 87. 2 & 3 W. 4. c. 33, revised. Provisions of revised Act relating to Suits concerning Lands extended to Suits concerning Charges or Liens on Lands, § 1.  
 88. Service of Subpoenas in Cases where Defaulters cannot be found, § 2.  
 89. To repeal so much of an Act passed in the Third and Fourth Years of His present Majesty as relates to the Amount of the Salary granted to the Clerk of the Crews in Chancery, and to make other Provisions in relation to the said Office, 5 & 6 W. 4. c. 47.

70. So much of 2 & 4 W. 4. c. 33, as grants a Salary of 800*l.* to the Clerk of the Crews repealed, and granting a clear Salary of 500*l.* in lieu thereof, § 1.  
 71. The Treasury may allow the Expenses of the Office of the Clerk of the Crews, and direct the same to be paid out of the Fees, § 2.  
 72. Treasury may vary the Allowance for Expenses, § 3.  
 73. Salary and Sum allowed for Expenses to commence and be payable from the 15th November 1854, and be paid quarterly, § 4.  
 74. The Treasury and the Lord Chancellor may alter and vary the Scale of Fees whenever they shall think it expedient, § 5.

## Chapels, See Churches.

## Charities.

1. For appointing Commissioners to continue the Inquiries concerning Charities in England and Wales until the First Day of March One thousand eight hundred and thirty-seven, 5 & 6 W. 4. c. 71.  
 2. Various Acts revised. Commissioners to be appointed to inquire into the Nature and Management of Charities, to report half-yearly, § 1.  
 3. Commissioners to report special Circumstances where Funds cannot be applied to intended Purposes, § 2.  
 4. Salaries to a limited Number of Commissioners, § 3.  
 5. Commissioners to take Oath before entering upon their Duties, § 4.  
 6. Vacancies of Commissioners may be filled up by the Crown, § 5.  
 7. Appointment of Secretary, Clerks, &c., § 6.  
 8. Commissioners to hold Sittings, and summon Persons, and send for Papers. No Person obliged to travel more than Ten Miles, § 7.  
 9. Commissioners empowered to examine upon Oath, § 8.  
 10. Examinations and Papers to be transmitted to Office as Witnesses, § 9.  
 11. Penalties of Perjury for false swearing, § 10.  
 12. Persons refusing to appear before Commissioners, or to produce Deeds, &c., or to answer Questions, liable to be held by Court of King's Bench or Exchequer, § 11.  
 13. Purchasers without Notice not obliged to answer Interrogatories, § 12.  
 14. Mortgages, Trustees, &c. not compellable to produce Deeds without Notice to Mortgagee, Contingent Trustee, &c. Persons not compellable to criminate themselves, § 13.  
 15. Letters to and from Commissioners to be free of Postage if sent conformably hereto. Penalty and Loss of Office for sending Letters not relating solely to the Business of the Act. In case of Letters sent under Cover to the Commissioners, not relating solely to the Business of the Act, § 14.  
 16. Officers having Custody of Records as fresh Extracts if required by a Commissioner, § 15.  
 17. No Stamp Duty on Extracts or Copies required by a Commissioner, § 15.  
 18. Act not to extend to Universities, public Schools, &c., § 16.  
 19. Not to Charities chiefly supported by voluntary Contributions, except as to Management and Application of Rent for Twenty Years, § 17.

20. Attorney General's Certificate to be Evidence of particular Cases having been duly certified by Commissioners, § 18.
21. Chief Commissioner to superintend Proceedings instituted by Attorney General, § 19.
22. For empowering resident Ministers and Churchwardens to receive Rent-charges belonging to Charities where no existing Trustee, § 20.
23. Limitation of Actions. General Issue. Treble Costs, § 21.
24. Previously to presenting Reports Commissioners may direct Attorney General to file Informations, § 22.

### Chelsea Hospital, See Army Pensions; Paymaster-General.

### Chester (County of), See Justice (Administration of), 105.

#### Chimney Sweepers.

- For the better Regulation of Chimney Sweepers and their Apprentices, and for the safe Construction of Chimneys and Flues, 4 & 5 W. 4. c. 35.
- 28 G. 4. c. 48. repealed, § 1.
- No Child under Ten Years to be apprenticed to a Chimney Sweeper, § 2.
- Chimney Sweepers taking Apprentices to be Household-ers, § 3.
- Indentures of Boys under Ten Years of Age to be void, § 4.
- Indentures executed previous to the passing of this Act to remain in force, § 5.
- Apprentices under Fourteen Years of Age to be so designated by a Brass Plate on a Leathers Cap, § 6.
- Penalty on Chimney Sweeper for employing Children under Fourteen Years of Age, not Apprentices, § 7.
- Requiring any Person to second a Fine to extinguish Fire a Misdemeanor, § 8.
- Binding or Assignment of Apprentices to Chimney Sweepers shall take place by Consent of Two Justices, and be indorsed on the Indenture, § 9.
- Age of Apprentice to be inserted in the Indenture, § 10.
- Boys not to be let out to Hire, § 11.
- Boys to have a Trial of the Business previous to being apprenticed, § 12.
- Justices to examine Boys who have been upon Trial before binding, and if Boys are unwilling shall refuse their Sanction, § 13.
- Limitation of Boys on Trial, § 14.
- Secrets not to be hawked or called by Chimney Sweepers. Penalty, § 15.
- Apprentices not to be evil-treated by their Employers. Penalty, § 16.
- Complaints preferred by Apprentices or their Employers to be inquired into by Justices, § 17.
- Materials and Construction of Chimneys and Flues particularly directed; Regulations as to Angles of Flues; Chimneys of a certain Construction may be built at Angles, § 18.
- Convictions to be made before Two Justices, § 19.
- Penalties how to be recovered, § 20.
- In default of Payment of Penalty, Parties convicted to be sent to Prison, § 21.
- Inhabitants may be Witnesses, § 22.

25. Distress not to be deemed unlawful for Want of Form. Plaintiff not to recover for any Irregularity if Tender of sufficient Amounts be made, § 23.
26. Appeal, § 26.
28. Conviction not to be quashed for Want of Form, nor removed by Certiorari, § 25.

#### China Trade.

- To regulate the Trade to China and India, 8 & 4 W. 4. c. 25.
- 4 G. 4. c. 90. repealed, except as mentioned, § 1.
- Prohibitions upon the Importation of Yarn and Goods from China, imposed by 6 G. 4. c. 107. and 6 G. 4. c. 114. repealed, § 2.
- All British Subjects may carry on Trade beyond the Cape of Good Hope to the Straights of Magellan, § 2.
- List of Persons on board any Ship arriving in India to be delivered to Officers of Customs; Penalty for Neglect, 100*l.*, § 3.
- Penalties how recoverable, § 4.
- Three Superintendents of the China Trade to be appointed, § 5.
- His Majesty in Council may issue Orders and Commissions to have Force in China; and issue Regulations touching the Trade; and create a Court of Justice for Trial of Offences in that Part, § 8.
- Superintendents, &c. not to accept Gifts, or to trade, § 7.
- A Tonnage Duty to be imposed, to be appropriated towards defraying the Expence of Establishments in China, § 8.
- Limitation of Actions. General Issue. If Action brought after Time limited, &c. Treble Costs, § 9.

#### Cholera Morbus.

To continue until the End of the next Session of Parliament Two Acts for the Prevention, as far as may be possible, of the Disease called the Cholera, or Spasmodic or Indian Cholera, in England and Scotland, 3 & 4 W. 4. c. 75—2 & 3 W. 4. c. 10. and 2 & 3 W. 4. c. 11, as amended by 2 & 3 W. 4. c. 11, continued, § 1.

#### Churches.

- To exempt from Poor and Church Rates all Churches, Chapels, and other Places of Religious Worship, 3 & 4 W. 4. c. 30.
- No Person liable to be rated for Places exclusively appropriated to public Religious Worship. Provision respecting Places not so exclusively appropriated, § 1.
- Persons not liable to Rates because Part of Precincts may be used for Schools, § 2.

#### Cider, See Beer.

#### Civil List.

- To provide for the Payment of certain ancient Grants and Allowances formerly paid out of the Civil List Revenues, 5 & 6 W. 4. c. 86.
  - 1 W. 4. c. 25. and 2 & 3 W. 4. c. 116. recited. The Treasury may authorize the Commissioners of Woods, Forests, &c. to apply, out of the Revenues under their Management, an annual Sum for Payment of certain ancient Grants formerly chargeable on the Civil List, § 1.
- Clerk of the Crown, See Chancery (Court of), 69.

*Clerk of the House of Commons*, See House of Commons.

*Clerks*, See Indemnity.

*Clerks of Ingrovements*, See House of Commons.

*Coffee*, See Customs, 5, 398—401.

*Coffee Shops*, See Justice (Administration of), 24.

*Colonial Courts*, See Justice (Administration of), 61.

*Colonies*, See Slaves.

*Commissioners of Charities*, See Charities.

*Commissioners of Inclosures*, See Inclosures.

*Commissioners of Roads*, See Turnpike Roads.

*Commissioners of Sewers*, See Sewers.

*Commissioners of Stamps and Taxes*, See Land Tax, 5.

*Commissioners of Woods, &c.*

1. For transferring to the Commissioners of His Majesty's Woods and Forests the several Powers now vested in the *Highway Road Commissioners*, and for discharging the last-mentioned Commissioners from the future Repairs and Maintenance of the Roads, Harbours, and Bridges now under their Care and Management, 5 & 4 W. 4. c. 45
2. 4 G. 4. c. 74. 8 G. 4. c. 100. 7 G. 4. c. 76. 7 & 8 G. 4. c. 55. 5 G. 4. c. 65 and 1 W. 4. c. 67. recited. Powers of Commissioners under 4 G. 4. c. 74. to cease, § 1.
3. Appointment of Commissioners, § 2.
4. Power to appoint additional Commissioners, § 3.
5. Appointment of new Commissioners in Cases of Death, Resignation, &c., § 4.
6. Powers of former Acts vested in Commissioners, § 5.
7. Meeting of Commissioners, § 6.
8. Officers under former Acts to continue till removed, § 7.
9. Roads, Harbours, Bridges, &c. vested in the Commissioners, § 8.
10. Securities for Loans borrowed under former Acts not to be prejudiced by this Act, and Leases and Contracts to continue valid, § 9.
11. All Monies now in the Hands of the Commissioners under 4 G. 4. c. 74. or hereafter to be received by Commissioners under this Act, to be paid into the Bank of England to Account of Commissioners of Woods, &c., § 10.
12. A separate Account to be kept of Monies received and paid under this Act, § 11.

See *Banking and Loans; Sewers; Land Revenue.*

*Commissions of Lunacy.*

1. To diminish the Inconvenience and Expence of Commissions to the Nature of Writ De *lunatico inquirendo*; and to provide for the better Care and Treatment of Idiots, Lunatics, and Persons of unsound Mind, found such by Inquisition, 5 & 4 W. 4. c. 50.
2. Lord Chancellor, &c. may cause Commissions to be addressed to any One or more Persons, who shall have sufficient Power to make Inquisition thereon, § 1.
3. The Lord Chancellor may appoint Visitors to superintend and report to him upon the Care and Treatment of Idiots, &c., § 2.
4. Persons found idiot, &c. to be visited once a Year, § 3.
5. Visitors to report to Lord Chancellor, &c. on Care and Treatment of Idiots, &c., § 4.
6. In case of Death, &c. of Visitors, Lord Chancellor may appoint others, § 5.
7. Certain Persons not to act as Visitors, § 6.
8. A Secretary to such Visitors may be appointed, § 7.
9. A Fund for Payment of Salaries and Expences to be raised by a Per-centage on the Income of the Idiots, &c., § 8.
10. Committees, &c. to pay such Per-centage into the Bank upon receiving Notice, § 9.
11. Masters of the Court of Chancery to certify the Amount of Income of Idiots, &c., § 10.
12. Payments out of the Fund to be by Checks signed by the Lord Chancellor, § 11.
13. Accounts to be audited yearly and filed, § 12.

*Committee Clerks*, See House of Commons.

*Common Field Lands*, See Exchange of Lands.

*Common Law*, See Law (Amendment of).

*Companies (Trading).*

1. To enable His Majesty to invest trading and other Companies with the Powers necessary for the due Conduct of their Affairs, and for the Security of the Rights and Interests of their Creditors, 4 & 5 W. 4. c. 94.
2. His Majesty empowered by Letters Patent to grant to trading Companies not incorporated certain Privileges for Protection of themselves and of the Public. Name of any Member may be joined with principal Officer in Suits in Equity. No Privilege to be granted until after Three Months Notice in Gazette, § 1.
3. Copy of Grant of Letters Patent to be made in the Office of Clerk of the Patents, and a Memorandum thereof published in the *London Gazette* and in One Newspaper in the Neighbourhood of the Association, § 2.
4. Decrees, Judgments, &c. given against said Company to extend to the Property of such Company, and to the Person and Effects of every Member thereof, § 3.
5. List of Members, with Places of Abode, to be filed with Clerk of Patents, and be open to Inspection, § 4.
6. Saving Privileges of existing Companies, § 5.

See *Election of Officers, &c.*

*Compensation*, See Pensions.

*Compositions*, See Appointment of Rents, &c.; Assessed Taxes.

## Constables (Special).

1. For enlarging the Power of Magistrates at the Appointment of Special Constables, 5 & 6 W. 4. c. 45.
2. Persons may act as Special Constables in other Parishes than those in which they reside, § 1.
3. Act may be altered, &c. § 2.

See Justice (Administration of).

Conventions, See Slave Trade.

Copyhold Estates, See Freehold Estates.

## Copyright.

1. To amend the Laws relating to Dramatic Literary Property, 3 & 4 W. 4. c. 15.
2. 54 G. 3. c. 105. rected. The Author of any Dramatic Piece shall have, as his Property, the sole Liberty of representing it, or causing it to be represented, at any Place of Dramatic Entertainment. Provided as to Cases where, previous to the passing of this Act, a Censor has been given, § 1.
3. Penalty on Persons performing Pieces contrary to this Act, § 2.
4. Limitation of Actions, § 3.
5. Explanation of Words, § 4.

Corn, See Importation and Exportation, 54.

Corporations, See Election of Officers, &c.; Municipal Corporations.

Corporations (Ecclesiastical and Eleemosynary), See Limitation of Actions, 30.

Corporation of London, See Package.

Costs, See Quare Impedit.

## Cotton Mills and Factories.

1. To regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom, 5 & 6 W. 4. c. 105.
2. Persons under Eighteen Years of Age not allowed to work at Night in Mills or Factories described in the Act, § 1.
3. Persons under Eighteen Years of Age not to work more than Twelve Hours a Day, § 2.
4. Extension of Hours of working in certain Cases, § 3.
5. Providing for unavoidable Time lost in Cases of Accidents, § 4.
6. Loss of Time from the Want or Excess of Water so the Daytime provided for, § 5.
7. Time for Meals, § 6.
8. Employment of Children under Nine Years prohibited, § 7.
9. Employment of Children under Eleven, Twelve, and Thirteen Years of Age, for more than Eight Hours a Day, prohibited, § 8.
10. Holidays to be allowed, § 9.
11. Children employed in one Mill less than Nine Hours not to be employed in another Mill more than the Residue of Nine Hours, § 10.

12. Children not to be employed without a Certificate from a Surgeon as to Strength and Appearance, § 11.
13. Certificates to be made by a Surgeon or Physician, § 12.
14. Form of Certificate, § 13.
15. Children between Eleven and Eighteen not to be employed in Factories more than Nine Hours a Day, or at Nights without Certificate of Age, § 14.
16. Penalties against Persons not having Certificates not to be levied if it appears that the Person employed was above the Age required, § 15.
17. Provision in case Magistrates refuse to countersign Certificates, § 16.
18. Inspectors to be appointed, § 17.
19. Powers and Duties of Inspectors for Enforcement of the Act, § 18.
20. One of the Secretaries of State may appoint Persons to superintend, under the Inspector, Execution of the Act, § 19.
21. Children in Factories to attend School, § 20.
22. Schoolmaster's Voucher required, § 21.
23. Means of providing additional Schools, § 22.
24. Inspector may draw Order for Salary, if Schoolmaster or Schoolmaster incompetent, § 23.
25. Mill Owner liable to Penalty for Child remaining on the Premises more than Nine Hours. Provided as to Playgrounds and Schools, § 24.
26. Notices by Inspectors, § 25.
27. Interior Walls, &c. of Mills, to be Lime-washed, § 26.
28. Abstract of Act, and such Rules and Regulations as Inspectors may determine, to be hung up in Mills, § 27.
29. Punishment for Forgery of Certificates, § 28.
30. Parents liable to Penalty of 20s for Employment of Children beyond the legal Hours, &c., § 29.
31. Agents and Servants of Factory Owners to be personally liable, § 30.
32. Penalties for Offences against the Act, § 31.
33. Penalty for obstructing Inspectors, § 32.
34. Inspectors to have same Powers over Constables as Justices, § 33.
35. Proceedings under the Act may be had before One Inspector or One Magistrate, § 34.
36. Complaints to be preferred at or before the Visit of the Inspector, and previous Notice given. Provided as to Penalties, § 35.
37. In case of Partnerships, One Name sufficient for Summons, &c., § 36.
38. Service of Summons, § 37.
39. Inspectors and Justices may summon Witnesses to give Evidence, and on Neglect may commit them, § 38.
40. And afterwards discharge them on sufficient Excuse or Compliance, § 39.
41. Convictions to be filed amongst Records of the County, § 40.
42. Inspector or Justice may commit to Prison for Two Months, in case Payment of Penalty is refused or Distress insufficient, § 41.
43. As to Appeal and Convictions, § 42.
44. Application of Penalties, Restraints as to Penalties; Summons, § 43.
45. Inspector may order Constable to provide a Place for holding Sitings, § 44.
46. Inspectors to make Annual Report; Proceedings of Inspectors required to be uniform, § 45.
47. High Magistrates in Scotland to exercise same Powers as Justices of Peace in England, § 46.
48. Not to extend to Persons on Repair, § 47.
49. 1 & 2 W. 4. c. 39, repealed, § 48.

20. Construction of Terms, § 49.
21. Public Act, § 20.
22. Schedule.
23. To explain and amend an Act [5 & 4 W. 4. c. 105.] for regulating the Labour of Children and young Persons in the Mills and Factories of the United Kingdom, 4 & 5 W. 4. c. 1.
24. The Word Months in recited Act to be construed Calendar Months, § 1.
25. In Silk Mills, Children under Thirteen Years of Age allowed to work Ten Hours every working Day, § 2.
26. Act may be altered, &c., § 3.

## Cotton Wool.

1. To reduce the Duty payable on Cotton Wool imported into the United Kingdom, 5 & 4 W. 4. c. 10.
2. 1 & 2 W. 4. c. 16. *revised.* After 1st June 1833 the Duty on Cotton Wool imposed shall be 2s. 11d. in lieu of 5s. 10d.—§ 1.
3. Duty to be levied, paid, &c. as if imposed by 6 G. 4. c. 3.—§ 2.
4. Act may be altered, § 5.

## County Rates.

1. To regulate the Expenditure of County Rates, and Fines in and thereof, 4 & 5 W. 4. c. 48.
2. All Business relating to the Assessment and Application of County Rates shall be transacted in open Court, § 1.
3. Notice thereof to be given, § 2.
4. Act to extend to Counties in England and Wales only, § 3.

*Court of Chancery, See Chancery (Court of).*

*Court of Common Pleas of Lancaster, See Lancaster (County Palatine).*

*Court of Exchequer, See Chancery (Court of), 66; Sheriffs.*

*Courts of Law, See Offices, 5.*

## Crimes and Misdemeanors.

1. To repeal so much of Two Acts of the Seventh and Eighth Years and the Ninth Year of King George the Fourth as inflict the Punishment of Death upon Persons breaking, entering, and standing in a Dwelling House: and for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases, 5 & 4 W. 4. c. 44.
2. So much of 7 & 8 G. 4. c. 20. and 9 G. 4. c. 25. as inflict the Punishment of Death for the Felonies therein denoted, *repealed*, § 1.
3. After the 1st January 1835 Persons convicted of such Felonies to be liable to be transported, and to imprisonment previous to Transportation, § 2.
4. Persons punishable with Transportation for Life under 2 & 5 W. 4. c. 69. 125. liable to be previously imprisoned for Four Years, § 3.

*See Offices.*

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## Cruelty to Animals.

1. To consolidate and amend the several Laws relating to the cruel and improper Treatment of Animals, and the Mischief arising from the driving of Cattle, and to make other Provisions in regard thereto, 5 & 6 W. 4. c. 59.
2. 5 G. 4. c. 71. and Part of 5 W. 4. c. 10. *repealed*, § 1.
3. Any Person wasterly and cruelly beating or otherwise ill-treating any Cattle, &c., or improperly driving the same, whereby any Mischief shall be done, shall upon Conviction, be fined or committed to Prison, § 2.
4. Persons keeping Pits for fighting Dogs or having Bears, &c. guilty of a Mischief, and liable to Penalties. The Person who shall be the Manager of such House to be deemed the Keeper, § 3.
5. Persons impounding Cattle to provide sufficient Food for them. Remedy for the Recovery thereof, § 4.
6. Persons may enter Pounds for Purpose of feeding Cattle, § 5.
7. Penalty on Parties neglecting to feed impounded Cattle, § 6.
8. Act to slaughtering Horses, &c., § 7.
9. Horses to be slaughtered within Three Days after Purchase, and in the meantime to be provided with Food, § 8.
10. Any Constable or Peace Officer, or the Owner of any Cattle, may seize Offenders, § 9.
11. As to Names of Offenders, § 10.
12. Limitation as to summary Proceedings, § 11.
13. As to Convictions, § 12.
14. Mode of proceeding for Penalties, § 15.
15. Form of Certificates, § 14.
16. Service of Justice's Summons, § 13.
17. Penalty on Constable refusing or neglecting to serve Summons, &c., § 16.
18. Distribution of Penalties, &c., § 17.
19. Informants or Complainants not disqualified, § 18.
20. Limitation of Actions, § 19.
21. Parties disqualified with Adjudication of any Justice may appeal to Quarter Sessions, § 20.
22. Construction of Terms used in this Act, § 21.

*Carritors, See Offices, 5.*

## Customs.

1. To repeal the several Laws relating to the Customs, 5 & 4 W. 4. c. 50.
2. Act to commence 1st September 1833.—§ 1.
3. Repealed Acts (except as they repeal former Acts, and except as to Drawbacks, &c. *see* *do.*) *repealed*, § 2. [See *Schedule* *repealed*, § 10.]
4. All Acts relating to Revenue of Customs, Navigation, or smuggling (except as mentioned), *repealed*, § 3.
5. So much of 6 G. 5. c. 22. as imposes a Duty on Colonial Coffee on Importation into other Colonies, and so much of 14 G. 5. c. 88. as imposes a Duty on Molasses or Syrup imported into Canada, *repealed*, § 4.
6. Act not to affect Seamen engaged in Southern Whale Fishery, § 5.
7. Act may be altered this Session, § 6.
8. For the Management of the Customs, 5 & 4 W. 4. c. 51.
9. 6 G. 5. c. 106. *revised.* Continuance of Act, § 1.
10. Commissioners of Customs to be appointed by His Majesty, § 2.
11. Commissioners subject to the Control of the Treasury, § 3.



11. Orders under the Hands of Commissioners, § 4.
12. Previous Appointments to remain in force, § 5.
13. Appointment of necessary Officers of Customs. Salaries and Allowances and Securities, § 6.
14. Persons employed by Customs deemed Officers for such Service, § 7.
15. Duties of Officers performed by Persons and at Places appointed by Commissioners, § 7.
17. Officers taking Fee or Reward not allowed, to be dismissed: Penalty of 100*l.* for offering Fee, § 8.
18. Previous Appointments and Securities to remain in force, § 9.
19. Oath of Office, § 10.
20. Hours of Attendance, and Division of Service in those Hours, § 11.
21. Officers of Customs not liable to serve Parochial and other Local Offices, § 12.
22. Holidays, § 13.
23. Collector in London to pay Duties daily to Receiver General, § 14.
24. In London, Debentures and Orders to be paid by Receiver General. Payment at Out-ports by Collector, § 15.
25. Commissioners may close Accounts of Collectors, and may detect the Sums in the Act mentioned to be paid on passing Entries. Application thereof, § 16, 17.
26. Salaries not subject to Duties, § 18.
27. All Moneys received by Receiver General in England to be paid into Bank of England, § 19.
28. Money for ordinary Payments may be retained, § 20.
29. Bank to keep Accounts, to be returned to the Customs for Inspection, § 21.
30. Money carried to the Exchequer to be written off at the Bank, § 22.
31. Receiver General may draw on the Bank to pay Drawbacks, and Drafts to be countersigned by Comptroller General, § 23.
32. Officers of the Exchequer to be furnished with Appropriation Paper, § 24.
33. On the Death or Removal of Receiver General the Balance to vest in his Successor, § 25.
34. Receiver General to keep Account, § 26.
35. Punishment for Forgery on Receiver General, Transportation for Life, § 27.
36. Collector, &c. authorized to administer Oaths, § 28.
37. Surveyor General may examine Witnesses on Oath. False Oath deemed Perjury, § 29.
38. Lands and Buildings already taken for the Service of His Majesty's Customs to be vested in the Secretary of the Customs for the Time being, § 30.
39. And all Lands to be hereafter purchased for the Use of the Customs, § 31.
40. Secretary, and/or Authority of Commissioners, may sell or let Lands vested in them, § 32.
41. Moneys produced by Sale of such Land to be paid to the Receiver General; after Payment Purchasers to stand possessed of the Lands, &c., § 33, 34.
42. Treasury may authorize Persons to survey and mark out Lands for Watch-houses, &c., § 35.
43. Badges Patent, &c. may contract for Sale, § 36.
44. Persons refusing to sell or to accept the Consideration offered, Two Justices may put His Majesty's Officers into Possession, and a Jury shall be summoned, who shall find the Compensation to be made, § 37.
45. Lands that are suitable may be taken in lieu of such as have been marked out, § 38.
46. If any Person be dissatisfied with Verdict, Appeal may be made to the Court of Exchequer in England or Ireland, or to the Court of Session, &c. in Scotland, § 39.
47. Jury to ascertain Compensation for Premises, to settle Property to be paid Lessee, &c., § 40.
48. Security to be given for Costs, § 41.
49. Upon Delivery up of Lands to the Owners all Erections for the Public Service to be removed, making Compensation to the Owners, § 42.
50. Parol Money belonging to incapacitated Persons, &c. to be paid to the proper Officer of the Exchequer for their Use: Money to be paid into the Bank, § 43.
51. Barons of the Exchequer, &c. on Petition of Parties interested, to order the Application of Money, § 44.
52. On the Death, Removal, or Resignation of Officer of Exchequer, Stocks and Securities shall vest in Successor, § 45.
53. Gardens not to be offered, § 46.
54. Documents signed by Three Commissioners of the Treasury to be deemed the Act of the whole Commissioners, § 47.
55. Act may be altered this Session, § 48.
56. For the general Regulation of the Customs, 5 & 6 W. 4 c. 82.
57. 6 G. 4 c. 107. recited. Commencement of Act, § 1.
58. General Provisions.—No Goods to be landed nor Bulk broken before Report and Entry. Times and Places of Lading, and Care of Officers. Goods not reported or entered forfeited. If Bulk illegally broken, Master to forfeit 100*l.* Certain Articles may be landed without Entry, § 2.
59. Manifest.—All British Ships, and all Ships with Tobacco, to have Manifests. Particulars of Manifest, § 3.
60. To be produced to Officers in Colonies, &c., § 4.
61. To be produced to Customs, § 5.
62. If wanting, Master to forfeit 100*l.*—§ 6.
63. Manifest to be produced within Four Leagues, and Copies delivered to Officers. Copies to be transmitted to Port of Destination. Master not producing to forfeit 100*l.*—§ 7.
64. Report.—Master within Twenty-four Hours, and before breaking Bulk, shall report. Particulars of Report. Penalty on Failure, 100*l.*—§ 8.
65. Masters of Vessels coming from Africa to report how many Natives they have taken on board in Africa, and to give Bond to or maintain or send back such as they bring from thence, § 9.
66. Packages reported "Contents unknown" may be examined; prohibited Goods shall be forfeited, § 10.
67. Master to deliver Manifest, and if required Bill of Lading or Copy, and answer Questions, as to Voyage; on Failure, Master to forfeit 100*l.*—§ 11.
68. Part of Cargo reported for another Port, § 12.
69. Ship to come quickly to Place of unloading, but to bring to at Stations for Bonding Officers Report, § 13.
70. Officers go board Ships; to have free Access to all Parts: may seal or secure Goods and open Locks; Goods concealed, forfeited; if Seal, &c. be broken, Master to forfeit 100*l.*—§ 14.
71. National Ships, British or Foreign, having Goods on board, Person is charged to deliver an Account or forfeit 100*l.*: such Ships liable to Search under Regulations of Treasury, § 15.
72. Master to deliver Lists of Crew of Ships from West Indies; Penalty on Neglect, 50*l.* List kept by Collector, § 16.

75. *Entry*.—As to landing of Goods; if Charges not paid in Three Months, Goods may be sold; Bill of *Entry* to be delivered, § 17.
76. Particulars; Duplicates, § 18.
78. Unauthorized Persons not to be permitted to make Entries, § 19.
76. Not valid unless agreeing with Manifest, Report, and other Documents and Description of Goods; Goods not properly entered, forfeited, § 20.
77. Goods by Number, Measure, or Weight; Goods of value; Declaration of Value; Persons not authorized to forfeit 10%; Form of Declaration, § 21.
78. Goods undervalued, Officers may detain, Valuation and 10% per Customs to be paid Importer; Goods to be sold for the Benefit of the Crown, § 22.
79. *East India Company* to sell Goods, § 23.
80. Bill of Sight, if Goods be not known; Importer to examine and make perfect Entry in Three Days, § 24.
81. Or Goods to be taken to King's Warehouse, and in One Month may be sold, § 25.
82. *East India Company* may enter by Bill of Sight, and make perfect Entry within Three Months; of value; Duties; retail Duties; private Importers may enter as the Company may, on Bond, provided Goods be secured in Company's Warehouse, § 25.
83. In default of Payment of Duties, Goods to be sold, § 27.
84. Goods loaded by Bill of Sight, fraudulently concealed, forfeited, § 28.
85. *East India Company* to pay Duties to Receiver General, § 28.
86. Goods damaged on Voyage; Abatement of Duties; Proof by Master and Importer, § 30.
87. When Claims to be made; Officers to examine Damage and state Properties, or choose Two Merchants, § 31.
88. No Abatement for certain Goods, § 32.
89. Returned Goods; entered by Bill of Store; if Property be not changed; if Foreign Goods, Duties to be paid again, or Goods may be warehoused, certain Goods may not be returned for Home Use, § 33.
90. Bill of Store, by whom may be taken out; to be issued by Searcher; Agents to declare Name of his Employer; Consignee to declare who is Proprietor; Proprietor to declare Identity, and Property unchanged, § 34.
91. When Entry by Bill of Store to be granted; Surplus Stores subject as Goods, § 35.
92. If not consumed, may be entered for private Use, or be warehoused for Use of the Ship, § 36.
93. Goods from Plantations. Master to deliver Plantation Clearance; Certificate of Growth of Sugar, Coffee, Cocoa, Spirits from Plantations. Master to declare to Certificate, § 37.
94. Certificate of Sugar from Limits of Charter; Master to declare to Certificate, § 38.
95. Certificate of Wine, Produce of Cape of Good Hope; Master to declare to Certificate, § 39.
96. Goods of *Guernsey, Jersey, &c.* Duty-free, with Exceptions, § 40.
97. Master to deliver Certificate of Produce, and declare to Certificate, § 41.
98. Treasury may permit Produce of Colonial Fisheries to be imported from *Guernsey, &c.*, § 42.
99. Vessels with Store from *Guernsey, &c.* not to be plied, § 43.
100. Fish, British taking and curing, and Lobsters and Turbot, free of Duty on Importation; Declaration of Master; *Prohibitions* imposed by the University, § 44.
101. Certificate of Blubber, Train Oil, &c., *British* Collected taking; Declaration of Master and Importer, § 45.
102. Before Entry of Blubber, &c. of *British* Fishing-Master and Importer to make Declaration of the same, § 45.
103. Blubber from Greenland may be boiled and entered as Oil imported, and be exported as such, § 47.
104. Importation direct, § 48.
105. Salvage may sell Goods sufficient to defray Salvage, § 49.
106. Foreign Goods (Shelton, &c.) to be subject to same Duties as an Importation; if not worth their Duty, how to be treated, § 50.
107. Persons having such Goods in Possession without Notice liable to a Penalty of 100%; Lord of Manor or Seigneur may retain such Goods on giving Bond for Payment of Duties, § 51.
108. Goods under Excise Patent Regulations; Officers of Excise may attend Delivery, § 52.
109. Commissioners of Customs may direct certain Goods to be stamped, § 53.
110. Orders for stamping Goods to be published, § 54.
111. Penalty 500*l.* on forging such Stamps, § 55.
112. Times and Places for landing Goods, § 56.
113. Goods to be warehoused, &c. at the Expense of Importer, § 57.
114. Prohibitions and Restrictions absolute or modified; Tables, &c.; Forfeitures, § 58.
115. But Goods may be warehoused for Expectation only although prohibited; Exceptions, § 59.
116. Goods to be entered to be warehoused for Expectation only, § 60.
117. *Outwards*.—General Provisions.—Goods not to be shipped till Entry of Ship and Entry of Goods, and Cocket granted; nor till cleared; nor Stores without Victualling Bill; proper Times and Places, and Officers; or forfeited, § 61.
118. Ships to be cleared, or Master to forfeit 100*l.*—§ 62.
119. Victualling Bill for Stores, § 63.
120. Ship's Entry.—Master to deliver Certificate of Clearance of last Voyage, and to make Entry Outwards; Particulars of Entry, § 64.
121. Entry of Goods.—Bill of the Entry to be delivered; Particulars; Payment of Duties; Cocket to be granted; Persons entering Goods responsible for Cocket, § 65.
122. Goods for Drawback or Bounty; Duty Goods; Goods under Restriction; of value; Goods; Declaration of Value; Form of Declaration, § 66.
123. Goods under-valued detained, § 67.
124. For Drawback, or from Warehouse, or Duties to be first paid; Major of Entry; Certificate Inwards; Particulars, § 68.
125. Export Bond to be given for Coals shipped for Sale of Men and British Possessions, § 69.
126. Clearance of Goods.—Packages to be indented on Casket, Marks and Numbers and total Quantities, Bounty, Drawback, or Duty Goods, or Goods under particular Conditions; Goods not cleared forfeited, § 70.
127. Cocket indented; Shipping Bills; Order of Searcher for Shipment, § 71.
128. Coals brought Coastwise may be exported without landing, § 72.
129. Report of free Goods; Account of Value to be delivered to the Searcher, § 73.
130. Goods for Excise Drawback; Notice to Officer of Excise; Excise Order to Searcher, § 74.
131. Officer of Excise may attend Examination, § 75.
132. Goods for Duty, Bounty, or Drawback, &c. brought to the Ship, § 76.

155. Searcher may open any Package, but if convict must repack, § 77.
156. Clearance of Ship.—Contents to be delivered to Searcher; Particulars; Coekets to be delivered by Shippers to Searchers to be filed; Master to declare Content; Clearance notified on Content, on Pis, and on Victualling Bill, and in Book, § 78.
157. File of Coekets and Victualling Bill delivered to Master as the Clearance, § 78.
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## Dominica.

- For granting Relief to the Island of *Dominica*, and to amend an Act of the Second and Third Years of His present Majesty, for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes therein mentioned, 5 & 6 W. 4. c. 51.
- Treasury may issue 12,000 *oz.* of Consolidated Food for Relief of the Sufferers by the Hurricane at *Dominica*.
- Commissioners under 2 & 3 W. 4. c. 127. to advance, out of the Sum of 1,000,000*l.* then issued, 80,000*l.* for the Assistance of *Dominica*; 10,000*l.* of which may be appropriated for the Public Service on certain Conditions, § 2.
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- Commissioners may seal and receive Letters free of Postage, § 8.
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## Dower.

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- Act not to take effect before 1st January 1854, § 14.

See *Limitation of Actions*, 57.

*Drainage*, See Inclosures.

*Dramatic Literary Property*, See Copyright.

*Dwelling House (Breaking and Entering)*, See Crimes and Misdemeanors.

## E.

## EAST INDIES.

East India Company.

- For effecting an Arrangement with the *East India Company*, and for the better Government of His Majesty's Indian Territories, till the 30th April 1854, 3 & 4 W. 4. c. 85.
- 33 G. 5. c. 125. recited. The *British Territories in India* to remain under the Government of the Company till 30th April 1854. Real and Personal Property of the Company to be held in Trust for the Crown, for the Service of *India*, § 1.
- All Privileges, Powers, Rights, and Immunities of the Company to be in force until April 1854, subject to Control, § 2.
- From 23d April 1854 *China* and *Tea Trade* of Company to cease, § 3.
- Company to close their Commercial Business, and to sell their Property not retained for Government, § 4.
- Company not prevented selling Goods the Property of others, § 5.
- Board of Control to superintend Sale of Property, Reduction of Establishments, &c.; Board to appoint Officers to attend them during the winding up, § 6.
- Company may consider Claims of Commercial Officers reduced, and grant Compensation, § 7.
- The Particulars thereof to be laid before Parliament every Year, § 8.
- Company's Debts and Liabilities charged on *India*, § 9.
- While *India* is under Government of the Company their Property subject to Execution, § 10.

12. A Dividend of 10*l.* 10*s.* per Centum per Annum to be paid on Company's Stock, § 11.
13. Dividend to be subject to Redemption by Parliament; Notice of Redemption, § 12.
14. If Company deprived of the Government, they may demand Redemption of the Dividends, § 13.
15. Company to pay to Commissioners for Reduction of National Debt 2,000,000*l.*, to be placed to Account of Security Fund, § 14.
16. Stocks and Dividends to be invested, and Dividends placed to same Account, until the whole amounts to 12,000,000*l.*—§ 14.
17. Commissioners for Reduction of National Debt, upon Request of Court, may raise Money for Dividends in case of Failure of Remittances, § 15.
18. Application of Dividends of Security Fund, and the Fund itself, in aid of Revenue, § 16.
19. Dividends to be paid in preference to other Charges, and 2,000,000*l.* to be paid out of Debt due from the Public, subject to such Priorities; Revenue to be applied in Service of India, § 17.
20. Not to prejudice Persons claiming to be Creditors of the Nabobs of Arca, &c., § 18.
21. His Majesty may appoint Commissioners for the Affairs of India, § 19.
22. *Ex officio* Commissioners, § 20.
23. Two Commissioners may form a Board; who shall be President, § 21.
24. President to have the casting Vote, § 22.
25. The Board to appoint Two Secretaries and other Officers; President, &c. to be paid such Salaries as the Crown shall direct, § 23.
26. Secretaries and other Officers to take Oath, if required, § 24.
27. The Board to control all Acts concerning India and the Sale of Property, § 25.
28. Commissioners, Secretaries, and other Officers on 22d April 1834 to continue, § 26.
29. Proprietors may vote by Attorney in Election of Directors, § 27.
30. Restriction in 13 G. 3. c. 65. with respect to Persons employed in the East India being chosen Directors, repealed; Provide, if such Person has unsettled Accounts, § 28.
31. Court to deliver to Board Copies of Minutes, &c. of Courts, and all material Letters, § 29.
32. No official Communications to be sent by the Court until approved by the Board, except such as Board may allow, § 30.
33. If the Court omit to frame official Communications, § 31.
34. Representations may be made by Court as to official Communications, and Board to consider them, § 32.
35. If Court think the Orders of the Board contrary to Law, Court of King's Bench may certify their Opinion on Case, § 33.
36. Board not empowered to appoint Officers, § 34.
37. Directors to appoint a Secret Committee, who shall take Oath; Form of Oath, § 35.
38. If Board are of opinion that any Matters require Secrecy, they may send official Communications through Secret Committee, § 36.
39. Court to submit to the Board an Estimate of Salaries of Directors and other Expenses; the Sum allowed to be applicable to such Purposes; Accounts of Application to be rendered, § 37.
40. Presidency of Fort William in Bengal to be divided; the Court to declare the Limits from Time to Time of the several Presidencies, § 38.
41. Government of India, § 39.
42. Members of Council, § 40.
43. Governor, &c. on 22d April 1834, to be so under this Act, § 41.
44. Filling up Vacancies in Offices, § 42.
45. Governor General in Council empowered to legislate for India, except as to Matters in the Act mentioned, § 43.
46. If Court of Directors shall Law Laws, Governor in Council to repeal them, § 44.
47. All such Laws and Regulations to be of same Force as Act of Parliament, § 45.
48. Restricting Power of punishing with Death European Subjects, &c., § 46.
49. Court to submit to the Board Rules for the Procedure of the Governor General in Council; Rules to be laid before Parliament, § 47.
50. Quorum of Governor General and Members in Council, § 48.
51. Manner of proceeding when Measures proposed whereby the Safety or Peace of India may be essentially affected, § 49.
52. Council to assemble at any Place in India, § 50.
53. Act not to affect Right of Parliament to legislate for India; express Reservation; Laws, &c. to be laid before Parliament, § 51.
54. All Enactments relating to the Supreme Government to apply to Governor General, § 52.
55. A Law Commission to be appointed to inquire into the Jurisdiction, &c. of Courts of Justice and Police Establishments, and the Operation of the Laws; Commissioners to report the Result of their Inquiry, § 53.
56. Commissioners to follow Instructions of Governor General, and to make special Reports; Governor General in Council to consider Reports and transmit them, § 54.
57. Salaries to be granted to Law Commissioners, § 55.
58. Executive Government of Presidencies to be administered by a Governor and Three Councillors, § 56.
59. Directors may revoke Appointment of Councils, or reduce Number of Councillors, § 57.
60. Governors of Fort St. George and Bombay, Governor of Agra, and Vacancies in Presidencies, to be filled up by the Court, § 58.
61. Power of Governors of Presidencies, § 59.
62. If Court of Directors neglect for Two Months to supply Vacancy in any Office, the King to appoint, § 60.
63. Power for the Court to make provisional Appointments to Offices; provisional Appointments of certain Officers to be approved by His Majesty, § 61.
64. In case of Vacancy in Office of Governor General, and no Successor upon the Spot, the ordinary Member of Council next in Rank to act as such, § 62.
65. In case of Vacancy in Office of Governor of subordinate Presidencies, and no provisional or other Successor on the Spot, § 63.
66. In case of Vacancy in Office of Member of Council, when no provisional or other Successor on the Spot, § 64.
67. Governor General in Council to have Control over Presidencies, § 65.
68. Drafts of Laws proposed by Governors to be taken into consideration by Governor General in Council, § 66.
69. Powers of Governors of Presidencies not to be suspended, § 67.
70. Communications to be transmitted by Governors to Governor General in Council, § 68.



71. Governor General in Council may appoint a Deputy of Bengal, § 69.
72. In case it be deemed expedient for Governor General to visit any Part of India without his Council, § 70.
73. The new Presidency of Agra not to affect Succession to Comwards and Offices in Bengal and Agra, § 71.
74. Presidency of Fort William to be entire for the Purposes of the Mutiny Act, § 72.
75. Articles of War to be made by Governor General in Council, § 73.
76. His Majesty may remove Officers of the Company in India, § 74.
77. Power of Directors to remove their Servants preferred, § 75.
78. Salaries of Governor General, &c. fixed; to be in lieu of all Fees, &c.: Acceptance of Grants as a Misdeed; Passage Money fixed, § 76.
79. Governor General and Governors to forgo Pensions and other Salaries, § 77.
80. Directors to make Regulations for the Distribution of Patronage in India, § 78.
81. Departure of Governor General, &c. for Europe to be a Resignation; Resignation in India to be by Deed; Salary to cease on Departure or Resignation; as to Officers dying during Absence, § 79.
82. Disobedience of Orders and Breach of Trust by Officers or Servants of the Company in India, Misdoers, § 80.
83. Authority for His Majesty's Subjects to reside in certain Parts of India without Licence, § 81.
84. Subjects of His Majesty not to reside in certain Parts of India without Licence, § 82.
85. Governor General, with Consent, may declare other Places open, § 83.
86. Laws against illicit Residence to be made, § 84.
87. Laws and Regulations to be made for Protection of Native, § 85.
88. Lands within Indian Territories may be purchased, § 86.
89. No Disabilities in respect of Religion, &c. § 87.
90. Slavery to be mitigated and abolished as soon as practicable, § 88.
91. Respecting the inconsistent Extent of the Incomes of Calcutta.—If the King erects Bishopsricks of Madras and Bombay, certain Salaries to be paid to the Bishops, § 89.
92. Such Salaries to commence from Time of taking Office, and to be in lieu of Fees, &c. § 90.
93. Passage Money for each such Bishop, § 91.
94. As to Jurisdiction of such Bishops, § 92.
95. The King empowered by Letters Patent to limit Jurisdiction and Functions, § 93.
96. Bishop of Calcutta to be Metropolitan in India, § 94.
97. Warrants for Bills on Letters Patent appointing Bishops, § 95.
98. The King may grant Pensions to Bishops of Madras or Bombay, § 96.
99. Respecting Salary of Bishop of Madras or Bombay dying within Six Months after Arrival, or after Six Months holding Office, § 97.
100. As to Residence of Bishop of Madras or Bombay, if translated to Calcutta, § 98.
101. As to Consecration of any Person under the Degree of a Bishop, if resident in India, appointed to a Bishoprick, § 99.
102. Provision for Expenses of Visitation, § 100.
103. No Archbishop in India to have a Salary exceeding 1,000 Sees Rupees, § 101.
104. Two Chaplains of the Church of Scotland to be on the Establishment of each Presidency, § 102.
105. Governor General in Council annually to make a progressive Estimate of the Number of Vacancies in Indian Establishments, § 103.
106. Board to certify what Number of Persons shall be Candidates for Admission to Holy Trinity College, and what Number shall be admitted Students, § 104.
107. Additional Students to be admitted to fill up Vacancies, § 104.
108. Candidates for Admission to be subjected to Examination, and classed, § 105.
109. Board to frame Rules for Government of College, and Examination and Qualification of Candidates, § 106.
110. Students to be examined and classed to supply the Vacancies in the Service according to Priority, § 107.
111. Sanction of Appointment of Professors, § 108.
112. All Powers of Court of Directors to be subject to Control except Patronage, § 109.
113. Board of Control prohibited from directing Grant of Allowances, § 110.
114. The Company to be called the East India Company, § 111.
115. *St. Helena* vested in the Crown, § 112.
116. Servants of the Company in *China* and *St. Helena* to be eligible to Offices in any Presidency, § 113.
117. Stock of Tea, § 114.
118. King's Courts authorized to admit Advocates and Attorneys without the Company's Licence, § 115.
119. Accuses to be usually laid before Parliament, § 116.
120. Commencement of Act, § 117.
121. To indemnify the Governor General and other Persons in respect of certain Acts done in the Administration of the Government of the British Territories in the East Indies subsequent to the 23d April 1834, and to make those Acts valid, 5 & 6 W. 4. c. 6.
122. Governor General, Vice President, and Members of Council in India, &c. indemnified for all Acts done by them between 23d April 1834 and 1st January 1835, § 1.
123. And such Acts to be valid, § 2.
124. To authorize the Court of Directors of the East India Company to suspend the Execution of the Provisions of the Act of the 5 & 6 W. 4. c. 6. as far as they relate to the Creation of the Government of Agra, 5 & 6 W. 4. c. 6.
125. East India Company may suspend Provisions of recited Act as to the Division of the Territories into Two Presidencies, § 1.
126. Governor General, during such Suspension, may appoint a Lieutenant Governor of the North-western Provinces, § 2.

See *China Trade*.

## Insolvent Debtors.

1. To amend the Law relating to Insolvent Debtors in India, 4 & 5 W. 4. c. 73.
2. 5 G. 4. c. 75. 2 W. 4. c. 43. and 1 & 2 W. 4. c. 56. recited. Any Insolvent within the Meaning of the Act of 5 G. 4. c. 75. may petition the Court for his Discharge after Three Months. Notice of such Petition to be inserted in the Gazette of the Presidency and in the London Gazette. Creditors who shall not dissent within Fourteen Months to be deemed to assent. Court may then order Discharge, unless One Sixth dissent, or a Petition in Bankruptcy issue

- under General Bankrupt Acts. Order of Court to discharge all Debts both in *Infra* and elsewhere, but not to discharge Partners, § 1.
5. If Fiat of Bankruptcy be issued under Acts for Relief of Insolvent Debtors in *Infra*, then the Discharge to be confined to *Infra*, § 2.
  4. But an Order for Discharge being proved to Commissioner, and his signing the Bankrupt's Certificate, such Certificate to be a general Discharge from all Debts, § 3.
  3. In case there is no Bankruptcy, the Order of Discharge to have Effect everywhere; if there be a Bankruptcy, Discharge to be confined to *Infra*; if Certificate obtained, it may be pleaded in *Infra*, § 4.
  6. If a Fiat under the Bankrupt Act within Eight Months after Petition for Discharge, the Court to make no Order, § 5.
  7. But no Fiat to issue against a Trader who is already before the Insolvent Court after the Eight Months from the Petition for Discharge, § 6.
  8. Schedules of Debtors in *Infra* to be transmitted to Court of Directors in England, and to be open to Inspection of Creditors, § 7.

### Ecclesiastical Dignities (Vacant).

1. For protecting the Revenues of vacant Ecclesiastical Dignities, Probenes, Canonries, and Benefices without Cure of Souls, and for preventing the Lapse thereof, during the pending Inquiries respecting the State of the Established Church in England and Wales, 5 § 6 R. 4 c. 50.
2. Profits of Dignities or Benefices without Cure of Souls becoming vacant during the Existence of the Ecclesiastical Commission to be paid to the Treasurer of Queen Anne's Bounty, § 1.
3. Treasurer to keep an Account of the Receipts, and allow Expenses, § 2.
4. Excepting such Profits of Dignities now vacant as are already appropriated, § 3.
5. Not to prevent Patrons from appointing, if they think proper to do so, § 4.
6. Providing for the Presentation to Benefices in the Patronage of such vacant Dignity, &c., § 5.
7. Right of Presentation to vacant Dignity or Benefice not to lapse: Treasurer of Queen Anne's Bounty to collect the Profits of the vacant Benefice, &c., § 6.

### Election of Officers of Corporations, &c.

1. To enable the Election of Officers of Corporations and other Public Companies now required to be held on the Lord's Day to be held on the Saturday next preceding, or on the Monday next ensuing, 3 § 4 R. 4 c. 31.
2. Elections of Officers of Corporations and other Public Companies now required to be held on a Sunday shall be held on the Saturday preceding or the Monday following, § 1.
3. If Election does not take place on the Saturday the Person holding the Office to continue so to do until the Monday, § 1.
1. Elections not made on such Saturday or Monday to be taken to be within the Provisions of 11 G. 1. c. 4.—§ 2.

### Elections.

1. To limit the Time of taking the Poll in Boroughs at concerted Elections of Members to serve in Parliament to One Day, 5 § 6 R. 4 c. 26.
2. So much of 2 § 5 R. 4 c. 15, as allows the Poll to be kept open two Days, repealed.

3. Period of polling, § 2.
4. Not more than Three hundred Voters to poll in One Booth, § 5.
5. Not more than One hundred Voters to poll in One Booth, if so required, § 4.
6. In case of such Requisition, Notice to be given of the Situation of Booths, § 5.
7. Oaths of Allegiance, Supremacy, and Abjuration not to be taken, § 6.
8. Livings of Levies entitled to vote in respect of Premiums may vote at the Booth for the District where such Premiums are situate, § 7.
9. Adjudgement of Nonreturn or of Fall in case of Right, § 8.
10. Not to extend to Scotland or Ireland, § 9.
11. Act may be altered, &c., § 10.

### Engineers, See Army Pensions.

### Entry of Goods, See Customs, 121.

### Excheat.

1. For the Amendment of the Law relative to the Excheat and Forfeitures of Real and Personal Property holden in Trust, 4 § 5 R. 4 c. 23.
2. Description of Estates and Matters included in the Provisions of the Act, and Construction of Terms used, § 1.
3. If Trustee or Mortgagee of any Land die without an Heir, the Court of Chancery may appoint a Person to convey, § 2.
4. Lands, &c. vested in any Trustee shall not be excheated by reason of the Annulment or Conviction of such Trustee, § 3.
5. To whom and to what Cases the Provisions of this Act shall extend, § 4.
6. This Act not to prevent the Excheat of any beneficial Interest, § 5.
7. Where any Person possessing Lands, &c. as a Trustee shall have died without Heir, or have been convicted, before the passing of this Act, the Lands, &c. shall become subject to the Control of the Court of Chancery; *Proviso*, § 6.

### Estates Tail, See Fines and Recoveries.

### Exchange of Lands.

1. To facilitate the Exchange of Lands lying in Common Fields, 4 § 5 R. 4 c. 20.
2. Proprietors of Lands in Common Fields may exchange same, § 1.
3. All Persons enabled to give Land in Exchange for such Common Field Land, § 2.
4. Land given in Exchange by Persons having limited Interests to be of equal Value with Lands taken, § 3.
5. If Exchange made by any Person having only a limited Interest, or being under Disability, the Consent of the Person next in Remainder to be obtained; in case the Person next in Remainder should be an Infant, &c., § 4.
6. Consent of Patron and Bishop necessary for Exchange of Lands held in right of a Church, § 5.
7. Draft Deed of Exchange to be signed or sealed by Ecclesiastical Person or Corporation concerning, § 6.
8. Exchange to be made in the Form given in the Schedule, § 7.
9. In case of Copyholds, the Deed of Exchange to be entered on the Court Rolls, § 8.

10. Fees in Schedule, § 9.

11. In case of Church Lands, Deed to be entered in the proper Ecclesiastical Registry, § 10.
12. Office Copies of Instruments deposited in the Registry to be Evidence, § 11.
13. Draft of intended Exchange to be deposited with the Clerk of the Peace, and Notice thereof inserted in some Newspaper circulating in the County; Provision as to certain Corporations, § 12.
14. Persons having any Objections to deposit them with the Clerk of the Peace within a certain Time, § 13.
15. Fees to be taken by Clerks of Peace, § 14.
16. Clerk of Peace to cause the Draft Deed, &c. to be laid before a Judge of Assize, who shall appoint a Barrister to consider the same, § 15.
17. Barrister may summon Witnesses, &c., § 16.
18. Barrister to examine Witnesses and determine Objections, § 17.
19. After Inquiry the Barrister to certify, as the Case may be, § 18.
20. In case of an Exchange in which there shall be a Difference in Value of not more than One Fifth, § 19.
21. Certificate, with Draft Deed, &c. to be laid before the Judge, who shall make Order thereupon; Judge may substitute further Inquiry, § 20.
22. Costs and Charges of Proceedings, § 21.
23. Reversionary to Barrister, § 22.
24. Application of Money paid for Equality of Exchange when Party entitled to same under Disability, § 23.
25. Lands given in Exchange to be excrated from the Uses affecting them at the Time, and to become subject to such Uses as affected the Lands taken, § 24.
26. After Exchange, Party not to be evicted, § 25.
27. General Saving, § 26.
28. Messing of Words in the Act, § 27.
29. To extend to England and Wales, § 28.

*Exchequer (Court of)*, See Justice (Administration of), 80.

### *Exchequer (Officers of the)*.

1. To regulate the Office of the Receipt of His Majesty's Exchequer at Westminster, 4 & 5 W. 4. c. 15.
2. Offices of Auditor, Teller, Clerk of the Pells, and Offices subordinate thereto, abolished. New Establishment, § 1.
3. Appointment of Comptroller; Assistant may act in certain Cases, § 2.
4. Comptroller incapable of holding any other Office, § 3.
5. Powers of Auditor or Clerk of Pells transferred to Comptroller, § 4.
6. Offices to be performed in Person, &c., § 5.
7. Treasury to establish Forms of Books, Accounts, Warrants, Instruments, &c., § 6.
8. Records, &c. relating to the Exchequer to be delivered over to the Comptroller, § 7.
9. Teller to pay over to the Bank all Moots, &c. in their Heads, § 8.
10. All Public Monies hitherto payable into the Exchequer to be paid into the Bank, § 9.
11. Moneys paid to the Accountant of the Exchequer to form One Fund in the Bank Books, § 10.
12. Royal Order for issuing Money to the different Departments of the Public Service, § 11.
13. Treasury Warrant; Exchequer Warrant, § 12.
14. Warrants for the Issues of Monies charged on the Consolidated Fund, &c. may be made without Royal Order, § 13.

15. Credits not to be accompanied by actual Transfer, § 14.
16. Treasury to appoint Officers for paying Salaries, &c., § 15.
17. Books of Comptroller and Paymaster to be deemed of Record, § 16.
18. Paymaster's Account, § 17.
19. Treasury to transmit to the Bank a List of Public Officers required to keep Accounts there. On Death of any Public Officer, his Account with Exchequer and Bank to vest in his Successor in Office, § 18.
20. As to fractional Parts of a Penny, § 19.
21. Bank to transmit Statements of Credits and Payments, § 20.
22. Bills of Exchange, &c. not to be payable at the Bank after Three o'Clock, § 21.
23. Treasury may establish Rules for keeping Accounts of Public Departments, § 22.
24. Quarterly Statements to be made by Comptroller to the Commissioners of Audit, and annual Statements to Parliament, § 23.
25. Surplus Revenue to be ascertained by Receipts and Credits at the Bank, § 24.
26. Fees on Issues for the Public Service abolished, § 25.
27. As to the Preparation of Exchequer Bills, § 26.
28. Return of Regulations to be made to Parliament, § 27.
29. Penalties Persons guilty of Forgery, § 28.
30. Compensation to Two of the Tellers and to Clerk of the Pells, § 29.
31. Compensation to Marquis Goudon, § 30.
32. Treasury may grant Compensation to the other Officers, § 31.
33. As to Officers who shall be continued in Employment on the Establishment, § 32.
34. Compensation, Salary, &c. charged on the Consolidated Fund, § 33.
35. Powers hereby given to the Treasury may be exercised by any Three Commissioners, § 34.
36. Deeds, Powers of Attorney, &c. not to be affected, § 35.
37. Commencement of Act Repealed Acts repealed, § 36. [See Statute repealed, § V.]

### *Excise.*

1. For repealing the Duties and Drawbacks of Excise on Tides, 3 & 4 W. 4. c. 11.
2. Duties and Drawbacks of Excise on Tides repealed; Provision as to Arrears of Duties, on Penalties, and to Payments of Drawbacks on Shipments before Commencement of Act, § 1.
3. Act to commence on 30th May 1832, § 2.
4. Act may be altered, &c., § 3.
5. To repeal the Duties, Allowances, and Drawbacks of Excise on Soap, and to grant other Duties, Allowances, and Drawbacks in Lieu thereof, 5 & 4 W. 4. c. 16.
6. Duties and Allowances of Excise on Soap made in Great Britain or brought from Ireland to cease, except as hereinafter continued; Proviso for Recovery of Duties, &c. charged before 31st May, § 1.
7. Duties to be levied and Drawbacks to be allowed after the 31st of May. Allowances to be granted on Soap used in Manufactures, § 2.
8. Duties to be under the Management of the Commissioners of Excise, and to be levied in like Manner as former Duties. All Penalties for Offences against the Revenue Laws to extend to the Duties and Drawbacks hereby charged and allowed, § 3.
9. Soap shipped as Stores of Vessels to be subject to the same Duties and Allowances as Soap-draws, § 4.
10. Duties

10. Duties to be carried to the Consolidated Fund, § 3.
11. No more than 5 G. 3. c. 35. as respects an Allowance of 1 lb. of Soap in 10 lbs. as a Compensation to Makers for Waste, repealed, &c. Officers to charge the Makers with the full Quantity, § 5.
12. Regulations respecting the Removal of Soap from Ireland and *Gross Britain*, to be entered for Payment of reduced Duties, § 7.
13. Persons claiming Allowances of Duties of Soap used in certain Manufactures to make Oath that the Soap was used before 31st May, § 8.
14. Allowances on Soap to be paid only to Owner or Foreman of the Manufactory, § 9.
15. Penalty for wilfully increasing the Weight of Soap, 100*l.*—§ 10.
16. Certificates of Receipt of Soap to be preserved by Dealers, and delivered to the Officers upon Demand, § 11.
17. Regulations for storing Soap not to be sold until after the 1st May, § 12.
18. If the prescribed Regulations for storing Soap are infringed upon, the Party shall lose all Claim to any Allowance, and be subject to the Penalties existing under the Excise Laws, § 13.
19. Act may be altered this Session, § 14.
20. For repealing Part of an Act of the 26 G. 3. for better securing the Duties on Starch, and for preventing Frauds on the said Duties, and for making other Provisions in lieu thereof, 3 A 4 W. 4. c. 17.
21. 20 G. 3. c. 81. repealed. Prohibition of manufacturing Stone Blue from Flax, &c. repealed, § 1.
22. Penalty on Maker of Stone Blue using or having in his Possession any farinaceous Substance other than Starch, on which the Duties shall have been charged, § 2.
23. Penalty on Stone Blue Maker using or having in his Possession certain Substances, § 3.
24. Act may be altered this Session, § 4.
25. To amend the Laws relating to the Collection and Management of the Revenue of Excise, 4 A 5 W. 4. c. 51.
26. All Acts required to be done by the Commissioners and Assistant Commissioners in Scotland and Ireland to be done by the General Commissioners, § 1.
27. These Commissioners to constitute a Board, § 2.
28. Commissioners and Officers of Excise not to be required to take Parish Apprentices, § 3.
29. 7 A 8 G. 3. c. 35. § 18. repealed, § 4.
30. In what Manner Entries of Premises are to be made, § 5.
31. Penalty for using any Premises or Utensils without having made Entry thereof, § 6.
32. Penalty for using Premises or Utensils for any other Purpose than that for which entered, § 7.
33. Not more than One Entry to be in Force for same Premises, § 8.
34. If Trader absconds or quits entered Premises without withdrawing the Energy, any other Person may, with Consent, make Entry of the Premises, § 9.
35. 7 A 8 G. 4. c. 35. § 23. repealed, § 10.
36. Excise Traders shall pay their Duties at such Time and Place and to such Person as shall be appointed, or upon Demand made by Order of the Commissioners, on pain of forfeiting Double Duty, § 11.
37. Goods fraudulently produced to obtain Drawback forfeited, with Treble Value, or 100*l.*—§ 12.
38. Goods condemned for being adulterated or mixed with any prohibited Ingredients to be destroyed, § 13.
39. Power to reward Officers detecting private Manufactures, § 14.
40. 7 A 8 G. 4. c. 35. § 26. repealed, § 15.
41. Constable or Peace Officer not assisting Officer of Excise when required to forfeit 20*l.*—§ 16.
42. Where a Defendant arrested under an Attachment shall refuse to enter an Appearance, he may be served with a Copy of the Information and a Rule to plead, and in default of appearing and pleading Judgment to be entered up against him, § 17.
43. 7 A 8 G. 4. c. 35. § 26. repealed, § 18.
44. Information to be exhibited before Commissioners of Excise or Justices within Four Months after Offence committed or Sentence made, and Parties to be summoned, § 19.
45. Commissioners of Excise and Justices not authorized to mitigate the Penalty of Double Duty for Nonpayment of Excise Duty, § 20.
46. Expenses of Prosecution before Commissioners of Excise or Justices of the Peace may be ordered to be paid out of the Revenue, § 21.
47. In case of the Death, Removal, or Absence of any Officer of Excise in whose Name any Information may have been exhibited, the Proceedings may be carried on by any other Officer, § 22.
48. If there shall not be Twenty Days between giving Notice of Appeal and the next Quarter Session, the Appeal shall be to the following Session, § 23.
49. Witnesses tendered for Examination at the original Hearing before Commissioners of Excise or Justices may be examined on hearing of Appeal, § 24.
50. Persons liable to Arrest, not being detained at the Time, may be afterwards arrested, § 25.
51. 7 A 8 G. 3. c. 35. § 19. repealed, § 26.
52. Complaints of Overcharges and Overpayments, § 27.
53. Offences under the Customs Laws may be used for by Order of Commissioners of Excise, and in the Name of Officers of Excise, § 28.
54. Power for Commissioners of Excise, with Consent of Treasury, to take Loans, &c. upon Loans, § 29.
55. Constitution of Terms in Acts of Parliament, § 30.
56. Continuance of Act, § 31.
57. Act may be altered, &c., § 32.
58. For repealing the Duties on Starch, Stone Bottles, Sweets or Made Wines, Mead or Methylis, and on Seal-board made from Wood, 4 A 5 W. 4. c. 77.
59. 45 G. 3. c. 60. 27 G. 3. c. 32. 5 G 4. c. 35. 5 G. 4. c. 37. 8*l.* rectified. From 10th October 1854 Duties, Allowances, and Drawbacks on Starch to cease and determine. Provision for Arrears, § 1.
60. Regulations for removing Starch from Ireland until 10th April 1855,—§ 2.
61. Persons claiming Allowances of Duties on Starch used in Manufactures to make Oath that the Starch was used before the 10th October 1854,—§ 3.
62. Starch not intended to be sent into Consumption until after 10th October 1854 may be made and stored Duty-free, § 4.
63. If Starch stored Duty-free be sent into Consumption prior to 10th October 1854 (except to a Maker of Stone Blue), or the Regulations shall not be complied with, the Maker to be charged and pay Duty on all the Starch made by him, § 5.
64. To allow Makers of Stone Blue to receive Starch Duty-free before 10th October 1854,—§ 6.
65. Laws relating to Makers of Stone Blue and Hair Powder repealed, § 7.
66. Duties and Drawbacks on Stone Bottles to cease, § 8.

67. Duties and Drawbacks on Sweets, Mead or Metheglin, and Sackboard made from Wood, repealed, § 9.  
 68. Licences on Retailers of Sweets not to be affected, § 10.  
 69. Persons selling Sweets or Metheglin in less Quantities than Fifteen Gallons to be deemed Retailers, § 11.  
 70. Act may be altered, &c., § 12.  
 71. To continue until 31st May 1838, and to the End of the then next Session of Parliament, the Allowances of the Duty of Excise on Soap used in certain Manufactures, 5 § 6 W. 4. c. 15.

See Glass; Spirits; Tea.

**Executors,** See Law (Amendment of), 3, 32, 38.

## F.

**Factories,** See Cotton Mills.

**Fairs,** See Justice (Administration of), 23.

**Farming Stock,** See Stamps.

**Fines,** See Sheriffs.

*Fines and Recoveries.*

1. For the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance, 3 § 4 W. 4. c. 16.
2. Meaning of certain Words and Expressions, § 1.
3. No Fine or Recovery to be levied or suffered after the 31st December 1833,--§ 2.
4. Persons liable after 31st December 1833 to levy Fines or suffer Recoveries under Conventions to effect the Purposes intended by means of the Act; but in any Case where the Purpose of a Fine or Recovery cannot be effected, the Persons liable to levy Fines or suffer Recoveries to execute a Deed, which shall have the same Operation as the Fine or Recovery, § 5.
5. Fines and Recoveries of Lands in ancient Demesne, who levied or suffered in a superior Court, may be reversed as to the Land by Writs of *Debit*, the Proceedings of which are now pending, or by Writs hereafter to be brought, but to be as valid against the Parties as if not reversed, § 4.
6. Fines and Recoveries of Lands in ancient Demesne levied or suffered in the Manor Court, after other Fines and Recoveries in a superior Court, to be as valid as if the Tenure had not been changed; not to be invalid in other Cases, though levied in Courts whose Jurisdiction may not extend to the Lands, § 5.
7. Tenure of ancient Demesne, where suspended or destroyed by Fine or Recovery in a superior Court, restored in Cases in which the Rights of the Lord shall have been recognised within Twenty Years, § 6.
8. Fines and Recoveries made valid without Amendment, § 7, 8.
9. Saving Jurisdiction in Cases not provided for, § 9.
10. Recoveries made valid in certain Cases, § 10.
11. Recoveries made, in consequence of there not being proper Tenants to the Writs of Entry, made valid in certain Cases, § 11.
12. Certain Cases in which Fines and Recoveries are not to be made valid by the Act, § 12.
13. As to Records of Fines and Recoveries in Courts of Common Pleas at Westminster and Lancaster, and Court of Pleas at Durham, after 31st December 1833,--§ 13.

14. Estates Tail and Estates expectant thereon no longer inheritable by Warranty, § 14.
15. Power after 31st December 1835 to dispose of Land granted in Fee Simple, or for a less Estate, among the Heirs of certain Persons, § 15.
16. Power of Disposition not to be exercised by Women Tenants in Tail or persons *en ventre* under 11 H. 7. c. 20, except with Assent, § 16.
17. 11 H. 7. c. 20, repealed, except as to Lords in Settlement before this Act, § 17.
18. Power of Disposition not to extend to certain Tenants in Tail, § 18.
19. Power, after 31st December 1835, to enlarge Base Fees; saving the Right of certain Persons, § 19.
20. Issue inheritable not to bar Escheatments, § 20.
21. Extent of Estate created by Tenant in Tail by way of Mortgage, or for any other limited Purpose, § 21.
22. Owner of free existing Estate under a Settlement, prior to an Estate Tail under such Settlement, to be the Protector of the Settlement, § 22.
23. Each of Two or more Owners of a prior Estate to be the sole Protector as to his Share, § 23.
24. Where a married Woman alone shall be the Protector, and where she and her Husband together, § 24.
25. As to Estates confirmed or restored by Settlements, § 25.
26. As to Lessees at Rent reserved by Settlements, § 26.
27. No Tenant in Dower, Heir, Executor, &c. to be a Protector, § 27.
28. Who shall be the Protector where Owner of prior Estate shall by the Two last Clauses be excluded, § 28.
29. Where, in the Disposition of an Estate before 31st December 1833, the Person to make the Tenant to the Writ of Entry shall be the Protector, § 29.
30. Where, in case of Disposition of a Reversion or re-lease before the 31st December 1833, the Person to make the Tenant to the Writ of Entry shall be the Protector, § 30.
31. Where a bare Tenant under a Settlement made before the passing of the Act shall be the Protector, § 31.
32. Power to any Settlor to appoint the Protector, § 32.
33. In Cases of Lunacy, Lord Chancellor or Lord Keeper or Lords Commissioners, or other Persons interested with Lunatics, or in Cases of Treason, Felony, &c., the Court of Chancery to be the Protector, § 33.
34. Where there is a Protector, his Consent requisite to enable an actual Tenant in Tail to create a larger Estate than a Base Fee, § 34.
35. Where a Base Fee and a Protector, his Consent requisite to exercising Power of Disposition, § 35.
36. Protector to be subject to no Control in exercise of Power of consenting, § 36.
37. Certain Rules of Equity not to apply between Protector and Tenant in Tail, § 37.
38. A voidable Estate of a Tenant in Tail, in favour of a Purchaser, confirmed by a subsequent Disposition of such Tenant in Tail under the Act, but not against a Purchaser without Notice, § 38.
39. Base Fees, when united with immediate Reversions, enlarged instead of being merged, § 39.
40. Tenant in Tail to make Disposition by Deed as if seized in Fee, but not by Will or Contract; and if a married Woman, with her Husband's Concurrence, § 40.
41. Every Assurance by Tenant in Tail, except a Lease not exceeding Twenty one Years at a Rack Rent, or not less than Five Sixths of a Rack Rent, to be inoperative unless enrolled within Six Months, § 41.
42. Consent of Protector how to be given, § 42.
43. If by distinct Deed, § 43.

44. Protector *vis à vis* his Consent, § 44.
45. Consent of a married Woman Protector, § 43.
46. Consent of Protector by distinct Deed void, unless duly enrolled, § 16.
47. Courts of Equity excluded from giving Effect to Dispositions by Tenants in Tail, or Consents of Protector, of Settlements which in Courts of Law would not be effectual, § 47.
48. Lord Chancellor, &c. to have Power to consent to Disposition by Tenant in Tail, and to make such Orders as shall be thought necessary; and if any other Person shall be a joint Protector, Disposition not to be valid without his Consent, § 48.
49. Order of Lord Chancellor, &c. to be Evidence of Consent, § 49.
50. The previous Clauses to apply to Copyholds, with certain Variations, § 50.
51. As to Deed of Consent and Entry of it on Court Rolls where Protector of Settlement of Copyholds consists by Deed to Disposition of Tenant in Tail, § 51.
52. As to Consent of Protector of Settlement of Copyholds when not given by Deeds, and preserving of Evidence of same on Court Rolls, § 52.
53. Power to equitable Tenants in Tail of Copyholds to dispose of their Lands by Deed, § 53.
54. Enrolment not necessary as to Copyholds, § 54.
55. Repeal of Bankrupt Act, 5 G. 4 c. 36, § 63, so far as relates to Estates Tail, but not to extend to Lands of a Bankrupt under a Commission or Fiat issued on or before 31st December 1835, nor to revise former Acts, § 55.
56. Commissioner, in case of actual Tenant in Tail becoming bankrupt after 31st December 1835, by Deed to dispose of Lands of Bankrupt to a Purchaser, § 56.
57. If Tenant in Tail entitled to Base Fee becomes bankrupt, and if no Protector, the Commissioner to dispose of Lands of the Bankrupt, § 57.
58. As to Consent of Protector in case of Bankruptcy, § 58.
59. As to Enrolment in Chancery of Deed of Disposition of Freehold Lands, and Entry on Court Rolls of Deed of Disposition of Copyhold Lands, and of Deed of Consent, § 59.
60. Subsequent Enlargement of Base Fees created by the Disposition of the Commissioner, § 60.
61. Enlargement of Base Fees subsequent to Sale or Conveyance of same under Bankrupt Acts, § 61.
62. Voidable Estate created in favour of Purchaser by actual Tenant in Tail becoming bankrupt, or by Tenant in Tail entitled to Base Fee becoming bankrupt, confirmed by Disposition of Commissioner, if no Protector, or being such with his Consent, or on their coming to be a Protector, but not against a Purchaser without Notice, § 62.
63. Acts of bankrupt Tenant in Tail void against Dispositions under the Act by the Commissioner, § 63.
64. Subject to Powers given to Commissioner, and to the Estate in the Assignees, a bankrupt Tenant in Tail to retain his Possession of Dispositions, § 64.
65. Disposition by Commissioner of Lands of bankrupt Tenant in Tail, if Bankrupt be dead, to have, in the Cases therein mentioned, the same Operation as if he were alive, § 65.
66. Every Disposition by Commissioner of Copyhold Lands, where Estate shall not be capable to have same Operation as a Surrender; and the Person to whom such Land shall have been disposed of may claim to be admitted, § 66.
67. Assignees to recover Rents of Lands of a Bankrupt as if such Commissioner has Power to make Disposition, and to enforce Conveyance, as if entitled to Reversion. This Clause to apply to all Copyhold Lands; but, as to other Lands, only to such as Commissioner may dispose of after Bankrupt's Death, § 67.
68. All Provisions of the Act in regard to Bankrupts to apply to their Lands in Ireland, § 18.
69. Deeds relating to Lands of Bankrupts to be enrolled there, § 69.
70. 7 G. 4. c. 48, repealed, (except as to Proceedings commenced before 1st January 1835), 35 & 40 G. 5. c. 26, not to be revived, § 70.
71. The previous Clauses, with certain Variations, to apply to Lands of any Tenant to be sold, where the Purchase Money is subject to be arrested in the Purchase of Lands to be sold, and where Money is subject to be invested in the Manner, § 71.
72. Lands of any Tenant in Ireland to be sold, where the Purchase Money is subject to be invested in the Purchase of Lands to be sold, and Money under the Control of a Court of Equity in Ireland, subject to be invested in the Manner, to be subject to the Act in Cases of Bankruptcy, § 72.
73. As to Deeds being acknowledged before Enrolment, § 73.
74. Every Deed to be enrolled, by which Lands or Money shall be disposed of under the Act, to take effect as if Enrolment not required, § 74.
75. Court of Chancery to regulate Fees to be taken for Enrolments, § 75.
76. Court of Common Pleas to regulate Fees for Entries on Court Rolls and Endorsements on Deeds, and for taking Consents, &c., § 76.
77. A Married Woman, with her Husband's Concurrence, to dispose of Lands and Money subject to be invested in the Purchase of Lands, and of any Estate therein, and to release and extinguish Powers as a Feme Sole; not to extend to Copyholds in certain Cases, § 77.
78. Powers of Disposition hereby given to a Married Woman not to interfere with any other Powers, § 78.
79. Every Deed by a Married Woman not executed by her as Protector to be acknowledged by her before a Judge, &c., § 79.
80. The Judge, &c., before receiving such Acknowledgment, to examine her apart from her Husband, § 80.
81. As to Appointment of Perpetual Commissioners for each County or Place, and making out and keeping of Lists of Commissioners, and Delivery of Copies, § 81.
82. Their Power not confined to any particular Place, § 82.
83. If, from being beyond the Seas, &c., a Married Woman be prevented from making Acknowledgment, Special Commissioners to be appointed, § 83.
84. When a Married Woman shall acknowledge a Deed, the Person taking the Acknowledgment to sign a Memorandum to the Effect there mentioned, and also sign a Certificate of the taking such Acknowledgment as the Effect in the Act mentioned, § 84.
85. Certificate, with Affidavit verifying same, to be lodged with Officer of Court of Common Pleas, who shall cause the same to be filed of Record in the Court, § 85.
86. On filing Certificate, the Deed, by relation, to take effect from Time of Acknowledgment, § 86.
87. Officer with whom Certificate are lodged to make Index of same, § 87.
88. Officer to deliver Copy of Certificate filed, which shall be Evidence, § 88.

83. Chief Justice of Common Pleas to appoint Officer with whom Certificates shall be lodged, and Court to make Orders touching Examinations, Memorandums, Certificates, Affidavits, &c. § 80.
80. A Married Woman to be separately examined on Surrender of an equitable Estate in Copyholds as if such Estate were legal, § 90.
91. Court of Common Pleas, in case of a Husband being lunatic, &c. may dispense with his Concurrence, except where the Lord Chancellor or other Persons intrusted with Lunatics, or Court of Chancery, shall be Protector of a Settlement in lieu of the Husband, § 91.
92. Act not to extend to Ireland, except as expressly mentioned, § 92.

See *Offices.* §*Fish.*

1. To explain and amend an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, to regulate the Conveyance and Sale of Fish at First Hand, 4 & 5 W. 4. c. 20.
2. Nothing in recited Act to prevent the several Sorts of Fish herein mentioned from being discharged from any Fishing Vessel for the Purpose of being sent to any legal Market in London or Westminster, § 1.

*Fisheries*, See Public Works and Fisheries.

*Flax*, See Hemp.

*Flint Glass*, See Glass.

*Forest of Dean.*

1. To extend to 21st January 1856, and to the End of the next next Session of Parliament, the Time for carrying into execution an Act of the First and Second Years of His present Majesty, for ascertaining the Boundaries of the Forest of Dean, and for inquiring into the Rights and Privileges claimed by Free Miners of the Hundred of Saint Briavels, and for other Purposes, 5 & 4 W. 4. c. 28.
2. Time of making Reports under 1 & 2 W. 4. c. 18. extended to 21st January 1856,—§ 1.
3. Powers of recited Act extended to this, § 2.
4. [Further extended for One Year by 4 & 5 W. 4. c. 80.]

*Forfeiture*, See Escheat.

*Forgery*, See Crimes and Misdemeanors.

*Four per Cent. Annuities*, See Annuities.

*Freehold Estates.*

1. To render Freehold and Copyhold Estates Assets for the Payment of Single and Contract Debts, 5 & 4 W. 4. c. 104.
2. Freehold and Copyhold Estates in all Cases to be Assets for the Payment of Single Contract or Specialty Debts, § 1.

*Friendly Societies.*

1. To amend an Act [10 G. 4. c. 55.] to consolidate and amend the Laws relating to Friendly Societies, 4 & 5 W. 4. c. 40.

2. Recited Act in part repealed, § 1. [See Statutes repealed, § 218.]
3. Purposes for which Societies may be formed under 10 G. 4. c. 55—§ 2.
4. Repeal of 10 G. 4. c. 86. § 4, and Part of § 7.—§ 3.
5. Two Transcripts of Rules to be submitted to a Barrister, &c. by whom they are to be certified; Barrister, &c. to certify both Transcripts; Fee payable to Barrister: One Transcript to be returned to Society, the other to be sent to Clerk of Peace; Justice to confirm Rules; Transcript to be filed; Rules, &c. to be binding when certified by Barrister, § 5.
6. Barrister not to be entitled to Fee in respect of Alterations within Three Years, nor for Certificate to Rules being Copies of those already enrolled, § 5.
7. Returns of Sickness, &c. to be sent to Barrister, § 6.
8. If Rules of Society direct Reference, in case of Dispute, to Arbitration, and Society refuse to grant Arbitrators, &c., Justice may determine the Dispute, § 7.
9. Provisions in case Member of Society is expelled, § 8.
10. Funds of Friendly Society may be deposited in Savings Bank, § 9.
11. Members of Friendly Societies may be Witnesses, § 10.
12. No Fee for Oaths before Magistrates in obtaining Payment of 60s. Pay. § 11.
13. Executors, &c. of Officers of Friendly Society to pay Money due to Society before any other Debts, § 12.
14. Letters to and from Barristers and Advocates to be free of Postage, § 13.
15. Provisions of former Statutes to continue in force as to Societies established under them until they shall conform to the Provisions of 10 G. 4. c. 55. as hereby amended, § 14.
16. If a Society enrolled under Acts repealed by 10 G. 4. c. 55. be desirous of altering their Rules, the same to be done in conformity to that Act, § 14.
17. Construction of Words in the Act, § 15.
18. Act may be amended, § 16.
19. Public Act, § 17.

See *Loan Societies.*

## G.

*Gaming*, See Securities.

*Glass.*

1. To repeal the Duty and Drawback on First Glass, to impose other Duties and another Drawback in lieu thereof, and to reduce the Drawback on German Sheet Glass exported in Panes, and to repeal the Drawback on unground and unpolished Plate Glass, and to amend the Laws relating to the Duties on Glass, 5 & 4 W. 4. c. 77.
2. Duties and Drawbacks on Flint Glass repealed, except, &c.—§ 1.
3. New Duty of 6s. 5d. on every One hundred Pounds Weight of fused Materials for making Flint Glass, § 2.
4. Drawback of 18s. 9d. on every One hundred Pounds Weight of First Glass exported, § 3.
5. Officer to make out an Account at the End of each Month or Period of Six Weeks of the whole Quantity of Glass charged with Duty, and the whole Weight of Glass weighed within each Period, and to charge 3d. per Pound additional on all Excess above Forty per Cent., § 4.
6. Drawback on German Sheet Glass exported in Panes, 4s. 4d. per Cwt., § 5.

7. Duties and Drawbacks to be collected and paid under former Regulations; Act not to affect the Drawback on Crown Glass. § 8.
8. Flint Glass not to be entitled to Drawback, unless properly manufactured and finished, and worth at least 2d per Pound. § 7.
9. Flint Glass made into Cylinders not to be opened or retorted out, except as herein provided. § 8.
10. For preventing Frauds as to last-mentioned Provision by Persons not being Makers of Glass. § 9.
11. Officers to enter Premises of last-mentioned Persons, and examine Glass therein. § 10.
12. Glass exported in Purses of greater Specific Gravity than 2,800 not entitled to Drawback as Crown Glass. § 11.
13. Makers of Flint Glass enabled to make and store Glass, not to be sold or consumed before the Time appointed for the Duty now payable to cease. § 12.
14. Glass may be taken out of Store before such last-mentioned Period, Notice being given, and on Payment of full Duty. § 13.
15. Makers of Flint Glass, not securing or fraudulently receiving Glass as intended to be stored, liable to full Duty, together with Penalties. § 14.
16. Plate Glass and German Sheet or Crown Glass not to be made at the same Time in the same House. § 15.
17. Declaring the Acts for securing the Duty on Crown Glass to extend to German Sheet Glass. § 16.
18. Manufacturer of German Sheet Glass to provide a Room for depositing Goods not requiring to be annealed. § 17.
19. Makers to deposit the German Sheet Glass or Wares not requiring to be annealed in Trays or Baskets to be provided by them, and to convey same into the Room provided for that Purpose as soon as filled, under Penalty of 100*l.*—§ 18.
20. German Sheet Glass Makers to provide Scales and Weights in the Rooms for annealed Glass; Penalty for Neglect, 100*l.*, making use of false Scales, Penalty, 200*l.*—§ 19.
21. Drawback on unground and unpolished Plate Glass repeated. § 20.
22. Repeal of the Restrictions as to the Thickness of Plate Glass. § 21.
23. Repeal of Certificate to accompany Glass from Ireland. § 22.

## Grants, See Civil List.

## Greenwich Hospital.

1. To repeal the Laws relating to the Contribution out of Merchant Seaman's Wages towards the Support of the Royal Naval Hospital at Greenwich, and for supplying other Funds as therein directed. 4 & 5 W. 4. c. 34.
2. Rotted Acts, except as to Matters required to be done previous to 1st January 1835, and to Penalties incurred, repealed. § 1.
3. An annual Sum of 20,000*l.* to be charged on the Consolidated Fund. § 2.
4. The Treasury to direct Debentures to be made out for the Payment of the said Sum. § 3.

Gumtree, &c., See Loan Societies; Savings Banks, 35.

## H.

Hackney Carriages, See Stage Carriages.

Haileybury College, See East Indies, 106—113.

Hawburgh, See Marriages.

## Hanging in Chains.

1. To abolish the Practice of hanging the Bodies of Criminals in Chains, 4 & 5 W. 4. c. 25.
2. So much of 9 G. 4. c. 51. 10 G. 4. c. 34. and 2 & 3 W. 4. c. 73. as authorizes the dissecting or hanging in Chains certain Criminals after Execution, repealed. § 1.
3. A Commission for Murder in Ireland the Court shall direct the Prisoner to be buried within the Prison. § 2.

Harbours, Piers, Ports, Lighthouses, Docks, Dock-garths, &c. &c. in Great Britain.

1. Aberdeen—Improving the Port and Harbour, 4 & 5 W. 4. c. xliii.
2. Ayr—Further Improvement of the Harbour (repealing Act), 5 & 6 W. 4. c. lxxix.
3. Bishops—Extending the Powers of several Acts for improving the Port and Harbour, 5 & 6 W. 4. c. lxxxviii.
4. Barry Port—Enlarging the Powers of the New Quay Harbour Act; to change the Name of the Harbour to that of Barry Port; and enabling the Barry Port Company to raise a further Sum of Money, 5 & 6 W. 4. c. cxi.
5. Brixham—Preserving, &c. the Piers and Harbour, 4 & 5 W. 4. c. xliii.
6. Deptford—Making a Pier and other Works, 5 & 6 W. 4. c. xlii.
7. Dover—Erecting a Pier or Harbour, 5 & 6 W. 4. c. lxxxviii.
8. Greenwich—Amending Act for rebuilding, &c. the Town Quay and Landing Place, and building a Pier or Jetty, 5 & 6 W. 4. c. cxi.
9. London (Port of)—Reducing the Tonnage Rates, 4 & 5 W. 4. c. 22.
10. ———— Enlarging the Powers of an Act for the further Improvement of the Port of London, by making Docks and other Works at Abchurch-lane for the Accommodation of East India Shipping, 5 & 6 W. 4. c. xliii.
11. Margate Pier—Making, &c. Wet Dock (amending Act), 5 & 6 W. 4. c. liii.
12. Margate—Better preserving the Harbour, 5 & 6 W. 4. c. cxii.
13. Monitor Head Lighthouse—Placing it under the Management of the Corporation of Trinity House, 4 & 5 W. 4. c. 25.
14. Newport—Making a Dock and other Works in the Port of Newport, with a Railway and Stone Road therefrom, 5 & 6 W. 4. c. lxxxv.
15. New Quay—Constructing and maintaining a Harbour, 5 & 6 W. 4. c. xlii.
16. Perth Harbour—Amending Act for improving, &c. the Port and Harbour, 4 & 5 W. 4. c. lxxxv.
17. Rye Harbour—Amending Acts and granting further Powers for improving and completing the Harbour and Navigation, 5 & 6 W. 4. c. lxxvii.
18. Seaford—Amending Act for making Pier, 5 & 6 W. 4. c. xc.
19. Shepperton—Constructing, &c. a new Harbour, near to or in conjunction with the old Harbour of Leamington, 4 & 5 W. 4. c. xliii.



20. Wh<sup>o</sup>—Repairing, &c. the Harbour and Quay (repealing Acts), 5 & 6 W. 4. c. 26.  
 21. *Keowath (Green)*—Improving the Haven and the several Rivers connected therewith, and other Purposes (repealing Acts), 5 & 6 W. 4. c. 218.

## Hay.

1. For amending certain Provisions of an Act of 36 G. 3. for regulating the buying and selling of Hay and Straw, 4 & 5 W. 4. c. 21.  
 2. 36 G. 3. c. 25. repealed as to certain Markets, § 1.

*Hair*, See Law (Amendment of), 47.

## Hemp.

1. To repeal so much of several Acts as authorizes the issuing any Sums of Money out of the Consolidated Fund for the Encouragement of the raising or dressing Hemp or Flax, 4 & 5 W. 4. c. 14.  
 2. So much of 27 G. 3. c. 15. as any other Act authorizes Money to be set apart for Encouragement of raising Hemp, &c. repealed, § 1.

## Highways.

1. To consolidate and amend the Laws relating to Highways in that Part of Great Britain called England, 5 & 6 W. 4. c. 80.  
 2. Rectified Acts wholly or in part repealed, § 1. [See Statute repealed, § XII.]  
 3. Not to revise repealed Acts, § 2.  
 4. As to the Recovery of Penalties incurred for Offences against Acts repealed, § 3.  
 5. Powers Surveyor to continue until a Surveyor is appointed, § 4.  
 6. Interpretation Clause, § 5.  
 7. Surveyor to be elected annually; may be re-elected, § 6.  
 8. Qualification of Surveyor, § 7.  
 9. Penalty as Surveyor not acting when chosen, § 8.  
 10. Surveyor may be appointed, with a Salary, § 9.  
 11. Surveyor, on verifying his Accounts, to surse his Successor, § 10.  
 12. Power to Justices in certain Cases to appoint a Surveyor, § 11.  
 13. When Parish is situate in more than One County, § 12.  
 14. Parishes may direct Application to be made to Justices at Sessions for forcing them into Districts, § 13.  
 15. Justices at Sessions may write such Parishes into Districts, and select and appoint a District Surveyor, § 14.  
 16. Names of Parishes and of District Surveyor to be recorded, and a Copy thereof sent to each Churchwarden, &c.; Parishes when united to form a District for Three Years, and until Twelve Months after any one Parish shall give Notice of Intention to cease to form one of said Districts, § 15.  
 17. District Surveyor to have Power, &c. of Surveyor, except in levying Rate; Salary of District Surveyor how to be paid, § 16.  
 18. When Parishes are united, a Surveyor to be appointed to make Rate, &c., § 17.  
 19. Appointment of a Board directing Repairs in large Parishes; Powers of the Board, § 18.  
 20. Board may hire or purchase Premises, § 19.  
 21. Penalty on Surveyor, &c. for Neglect of Duty, § 20.

22. As to Repair of Highways adjoining Bridges hereafter to be built, called Causeways, &c., § 21.  
 23. Powers for getting Materials and preventing Nuisances to extend to County Bridges and Roads at the Ends thereof, § 22.  
 24. When new Highways are to be kept in repair by Parishes; Proviso, § 23.  
 25. Direction Points where and how to be erected, § 24.  
 26. Power to use adjoining Ground as a temporary Road, § 25.  
 27. Surveyor to remove Fosses, &c., § 26.  
 28. Surveyor to make Rate; Rate to be allowed by Justices, § 27.  
 29. Surveyor may inspect Rate Book, and obtain Copies or Extracts, § 28.  
 30. Form and Amount of Rate, § 29.  
 31. Surveyor to have Power to enforce Composition in certain Parishes, § 30.  
 32. Errors in Rates may be rectified, § 31.  
 33. Persons may be excused by Justices from Payment of Highway Rate, § 32.  
 34. Certain Persons not liable to Payment of Highway Rate, § 33.  
 35. Rates how to be recovered, § 34.  
 36. Rate-payers may divide among themselves the Conveyance of Stone, &c. for Repair of Highways, which shall be paid for by the Surveyor, § 35.  
 37. Surveyor, with Consent of Vestry, may appoint Collector of Rates, § 36.  
 38. Security to be taken from Collector, § 37.  
 39. Collector to make out Accounts of all Monies received under the Act, &c., § 38.  
 40. Separate Accounts to be kept, § 39.  
 41. Surveyor to keep Books and Account of Monies received, &c.; to be open to Inspection of rated Inhabitants, § 40.  
 42. The Property in all Books, &c. to be vested in Surveyor for the Time being, § 41.  
 43. Surveyor, on quitting Office, to deliver Books, &c. to succeeding Surveyor; Penalty for Neglect, § 42.  
 44. In case of Death of Surveyor, Executors to account, § 43.  
 45. Yearly Accounts to be made by Surveyors, &c. and laid before Justices at Special Sessions for the Highways; subject to Appeal. Surveyors appointed under the 15 G. 3. c. 78. to pass their Accounts at Special Sessions after the 25th Month 1808, § 44.  
 46. Justices to hold Special Sessions for Purposes of this Act; at each Session Surveyor to verify Accounts, and make Returns of the State of the Roads, &c., § 45.  
 47. Surveyor may contract for getting and carrying Materials; but not to share in any Contract, or let in Hire any Team, or dispose of any Timber, Stones, &c. without Licence from Two Justices; Penalty, § 46.  
 48. Penalty on taking away Materials belonging to Surveyor, § 47.  
 49. Land allotted to the Parish for Materials, when exhausted, may be sold, § 48.  
 50. Tenant for Life, &c. may renounce Damages, § 49.  
 51. Persons expelled with Lands for Mismanagement of Highways, &c. to let them out to farms at the most improved Value, with Consent of Justices, § 50.  
 52. Materials where and in what Manner to be taken by Surveyors; Power to gather Stones without making Satisfaction, but Satisfaction to be made for Damages done by carrying them away, § 51.  
 53. Not to extend to Sea Beach, &c., § 52.

## Highways.

54. Notice to be given before Materials are taken from private Lands. If the Occupier shows Cause against the Removal, Two Justices shall decide thereon. § 53.
55. If sufficient Materials cannot be found in Waste Lands, &c., Surveyor may take them from the several or inclosed Lands or Grounds, making Satisfaction to the Owners, § 54.
56. If Surveyor shall make Pits or Holes in getting Materials, he shall cause them to be filled up or sloped down, and fenced off, and in like Manner all those already made. Penalties on Surveyor for Neglect herein, § 55.
57. Penalty on Surveyor allowing Heaps of Stone, &c. to remain on Highway at Night, § 56.
58. Surveyor surveying Mills, Dams, &c. by digging Materials, to forfeit not exceeding 5*l.*—§ 57.
59. Where Highway lies in Two Parishes, the Justices to determine what Parts shall be repaired by each. Provision, in case of Highway repaired by Party *retine tenore*, &c., § 58.
60. Parishes, &c. bound to repair the Part so allotted, § 59.
61. How Costs of Proceedings shall be defrayed, &c., § 60.
62. Boundary of Counties, &c. not to be changed, except for the Purpose aforesaid, § 61.
63. Highway repaired by Party *retine tenore*, &c. may be made a Parish Highway, § 62.
64. What shall be deemed the Centre of the Highway, § 63.
65. No Tree, &c. allowed to be planted within Fifteen Feet of the Centre of the Carriage-way, § 64.
66. Mode of proceeding at Highway is prejudiced by Hedges, &c., § 65.
67. Time of cutting Hedges and Trees, § 66.
68. Surveyor to make and keep open Ditches, &c., and to lay Trunks, &c. through Lands adjoining Highway, paying for Damage if any incurred, § 67.
69. Owner, Occupier, &c. not to alter such Ditches without Consent, § 68.
70. Penalty for encroaching on Highway: Encroachment to be taken down by the Surveyor, § 69.
71. Stone Engines, &c. not to be erected within a certain Distance of Heads, § 70.
72. Prognostics of Railways to erect Gates, &c. where they cross Highways, § 71.
73. Penalty on Persons committing Nuisances by riding on Footpaths, &c.: by injuring the Road; by damaging Banks, Causeways, Drains, Posts, Milestones, &c.; by making Fires; by baiting Bulls; by laying Timber, &c.; by raising of Filth, § 72.
74. Matters laid on or near Highway, so as to be a Nuisance, to be removed on Notice; or, on Failure, Surveyor to dispose of the same by Order of a Justice, § 73.
75. Surveyor to impound Cattle found straying on Highway until the Penalty herein imposed and the Charges are paid; limiting the Extent of Penalty. Right of Pasturage not taken away, § 74.
76. Punishing Persons guilty of Poultry-breach, § 75.
77. Names of Owners to be painted on all Waggon, &c. in manner herein mentioned, § 76.
78. One Driver may take charge of Two Carts, provided they are drawn only by One Horse each, § 77.
79. Drivers of Waggon or Carts not to ride thereon unless some other Person guide them; Drivers causing Hurt or Damage to others, or cutting the Road, or driving Carriage without Owner's Name, or not keeping the Left or Star Side, or interrupting free Passage, if not the Owner, to forfeit 20*s.*, if he be the Owner, 40*s.* Proceedings if the Driver will not discover his Name, § 78.
80. For acting without Order, &c. by the University of
81. Cartways to be Twenty Feet wide, Horseways Eight Feet, and Footways Three Feet, § 80.
82. Width of Gates across public Cartways and Horseways, § 81.
83. Justices may order narrow Highways to be widened. Surveyor to agree with Owners of Lands for Recompense, and if they cannot agree, the same may be assessed by a Jury at the Quarter Sessions. On Payment of Money assessed, Ground to be deemed a public Highway. Where there is not Money sufficient, a further Rate may be made, by Order of the Justices at their Quarter Sessions, not exceeding One Third of Rate, § 82.
84. Cost of Proceedings by whom payable, § 83.
85. Previous to a Highway being stopped up, &c. Surveyor to request Justices to view the same, § 84.
86. Proceedings for stopping, &c. certain Highways, and stopping up unnecessary Highways, § 85.
87. As to stopping up more than One Highway connected together, § 86.
88. Court may certify Order for so doing wholly or in part, § 87.
89. Persons who may think themselves aggrieved if such Highway should be ordered to be stopped up, &c. may appeal, § 88.
90. In case of Appeal, Jury at Sessions to determine whether new Highway is necessary, &c., § 89.
91. Carts to be so ordered in Appeal against stopping up, &c. Highway, § 90.
92. If no Appeal be made, or if dismissed, Sessions to make Order for stopping, &c. and the old Ways may be stopped; new Highway shall afterwards continue a public Highway, &c., § 91.
93. Party liable to Repair of old Highways to repair new Highways, § 92.
94. Provisions as to widening of a Highway to extend to all Highways which Persons are bound to repair *tenore annuo*, &c. Justices to fix annual or other Amount payable by Party previously bound to repair, § 93.
95. Mode of proceeding before Justices if Highway is out of repair. In what Cases Justices cannot interfere, § 94.
96. Notice of proceeding if Obligations to repair is disputed, § 95.
97. Fines, Penalties, and Forfeitures how to be levied and applied, § 96.
98. Justices empowered to award Costs to Defendants, where Informants, &c. is withdrawn or dismissed, § 97.
99. Court may award Costs to the Prosecutor, § 98.
100. No Prosecution against Inhabitants for Highway being out of repair, § 99.
101. Inhabitants and Officers in Parishes may give Evidence, § 100.
102. Justices may proceed by Summons in Recovery of Penalties, § 101.
103. Compelling Witnesses to attend and give Evidence, § 102.
104. Forfeitures, Costs, and Charges may be levied by Distress and Sale. Application of Penalties, § 103.
105. Satisfaction recoverable for special Damage, but Distress not to be deemed lawful for Want of Form in the Proceedings; Plaintiff not to recover for Irregularity if Tender of Amends be made, § 104.
106. Appeal may be made to Quarter Sessions against Rate, &c., § 105.
107. Provisions of 41 G. 5. c. 83. applicable to this Act, § 106.
108. Rates and Proceedings not to be quashed for Want of

100. In case of Appeal, Sessions may grant a special Case, § 108.
101. Limitation of Actions: Defendant may plead the General Issue, Com. § 109.
111. Arrest of Pass, § 110.
112. Expenses for defending Prosecutions agreed upon at Vestry Meeting how to be paid, § 111.
115. Licensing Powers of 37 G. 3. c. 50.—§ 112.
114. Not to extend to Turnpike Roads, or to Roads under Local Acts, § 113.
115. Not to affect the Universities, § 114.
116. Not the Rights and Liberties of the City of London, § 115.
117. Not the Act 1 G. 4. c. vii.—§ 116.
118. Powers of Commissioners of Sewers not abridged, § 117.
119. Concerning the Form of Proceedings, § 118.

Holidays, See Law (Amendment of), 44.

Holyhead Road, See Commissioners of Woods.

Honduras, See Customs, 378; Slaves, 67.

Horses, See Assessed Taxes, 12.

### House Tax.

1. To repeal certain Duties on inhabited Dwelling Houses, 4 § 5 W. 6. c. 19.
2. Duties on inhabited Houses under 3 & 4 W. 6. c. 20. repealed from 5th April 1824.—§ 1.
3. Commissioners of Assessed Taxes to reduce Compositions which include the above-mentioned Duties; Reduction to take effect from next Date, § 2.
4. Qualifications conferred by Payment of said Duties to remain with the Occupiers of Houses of the Rate or Value specified in rectified Acts, § 3.

See Assessed Taxes, 6.

### House of Commons (Officers of).

1. To regulate the Salaries of the Officers of the House of Commons, and to abolish the Sinecure Offices of Principal Comptroller Clerks and Clerks of Impressments, 4 § 5 W. 6. c. 20.
2. 2 § 3 W. 6. c. 105. and 52 G. 3. c. 11. rectified. Salary to Speaker, § 1.
3. Provision to present Speaker, § 2.
4. Salary to Speaker's Secretary, § 3.
5. Salaries to Clerk, Clerk Assistant, &c., § 4.
6. Act not to affect Persons now holding certain Offices, § 5.
7. Sinecure Offices of Committee Clerk and Impressing Clerk abolished, § 6.
8. Saving for the present Clerk Assistant and Second Clerk Assistant in case either of them should be promoted, § 7.
9. Salaries of abolished and regulated Offices carried to New Fund, § 8.

### I.

Idiots, See Commissions of Lunacy.

### Importation and Exportation.

1. For the warehousing of Goods, 3 & 4 W. 6. c. 87.
2. 6 G. 4. c. 119. rectified. (Consolidation of Act, § 1.)
3. Treasury to appoint warehousing Ports; Commissioners to appoint Warehousemen, and require Bond, § 2.
4. Warehouse of special Security by Appointment; Warehouses connected with Wharfs and within Walls, &c. to be Warehouses of special Security without Appointment, § 3.
5. Bonds given previous to Act to continue in force, § 4.
6. Commissioners to provide Warehouses for Tobacco, and Treasury to fix Rate, § 5.
7. Power to revoke or alter Appointment, § 6.
8. Publication of Appointment in Gazette, § 7.
9. Warehouse keeper may give general Bond if willing, or Importer give particular Bond, § 8.
10. Sale of Goods in Warehouse by Proprietor to be valid although they remain there, Treasurer of such Goods to be entered in a Book, § 9.
11. Storage in Warehouse to afford easy Access; Penalty 5*l.*—§ 10.
12. Goods fraudulently concealed or removed; Penalty on opening Warehouse, § 11.
13. Examination on Entry and loading; marking Packages, § 12.
14. Goods to be carried to Warehouse under Authority of Officers, § 13.
15. Regulations as to clearing Goods; Company's Goods and "Specie Goods" to be sold at their Sale, § 14.
16. In case of Accident in loading or shipping Goods Duty to be remitted, § 15.
17. Entry for Exportation or Home Use. Goods permitted to be shipped from the Warehouse Duty free as Ship's Stores, § 16.
18. Run for Stores and surplus Stores may be shipped without Entry of home on Vouching Bill, or entered for private Use, § 17.
19. Duties to be paid on original Quantities, except in certain Cases; if for Exportation or Removal, Duties on Deficiencies to be paid; how Value ascertained, § 18.
20. Duties on Tobacco, Sugar, and Syrops to be charged on Quantities delivered, except in certain Cases; no Allowance for Leakage, § 19.
21. Importer may enter Goods for Home Use or for Exportation, although not warehoused, § 20.
22. Goods may be removed to other Ports to be re-warehoused; and, on Notice given, Officers to prepare for Removal under Seal of Office. Tobacco for Use of Navy may be removed to certain Ports, § 21.
23. Entry of Goods for Removal; Account sent to other Ports; Entry at Port of Arrival to re-warehouse; Forms of Entries, Examination of Officers, Certificate of Arrival sent to Port of Removal, § 22.
24. Bond to re-warehouse, which may be given at other Port, § 23.
25. Bond how to be discharged, § 24.
26. As to Goods re-warehoused, § 25.
27. On Arrival, after Forms of re-warehousing, Parties may enter in exact, or take for Home Use, without first carrying to the Warehouse, § 26.

28. Removal in the same Port, § 27.
29. Goods and Papers subject to original Conditions, § 28.
30. Goods sold, new Owner may give Bond, and release the original Bond, § 29.
31. Bond of Receiver to be in force in new Warehouse until fresh Bond be given by new Owner, § 30.
32. To seal, separate, and repack in some or equal Packings; to bottle off Wine or Brandy for Exportation, to draw off Rum for Stores; to mix Brandy with Wine for Exportation, to fill up or rack off Casks of Wine, to take Samples, § 31.
33. No Alteration to be made in Goods or Package but as the Commissioners shall direct, § 32.
34. Repacking in proper Packages; after repacking, damaged Parts may be destroyed; Disposal of surplus Quantity; Quantities in new Packages to be marked, and Deficiency to be apportioned. Abandonment of Goods for the Duty, § 33.
35. Foreign Casks, &c., § 34.
36. Hides, Livers, &c. to be delivered out of Warehouse to be cleaned, &c., also Hides of the East Indies, § 35.
37. Copper Ore may be taken out of Warehouse to be smelted, § 36.
38. Goods in Bulk delivered, § 37.
39. Packages to be marked before Delivery, § 38.
40. Decrease and Increase may be ascertained and allowed under Regulations of the Treasury. No Duty on Deficiency of Goods exported from Warehouses of special Security, § 39.
41. Allowances for natural Waste of Wine, Spirits, &c. in Warehouses not of special Security, § 40.
42. In Cases of Embezzlement and Waste through Misconduct of Officers, Damages to be made good to the Proprietor, § 41.
43. On Entry onwards, Bond for due shipping and landing shall be given, § 42.
44. Bond for Beef and Pork exported from Warehouse; Beef and Pork exported from Warehouse not to be used as Stores, § 43.
45. Restriction as to the Sale of Wax, § 44.
46. Goods removed from Warehouse for Shipment under Care of Officers, § 45.
47. Ships for exporting warehouse Goods, § 46.
48. Goods landed in Docks liable to Claims for Freight as before landing, § 47.
49. Act may be altered this Session, § 48.
50. To allow, until 20th July 1835, the Importation of certain Articles Duty-free into the Island of Dominica, and to indemnify the Governor and others for having permitted the Importation of such Articles Duty-free, § 4 § 6 W. 4. c. 10.
51. Lumber, &c. may be imported Duty-free into the Island until 20th July 1835, - § 1.
52. Governor and Collector, &c. of the Customs, indemnified, § 2.
53. Act may be continued by Order in Council, § 3.
54. To regulate the Importation of Corn into the Isle of Man, 2 § 6 W. 4. c. 15.
55. All Foreign Corn to be subject to same Duties in the Isle of Man as in United Kingdom, § 1.
56. Certificate of Average Prices to be transmitted, § 2.
57. How Duties are to be collected, § 3.

See *Customs; Plantations; Stamps*, 10.

Inclosures.

- I. Acts relating to Inclosures, Drainage, &c. in general
- II. Acts relating to Inclosures, Drainage, &c. in particular Places.

I. Acts relating to Inclosures, &c. in general.

1. To remedy certain Defects as to the Recovery of Rates and Assessments made by Commissioners and other Persons under divers Inclosure and Drainage Acts after the Execution of the final Awards of the said Commissioners, 3 § 4 W. 4. c. 35.
2. Mode of proceeding for Recovery of Rates or Assessments in arrears where no Remedy hath been already given, § 1.
3. Limiting the Recovery to Six Years from Period of Rate becoming due, § 1.
4. Form of Warrant of Distress, § 2.
5. Appeal, § 3.
6. Warrant not to be quashed for Want of Form, § 4.
7. Rated Persons not disqualified from giving Evidence, § 5.
8. For remedying a Defect in Titles to Messuages, Lands, Tenements, and Hereditaments allotted, sold, divided, or exchanged under Acts of Inclosure, is consequence of the Award not having been enrolled, or not having been enrolled within the Time limited by the several Acts; and for authorizing the Appointment of new Commissioners in certain Cases where the same shall have been omitted, 3 § 4 W. 4. c. 37.
9. All Awards already made but not enrolled shall, from the Execution thereof, be as valid as if enrolled within the Time limited by the Act, § 1.
10. Preparation of Lands may cause Awards to be enrolled. Copy of any Award as enrolled and signed by the proper Officer to be delivered to any Person requesting the same, § 2.
11. As to Practice requiring Acknowledgment of Deeds, § 3.
12. As to Possession of Awards when deposited, § 4.
13. Proprietors may require Awards to be deposited to the Church, or with the Lord of the Manor, § 5.
14. Providing for Appointments of Commissioners in Cases where they have been neglected or omitted to be made, § 6.
15. Act not to give greater Validity to Awards than as respects the Districts, § 7.

II. Acts relating to Inclosures, &c. in particular Places.

16. **BRECON.**—Colchester Parish, including and commencing from Tithes Lands, 4 § 2 W. 4. c. 13. (Pr.)
17. ——— Bedford Land, Drainage, &c. of Lands in the North Level, and in Great Pasture, and in the Manor of Crowland, and providing additional Funds for said Drainage and Improvement by the New Oupland Cut to Sea (according several Acts), 3 § 4 W. 4. c. 15. (Pr.)
18. **CAMBRIDGE.**—Finslowe Sotter Man's Parish, Isle of Ely, including, &c. the Common, Drove, and Waste Lands, 3 § 4 W. 4. c. 2. (Pr.)
19. ——— Godington Parish, including Lands and commencing Tithes, 3 § 4 W. 4. c. 15. (Pr.)
20. ——— Great Shelford Parish, including Lands and commencing Tithes, 4 § 2 W. 4. c. 2. (Pr.)
21. ——— Ely Parish, Isle of Ely, including, &c. the Common, Drove, Banks, and Waste Lands, 4 § 3 W. 4. c. 14. (Pr.)
22. ——— Snettisham Parish, Isle of Ely, including and commencing Tithes, 4 § 2 W. 4. c. 15. (Pr.)

25. **CHERTSEY**.—*Antes and Boddley Parishes, dividing, &c.* Lands called *Bassano* otherwise *Bassanoes*, 5 & 6 W. 4. c. 11. (Pr.)
26. **CUMBERLAND**.—*Liths Salfeld Manor* in the Parish of *Addingham*, inclosing Lands, 5 & 4 W. 4. c. 20. (Pr.)
27. **DEBY**.—*Middlevy* by *Wickwold Township, dividing, inclosing, &c.* Lands, 5 & 4 W. 4. c. 10. (Pr.)
28. ———. *Ark Leagley Liberty, dividing, inclosing, &c.* the Open Fields, Common, and Waste Lands, 1 & 5 W. 4. c. 19. (Pr.)
29. **DEVON**.—*Tarstock, Milton Abbot, Brenton, and Lamer-ton Parishes, inclosing Lands* called *Boslyfield*, 5 & 6 W. 4. c. 10. (Pr.)
30. **DORSET**.—*Dorset Parish, inclosing Lands*, 4 & 5 W. 4. c. 10. (Pr.)
31. ———. *Elmst otherwise Ridgeway and Sottingway Manors and Tithings* in the Parish of *Upton*, inclosing Lands, 4 & 5 W. 4. c. 40. (not printed.)
32. **DURHAM**.—*Middlevy* in *Tynedale Parish, inclosing Lands*, 4 & 5 W. 4. c. 11. (Pr.)
33. **GLoucester**.—*Borough of Leagley* in the Manor of *Leagley, dividing, inclosing, &c.* Commonable and Waste Lands, 5 & 4 W. 4. c. 25. (Pr.)
34. **Gloucestershire**.—*Elmston Parish, inclosing Lands*, 5 & 4 W. 4. c. 15. (Pr.)
35. ———. *Clovesham Parish, inclosing Lands* in the Tithings of *Arke* and *Arketon* otherwise *Abboton*, and discharging from Tithes, 4 & 5 W. 4. c. 1. (Pr.)
36. ———. *Devonshire River Parishes, inclosing Lands* and exchanging free Tithes, 4 & 5 W. 4. c. 4. (Pr.)
37. ———. *Longney Parish, amending Curm Rent Schedules* annexed to the Award made in pursuance of former Act for inclosing Lands, 4 & 5 W. 4. c. 17. (Pr.)
38. **Hampshire**.—*General Parish, inclosing Lands*, 5 & 4 W. 4. c. 11. (Pr.)
39. **KENT and STURIA**.—*Draining and preserving Marsh Land* or Low Grounds *draining into the River Rother* and Channel of *Appledore*, 5 & 4 W. 4. c. xxxv.
40. **KIRKTON and VICE**.—*Draining Commissioners* appointed under Two Acts for draining certain Lands near the River *Leven* to raise a further Sum of Money, 5 & 6 W. 4. c. xv.
41. **LINCOLN**.—*Draining Lands* within the Level of *Ancholme*, and making certain Parts of the River *Ancholme* navigable (amending Act), 5 & 4 W. 4. c. vi.
42. ———. *Edmond and Gedy Parishes, embanking, draining, &c.* Lands, 4 & 5 W. 4. c. xiv.
43. **NORFOLK**.—*Draining, &c.* Free Lands and Low Grounds in the Parish of *Wiggleshall Saint Mary Magdalen*, and other Purposes, 5 & 4 W. 4. c. xxi.
44. ———. *Draining, &c.* certain Free Lands and Low Grounds in the Parishes of *Stoke Ferry, Northold, Weston, Wrotham, West Dereham, Ruckham, Fordingham, Droner, Denham Market, Wimboltham, and Stone Barlegh*, 4 & 5 W. 4. c. lvi.
45. **NORTHAMPTON**.—*Somerton Parish and Manor, inclosing Lands* and extinguishing Tithes, 4 & 5 W. 4. c. 20. (Pr.)
46. **SOMERSET**.—*Inclosing certain Moors or Common*, called *West Moor, East Moor, and Middle Moor*, 5 & 4 W. 4. c. 15. (Pr.)
47. ———. *Chapstoke Parish, inclosing Lands*, 4 & 5 W. 4. c. 16. (Pr.)
48. **STAFFORD**.—*Alstonefield Parish, inclosing Lands* within the Townships of *Alstonefield, Warsley, Lower Eilstone, Fagfield Wood, Hallyingburgh, Ilthwaite, and Quarryford*, 4 & 5 W. 4. c. printed image digitized by the University

47. **STURIA**.—*Lakenham Parish, inclosing Lands*, 5 & 4 W. 4. c. 16. (Pr.)
48. **SURREY**.—*Bygonne Parish, inclosing Lands*, 5 & 4 W. 4. c. 40. (not printed.)
49. **WILTS**.—*Staple Langford Parish, dividing, allotting, and inclosing Lands* within the Tithing of *Staple Langford*, 5 & 4 W. 4. c. 1. (Pr.)
50. ———. *Fulby Parish, inclosing Lands, and dividing the said Parish into Three Parishes*, 4 & 5 W. 4. c. 2. (Pr.)
51. **Worcestershire**.—*Tordoff Parish, inclosing Lands* and commencing Tithes, 5 & 4 W. 4. c. 17. (Pr.)
52. **YORK**.—*Crofton Township in the Parish of Boleak, inclosing Lands*, 5 & 4 W. 4. c. 2. (Pr.)
53. ———. *Great Givendale Township, inclosing Lands*, 5 & 4 W. 4. c. 14. (Pr.)
54. ———. *Worsley Township in the Parish of Leeds, inclosing Lands*, 5 & 4 W. 4. c. 20. (not printed.)
55. ———. *Rensby Township in the Parish of Easingwold, inclosing Lands*, 4 & 5 W. 4. c. 25. (not printed.)
56. ———. *Moor and Township of Ubbahy in the Parish of Killy Wharf, inclosing Lands*, 5 & 6 W. 4. c. 11. (Pr.)

## Indemnity.

- Annual Acts to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the 25th of March 1834: to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indemnities of Clerks to Attornies and Solicitors to make and file the same on or before the 1st Day of May 1834, and to allow Persons to make and file such Affidavits although the Persons whom they served shall have neglected to take out their annual Certificates, 5 & 4 W. 4. c. 7. 4 & 5 W. 4. c. 9. 5 & 5 W. 4. c. 11.
- To indemnify Witnesses who may give Evidence before the Lords Spiritual and Temporal on a Bill for preventing Bribery and Corruption and illegal Practices in the Election of Members to serve in Parliament for the Borough of Warwick, 1 & 5 W. 4. c. 17.
- To indemnify Witnesses who may give Evidence before the Lords Spiritual and Temporal on a Bill to exclude the Presence of Clergymen from voting at the Election of Members of Parliament for that Borough, 4 & 5 W. 4. c. 18.

See Witnesses.

India, See China Trade; East Indies.

Inhabited Houses, See House Tax.

Inheritance, See Law (Amendment of), 47.

## Insane Persons.

- To amend an Act [2 & 3 W. 4. c. 107.] for regulating the Care and Treatment of Insane Persons in England, 3 & 4 W. 4. c. 66.
- Notice of Meetings of Valuers to be as private as possible, § 1.
- Clerk of Metropolitan Commissioners and Clerks of the Peace to preserve a Copy of all Orders, Certificates, and Notices; Penalty of 5*l.* for Neglect, § 2.
- Notice of Deaths or Removals of Patients to be transmitted to the Commissioners, § 3.

3. All Copies of Orders, Certificates, &c. which have been transmitted to the Clerk of the Metropolitan Commissioners, shall be registered, § 4.
6. Notice of Deaths or Resigns, &c. since August 1832, if not already transmitted, to be forthwith transmitted to Clerk of Metropolitan Commissioners, § 5.
7. Commissioners being practising Barristers to be paid for the Time employed, § 6.
8. Proprietors, &c. neglecting to comply with the Act to be deemed guilty of a Misdemeanor, § 7.
9. Prosecutions to be carried on and Penalties recovered in same Manner as under repealed Act, § 8.
10. The above Acts continued for Three Years, and to the End of the then next Session, by 5 & 6 W. 4. c. 82.

### Insolvent Debtors Courts (Commissioners and Officers of).

1. To authorize the granting of Superannuation Allowances to the Commissioners and Officers of the Courts for the Relief of Insolvent Debtors, 5 & 6 W. 4. c. 42.
2. Commissioners of the Treasury authorized to grant Superannuation Allowances to Commissioners and Officers of Insolvent Debtors Courts in Ireland, § 1.
3. Accounts of such Allowances to be laid before Parliament, § 2.

See Bankruptcy (Court of).

Insurances, See Stamps.

Interest, See Law (Amendment of), 29—31.

## IRELAND.

Accounts, See Sheriff.

Almanack, See General Index, Stamps, 37.

Ammunition, See Arms.

Appells, See Convictions.

Archbishops and Bishops, See Church Temporalities.

Archdeacons, See Church Temporalities, 129.

Arms.

1. To continue for One Year, and from thence to the End of the then next Session of Parliament, several Acts relating to the Impression and keeping of Arms and Gunpowder in Ireland, 4 & 5 W. 4. c. 55.
2. 47 G. 3. c. 24, as amended by the Acts of 50 G. 3. and 10 G. 4. and revived by 1 & 2 W. 4. further continued, § 1.
3. 11 G. 1. & 1 W. 4. c. 44. further continued, § 2.

Assemblies (Unlawful), See Associations.

Assizes.

1. For the Appointment of assize Places for the holding of Assizes in Ireland, 5 & 6 W. 4. c. 25.
2. 6 Geo. 4. c. 22. 1826. 1827. 1828. 1829. 1830. 1831. 1832. 1833. 1834. 1835. 1836. 1837. 1838. 1839. 1840. 1841. 1842. 1843. 1844. 1845. 1846. 1847. 1848. 1849. 1850. 1851. 1852. 1853. 1854. 1855. 1856. 1857. 1858. 1859. 1860. 1861. 1862. 1863. 1864. 1865. 1866. 1867. 1868. 1869. 1870. 1871. 1872. 1873. 1874. 1875. 1876. 1877. 1878. 1879. 1880. 1881. 1882. 1883. 1884. 1885. 1886. 1887. 1888. 1889. 1890. 1891. 1892. 1893. 1894. 1895. 1896. 1897. 1898. 1899. 1900. 1901. 1902. 1903. 1904. 1905. 1906. 1907. 1908. 1909. 1910. 1911. 1912. 1913. 1914. 1915. 1916. 1917. 1918. 1919. 1920. 1921. 1922. 1923. 1924. 1925. 1926. 1927. 1928. 1929. 1930. 1931. 1932. 1933. 1934. 1935. 1936. 1937. 1938. 1939. 1940. 1941. 1942. 1943. 1944. 1945. 1946. 1947. 1948. 1949. 1950. 1951. 1952. 1953. 1954. 1955. 1956. 1957. 1958. 1959. 1960. 1961. 1962. 1963. 1964. 1965. 1966. 1967. 1968. 1969. 1970. 1971. 1972. 1973. 1974. 1975. 1976. 1977. 1978. 1979. 1980. 1981. 1982. 1983. 1984. 1985. 1986. 1987. 1988. 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91. In case Incumbent dies before the whole Sum shall be advanced, Successor to receive the Remainder upon 100. Security, § 89.
92. Incumbent to keep Buildings insured, § 90.
93. Not to extend to almshouses or alter the Laws now in force for building Glebe Houses, § 91.
94. Commissioners may grant 100*l.* gratuitously in certain Cases, § 92.
95. Power of Commissioners to augment Benefices, § 93.
96. No Augmentation unless there is a Church where Divine Service is performed, or to encourage the building or repairing of one within Three Years after, § 94.
97. If Incumbent of augmented Benefice do not reside, Salary to cease. Recites 5 G. 4. c. 11.—§ 95.
98. If Incumbent of augmented Benefice take a Second, the First to be void. No Lapse without Notice to Patron, § 96.
99. Provisions heretofore to extend to Destitute and Curate Curacies and Chapels augmented to be Perpetual Curacies and Benefices, § 97.
100. No Rector or Vicar discharged hereby from Care of Souls, § 98.
101. If augmented Cure void for Six Months it shall lapse; Nomination before Adversus taken of Lapse good, § 99.
102. Dissolves to be subject to Visitation. Consent of Patron necessary to Augmentation, § 100.
103. Power to Commissioners to agree with Patron for yearly Allowance, such Agreement to be with Consent of Patron, § 101.
104. Remedy in Cases of Improvements refusing to repair Churches or maintain Officiating Clergyman, § 102.
105. Entries of Augmentations and Orders; Copies to be the Evidence, § 103.
106. Power for Commissioners to purchase House and Land for augmented Benefice, § 104.
107. Provisions of Act relative to augmenting single Benefices to extend to united Benefices not of the Value of 200*l.*—§ 105.
108. Commissioners may divide Parishes in certain Cases, § 106.
109. Such Divisions not to take effect until Death of Incumbent, § 107.
110. Commissioners may divide also the Glebe belonging to Parishes so divided, § 108.
111. Guardians, Committees, &c. may consent, § 109.
112. Bounds of Parishes to be first ascertained, and Map and Statement of Value transmitted to Lord Lieutenant, who shall certify or alter same, § 110.
113. Commissioners shall adjust Proportions of Crown Rents, &c. to be paid by Incumbents of divided Parishes, &c. § 111.

114. Incumbent of divided Parishes entitled to receive Disbursements from next Successor as if Parish had not been divided, § 112.
115. Where Assent of His Majesty is required, Assent of the Lord Lieutenant to be good, § 115.
116. Commissioners may pay Compensation to Patrons in certain Cases, § 114.
117. Commissioners may require Compensation in certain Cases, § 115.
118. Commissioners may suspend Appointment of Clerk to any Benefice where Divine Worship shall not have been celebrated for Three Years: Tithe and Profits of such Benefice to vest in Commissioners; Application of them. Authorizing the Appointment of an Officiating Minister in any such Benefice, or the occasional Assistance of the Minister of some adjoining Parish, § 116.
119. Archbishop or Bishop to be associated with Commissioners in determining upon Suspensions or Renewals of Suspensions, § 117.
120. Statement to be made of Reasons for such Suspensions, § 118.
121. Certain Monies payable under 5 G. 4. c. 61. to be paid to Commissioners of this Act, § 119.
122. Houses purchased by Commissioners to be the House of Residence, § 120.
123. General Powers of Commissioners to do all Acts which Trustees of Fine Fruits could have done if not otherwise provided for; to bring Actions, to pay Debts, and to perform Contracts, § 121.
124. Mandamus may be directed to Persons making default, § 122.
125. Penalties for Perjury, § 125.
126. Lord Lieutenant, with Consent of Archbishop, Bishop, Dean, &c., may donate Rectory, &c. from Archbishoprick, Bishoprick, Deanery, &c., § 124.
127. In case Bishoprick be reduced below 4,000*l.* Commissioners to make up Deficiency, § 125.
128. Patronage to be exercised by Persons having Right of Appointment, § 126.
129. Archdeacons in Ireland in have same Powers as Archdeacons in England, § 127.
130. Tenants of Bishops Lands enabled to apply for a Perpetuity thereof, by Notice to the Commissioners under this Act, § 123.
131. Commissioners, in ascertaining Amount of annual Rent, shall not include any Sum added thereto since 10th August 1829,—§ 123.
132. Commissioners shall calculate the Average of Renewal Tithes, and adding thereto the Rent reserved on Lease, declare the Amount of the new Rent to be reserved, § 129.
133. Provision for ascertaining Amount of Renewal Tithes in certain Cases, § 131.
134. Fines to be computed on average Duration of Lives, § 132.
135. Notice to be given to Bishop by Commissioners, § 125.
136. Tenants of Lands vested by this Act in the Commissioners to take like Proceedings, § 131.
137. Terms of proposed Purchase of Perpetuities to be subject to Approval of the Lord Lieutenant, § 135.
138. On ascertaining Amount of Rent to be reserved, the Commissioners shall grant a Certificate to the Tenant, who shall pay Purchase Money into Bank of Ireland, and thereupon a Conveyance to be executed, § 136.
139. Renewal in Deeds of Conveyance classwise, § 137.
140. The average Price of Corn for Ten Years previous to be inserted in the Conveyance, § 138.
141. A Counterpart to be executed and delivered to the Bishop or the Commissioners, § 139.
142. Deeds to be enrolled and Certificate registered, § 140.
143. Tenants not entitled to Perpetuity unless in Possession of fully renewed Leases, or unless all Renewal Fines are paid. Arrears of Rent to be also paid up, § 141.
144. Applications may be made every Seven Years for Variation of new reserved Rent, according to Increase or Decrease in Price of Corn, § 142.
145. Expenses of Bishops and Commissioners to be deducted from Purchase Money, § 143.
146. On Application for Purchase of Perpetuities, Applicant to deposit a Sum to defray Expenses of ascertaining Terms, &c., § 144.
147. Rates of Purchase Money, § 145.
148. Remedies for Recovery of reserved Rents, § 146.
149. Upon Application of Owner, the Archbishop, &c. may apportion the yearly Rent then charged on Lands or Parts of such Lands only, § 147.
150. Lands comprised in new Conveyances to be settled to former Uses, § 146.
151. Tenant acquiring Perpetuity shall revert to inferior Tenants when bound by subsequent Covenant, § 149.
152. Contribution of inferior Tenants, how ascertained, § 150.
153. Fine for Renewal to be ascertained according to average Price of Wheat or Oats, § 151.
154. Persons having derivative Estates shall contribute towards Purchase Money, § 152.
155. Disputes between superior Tenants and others, how to be determined, § 150.
156. Persons having derivative Estates, and failing to pay Contribution, shall forfeit Right of Renewal, § 155.
157. Tenants enabled to mortgage, in order to raise Purchase Money; or to give a Mortgage in lieu of Money, § 153.
158. Inferior Tenants authorized to bind themselves to pay an insured Rent instead of Contribution, § 156.
159. Such Rents to be a Charge on Tenant's Interest, but liable to Redemption, § 157.
160. Tenants for Life or other limited Interest shall be first Incumbents for Money advanced by them, § 158.
161. Provision for Cases of incapacitated Persons and those under Disability. Definition of Terms in this Act, § 159.
162. For the Renewal of Leases held under Sees whose of the Temporalities may be vested in the Commissioners under this Act, § 160.
163. Allowances to be made on renewed Leases in certain Cases; if any Difference arise thereupon, the same shall be referred to Arbitration, § 161.
164. Annual Rent only to be reserved in Leases, excluding any Sum added thereto since 10th August 1829,—§ 162.
165. No Lease made after the passing of this Act shall be deemed a Lease within the Meaning of 2 & 3 W. 4. c. 119. so as to entitle Tenant to hold Lands Tithe-free, § 163.
166. Notices under this Act, how to be served, § 164.
167. Power for Commissioners to examine on Oath, § 165.
168. Act may be altered, § 165.
169. Schedules to be taken as Part of Act, § 167.
170. Schedules.
171. To amend an Act made so the Third and Fourth Year of the Reign of His present Majesty, entitled An Act to alter and amend the Laws relating to the Temporalities of the Church of Ireland, 4 & 5 W. 4. c. 90.

172. *S. & W. 4. c. 27.* recited. The Appointment to *Stature Dignities* may be suspended by Lord Lieutenant and Council, on the Recommendation of the Ecclesiastical Commissioners, § 1.
173. Lord Lieutenant and Privy Council empowered in various *Sapientia*, § 2.
174. Passage of suspended Dignity, how to be exercised, § 5.
175. Charges upon suspended Benefices, how to be regulated, § 5.
176. Tithes, &c. of Parishes in which there may be no Vicar or Perpetual Curate may be disappropriated from the Dignities to which they are annexed, in like Manner as the Tithes of Parishes in which there shall be such Vicars or Curates, § 5.
177. Perpetual Curate of any Parish deserted from Benefice to become Rector of such Parish, § 5.
178. Lord Lieutenant may write to any adjoining or neighbouring Parish any Rectory, &c. disappropriated from any Dignity, § 7.
179. Provision of *S. & W. 4. c. 27.* § 124. extended to Ministers' Niency, § 8.
180. Parishes appropriated and becoming vacant not to be tiled up until One Calendar Month after Notice to Commissioners, § 9.
181. Lord Lieutenant and Council may apportion Charges on Dignities from which Disappropriations may be made, § 10.
182. In Cases of Disappropriations, Lord Lieutenant to apportion Dilapidation Charges, § 11.
183. Ecclesiastical Commissioners may recover Dilapidations from Bishops in the First Column of Schedule (B.) inserted to *S. & W. 4. c. 27.* or from their Representatives, in like Manner as a Successor, § 12.
184. Commissioners to have such Means for ascertaining and recovering Amount of Dilapidations as Successor would have had, § 12.
185. Proceedings already taken for ascertaining or Recovery of Dilapidations to be valid, § 13.
186. Commissioners may recover for Dilapidations committed in *Fosses and Chapels and Chays*, § 14.
187. See Houses of Bishops in the First Column of the said Schedule (B.) shall vest in Bishops of retired Bishops electing or transferred to such See Houses, § 15.
188. The Title to Lands, &c. now vested in Board of First Fruits shall vest in Ecclesiastical Commissioners, § 16.
189. Declaring the Meaning of the Clause of recited Act empowering the Archbishops of Armagh and Dublin to present a Fellow of Trinity College to certain selected Benefices, § 17.
190. As also the Clause providing for Liability upon the Bishops of *Fosses and Chays*, § 18.
191. The Bishops of *Fosses and Chays* may recover for Dilapidations from their Predecessor, and for Same paid by them from their Successor, § 19.
192. Compensation for malicious Injuries to Churches may be recovered either at the seat or at the second Assizes after Commission of the Injury, § 20.
193. Tenant not having a fully renewed Lease may tender to Archbishop, Bishop, &c. the Amount of the Curamony Fees, and if declined, Commissioners may ascertain the Amount of Fine which ought to be paid, and upon Payment thereof, Tenant entitled to have a Conveyance, § 22.
194. No Tenant to be entitled to Perpetuity, unless he pay up his Proportion of Fine for the Period of the Year elapsed from the previous Renewal, § 23.
195. In Cases of Inadequate Fines heretofore paid for Renewals, Commissioners empowered to ascertain what ought to have been paid according to the Custom of the Diocese, § 23.
196. Commissioners under this Act to have the same Powers as under former Act, § 25.
197. Provision for the Purchase of Perpetual Estates, &c. in Lands, &c. held on Lease, repealed, § 24.
198. In case a Tenant or Lessee shall apply for the Purchase of a Perpetual Estate in Lands, &c. under a Lease for Lives, Value to be ascertained by Ecclesiastical Commissioners, § 25.
199. Limiting Costs to Solicitors employed by Commissioners under the Act, § 26.
200. Commissioners, with Section of the Treasury, may contribute towards such charitable Purposes as Bishops in suppressed Bicos were accustomed to do, § 27.
201. So much of *S. & W. 4. c. 27.* as requires Tenant to tender to Archbishop or Bishop Deed of Conveyance, and if such Archbishop or Bishop neglects to execute for Two Months, Commissioners to execute in his Name, repealed, § 28.
202. Commissioners empowered to execute Conveyance of Lands in the Name of the Archbishop or Bishop, &c. and Deed to be as valid as if executed by Archbishop, Bishop, &c., § 29.
203. Commissioners to notify to Archbishop, Bishop, &c. the Terms of Purchase One Calendar Month before Execution of Deed, § 29.
204. Sub-tenants empowered to purchase Perpetuities in Bishop's Lands on Default of superior Tenants; Purchasers by Sub-tenants subject to Rent-charge to superior Tenants; Sub-tenants Applications for Purchase to have Preference according to Priority, § 30.
205. Mode of ascertaining Mode of Rent-charge, § 31.
206. Rent-charge to create to same Uses as Leasehold Interest, and to be subject to Apportionment in case of Division of Lands, § 32.
207. Necessity of Act to irrevocable or lease Tenant acquiring the Fee Simple, § 33.
208. Where Sub-tenants purchase, superior Tenants shall contribute towards Purchase Money. Differences to be referred to Arbitration, § 34.
209. Mode of ascertaining and apportioning annual Payments to be reserved on Purchases, and on the Remainder of the Lands where the Whole are not purchased, § 35.
210. Provisions for Lands held under the Commissioners. Order of Priority of Rent-charge, § 36.
211. Where Sub-tenant shall purchase Part of Lands, Lease granted of Remainder to be valid, § 37.
212. Purchases made under this Act not to be impeached by reason of Imperfection of Notices, § 38.
213. Purchases made under Provisions of recited Act to extend to this Act, § 39.
214. Church Estimates to be prepared and transmitted at each Term and calculated for each Period as the Commissioners shall think fit to direct, § 40.
215. Ecclesiastical Commissioners empowered to provide for the Purposes heretofore defrayed by Vicary Assessments for Part of the Year 1855,—§ 41.
216. Upon Proof that Notice of Appeal against Rents rendered illegal by 7 G. 4. c. 72 has been given, Justices may proceed to hear the same without Recognizances having been entered into, § 42.
217. Every Parishioner to vote as Vestry without Disqualification, § 43.

218. Commissioners enabled to ascertain the Assesst of existing Charges on Parishes for Purposes for which Vestry Assessments are now prohibited, and to pay them 6*l.*, § 44.
219. Commissioners of Public Works in Ireland may lend the Ecclesiastical Commissioners a Sum not exceeding 100,000*l.*—§ 45.
220. Revoked Act to continue in full Force save as altered by this Act, and both to be construed together, § 46.
221. Act may be altered, &c., § 47.

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### Convictions.

1. To amend the Law relating to Appeals against summary convictions before Justices of the Peace in Ireland, 14 & 15 *V. C.*, c. 95.
2. Appeals to be heard in the Division of the County wherein the Order or Conviction has been made, § 1.

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1. Title the Amendment of the Proceedings and Practice of the High Court of Chancery in Ireland, 4 & 5 *V. C.*, c. 76.
- If a Defendant has been served with Process, and neglects to appear after Eight Days, as Appearance may be entered and Proceedings had, § 1.
2. Rule Books of the Court to be open upon all Days except Sundays and Holidays, § 2.
3. Motion Books to be open during the Sitting of the Court; and Orders may be made without Petition, § 3.
4. Decrees and Orders of the Court, § 4.
5. Sales or Marriages under Decree or Orders of the Court, § 5.
6. Service of attested Copy of Decree to be sufficient to warrant Attachment, § 6.
7. Court may appoint Receiver of Estates of Misses, § 7.
8. If any Person neglect to execute any Decree or Transfer, Court may order Master in Ordinary to execute same, § 8.
9. Deputy Keeper of Rolls or Clerk of Examinations may administer Oaths and take Affirmations; Masters in Ordinary and their Clerks not to administer Oaths. Proviso for Deputy Keeper of the Rolls and Clerk of the Examinations, § 9.
10. Persons appearing before Deputy Keeper or Clerk of Examinations to be subject to Penalties for Perjury, § 10.
11. Stamp Duties imposed by 4 *G.* 4. c. 70. to continue as be collected, § 11.
12. Masters in Ordinary empowered to hear Matters relating to the Conduct of Suits, and to direct the Payment of Costs, § 12.
13. Depositions: General Orders, § 13.
14. General Orders may be varied, § 14.
15. Hours of Business in the several Offices, § 15.
16. Masters in Ordinary to report certain Particulars annually to Lord Chancellor, § 16.
17. Persons not compelled to pay for entire Copy of a Paper when only requiring Part of it, § 17.
18. Powers given to Lord Chancellor may be exercised by Lord Keeper, § 18.
19. Part of the Surtres Fund to be set apart for Compensation Fund, § 19.

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21. Court of Chancery may direct issue to be called in, § 21.
22. Surplus of Interest to be invested in Government Securities, § 22.
23. Lords of Treasury may make Compensation to Six Clerks and other Officers, § 23.
24. Commissioners to settle the Amount of Compensation, § 24.
25. Lords of Treasury and Commissioners to inquire into Fees, § 25.
26. Commissioners of Treasury may refer Accounts to Masters in Ordinary, § 26.
27. Officers claiming Compensation to make Return of Profits of their Office, § 27.
28. Officers may make annual Return of Profits of their Office, § 28.
29. Officers returning falsely guilty of Perjury, § 29.
30. Commissioners to certify Value of Offices to Lords of Treasury, § 30.
31. If Funds not sufficient, Remainder to be paid out of Consolidated Fund, § 31.
32. Payments not to be liable to Usury's Penalties, § 32.
33. If Officer dies pending Inquiry, his Executors to make Returns, § 33.
34. Six Clerks selling their Office may receive Compensation for Dismissal of Value, § 34.
35. Act not to prevent Dismissal of Officers, § 35.
36. Officers hereafter appointed not to be entitled to Compensation, § 36.

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### Courts of Equity.

1. For altering and amending the Law regarding Compositions by Courts of Equity for Contempts, and the taking Bills pro Confesso, in Ireland, 5 & 6 *V. C.*, c. 16.
2. Manual of the Four Courts Prior to keep a Register of Persons committed for Contempts, and report Four Times a Year to the Lord Chancellor, § 1.
3. Manner of proceeding in cases of Persons not appearing within the usual Time after Subpoena or other Process has been issued, § 2.
4. Persons in Custody so neglecting to be served with Copy of Decree, § 3.
5. Persons out of the Realm affected by such Decrees, if they return within Seven Years, to be served with a Copy, or, in case of Death, their Heirs, &c., § 4.
6. Persons not petitioning a Rehearing of the Cause within Six Months, the Decree to be absolutely confirmed, § 5.
7. Persons petitioning a Rehearing within Seven Years and giving Security for Costs, admitted to answer, and the Cause to be heard again, § 6.
8. Persons not appearing within Seven Years, and making such Petition, to be absolutely barred, § 7.
9. Not to affect Persons beyond the Seas, unless in certain Cases, § 8.
10. Appearance may be put in for Defendants having Privilege of Parliament in Courts of Equity, on Return of Process of Sequestration, § 9.
11. In default of Answer to Bill in Equity against Persons having Privilege of Parliament, Bill to be taken pro Confesso, § 10.
12. Such Bill to be read in Evidence as an Answer admitting the Facts, § 11.
13. Rules for the Court of Chancery, § 13.

14. Discharge may extend to Process for Contempt in Negligence of Money and to Costs incurred by Creditor, but subject to Taxation, § 15.
15. When Process of Contempt is for Nonperformance of an Act, § 14.
16. Powers given by the Act to the Court of Chancery to extend to the Lord Keeper and Master of Rolls, § 15.
17. Forcible Rules to be adopted by the Court of Exchequer, § 16.
18. Powers contained in such Rules may be exercised by the Court of Exchequer, § 17.
19. Rule for Insequestration of Act, § 18.
20. This Act not to amend Provisions of 7 G. 2. (Z.), 23F. 4. c. 53. 4 & 5 W. 4. c. 62. and 4 & 5 W. 4. c. 75.—§ 19.

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#### Courts of Justice.

1. To authorize an Advance out of the General Fund of Monies belonging to the Suitors of the Courts of Chancery and Exchequer in Ireland, towards the purchasing of Ground, and building thereon Offices necessary to the Courts of Justice in Dublin, 4 & 5 W. 4. c. 55.
2. 50 G. 3. c. 41. 24 G. 5. c. 6. and 2 & 3 W. 4. c. 32. repealed. The Bank of Ireland may advance to the Commissioners of Public Works, out of the Suitors Fund of the Court of Chancery or of the Exchequer, certain Sums for Purchase of Ground and building Offices, § 1.
3. In case of Deficiency of Account for said Purposes Treasury to advance, § 2.
4. Power to Commissioners to take Land, &c., rendering Satisfaction for the same. In case of the Parties not agreeing, a Jury to be impanelled, § 3.
5. Insequestrated Persons empowered to treat for Lands, § 4.
6. Terms of Conveyance.

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#### Fines and Recoveries.

1. For the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance, in Ireland, 4 & 5 W. 4. c. 54.
2. Meaning of certain Words and Expressions, § 1.
3. No Fine or Recovery to be levied or suffered after 31st October 1834.—§ 2.
4. Persons liable after 31st October 1834 to levy Fines or suffer Recoveries under Covenants, to effect the Purposes intended by means of this Act; but if a Fine or Recovery cannot be so effected, the Persons liable to levy Fines or suffer Recoveries shall execute a Deed, which shall have the same Operation as the Fine or Recovery, § 3.

5. Fines made valid without Amendment, § 4.
6. Recoveries made valid without Amendment, § 5.
7. Having Jurisdiction in Cases not provided for, § 6.
8. Recoveries made valid in certain Cases where Bargain and Sale is not duly enrolled, § 7.
9. Recoveries invalid in consequence of there not being proper Tenants to the Writs of Entry made valid in certain Cases, § 8.
10. Certain Cases in which Fines and Recoveries shall not be made valid by the Act, § 9.
11. As to the Records of Fines and Recoveries in the Court of Common Pleas in Dublin after 31st October 1834, § 10.
12. Estates Tail, and Estates expectant thereon, no longer liable by Warranty, § 11.
13. Power, after the 31st October 1834, to dispose of Lands entailed in Fee Simple, or for a less Estate, saving the Rights of certain Persons, § 12.
14. Power of Disposition not to be exercised by Women Tenants in Tail or provisions *vis-à-vis* under 10 Car. 1. c. 5. except with Assent, § 13.
15. 10 Car. 1. c. 5. except as to Lands in Settlements made before this Act, repealed, § 14.
16. Power of Disposition limited, § 15.
17. Power after 31st October 1834 to enlarge Base Fees; saving the Rights of certain Persons. *Provisio*, § 16.
18. Issue releasable not to bar Expectancies, § 17.
19. Extent of the Estates created by a Tenant in Tail by way of Mortgage, or any other limited Purpose, § 18.
20. The Owner of the first existing Estate under a Settlement, prior to an Estate Tail under the same Settlement, to be the Protector of the Settlement, § 19.
21. Each of Two or more Owners of a joint Estate to be the sole Protector as to his Share, § 20.
22. Where a Married Woman alone shall be the Protector, and where she and her Husband together shall be Protector, § 21.
23. Persons empowered to dispose of Lands not being vested Estates, § 22.
24. As to Estates confirmed or restored by Settlement, § 23.
25. As to Leases at Rent created by Settlement, § 24.
26. No Tenant in Dower, Her, Executor, &c. to be Protector, except in the Case of a bare Trustee, § 25.
27. Who shall be the Protector where the Owner of the joint Estate shall by the Two last Classes be excluded, § 26.
28. Where, in the Disposition of an Estate before the 31st October 1834, the Person to make the Tenant to the Writ of Entry is a Recovery shall be the Protector, § 27.
29. Where, in the Case of the Disposition of a Reversion on or before the 31st October 1834, the Person to make the Tenant to the Writ of Entry is a Recovery shall be the Protector, § 28.
30. Where a bare Trustee under a Settlement made before the passing of this Act shall be a Protector, § 29.
31. Power to Settlor to appoint Protector, § 30.
32. In Cases of Lunacy, Lord Chancellor, or Lord Keeper, or Lord Commissioners, or other Persons intrusted with Lands, or in Cases of Treason or Felony, &c. the Court of Chancery to be the Protector, § 31.
33. Where there is a Protector, his Consent requisite to enable an actual Tenant in Tail to create a larger Estate than a Base Fee, &c. § 32.
34. Where a Base Fee, and a Protector, his Consent requisite to the exercising of a Power of Disposition, § 33.

34. The Protector to be subject to no Control in the Exercise of his Power of consenting, § 34.
35. Certain Rules of Equity not to apply between the Protector and a Tenant in Tail under the same, § 35.
37. A voidable Estate by a Tenant in Tail, in favour of a Purchaser, confirmed by a subsequent Disposition of such Tenant in Tail under this Act, but not against a Purchaser without Notice, § 36.
38. Base Fees, when united with the immediate Reversion, enlarged instead of being merged, § 37.
39. Tenant in Tail to make a Disposition by Deed, as if seized in Fee, but not by Will or Contract, and if a Married Woman, with her Husband's Concurrence, § 38.
40. Every Assurance by a Tenant in Tail, except a Lease not exceeding Twenty-one Years at a Rack Rent, or not less than Five Sixths of a Rack Rent, to be operative unless enrolled in Chancery within six Months, § 39.
41. Consent of the Protector to be given by the same Assurance, or by a distinct Deed, § 40.
42. If by distinct Deed, to be considered unequalled, unless he refer to the Assurance, § 41.
43. Protector not to revoke his Consent, § 42.
44. A Married Woman Protector to consent as a Feme Sole, § 43.
45. Consent of a Protector by distinct Deed void, unless enrolled with or before the Assurance, § 44.
46. Courts of Equity excluded from giving any Effect to Dispositions by Tenants in Tail, or Consents of Protectors of Settlements, which in Courts of Law would not be effectual, § 45.
47. Lord Chancellor, &c. to have Power to consent to a Disposition by a Tenant in Tail, and to make such Orders as shall be thought necessary; and if any other Person shall be joint Protector, the Disposition not to be void without his Consent, § 46.
48. Order of the Lord Chancellor, &c. to be Evidence of Consent, § 47.
49. Bankrupt Act, 11 & 12 G. 3. c. 8, so far as relates to Estates Tail, repealed; but not so extended to Lands of a Bankrupt under a Commission as or before 31st October 1854, — § 48.
50. Commissioner, in case of actual Tenant in Tail becoming bankrupt, after 31st October 1854, by Deed to dispose of the Lands of the Bankrupt to a Purchaser, § 49.
51. Or in case of Tenant in Tail entitled to a Base Fee becoming bankrupt, and of there being no Protector, § 50.
52. As to Consent of the Protector in case of Bankruptcy, § 51.
53. As to Incision of Deed of Disposition of Lands, § 52.
54. Subsequent Enlargement of Base Fees created by Disposition of Commissioner, § 53.
55. Enlargement of Base Fees subsequent to the Sale or Conveyance of the same under the Bankrupt Act, § 54.
56. A voidable Estate created in favour of a Purchaser by an actual Tenant in Tail becoming bankrupt, or by a Tenant in Tail entitled to a Base Fee becoming bankrupt, confirmed by the Disposition of the Commissioner, if no Protector, or being such with his Consent, or as there ceasing to be a Protector; but not against a Purchaser without Notice, § 55.
57. Acts of a bankrupt Tenant in Tail void against any Disposition under this Act by the Commissioner, § 56.
58. Subject to the Powers given to the Commissioner, and so the Estate in the Assignees, a bankrupt Tenant in Tail shall retain his Powers of Disposition, § 57.
59. The Disposition by the Commissioner of the Lands of a bankrupt Tenant in Tail shall, if the Bankrupt be dead, have in the Cases herein mentioned the same Operation as if he were alive, § 58.
60. Assignees to recover Rents of Lands of Bankrupt of which Commissioner has Power to make Disposition, and to enforce Conveyance as if entitled to the Reversion; Clause to apply to Lands of any Tenant, &c., § 59.
61. All the Provisions of the Act in regard to Bankrupts shall apply to their Lands in England, § 60.
62. Deeds relating to the Lands of Bankrupts in England to be enrolled in the Court of Chancery there, § 61.
63. 58 G. 3. c. 16. and 7 G. 4. c. 45. (except as to Proceedings commenced before 1st January 1854) repealed, § 62.
64. The previous Clauses, with certain Variations, to apply to Lands of any Tenant to be sold, where the Purchase Money is subject to be invested in the Purchase of Lands to be enrolled, and where Money is subject to be invested in like Manner, § 63.
65. Lands of any Tenant in England to be sold, where the Purchase Money is subject to be invested in the Purchase of Lands to be enrolled, and Money under the Control of a Court of Equity in England, subject to be invested in like Manner, to be subject to this Act in Cases of Bankruptcy, § 64.
66. As to Deeds being acknowledged before Incision, § 65.
67. Every Deed to be made, by which Lands or Money shall be disposed of under this Act, to take effect as if Incision set required, § 66.
68. Court of Chancery to regulate the Fees to be paid for Incision, § 67.
69. A Married Woman, with her Husband's Concurrence, to dispose of Lands and Money subject to be invested in the Purchase of Lands, out of any Estate therein, and to release and extinguish Powers, as a Feme Sole, § 68.
70. The Powers of Disposition given to a Married Woman by this Act not to interfere with any other Powers, § 69.
71. Every Deed by a Married Woman, not executed by her as Protector, to be acknowledged, § 70.
72. The Judge, &c. before receiving such Acknowledgment, to examine her apart from her Husband, § 71.
73. As to Appointment of perpetual Commissioners for each County or Place, and making out and keeping of Lists of Commissioners, and Delivery of Copies, § 72.
74. Power of perpetual Commissioners not confined to any particular Place, § 73.
75. If, from being beyond Seas, &c. a Married Woman be prevented from making the Acknowledgment, special Commissioners to be appointed, § 74.
76. When a Married Woman shall acknowledge a Deed, the Person taking the Acknowledgment to sign a Memorandum to the Effect here mentioned, and also sign a Certificate of the making of such Acknowledgment to the Effect here mentioned, § 75.
77. Certificate, with Affidavit verifying same, to be lodged with Officer of Court of Common Pleas, who shall cause same to be filed in Record in the Court, § 76.
78. On filing Certificate, the Deed, by Relation, to take effect from Time of Acknowledgment, § 77.
79. Officer with whom Certificate are lodged to make Index of the same, § 78.
80. Officer to deliver Copy of Certificate filed, which shall be Evidence, § 79.

81. Chief Justice of Common Pleas to appraise the Officer with whom the Certificates shall be lodged; and the Court to make Orders touching the Executioners, Memorandums, Certificates, Affidavits, &c. § 80.
82. Court of Common Pleas, in the Case of a Husband being Insane, &c. may dispose with his Conscience, except the Lord Chancellor or other Persons intrusted with Letters, or the Court of Chancery, shall be the Protector of a Settlement in Loco of the Husband, § 81.

First Fruits, See Church Temporalities, 14.

Flax, See Linnen and Hemp Manufactures.

Gaols, See Infermeries, 7.

Glebe and Glebe Houses, See Church Temporalities.

Gold and Silver Plate, See General Index, Stamps, 10.

Grand Juries, See Bridges; Juries.

Grand Jury Com. See Lands and Tenements.

Gunpowder, See Arms.

Hanging in Chains, See General Index, Hanging in Chains.

#### Hospitals.

1. To amend an Act passed in the Fifty eighth Year of King George the Third, for establishing Fever Hospitals, and to make other Regulations for Relief of the suffering Poor, and for promoting the Increase of Infectious Fevers, in Ireland, 4 & 5 W. 4. c. 16.
2. Bishops, &c. may grant Six Rods of Land out of their Sees for Sites of Houses, for Reception of Poor, § 1.
3. Tenants of particular Estates may dispose Six Rods of Land for same Purpose at full improved yearly Value, § 2.
4. Voting by Subscribers to erect Hospitals, § 3.

See Infermeries.

Infants, See Property of Infants.

#### Infermeries.

1. To explain and amend the Provisions of certain Acts for the erecting and establishing public Infermeries, Hospitals, and Dispensaries in Ireland, 3 & 4 W. 4. c. 30.
2. 3 G. 3. c. 20. (A) and 34 G. 3. c. 65. repealed. No Person to vote for Surgeons to Hospitals or Infermeries in Ireland who has not paid Subscription for One Year previously, § 1.
3. Sums paid by Vice Treasurer to be appropriated to Surgeon and Physician; Amount of Payment to be paid to Treasurer of Hospital, § 2.
4. Cerofians to contain certain Wards. Testimonials to be laid before Grand Jury, § 3.
5. Admission of Patients, § 3.
6. No Subscriber to a Dispensary to vote at Elections, unless Subscription for One Year be previously paid, § 5.
7. Grand Jury to appoint a Surgeon to County Gaols without Salary, if he be Surgeon of an Infirmary within Five Miles of the same, but otherwise with a Salary, § 6.
8. Grand Jury empowered to withhold Payment in case of Bribery at Election of Surgeons, &c., § 7.

#### Insolvent Debtors.

1. To continue for One Year, and from thence to the End of the then next Session of Parliament, the Acts for the Relief of Insolvent Debtors in Ireland, 4 & 5 W. 4. c. 46

2. 1 & 2 G. 4. c. 20. and 1 & 2 W. 4. c. 31. continued in force for One Year, § 1.

See General Index, Insolvent Debtors Court.

#### Juries.

1. To amend the Laws relating to Grand Juries in Ireland, 3 & 4 W. 4. c. 78.
2. 20 G. 3. c. 84. repealed, with certain Exceptions, § 1.
3. Justices to hold Special Sessions for the Purpose of the Act, § 2.
4. Grand Juries to fix Times and Places for Special Sessions in every County, § 5.
5. Only One such Session to be appointed in Town, § 4.
6. High Constables and Collectors to make Returns to be laid before Grand Jury, § 5.
7. Grand Jury to determine Number of Rate-payers to be associated with Justices at Special Sessions, § 6.
8. And also the Number of Com-payers, § 7.
9. Magistrates to choose a Chairman, and then select by Lot the Number of Com-payers to be associated with them. Magistrates and Com-payers to take Oath; Form of Oath, § 8.
10. Power for giving Notices, § 9.
11. Notices of Applications to Special Sessions, § 10.
12. Applications for Presentments for Bridges, Gallies, lowering Hills, filling up Hollows, &c. shall be made at the Divisional Special Sessions, § 11.
13. Application for Works to be made at Special Sessions, § 12.
14. Applications to be lodged with the Secretary of the Grand Jury; Secretary to arrange and number them, § 13.
15. No affidavit necessary to Presentments; Manner in which Applications are to be made, § 14.
16. Applicants to be examined and approved or rejected at Sessions. County Surveyor to prepare a Specification, &c. and Form of Tender for Works approved. Justices, &c. to direct how Notice to be given, and adjourn to a Day for opening Tenders and Proposals, § 15.
17. In case of Death of Applicant another Person may be examined, § 16.
18. Secretary of Grand Jury to give Notice of Works approved at Special Sessions, &c., § 17.
19. At adjourned Sessions Tenders and Proposals to be opened and Contract entered into with Party making lowest Proposal. If no Proposal made, Application to be void; if no Presentment made, Contract to be void, § 18.
20. Security to be by Recognizance to the King, § 19.
21. Approved Applications for making new Roads, building Bridges, &c. where the Sum exceeds 500*l.*, to be certified by Grand Jury, § 20.
22. Special Sessions holden next after the Assizes at which such Applications shall have been certified to proceed with same like other Applications, § 21.
23. Schedules of Applications to be prepared by Secretary, and printed Copies of such Schedules to be delivered to Sheriffs, &c., § 22.
24. Secretary of Grand Jury to place in Lists the gross Sum presented, § 23.
25. Treasurer to apply the Sum required and return Appointments to Grand Jury, § 24.
26. High Sheriff to respond Grand Jury not more than Five nor less than One clear Day before the Day appointed for opening Commission at each Assizes. Oath of Grand Jury, § 25.
27. Oath not to bind Grand Jury to Secrecy, § 25.
28. Grand Jury so impeached to be the Grand Inquest of the County, § 25.
29. Oath not to bind Grand Jury to Secrecy, § 25.
30. Grand Jury so impeached to be the Grand Inquest of the County, § 25.

29. Grand Jury not to enter on Criminal Business until Commission opened, § 28.
30. Except in Cases of special Application made to Judge of Assize, upon Cause above, § 28.
31. Grand Jury to be called over at stated Times after opening the Commission, § 30.
32. Grand Jury, soon as assembled, to proceed with Fiscal Business, and to make or return Presentments on all Applications appeared by Special Sessions, § 31.
33. Panel to consist of One Freeholder or Leaseholder at least from each Barony or Half Barony, having Lands therein of certain Value, § 32.
34. Certain Officers not to serve on Grand Juries, § 33.
35. Power of Grand Jury to present or reject Applications, § 34.
36. Grand Juries not to make Presentments for raising Money, unless Application has been made and approved at Special Sessions, § 35.
37. Saving of Presentments made pursuant to Order of Lord Lieutenant, or to any Act for the Execution of Prison, or other special public Work, § 36.
38. Respecting Appointment of County Surveyors, § 37.
39. One Surveyor may act for Two contingent Counties; Surveyors liable to be dismissed; Surveyor may appoint Deputy in case of Illness, § 38.
40. Salaries of County Surveyors, § 39.
41. Duty of Surveyors, § 40.
42. Surveyors to have Powers of Conservators and Overseers, § 41.
43. Surveyors not to fill other Offices, certain Fees, nor be interested in Contracts, § 42.
44. Grand Juries not to name Persons in Presentments by whom Works are to be executed; Officer of Overseers. All Works to be executed by Contracts, § 43.
45. Works under 100 may be executed by Appointee, § 44.
46. All future Contracts which Grand Jury may enter into to be made, as herein-before provided, by sealed Tenders and Proposals, § 45.
47. Maps, &c. to be executed by Contract, § 46.
48. Secretary to keep a Book, containing Abstracts of Contracts, § 47.
49. Surveyors to make Maps of Roads contracted for, § 48.
50. Advances may be made to Contractors in certain Cases, § 49.
51. Contractors liable to be summoned before Justices at Petty Sessions for Wages, § 50.
52. Contractors to procure Certificate from County Surveyor of Completion of Work, and to lodge Notice with Secretary of Grand Jury of Application for Payment; Secretary to make Schedule of Notices, and lay same before Justices at Special Sessions; all such Applications to be made at Special Sessions, and if there approved, to be allowed or disallowed by Grand Jury according to their Discretion, § 51.
53. Applications of Contractors for Payment liable to Treasurer, § 52.
54. Treasurer not to pay till Treasurer decided, § 53.
55. Surplus Monies applicable to general Purposes of County, § 54.
56. Travences of Presentments, § 55.
57. Justices may order Rates for repairing sudden Damage of Roads, § 56.
58. Compensation of Quantity of Materials, § 57.
59. Power to get Materials. Amount of Damages contained in procuring Materials to be applied for like other Presentments under the Act, § 58.
60. Every Presentment to contain a Reference to the proper Statute, § 59.
61. All Works and Bridges under 45 G. 5. c. 45 to be performed by Contract, § 60.
62. Grand Jury not to make Presentment for a Bridge, essentially to be proposed, under 19 & 20 G. 5. c. 46. (L.), unless first approved at Special Sessions, &c., § 61.
63. Grand Jury not to make Presentments for any Court House till Application has been approved at Special Sessions, § 62.
64. Room for Petty Sessions, § 63.
65. Accounts of Receipt and Expenditure of Fever Hospitals to be delivered before Money presented, § 64.
66. Presentments for Infirmaries, § 65.
67. Presentments for Dispensaries, § 66.
68. Presentment for Salary of Surgeon to Infirmary, § 67.
69. Infirmary County Hospital, § 68.
70. Certain Presentments not to be made by Grand Jury, unless approved at Special Sessions, § 69.
71. Compensation for malicious Injuries to Property how to be recovered, § 70.
72. Method of raising Compensation for malicious Injury committed near Boundary of Two Counties, § 71.
73. Cross-payers to be admitted to oppose Prison, § 72.
74. If Property be recovered Treasurer entitled to it for the Benefit of the County, § 73.
75. No Action to be brought where Compensation obtained under the Act; but where not obtained, Party injured to have all other legal Remedies, § 74.
76. Applications relating to Salaries and Contingencies to be lodged with the Secretary, § 75.
77. Recovery of Sums advanced, § 76.
78. General Issue may be pleaded, § 77.
79. Party detaining act to be a Trespasser in consequence of Irregularity, § 78.
80. Justices not to take Money for Affidavits, § 79.
81. Secretary of Grand Jury not to be Clerk of Peace or Treasurer of County; Penalty, § 80.
82. Penalty for assisting or resisting Persons acting under the Act, § 81.
83. False swearing punishable as Perjury, § 82.
84. Money to be the present Currency; Schedules to be Part of the Act, § 83.
85. So much of 27 G. 5. c. 38. as relates to destroying Vermin, repealed, § 84.
86. A Half Barony to be deemed a Barony, § 85.
87. Banns, &c. may be divided, § 86.
88. Money heretofore paid to Collectors of Excise to be disposed of under Direction of the Treasury, § 87.
89. Continuance of Act. Presentments made before Commencement of the Act to be successful for under 29 G. 5. c. 54.—§ 88.
90. Act may be altered, &c., § 89.
91. Schedules to the Act.
92. To exempt or Grand Juries in Ireland to raise Money by Presentment for the Construction, Enlargement, or Repair of Piers and Quays, § 8 & 9 W. 4. c. 84.
93. Grand Jury may make a Presentment for erecting, repairing, or enlarging any Pier or Quay; Provided, that One Third of the Estimate be first deposited with County Treasurer; Consent of Overseers, &c.; making the Amount of Presentment for One Work to 5000.—§ 1.
94. Justices may grant Order for Repairs, § 2.
95. Pier or Quay to become public Property, § 3.
96. No Stamp Duty on Contracts, § 4.

See Bridges.



## Jurors and Juries.

1. For consolidating and amending the Laws relative to Jurors and Juries in *Irish Act*, 5 & 6 W. 4. c. 39. [Amended by 4 & 5 W. 4. c. 8.]
2. Sheriff not to return any Persons as Jurors who are not qualified according to this Act. Age and Qualification of Jurors, § 1.
3. Exemptions from serving on Juries, § 2.
4. Aliens disqualified, except on Juries de medietate; Convicts or Outlaws, &c. disqualified, § 3.
5. Clerk of Peace to issue Precept to Collectors of Grand Jury Cess in July, § 4.
6. Clerk of Peace to assess printed Forms of Returns to his Precepts, § 5.
7. Where there are several Collectors, each to be responsible, § 6.
8. Collector of County Cess to make out List of Persons liable to serve, § 7.
9. Collectors to deliver Lists to Clerk of Peace, § 8.
10. At Quarter Sessions, Place and Time to be fixed for considering Lists; Lists to be there presented, considered, returned, and allowed; Justices to deliver amended List to Clerk of Peace to be kept among the Records, and copied into a Book to be delivered to the Sheriff, who shall deliver it to his Successor, § 9.
11. Forms of Venue facias and of Precept for Jurors at Great Deliveries and Sessions of the Peace, § 10.
12. Jurors to be returned from Jurors Book by Sheriff, and by Coroners and Esquires, § 11.
13. Sheriff, &c., on Return of Writs of Venue facias, to assess a Panel of Jurors, &c., § 12.
14. If Plaintiff sue a Venue, &c. in order to Trial, and proceed not, he may afterwards sue forth another Venue, &c. and try it as subsequent Assizes; Defendant may do the same, § 13.
15. Copy of Panel to be kept in Sheriff's Office for Inspection of Parties, § 14.
16. Not to alter Powers of Courts to make Orders for returning Juries as heretofore, § 15.
17. Where Jurors are to view Lands, &c. Court may order Special Writs of Venue facias, Distingas, or Habeas corpus, § 16.
18. Viewers, in case of Appearance, to be sworn upon the Jury first, § 17.
19. Jurors to be summoned Six Days before Day of Attendance, § 18.
20. Names of Jurors to be delivered to Clerk of Judge of Assize, and balloted for Juries in Civil Courts, § 19.
21. Where the Jury have not brought in their Verdict, Twelve others to be drawn: same Jury, if consented to, may try several Issues in succession, § 20.
22. Want of Qualification in Common Jurors to be cause of Challenge: not to extend to Special Jurors, § 21.
23. No Challenges for Want of a Knight, § 22.
24. Not to affect Irish Acts, 25 H. 8. Stat. L. c. 4. and 7 W. 3. c. 5. as to Consanguinity, § 22.
25. Court to have Power of adjourning Special Juries to be struck before the proper Officer, § 23.
26. What Persons qualified and liable to serve on Special Juries; a List to be made, and Number to be prefixed to each Name: Numbers to be written on Cards and put into a Box, § 24.
27. Officer of Court to appoint Time and Place for assembling Special Jury: Under Sheriff or his Agent to attend Officer with Special Jurors List; Officer to put all the Numbers into a Box, and to draw out Forty-eight, and to

- check them with the Numbers and Names in the Lists, and to deliver a List of the Forty-eight Names to each Party, to be reduced as hereafter, § 25.
28. Any Parties may have a Special Jury struck according to the ancient Mode; same Jury may try any Number of Causes; Court may discharge a Juror, § 26.
29. Costs of Special Jury, § 27.
30. Titles de circumstantibus, § 28.
31. No Cause of Challenge for collateral Affinity to a Corporation allowed, except in case of a Brother, Uncle, Nephew, or first Cousin, to any Corporation or its Wife, § 29.
32. On striking Special Juries in such Cases, Time to be allowed for Inquiry as to each Assize, and the Relation may be set aside, and another Special Jury named, § 30.
33. Certain Provisions of 6 G. 4. c. 51. rendered applicable to Indictments found by Term Grand Juries in Court of King's Bench in *Irish Act*, § 31.
34. Fine of 10*l.* on Jurors making default, § 32.
35. Sheriff indemnified as returning any one on the List: if he returns any not on the List, or if Clerk of Assize records Appearance falsely, to be fined, § 33.
36. No Money to be taken to excuse Persons from serving: none to be summoned but those named in the Warrant, § 34.
37. Penalties on Collectors for neglecting to make out Lists, &c., § 35.
38. Penalties on Clerks of Peace, Town Clerks, and Sheriffs neglecting their Duty, § 36.
39. Jurors de medietate legum, § 37.
40. Justices not to be summoned as Jurors, § 38.
41. Persons qualified to serve in Civil Courts not to be returned to serve on Capital Offences; but if sworn, not afterwards to be objected to, § 39.
42. Qualification of Jurors on Writs of Inquiry, &c. Exceptions for Coroner's Inquests, § 40.
43. Sheriff, Coroner, and Commissioners may use Jurors for Nonattendance: Fines to be levied by Clerk of the Peace, and levied as Fines imposed at Quarter Sessions, § 41.
44. How Fines and Penalties are to be recovered and applied, § 42.
45. Force of Conviction, § 43.
46. Conviction not to be quashed for Want of Fines, § 44.
47. Persons sued for any thing done in pursuance of the Act may plead the General Issue, § 45.
48. Venue to be laid in the County where the Fact is committed, § 46.
49. Writs of Attain, &c. against Juries, abolished, § 47.
50. Bribery and corrupt Jurors punishable by Fine and Imprisonment, § 48.
51. Commencement of Act, § 49.
52. Repealed Acts repealed, § 50. [See Statute repealed, § IV.]
53. Not to affect Act relating to Quakers, nor any Powers unrevoked, nor Jurors on Civil Bills before Assistant Barons, § 51.
54. To amend an Act, 5 & 6 W. 4. c. 39., for consolidating and amending the Laws relative to Jurors and Juries in *Irish Act*, 4 & 5 W. 4. c. 8.
55. Justices to fix a Place and Time for examining Lists of Jurors, § 1.
56. Where Jurors Book is not completed, the Return of Jurors according to the Form in use before the repealed Act to be deemed lawful, § 2.

## Lands and Tenements (Valuation of).

- To amend Three Acts, made respectively in the Seventh Year of the Reign of His late Majesty King George the Fourth, and in the First and Second Years and in the Second and Third Years of the Reign of His present Majesty, for the uniform Valuation of Lands and Tenements in the several Barons, Parishes, and other Divisions of Counties in Ireland; and to provide for the most effectual Levy of Grand Jury Fees, 4 & 5 W. 4. c. 55.
- 7 G. 4. c. 62. recited. Commissioner of Valuation may appoint such Number of Valuers as the Lord Lieutenant shall fix and determine, § 1.
- Committee of Appeal may, in certain Cases, direct a new Valuation to be made, although no Appeal shall have been lodged in respect thereof, § 2.
- When the Valuation of any Barony has been made and decided on, a List of the several Parishes and the Division of Land within them shall be prepared and published, § 3.
- During the Period herein described all County Fees, &c. shall be levied according to the Proportions therein specified, § 3.
- But not to affect the relative Proportion borne by each Barony, § 4.
- Repeating so much of recited Act as authorizes the altering of the Amount of Valuation of any Barony as compared with another Barony, § 5.
- Committee of Revision may alter Valuation of any Division of a Barony as well as of the whole, § 6.
- Fractions of a Pound may be rejected, &c., § 7.
- When Valuation of Barony is completed, Commissioner to lodge a Copy of Field Book and a Field Map in Office of Treasurer of County, § 8.
- Treasurer to furnish Copies of Field Books and Maps to Persons requiring same for Appointment of Grand Jury Fees, § 9.
- Not to affect Provisions of recited Acts with respect to Publication of List when Valuation of all the Barons within any County shall have been completed, § 10.
- At Second Assizes next after Publication of such List and Valuation, Grand Jury to fix a Time for Re-assembly of Committee of Revision to finally amend and settle Valuations, § 11.
- Notice of Complaints intended to be preferred thereat to be given by Two Persons at least Thirty-one Days previously, § 11.
- Lord Lieutenant may order an Allowance for travelling Expenses to Commissioner of Valuation, in addition to his Salary, § 12.
- Treasurer's Warrants to remain in force until Sums required shall be received or re-presented, § 13.
- The Word "Barony," § 14.
- How Grand Jury Fees shall be collected, § 15.

## Larceny.

- To amend Two clerical Errors contained in an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intitled an Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith, 5 & 6 W. 4. c. 54.
- Proviso in 9 G. 4. c. 55. § 46. to have the intended Effect notwithstanding the Omission, § 1.
- Clause 50. of 9 G. 4. c. 55. to have the intended Effect notwithstanding the Omission therein, § 2.

Licences, See Wine; General Inlets, Spirits.

Liffey River, Sea Vessels (Masters of).

## Linen and Hempen Manufactures.

- To continue and amend certain Regulations for the Linnen and Hempen Manufactures in Ireland, 5 & 6 W. 4. c. 57.
- 2 & 3 W. 4. c. 77. recited. All Flax sold or exposed for Sale in Fair or Market to be of equal Cleanness and Quality throughout, Penalty not exceeding 1s. per Stone, § 1.
- Regulations as to reeling and counting Linnen Yarn when sold in Fair or Market, § 2.
- Places and Hours of Sale of Linnen Yarn and Flax, § 3.
- Weaver to weave Two coarse Threads, and write his Name and Residence on every Piece of Linnen, with its Length and Breadth; Penalty for Neglect, § 4.
- Widths of Linnen Cloth: Yard wide; Seven Eighths wide; Three Fourths wide; Nine Eighths wide; Five Quarters wide; Six Quarters wide. Penalty, § 5.
- How Linnen Cloth shall be exposed to Sale in Fair or Market, § 6.
- Linnen to be of equal Fineness throughout, § 7.
- Linnen not to be parted or apouted, § 8.
- What shall be deemed a Sale or Exposure for sale of Linnen in Fair or Market, § 9.
- Proceedings before Justice or Chief Magistrate upon Complaints on Oath, § 10.
- For settling Disputes between Buyer and Seller in Fairs and Markets, § 11.
- Flax, Yarn, and Linnen not to be subject to Regulations, unless sold in open Market, § 12.
- Sealmasters of Brown Linnen formerly appointed to be continued, § 13.
- Lord Lieutenant to appoint a Committee in each County for regulating Sealmasters, § 14.
- Committee appointed under 2 & 3 W. 4. c. 77. to continue, unless superseded, § 15.
- Committee may remove Sealmasters and appoint others, § 16.
- Lord Lieutenant may direct the Committee to report the Grounds upon which they have dismissed any Sealmaster, and cause such Report to be inquired into, and confirm or revoke such Dismissal, § 17.
- Sealmaster to give Security, § 18.
- Committee to prescribe Seals to be used by Sealmasters; forging Seals, § 19.
- Residence of Sealmasters, § 20.
- Duties of Sealmasters; their Fees; Penalty for Neglect, § 21.
- No Person to sell or buy unshredded Linnen not sealed, § 22.
- Sealmasters to measure between Buyer and Seller, § 23.
- Buyers may recover from Sealmasters for Damage or Deficiency in Linnen, § 24.
- Committee to appoint Inspectors, § 25.
- Duty of Inspectors, § 26.
- Persons subverting, &c. Linnen Yarn, &c. shall forfeit Three Times the Value of the same, § 27.
- Weavers to fulfil their Agreements, on pain of forfeiting the Value of the Yarn, § 28.
- Neglect to return Yarn, &c. after Fourteen Days Notice, deemed as embezzling, § 29.
- Manufacturers making Complaint on Oath, Justice may order Search, and return Possession, § 30.

32. Affirmation of Quaker or Moravian to be taken in lieu of Oath; Perjury, § 21.
33. Complaints, where Fidelity does not exceed 10*l.*, may be heard before a Justice or Chief Magistrate of a Town, § 32.
34. Proceedings upon Complaint against Seafarers, § 35.
35. Offence to be tried where the Cloth is seized, § 34.
36. Application of Penalties, 25.
37. Penalties exceeding 2*l.* and not exceeding 20*l.* recoverable before Assistant Barrister; exceeding 20*l.* by Action, &c. in Superior Courts; Venue to be laid in the County, &c. where Penalties incurred, § 25.
38. Defendants may plead the General Issue, § 27.
39. Commencement of Act, § 25.

## Laws.

1. For facilitating the Loan of Money upon Landed Securities in Ireland, 4 & 5 W. 4. c. 29.
2. Power to lend Money on Real Securities in Ireland the same as in England, &c., § 1.
3. Pardon for Leases where Minors, &c. are interested, § 2.
4. Loans by Trustees or Public Bodies, § 3.
5. Consent of Persons interested to be had, § 4.
6. To what Cases Act not to extend, § 5.
7. Act not to relieve Persons intrusted with Trust or Power from Responsibility as to Title, &c., § 6.

## Local and Personal Acts.

1. *Bondridge*.—Amending, &c. Act for keeping in repair the Mail Coach Road leading from *Bondridge* to *Belfast*, 4 & 5 W. 4. c. lxvii.
2. *Belfast*.—Making, &c. Turnpike Road from *Belfast* to *Cranlin*, 5 & 6 W. 4. c. c.
3. *Broads*.—(Patrick Richard *Bloodwood* and Richard *Bloodwood* Esqrs.) for their Relief in respect of certain Premises, their Estates, situate in the County of *Cavan*, 4 & 5 W. 4. c. 50. (Pv.)
4. *Carlow*.—Repairing several Roads in the Counties of *Carlow*, *Kilkenny*, and *Wexford*; and the Road from *Comeert* through the County of *Wexford* to the *Cross Roads* or *Knocklyny* [repealing Acts], 3 & 4 W. 4. c. cxlii.
5. *Cave Hill*.—Amending Act for making Railway from the *Cave Hill* to *Belfast Harbour*, 5 & 6 W. 4. c. cxi.
6. *Cork*.—Encouraging the working of Mines and Quarries in *Ireland*; and regulating a Joint Stock Company for that Purpose, to be called "The West Cork Mining Company," 4 & 5 W. 4. c. lxxi.
7. *Dublin Steam Packet Company*.—Amending Act for regulating and enabling the Company to sue and be sued, 5 & 6 W. 4. c. cxv.
8. ——— and *Kingston Railway*.—Enabling the Company to make an Extension of their present Line of Railway, and amending Act, 4 & 5 W. 4. c. xxvii.
9. ——— Establishing a General Cemetery in the Neighbourhood of the City, 4 & 5 W. 4. c. lxx.
10. ——— Oil Gas Light Company enabled to produce Gas from Coal and other Materials [amending Act], 5 & 6 W. 4. c. xlii.
11. *Kingstown*.—Paving, washing, &c. [repealing Act], 4 & 5 W. 4. c. xx.
12. *Larne* (Lord Bishop).—Enabled to sell and dispose of *St. George's Chapel* in the City of *Larne*; and the Land on which the same is built (hereafter Part of the Estate of the Earl of *Larne*); and to apply the Proceeds of such Sale in the Erection of a new Chapel, 5 & 6 W. 4. c. 29. (Pv.)

13. *Limerick* (City and Suburbs).—Amending Act for supplying with Water, 4 & 5 W. 4. c. xvi.
14. ——— (Part of).—Amending Act for Erection of a Bridge across the *River Shannon*, and of a Floating Dock to accommodate sharp Vessels frequenting the Port, 4 & 5 W. 4. c. lxxviii.
15. *Londonderry*.—Amending Acts relating to the Bridge, and to the City and Port, 5 & 6 W. 4. c. lxxix.
16. *Mallow* (Right Hon. *Clarendon*, late Earl of).—Sale of Estates devised by his Will, and Purchase of other Estates in *Ireland*; to be settled to the Uses of the said Will, 5 & 6 W. 4. c. 7. (Pv.)
17. *Newry*.—Repairing, &c. the Road from *Newry* to *Clonmel*, 5 & 6 W. 4. c. lxxii.
18. *North American Colonial Association*.—Incorporating and granting certain Powers, 5 & 6 W. 4. c. c.
19. *Port Cramerin Harbour*.—Amending Act for amending and maintaining, 5 & 6 W. 4. c. xxi.
20. *Spawco* (*Richard*, Esq.).—Vesting Freehold and Leasehold Estates, late belonging to him, in the County of *Tipperary*, in Trustees, to be sold for Payment of his Debts, and applying the Surplus for the Benefit of the Deceased in his Will named, 5 & 6 W. 4. c. 26. (Pv.)
21. *Tipperary*.—Including Commons and Waste Grounds within the Parishes of *Millyc*, *Upper Church*, and *Temple Bog*, 4 & 5 W. 4. c. 54. (Pv.)

Limerick, See Property of Infants, &c.

Marriages, See Roman Catholic Clergy.

## Newspapers.

1. To repeal certain Provisions of Two Acts (28 G. 3. (I.) and 35 G. 3. c. 80.) affecting Printers, Publishers, and Proprietors of Newspapers in *Ireland*, 4 & 5 W. 4. c. 71.
2. Certain Provisions of revised Acts repealed, § 1.

## Offences against the Public Peace.

1. For the better Prevention and more speedy Punishment of Offences endangering the Public Peace in *Ireland*, 5 & 6 W. 4. c. 48.
2. Lord Lieutenant in Council may order an Extraordinary Court of General Sessions to be holden for any County in *Ireland*, § 1.
3. Such Court to have Powers of any Court of Oyer and Terminer, &c.; Sheriffs and other Officers bound to attend it, § 2.
4. Prosecutors, Offenders, Witnesses, &c. shall be bound to attend therein carrying a written Notice to that Effect, § 3.
5. Notice to be given by the Clerk of the Peace of the Time and Place for holding such Court, § 4.
6. Court may adjourn from Time to Time and Place to Place until Termination of its Sitting, as fixed by Order of Lord Lieutenant in Council. Grand Jury, § 5.
7. Offenders to be tried forthwith, unless Court shall otherwise order, § 6.
8. Proceedings not to be removed by Carriers, &c., § 7.
9. Carrying or concealing Fire-arms in certain Cases to be deemed a Misdemeanor, § 8.
10. Lord Lieutenant, on Presentation of Grand Jury, may direct such Court to issue a Notice enjoining the Inhabitants of Places therein specified to remain within their Habitations at Night, § 9.
11. Any Person found abroad in the Night after such Notice, in any Place specified therein, to be deemed guilty of a Misdemeanor, § 10.

12. After the Day named in such Notice, Court may authorize by Warrant decessoriali Visita in Places therein specified, *Sec.* § 11.
13. As to the Execution of such Warrants, § 12.
14. Court may summon and examine on Oath Persons certified to have been absent from their Dwellings, and may imprison and fine any Person convicted thereof, who cannot satisfactorily account for the same, § 13.
15. Giving false Information, or obstructing Execution of Warrant, § 14.
16. Lord Lieutenant may order Sums necessary for Reimbursement of Charges under this Act to be advanced out of Consolidated Fund; such Advances to be repaid by Grand Jury Presentment, § 15.
17. Construction of Terms, § 16.
18. Duration of Act, § 17.

## Offences, Trial of.

1. To provide for the more impartial Trial of Offences in certain Cases in Ireland, 5 & 6 W. 4. c. 79.
2. On Indictments for Offences committed in any County in Ireland, the Court of King's Bench, upon Application of the Attorney General, or upon the Petition of any Prosecutor, &c. verified by Affidavit, may order the Trial thereof to take place in any adjoining County, or in Dublin, § 1.
3. Such Indictments to be certified by Writ of Certiarari; No Challenge to be allowed by reason that the Jurors do not come from the proper Cotety, § 1.
4. Expense of Transmission of Process, &c. to be advanced by Order of Lord Lieutenant, § 2.
5. Expenses of Persons acquitted to be reimbursed by Lord Lieutenant, § 3.
6. Expenses of Witnesses to be advanced to Offenders by Lord Lieutenant, § 4.
7. Chief or Under Secretary to certify Assent of Messias advanced under the Act, and a Moiety presented by the Grand Jury, and raised of the County or Barony or Parish in which Offense was charged to have been committed, § 5.
8. Duration of Act, § 6.

Parishes, See Church Temporalities, 108—115.

Piers and Quays, See Juries, 92.

Platt, See General Inlets, Sumps, 10.

Poor, See Hospitals, Infirmarys.

Post Roads, See Turnpike Roads.

Process, See General Inlets, Chancery (Court of), 65.

## Property of Infants, &amp;c.

1. To extend to Ireland certain Provisions of an Act made and passed in the First Year of His present Majesty's Reign, intitled An Act for consolidating and amending the Laws relating to Property belonging to Infants, Femes Covert, Lunatics, and Persons of unsound Mind, 5 & 6 W. 4. c. 17.
2. 11 Ann. (I.), and so much of 1 W. 4. c. 65. as enacts the Provisions of that Act, repealed, except, &c. § 1.
3. Clauses, &c. of 1 W. 4. c. 65., herein-before particularly recited, extended to Ireland, § 2.

Public Accounts, See Sheriffs.

Real Securities, See Loans.

Recovery. See Fines and Recoveries.

## Roads.

1. To amend an Act passed in the Forty-ninth Year of the Reign of King George the Third, for amending the Irish Road Acts, 4 & 5 W. 4. c. 33.
2. In case of Cattle found straying upon any Road, &c. the Owner may be summoned before a Justice, or if not known, the Cattle may be impounded until the Owner appears; Justices to hear and summarily to determine the Complaint, § 1.
3. To give Effect and Validity to certain Contracts and Provements for repairing and keeping in repair certain Public Roads in Ireland, and the Summs entered into for the Execution thereof, 5 & 6 W. 4. c. 51.
4. The several Contracts for the Repairs of Public Roads in Ireland, and all Provements relating thereto, entered into before the passing of this Act, to be valid and effectual in Law, § 1.
5. Securities for such Contracts declared to be valid, § 2.

## See Turnpike Roads.

## Roman Catholic Clergy.

1. To repeal certain penal Enactments made in the Parliament of Ireland against Roman Catholic Clergymen for celebrating Marriages contrary to the Provisions of certain Acts made in the Parliament of Ireland, 5 & 6 W. 4. c. 102.
2. So much of 6 Ann. (I.) 12 G. 1. (I.) 23 G. 2. (I.) 12 G. 3. (I.) and 23 G. 3. (I.) as enacts it Felony for Roman Catholic Clergymen to celebrate Marriages between Protestants and Papists, repealed, § 1.
3. Not to extend to any former Proceedings, nor to affect any of the recited Acts that repeal former Acts, § 2.
4. Act not to give Validity to any Ceremony not now valid, &c. § 3.

## Shannon.

1. For the Improvement of the River Shannon, 5 & 6 W. 4. c. 67.
2. Lords of Treasury may appoint Commissioners for carrying this Act into execution, § 1.
3. Commissioners appointed shall ever duly to execute the Trusts committed to them, § 2.
4. Commissioners may meet from Time to Time, and employ the necessary Officers, § 3.
5. Commissioners to arrange the Mode of improving the Shannon, and prepare Plans, &c. to be laid before the Treasury, § 4.
6. Commissioners may enter Lands, &c. for the Purpose of the Act, § 5.
7. Commissioners to prepare a Schedule of Lands, &c. to be taken for the Purpose of this Act, which shall be left open for Inspection at certain Places, and Notice given thereof, § 6.
8. Commissioners to adjudicate upon Claims for Damages, &c. arising under the Execution of this Act, § 7.
9. Commissioners shall adjudicate upon the Proportions of Expense to be borne by the Counties, &c. benefited under this Act, § 8.
10. Commissioners authorized to take Examinations on Oath, § 9.
11. Commissioners may compel the Attendance and Examination of Witnesses, § 10.
12. Penalties for swearing falsely before Commissioners, &c. § 11.
13. Commissioners shall transmit all Documents connected with the Execution of this Act to Lords of Treasury, who shall cause the same to be laid before Parliament,

## Sheriffs.

1. For facilitating the Appointment of Sheriffs in *Ireland*, and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognisances, Penalties, and Decisions; and to abolish certain Offices in the Court of Exchequer in *Ireland*; and to amend the Laws relating to Grants in execution and Recovery of Debts in *Ireland*; and to amend an Act of the Second and Third Years of His present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in *Ireland* to the Commissioners for auditing the Public Accounts of Great Britain, 5 & 6 W. 4. c. 35.
2. 3 & 4 W. 4. c. 59. recited. Sheriffs need not sue out Process or Writ of Assistance, or take Oath, or be sworn to the Exchequer, § 1.
3. Sheriff to be appointed by Warrant, § 2.
4. Duplicate of Warrant to be transmitted to Secretary of Chief Remembrancer, § 3.
5. Sheriff to transmit Duplicate of Appointment of Under Sheriff to the said Secretary, § 4.
6. Oath of Office may be taken before a Baron or Remembrancer or a Commissioner for taking Affidavits, § 5.
7. Outgoing Sheriff to give a List of Prisoners, Writs, &c. to his Successor, § 6.
8. Accounts of Sheriffs to be audited by the Chief Remembrancer, § 7.
9. Sheriff to transmit Accounts to the Remembrancer, § 8.
10. Sheriff may make Oath to the Account before any Baron, &c., § 9.
11. Accounts to be declared by the Remembrancer in the Court of Exchequer, § 10.
12. Remembrancer to cause Process to issue for recovering Fines, &c., § 11.
13. Treasury may stay Proceedings, § 12.
14. Persons interested in Fines, &c. may examine Accounts, § 13.
15. Treasury may direct Payment to Persons entitled, § 14.
16. If Treasury refuse, Application may be made to the Exchequer, § 15.
17. Saving of Rights by Grant from the Crown, § 16.
18. Saving of Jurisdiction of Barons of the Exchequer, § 17.
19. Offices to be abolished, § 18.
20. Duties of Second Remembrancer in future to be performed in Prison, and prevent Grant to crime, § 19.
21. Compensation to be made to Persons deprived of their Offices, § 20.
22. Claims for Compensation may be referred to the Barons, § 21.
23. Records heretofore kept in abolished Offices to be delivered to the Chief Remembrancer, § 22.
24. Proceedings heretofore had in abolished Offices to be had in Chief Remembrancer's Office, § 23.
25. Copies and Extracts may be taken, § 24.
26. Grants in execution for Debts to the Crown to be made on Application of Commissioners of the Treasury, unless Case shown to the contrary, § 25.
27. Duties of the Second Remembrancer, § 26.
28. Examiner, § 27.
29. Receiver may be appointed of Lands heretofore granted in execution on Petition to Court of the Grants, § 28.
30. Contents of such Petition, and Proceedings thereon, § 29.
31. After Appointment of Receiver in Matter of Petition founded on Grant in execution, further Proceedings in execution to be stayed. Providing for Continuance of Receiver appointed by the Court of Exchequer, § 30.

32. In future all Grants in execution to be made only in Trust for His Majesty. Receiver may be appointed, on Judgment or Recognisance, over so much of the Debtor's Lands as the Court shall direct, § 31.
33. Receiver to apply Writs as Court shall direct, § 32.
34. Tenants to pay Writs to Receiver, § 33.
35. Receiver to account, § 34.
36. Persons neglecting to call Receiver to account to be chargeable with the Loss, § 35.
37. Judgment to be satisfied when Debt is paid, § 36.
38. Priorities to be determined without reference to any Inquisition, § 37.
39. Moneys received by Receivers to be applied under the Orders of the Court, § 38.
40. Treasury authorized to refer Public Accounts to Chief Remembrancer, § 39.
41. Chief Remembrancer may take Evidence civil law or by Affidavit, § 40.
42. Order of Chief Remembrancer to be Order of the Court, but may be reversed, varied, or altered by the Barons, § 41.
43. Fees for Second Remembrancer, § 42.
44. Offices of the Equity Side of the Exchequer disqualified to sit in Parliament, § 43.
45. Elections of such Persons to Parliament void, § 44.
46. Commencement of Act, § 45.
47. Schedule.

Silver Plate, See *General Index*, Stamps, 10.

Soap, See *General Index*, Excise, 5—18.

Spirits, See Wine; *General Index*, Spirits.

Spiritual Persons, See Church Temporalities.

Stamps, See *General Index*, Stamps.

Starch, See *General Index*, Excise, 60.

Subpoena, See *General Index*, Clergy (Court of), 68.

Tenant in Tail, See Fines and Recoveries.

## Tithes.

1. For the Relief of the Owners of Tithes in *Ireland*, and for the Amendment of an Act passed in the last Session of Parliament, intitled An Act to amend Three Acts passed respectively in the Fourth, Fifth, and in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, providing for the establishing of Commissions for Tithes in *Ireland*, and to make such Commissions permanent, 5 & 6 W. 4. c. 100.
2. Treasury authorized to direct Exchequer Bills to be made out to the Amount of One Million, § 1.
3. Provisions of 45 G. 3. c. 1. to extend to this Act, § 2.
4. Exchequer Bills to bear Interest, and be made at what Dates, § 3.
5. Exchequer Bills to be current with Collectors of Excise when due, § 4.
6. Exchequer Bills to be issued agreeably to Certificates of Commissioners of the Treasury, § 5.
7. Banks of England or *Ireland*, or Provincial Bank, may advance Money on Exchequer Bills, § 5.
8. Persons entitled to Tithes for 1831, 1832, or 1833 may apply to Lord Lieutenant for Relief under the Act by Memorial; what Memorial and Schedule shall contain, § 3.
9. If Value of Tithes shall not be ascertained by Commission, such Tithes to be estimated on Average of Sums paid during 1828, 1829, and 1830, § 7.
10. No Tithes for 1831 and 1832 to be included in Memorial not due by Persons interested in or in occupation of Lands on which Tithes are payable, § 8.

11. No Proceedings for Recovery of Tithes to be taken under 2 W. 4. c. 41, and Proceedings already taken to be stayed; Tithes of 1851 may be included in Memorial, although Relief obtained under recited Act, § 9.
12. In such Case Sums advanced to be stated. Lord Lieutenant may declare Persons making Application entitled to Relief, and thereupon his Right to Tithes in his Memorial, and all Arrears previous to 1851, to cease, § 10.
13. Declaration only to decide Right to Relief, § 11.
14. No subsequent Decision to prejudge Right of Crown to Recovery of Advances. Lord Lieutenant to cause Notice of Application to be inserted in the *Dublin Gazette*, &c. and to be posted in Parish, § 12.
15. Notice to declare where Copy of Memorial deposited for public Inspection; such Publication to be Evidence of Party being entitled to Relief. A Special Session to be held for reviewing Memorials and Schedules, of which Notice to be given, § 13.
16. Persons intending to object to Schedule to give Notice to Memorialist, his Agent, or the High Constable, who is to transmit notice to Clerk of Peace, § 14.
17. Clerk of Peace to attend such Sessions, and enter Objections to Memorials and Schedules, § 15.
18. Assistant Barriester at each Special Session to hear and decide upon all Objections to such Memorials and Schedules, as upon Causes by Civil Bill; save that no Process shall issue, or Appeal be therefrom. Fees, § 16.
19. Assistant Barriester may award Costs, § 17.
20. Assistant Barriester to amend the Memorial and Schedule, and transmit same to Lord Lieutenant, who shall thereupon direct Sums appearing due thereon to be advanced to Memorialist, deducting certain Percentages, § 18.
21. Original Memorial, with Certificate of Advances, to be recorded in the Exchequer, and such Advances repaid by Five Installments in the next Five Years, § 19.
22. Modes repaid how to be applied, § 20.
23. Treasury to cause Advances to be taken of all Bills falling due, and Money applicable thereto at the Time; and in case of Deficiency in Exchequer for Payment thereof, same to be supplied out of the Aids for the current Year, or the Consolidated Fund; Modes so advanced out of the Consolidated Fund to be replaced by other Means, § 21.
24. A Duplicate of amended Memorial and Schedule to be referred to some proper Person, who shall ascertain the Sums in arrears, subject to Deduction of certain Percentages, § 22.
25. Commissioner to make Return of Sums to be added to Compositions, specifying Particulars to be attached to Duplicate of Memorial and Schedule, and lodged with Clerk of Peace, § 23.
26. Terms of Payment of Sums chargeable on such Lands, and of Composition arising thereon, § 24.
27. When Person owing Sums for Tithes shall occupy the Land, the Landlord on paying same may add such Sum to the Rent, and enforce Payment thereof as such. Remedy when superior Landlord, &c. is liable to Payment of Composition, § 25.
28. Persons liable to Payment of Addition to Composition to be subject to certain Percentages on the Fifth Arrears of Tithes due by them for certain Years, § 26.
29. Chief Landlord or Lessor of Lands chargeable with Composition for Tithes entitled to undertake Payment of same in Terms of 2 & 3 W. 4. c. 119, in preference to others, provided he signifies his Desire within Twelve Months after passing the Act. Existing Contracts made by inferior Tenants not to be disturbed, § 27.
30. Production of Title Deeds dispensed with, § 28.
31. Appeal against Compositions made under Act of last Session on Ground of Excess in Assessment, § 29.
32. Privy Council may refer Appeal to Judge of Assize or Assistant Barriester for his Report, § 30.
33. If Certificate of Composition not yet laid before Special Yearly to be held for Consideration thereof, such Yearly who assembled may decide on Appeal under this Act as well as under former Acts, § 31.
34. Costs of Appeal, § 32.
35. Pending Appeal Proceedings for Relief under this Act suspended, § 33.
36. If Amount of Composition altered, Book of Apportionment to be altered also, § 34.
37. Tithes Composition to be henceforth payable by One yearly Payment on 1st November in each Year, § 35.
38. Lord Lieutenant may order Advance of Money not exceeding 200*l.* from Consolidated Fund, for executing the Act in any County, to be repaid by Grand Jury Presentment, § 36.
39. Lord Lieutenant may appoint Barriesters of Six Years standing to preside at Special Sessions under the Act, § 37.
40. All Proceedings under the Act exempt from Stamp Duty, § 38.
41. Persons who swear falsely to suffer as for Perjury, § 39.
42. Interpretation of Words and Expressions in the Act, § 40.
43. Act may be altered, &c., § 41.
44. To suspend, until after the 6th April 1856, Proceedings for recovering Payment of certain Installments of the Money advanced under the Act for establishing Tithes Compositions in Ireland, 2 & 3 W. 4. c. 119.
45. 2 & 4 W. 4. c. 100. recited. Lords of Treasury may suspend Proceedings for Recovery of Installments until 6th April 1856, § 1.

## Trustees, See Loans.

## Turnpike Roads.

1. To continue for One Year, and from thence to the End of the three next Session of Parliament, the several Acts for regulating the Turnpike Roads which will expire during the present or before the End of the next Session of Parliament, and to amend the several Acts relating the Post Roads, in Ireland, 2 & 3 W. 4. c. 24.
2. Continuation of Acts, § 1.
3. In default of the Attendance of Cox payers at Special Sessions under 2 & 3 W. 4. c. 78, the Justices may proceed with the Business, § 2.
4. Grand Jury empowered to make Presentment of Sums necessary to reimburse Supervisor, &c. under certain Conditions, § 3.
5. Commissioners of Public Works may, on Application of Postmaster General, and with Consent of Lord Lieutenant, cause Post Roads to be repaired, § 4.
6. Amount of Money expended in such Repairs to be certified to the Grand Jury of the County, who shall raise the same by Presentment, § 5.
7. Expense of repairing Bridges between Counties to be borne equally, § 6.
8. Continuation of Act, § 7.

## Sea Roads.

## Vessels (Masters of).

1. To repeal so much of an Act passed in the Parliament of Ireland in the Thirty-fourth Year of His Majesty King George the Third as imposes Fines on the Masters of Vessels lying in the River Liffey for having Fines on board, 2 & 3 W. 4. c. 25.

## Wine.

1. To send the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in *London*, 5 s. 4 W. 4 c. 66.
2. 6 G. 4. c. 81. recited. The proper Officer of Excise shall grant Licences to Persons licensed in the Year preceding upon Production of a Certificate of good Character, without any Authority from Justices of the Peace, § 1.
3. Notice to be given to Two Magistrates, to the Churchwardens, and to the Clerk of the Peace, Twenty-one Days before Application is made to the Sessions, by any Person not before licensed, stating Particulars of Situation, &c. with Names of Sureties, § 2.
4. Clerk of Peace to make out Lists of Applicants and their Sureties, and transmit it to Magistrates, § 2.
5. A Day to be fixed for calling out Names of Applicants, § 3.
6. Certain Persons authorized to object to Licences; Justice to examine into Objections made, and adjudicate thereupon, § 4.
7. Clerk of Peace to deliver Certificates to Persons entitled thereto, § 5.
8. Licences may be granted to Persons not previously licensed, who are to produce a Certificate and pay the Licence Duty, § 6.
9. Party requiring Licence to enter into a Bond, with Sureties, for Payment of Penalties, § 7.
10. Magistrates may issue Licences held by Persons convicted of Misdemeanor or Offences of a higher Nature, § 8.
11. Persons licensed to sell Spirits and Beer entitled to a Wine Licence, § 9.
12. Persons obtaining Licences to enter their Names with Clerk of Peace, § 10.
13. Register of Licences to be kept by Clerk of Peace, § 11.
14. Persons who obtain Licences for Sale of Spirits within the Police District of *Dublin* to enter their Names, &c. at Head Police Office, and pay 10s. to Receiver of Public Offices, under Penalty of 5*l.*—§ 12.
15. No Distiller, &c. to hold Licence for Beer, &c., § 13.
16. Retailers Houses not to be opened for Sale of Spirits between Eleven at Night and Seven in the Morning, nor before Two in the Afternoon on Sundays, &c.; Exception as to Travellers, § 14.
17. Justices and Constables may enter into any House in which Spirits or Beer is sold, and put out Persons tipping or gaming at prohibited Hours; Persons not quitting, or resisting Justices, &c. may be apprehended, § 15.
18. If a Soldier offends, Justice to communicate it to Commanding Officer, § 16.
19. Penalty of 10*l.* on Persons selling Beer, &c. opposing Entry of Justices, &c., § 17.
20. Penalty of 5*l.* on Persons refusing to admit Justices, &c., § 18.
21. Like Penalty if Persons are found tipping or gaming at prohibited Hours, § 19.
22. Parish Officers in Vestry may appoint Overseers of Public Houses, who shall have same Power as Peace Officers, § 20.
23. Houses to be closed by Order of Justice in case of Riot, § 21.
24. Penalties may be recovered by Information before Justice of Peace, § 22.
25. Information to be laid within One Month, and Notice given within a Week after. Parties to be summoned to appear, § 23.

26. Justices of Peace may mitigate Penalty, § 24.
27. Appeal, Defects of Form cured upon Appeal, § 25.
28. No Appeal allowed unless Notice thereof given, § 26.
29. Execution not to be stayed unless the Party convicted give Security by Recognizance to prosecute Appeal, § 27.
30. Justice at Sessions, on Appeal, to examine only the Evidence before given, and to have Power of mitigating, § 28.
31. Court may adjudge Costs, § 29.
32. Penalty on Witnesses not attending, § 30.
33. Proceedings upon Determination of Appeal, § 31.
34. Justices to grant Warrants for levying of Penalties or Judgments to be enforced by them, § 32.
35. Justice at Quarter sessions to grant Warrants for Levy of Penalties on Judgments to be enforced by them, § 33.
36. In Levy Warrants any Time not less than Six nor exceeding Ten Days may be appointed for Sale of Distress, § 34.
37. Penalty and Expenses to be deducted from the Sale. Copy of Warrant may be taken, § 35.
38. Where sufficient Distress cannot be found, Offender to be committed; Proviso for Offenders paying Penalty to Gaolers, § 36.
39. On Default of Payment of Penalties, Proceedings may be had against the Sureties, § 37.
40. No Conviction to be quashed for Want of Form, § 38.
41. Application of Penalties, § 39.
42. Any thing heretofore passed repugnant to the Act repealed, § 40.

## Isle of Man.

1. For regulating the Trade of the *Isle of Man*, 5 s. 4 W. 4. c. 60.
2. 6 G. 4. c. 115. recited. Commencement of Act, § 1.
3. Duties specified in Table payable on the Importation of Goods into the *Isle of Man*; Exceptions. Certain Goods in any Ship from any Place; British Goods in British Ships from United Kingdom; British Colonial Goods in British Ships from United Kingdom, § 2.
4. British Goods from United Kingdom to appear upon the Cockets, § 3.
5. Goods enumerated in the Schedule importable only under Licence, subject to certain Rules:—Pots and Ships, Tobacco, Wine, Spirits, Strength of Spirits, Warehouse Goods, Drawbacks, Sugar Bounties, Export Bond in United Kingdom made applicable; Certificate of Lading; Goods laden in Foreign Ports; Licence to be delivered up, § 4.
6. Applicants for Licence to be delivered to Officers at Douglas between 5th May and 30th July; Account to be delivered to the Governor, § 5.
7. Governor to allot Quantities, and report to Treasury and Commissioners of Customs, § 6.
8. Commissioners of Customs to grant Licences according to Report of Governor, § 7.
9. Before Delivery of Licences Bond to be given; Licence not taken up may be transferred by Governor, § 8.
10. Penalty of 500*l.* on counterfeiting or falsifying Licence, § 9.
11. Licence Goods not to be re-exported unless in Vessel of Fifty Tons. Wine removed inland, &c., § 10.

## Justice (Administration of).

12. Foreign Goods not to be exported to United Kingdom, § 11.
13. Goods imported or exported, &c. contrary to Law, forfeited: Penalty, § 12.
14. Goods prohibited to be imported into Isle of Man, § 13.
15. Limiting the Quantity of Spirits, Tea, and Tobacco for Use of Sailors: is docked Vessels: is open Boats, § 14.
16. Certificate for Goods the Produce of the Isle of Man, § 15.
17. Management of Duties; Duties to be paid into Exchequer; Part of Duties may be retained for Expenses of Government, § 16.

See *Importation and Exportation*, 24; *Loan Societies*.

*Issues*, See *Sheriffs*.

### J.

*Joint Stock Companies*, See *Companies* (Trading).

## Justice (Administration of).

1. For the more effectual Administration of Justice in the Office of a Justice of the Peace in the several Police Offices established in the Metropolis, and for the more effectual Prevention of Depredations on the River Thames and its Vicinity, for Three Years, 5 G. 4 W. 4. c. 10.
2. The Police Offices now established shall be continued; Justices to act, § 1.
3. Time of Attendance, § 2.
4. As to Situation of the Offices, and Hours of Attendance, § 3.
5. Receiver to be continued in Office, and in case of Death His Majesty may appoint another; his Duty; his Salary, § 4.
6. Constables shall be employed by the Direction of the Secretary of State within the Counties of Middlesex, Surrey, Essex, and Kent, and all Liberties thereon, § 5.
7. Thames Police Surveyors to be appointed, with the Approbation of the Secretary of State, § 6.
8. Officers and Patrols of Bow Street Office to act as Constables, § 7.
9. In case of Removal of Bow Street Office, Powers to continue, § 8.
10. Constables may be appointed for special Purposes, § 9.
11. Power to punish Constables for Neglect of Duty or other Misconduct, 10.
12. Justices to be allowed a Salary of 600*l.* per Annum. Further Fees to be allowed for Payment of Clerks, Constables, &c., and for Bow Street Office and Horse Patrol, § 11.
13. No Justice shall take Fees but at the Public Office, Bow Street, and at the Police Office; Penalty, 1,000*l.* Sums may be Permitted to appear at any Place without the Limits specified in this Act, *vid.* Nothing herein to extend to Fees at Quarter Sessions or Meetings of Justices for licensing Ale-Houses, &c., § 12.
14. Table of Fees to be hung up, § 13.
15. Account of Fees and Forfeitures received at the said Offices to be delivered quarterly to the Receiver, and the Amount thereof paid to him, § 14.
16. Penalties and Forfeitures recovered by any of the Justices to be paid to the Receiver, § 15.
17. If Fees and Penalties are not accounted for, Receiver may sue for same in any Court of Record, § 16.

18. Receiver may sue for Money in the Hands of deceased Receivers, and recover from Executors, § 17.
19. Receiver to render Accounts quarterly, or oftener if required, § 18.
20. Justices not to sit in Parliament; no Justice, Receiver, Thames Police Surveyor, or Police Constables to vote at certain Elections; Penalty 100*l.*, § 19.
21. As to Jurisdiction of Justices, § 20.
22. Exempting such Justices from serving on Juries, § 21.
23. For the Regulation of Fairs within Fifteen Miles of Temple Bar, Penalty on keeping open Houses, &c. within the Hours prohibited, 2*l.* on the Master, and 4*l.* on any Person relating to said; Fairs held without lawful Authority within Ten Miles of Temple Bar may be insisted into: if declared unlawful, Booths, &c. to be removed; Penalty not exceeding 10*l.* On entering into Recognizance, Question as to Right of Title may be tried in King's Bench, § 22.
24. Regulations as to Coffee Shops; Penalty not exceeding 10*l.*, Application of Penalty; Proviso, § 23.
25. Prohibiting the blowing of Horns; Penalty not exceeding 40*l.*—§ 24.
26. Negligence or wilful Misbehaviour of Drivers of Carriages, &c. in Streets or Highways; Penalty not exceeding 10*l.*; Compensation for Hurt or Damage not exceeding 5*l.*—§ 25.
27. Empowering the Court of Aldermen or Two Justices to regulate the Route and Conduct of Persons driving Stage Carriages, Cattle, &c. during the Hours of Divine Service, § 26.
28. Proprietors of Stage Carriages not liable to Penalties for deviating from Route, § 27.
29. Penalty for Bullock-hunting imposed by 21 G. 3. c. 67. increased, § 28.
30. Penalty for Bear-baiting, Cock-fighting, &c., § 29.
31. Form of Conviction for Penalties under the Act, § 30.
32. Constables, &c. may apprehend any suspected Person or reputed Thief in any public Place, or in any Warehouse, &c., and convey him before a Justice, who, if he see just Ground, may detain him a Night and Vagabond, under 5 G. 4. c. 63.—§ 31.
33. Form of Conviction of repeated Rogues and Vagabonds § 32.
34. Conviction not to be quashed for Want of Form, or removable by Certiorari; Appeal to Quarter Sessions, &c., § 33.
35. Penalty for damaging Boats, &c. belonging to the Thames Police, § 34.
36. Surveyors having just Cause to suspect Felony may enter Vessels and take up suspected Persons, § 35.
37. Unlawful Quantities of Gaspowder may be seized, § 36.
38. Boats or Carriages having stolen Property may be searched and detained, and Persons suspected of having such Goods may be taken before a Justice, § 37.
39. On Information that there is reasonable Cause for suspecting that Goods, &c. have been unlawfully obtained and are concealed, how to proceed, § 38.
40. Party from whom stolen Goods are recovered to be examined by the Justice; if Goods lawfully obtained, Party guilty of a Misdemeanor; Possession of Servant that of Employer, § 39.
41. Forging Blue Bill of Purcell, to escape Detention decreed a Misdemeanor, § 40.
42. Unlawfully possessing Instruments for procuring and carrying away Wine, &c. deemed a Misdemeanor, § 41.
43. Breaking up Casks, Packages, with Intent that the Contents may be spilled, deemed a Misdemeanor, § 42.



*Justice (Administration of).*

44. Willfully letting fall Articles into the *Thames*, or into a Boat, &c. with fraudulent Intention, deemed a Misdemeanor, § 45.
45. For Offences declared Misdemeanors, and for which no Penalty is appointed, Offenders to forfeit not exceeding 5*l.* or to be imprisoned (with or without hard Labour). Articles seized to be advertised if Person convicted, § 44.
46. Offences how to be tried, § 45.
47. Misdemeanors under 2 G. 3. c. 28. to be punished at the Discretion of the Justice, § 46.
48. Forfeited Boats, instead of being burnt, may be restored or sold, 47.
49. Penalty on Masters of Vessels between Westminster-BrIDGE and Blackwell, having on board Guns loaded with Ball, or discharging Guns before Sun-rising or after Sun setting, or heaving Tar and other combustible Matter on board Vessels, § 48.
50. Disputes about Wages for Labour done on the River, &c. (except by Friendly Behest-men), to be settled by Justices, provided the Sum in question does not exceed 5*l.*—§ 49.
51. Jurisdiction of determining Disputes about Wages for Labour done on the *Thames*, &c., § 50.
52. Not to affect the Rights of the City of London, &c., § 51.
53. Not the Dean and Chapter or High Steward of Westminster, § 52.
54. Not of the Friendly House, &c., § 53.
55. Commencement and Continuance of Act, § 54.
56. Former Acts repealed, § 54. [See Statutes repealed § III.]
57. Justice to summon or apprehend Offender, § 55.
58. Calendar Month, § 56.
59. Act may be altered, &c., § 57.
60. Public Act, § 58.
61. For the better Administration of Justice in His Majesty's Privy Council, 3 § 4 R. 4. c. 41.
62. 2 § 5 W. 4. c. 98. 3 § 3. c. 10. and 8 § 3. c. 5. recited. Certain Persons to form a Committee to be styled "The Judicial Committee of the Privy Council," § 1.
63. Appeals from Vice Admiralty Courts abroad, Ac. to be made to the King in Council, § 2.
64. All Appeals from Sentence of any Judge, &c. to be referred by His Majesty to the Committee to report thereon, § 3.
65. His Majesty may refer any other Matters to Committee, § 4.
66. No Matter to be heard unless in Presence of Four Members of the Committee, § 5.
67. In case the King directs the Attendance of any Judge, a Member of the Committee, Arrangements to be made by the other Judges of the Court, § 6.
68. Evidence may be taken *ex parte*, or upon written Depositions, § 7.
69. Committee may order any particular Witnesses to be examined, and as to any particular Facts, and may remit Causes for rehearing, § 8.
70. Witnesses to be examined on Oath, and to be liable to Punishment for Perjury, § 9.
71. Committee may direct an Issue to try any Fact, § 10.
72. May in certain Cases direct Depositions to be read at the Trial of the Issue, § 11.
73. May make such Orders as to the Admission of Evidence as is made by the Court of Chancery, § 12.
74. And may direct new Trials of Issues, § 13.
75. Powers, &c. of 13 G. 3. c. 63. and 1 W. 4. c. 22. which regard the Examination of Witnesses, applied to the Judicial Committee, § 14.
76. Cons to be in the Discretion of the Committee, § 17.
77. Decrees to be enrolled, § 16.
78. Committee may refer Matters to Registrar in case Monies as Matters are by Court of Chancery referred to a Master, § 17.
79. The King may appoint Registrar, § 18.
80. Attendance of Witnesses and Production of Papers, &c. may be compelled by Subpoena, § 19.
81. Time of appealing, § 20.
82. Decrees for Courts Abroad to be carried into effect as the King in Council shall direct. Act not to abridge Powers of Privy Council, § 21.
83. His Majesty may direct East India Company to bring on Appeals from the Sadar Dewanny Adawlat Courts to a Hearing, § 22.
84. Orders made on such Appeals to have Effect notwithstanding Death of Parties, &c., § 23.
85. His Majesty empowered to make Orders for regulating the Mode, &c. of such Appeals, § 24.
86. And to appoint One of the Barons of the Court of Exchequer to sit in Equity in Absence of Chief Baron, § 25.
87. Two Judges of Court of Bankruptcy to act for Chief Judge of Court of Review during his Absence at Judicial Committee, § 26.
88. Powers of 37 G. 3. extended to this Act, § 27.
89. Power of enforcing Decrees, § 28.
90. Registrar of Court of Admiralty may attend Judicial Committee, § 29.
91. Retired Judges attending Judicial Committee to have an Allowance, § 30.
92. Not to prevent the King's accepting to Treaties appointing certain Persons to bear Præse Appeals, § 31.
93. For the better Administration of Justice in certain Boroughs and Franchises, 4 § 5 W. 4. c. 37.
94. Justices of the Peace acting for Boroughs may commit Persons for Felonies triable at Sessions, § 1.
95. Justices in Boroughs, &c. having Jurisdiction at Sessions over certain Felonies, may commit to the Goal of the County any Person charged with a Felony, the Trial of which may legally take place at the Quarter Sessions, but to which the Jurisdiction of the Borough Justices does not extend, § 2.
96. In Places having a Recorder and a St. Prison the Magistrates shall continue to such, and the Quarter Sessions of such Places shall have Authority to punish Offenders, § 3.
97. For preventing the Interference of the Spring Assizes with the April Quarter Sessions; 4 § 5 W. 4. c. 47.
98. 1 R. 4. c. 70. recited. Justices at Epiphany Sessions may take Two of their Body to fix the Day for holding the next General Quarter Sessions; *Proviso*, § 1.
99. For the more effectual Administration of Justice at *North Island*, 4 § 5 W. 4. c. 65.
100. 33 G. 2. c. 18. repealed, § 1.
101. Governor of *New South Wales* empowered to institute a Court of Criminal Jurisdiction in *North Island*, § 2.
102. Court to consist of a Barrister and Five Military or Naval Officers, § 3.
103. Regulating Periods of holding the Court, § 4.
104. Court to be a Court of Record, § 5.
105. To explain an Act of the First Year of His present Majesty, for the more effectual Administration of Justice in England and Wales, so far as relates to the Execution of Criminals in the County of Chester, 5 § 6 W. 4. c. 1.
106. The Sheriffs of the County of the City of Chester to execute County Criminals, § 1.

107. The Judge before whom any Criminal shall be convicted may make an Order upon the Sheriff of the County to execute such Criminals in any Place out within his Jurisdiction, § 2.

See *Cochran's Law (Amendment of)*.

Justice of the Peace, See Justice (Administration of); Scilly (Island of).

## K.

King and Royal Family, See Buckingham Palace; Civil List.

Knackers, See Cruelty to Animals.

## L.

Lancaster (Court of Common Pleas of), See Assizes, 5.

Lancaster (County Palatine of).

1. For improving the Practice and Proceedings in the Court of Common Pleas of the County Palatine of Lancaster, 4 & 5 W. 4. c. 62.

2. Serviceable Process for the Commencement of personal Actions § 1.

3. Mode of Appearance to serviceable Process, § 2.

4. Appearance may be enforced by Writ of Distraint, if Defendant cannot be served with Writ of Summons, § 3.

5. Bailable Process for the Commencement of personal Actions, § 4.

6. Proceedings to Outlawry, § 5.

7. Proceedings to Outlawry may be had after Judgment given under Authority of the Act, § 6.

8. Mode of detaining a Prisoner in Goal, § 7.

9. Duration of Writs, Provision as to Statute of Limitations, § 8.

10. Proceedings on Writs served or executed at certain Times, Process for Showy, &c., § 9.

11. Indorsement on Writs of the Name, &c. of the Attorney or Party suing, § 10.

12. Service of Writs of Summons on Corporations, and on Inhabitants of Hundreds and Towns, § 11.

13. Proceedings in default of Appearance, § 12.

14. Attorney to declare whether Writ issued by his Authority, and Name, &c. of his Clerk, if ordered: if Writ not issued by Authority of the Attorney, Defendant may be discharged, § 13.

15. Pardon for Persons privileged from Arrest, § 14.

16. Assize Writs for Commencement of personal Actions, § 15.

17. Power to state special Case without proceeding to Trial, § 16.

18. Judges may make Rules for stering and regulating the Mode of pleading and transcribing Records, and teaching the Admission of Documents, § 17.

19. Writs of Inquiry under 8 & 9 W. 3. c. 11. to be executed before the Sheriff unless otherwise ordered, § 18.

20. Return of other Writs of Inquiry, § 19.

21. Power to direct Issues joined in certain Actions to be tried before the Sheriff or any Judge, § 20.

22. Upon the Return of Inquiry or Writ for Trial of Issues, Judgment may be agreed, unless, &c., § 21.

23. Judgment may be vacated, Execution stayed, and new Trial granted, § 22.

24. Defendant to be allowed to pay Money into Court in certain Actions, § 23.

See *Palatine* image deposited by the University of

25. Power to appoint additional Judges, § 24.

26. Judges of Superior Courts at Westminster may regulate Fees to be taken in Court of Common Pleas at Lancaster, § 25.

27. Rules for new Trials to be moved before any of the Courts at Westminster, § 26.

28. Judgment and Execution not to be stayed, unless the Party moving enter into Recognizance, with Sureties, § 27.

29. Not to take away Power of Court to grant new Trial, § 28.

30. Service of Subpoena on Witnesses in any Part of England and Wales to be valid to compel Appearance, § 29.

31. Expence of Attendance on Writs of Subpoena shall be tendered to Witnesses, § 30.

32. Where final Judgment shall be obtained in the Court, and the Person or Effects cannot be found within its Jurisdiction, any of the Superior Courts at Westminster may issue Execution, &c., § 31.

33. If Rules of the Court cannot be enforced, they may be made Rules of one of the Superior Courts at Westminster, § 32.

34. Test and Date of Writs and Returns of Executions, § 33.

35. Power to adopt Rules to be made for Superior Courts at Westminster, § 34.

36. Costs of preparing Pleadings, § 35.

37. Commencement of Act, § 36.

38. Act may be altered, § 37.

39. Schedule:—

- No. (1.) Writ of Summons.
- (2.) Form of entering Appearances.
- (3.) Writ of Distraint.
- (4.) Writ of Capias.
- (5.) Writ of Detainer.

Landlord and Tenant, See Law (Amendment of), 38—43.

## Land Revenue.

1. For empowering the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to pay the net Proceeds of the Tolls of the Messrs and Company Bridges into the Receipt of His Majesty's Exchequer at Westminster, to the Account of the Consolidated Fund, 4 & 5 W. 4. c. 66.

2. So much of 59 G. 3. c. xlviii. 4 G. 4. c. lxxv. 1 & 2 G. 4. c. 55. and 5 & 6 W. 4. c. 43. as relates to the Application of Messes, repealed, § 1.

3. All Messes now in hand, or hereafter received, to be paid by the Commissioners into the Receipt of the Exchequer, § 2.

4. Trustees of the St. Alban's Trust empowered to continue the Tolls levied under the Acts herein recited, § 3.

5. Trustees of the St. Alban's Trust to pay to Commissioners further Sums out of the Tolls, not exceeding 4,500*l.*—§ 4.

6. Trustees of the *Heathfield and Stratford Road* to continue additional Tolls levied by 9 G. 4. c. 73.—§ 5.

7. Trustees of the *Heathfield and Stratford Road* to pay to Commissioners further Sums out of additional Tolls, not exceeding 2,000*l.*—§ 6.

8. Trustees of *Dunstable and Stonebridge* Trust to continue additional Tolls, § 7.

9. Trustees of the *Dunstable and Stonebridge* Trust to pay to Commissioners further Sums out of additional Tolls, not exceeding 2,500*l.*—§ 8.

10. Trustees

## Land Tax.

10. Trustees of the *Stifford* District of the *Walling Street* Road to continue additional Tolls, § 9.
11. Trustees of the *Stifford* District of the *Walling Street* Road to pay to Commissioners, out of additional Tolls, further Sums, not exceeding £500.—§ 10.
12. Tolls to be continued, subject to existing Powers and Provisions, with Powers for Commissioners of 5 & 4 W. 4. c. 45. to take possession of Toll Gates in Cases of Default, § 11.

See *Civil List*; *Sheriffs*.

### Land Tax.

1. To appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices, and Penions, 7 & 4 W. 4. c. 55.
2. 7 & 4 W. 4. c. 75. 9 G. 4. c. 38. and 5 & 5 W. 4. c. 187. repealed. Appointment of additional Commissioners, § 1.
3. Powers of former Acts extended to this Act, § 2.
4. To amend the Laws relating to the Land and Assessed Taxes, and to consolidate the Boards of Stamps and Taxes, 5 & 5 W. 4. c. 90.
5. Commissioners empowered to transfer Jurisdiction from one Hundred or Division to another, or to create new Divisions; Provision, § 3.
6. Assessments of certain Lands in the Places in which they have usually been declared valid, § 2.
7. Certain Provisions in repealed Acts repealed, § 3.
8. So much of 25 G. 3. c. 125. as is recited in this Act repealed, § 4.
9. Certificate of Land Tax Commissioners in Lieu of Deputies mentioned in last-repealed Act, § 5.
10. District Commissioners, with the Approbation of the Treasury, may reassign Assessors for making their Assessments out of the Surplus Land Tax, § 6.
11. Rules and Regulations contained in 48 G. 3. c. 141. and 5 G. 4. c. 88. to extend and apply to the Land Tax, § 7.
12. Boards of Commissioners of Stamps and Commissioners for Affairs of Taxes to be One Consolidated Board of Commissioners of Stamps and Taxes, § 8.
13. Powers and Authorities vested in Commissioners of Stamps and Commissioners for Affairs of Taxes respectively to be exercised by Commissioners of Stamps and Taxes, § 9.
14. All Commissioners and Appointments of Officers under Commissioners of Stamps and Commissioners for Affairs of Taxes to remain in force, § 10.
15. Bonds and Securities to remain in force, and to extend to Duties under the Care of Commissioners of Stamps and Taxes, § 11.
16. Commissioners of the Treasury may appoint Distributors of Stamps to be also Receivers of the Land and Assessed Taxes, § 12.
17. Receivers appointed under this Act to give Security, § 13.
18. Powers and Provisions of former Acts to be applied to and executed by the Receivers appointed under this Act, § 14.
19. Bonds, Commissions, &c. under this Act, to be free from Stamp Duty and Fees, § 15.
20. To consolidate certain Offices in the Collection of the Revenues of Stamps and Taxes, and to amend the Laws relating thereto, 5 & 4 W. 4. c. 90.
21. 5 & 4 W. 4. c. 90. repealed. Offices of Receiver General of Stamp Duties and Receiver General of Lands and Assessed Taxes consolidated into One Office, § 1.

22. Offices of Assessor and Comptroller General of Stamp Duties and Comptroller of Land and Assessed Taxes consolidated into One Office, § 2.
23. Persons appointed respectively Receiver General of Stamps and Taxes and Accountant and Comptroller General of Stamps and Taxes to hold their respective Offices during Pleasure, § 3.
24. Powers and Authorities given by former Acts to vest in the Receiver General of Stamps and Taxes and the Accountant and Comptroller General of Stamps and Taxes respectively, § 4.
25. All Moneys arising from Stamp Duties and from the Land and Assessed Taxes to be paid or remitted to the Commissioners or the Receiver General of Stamps and Taxes; Moneys, &c. received by the Receiver General of Stamps and Taxes to be paid by him into the Bank of England to the Credit of the Exchequer, § 5.
26. Office of Receiver General of "The London District" abolished, and Collectors of that District of Receipt to make their Payments to the Receiver General of Stamps and Taxes at the Head Office. Commissioners of Treasury may annex any Part of the London District of Receipt to any adjoining District, § 6.
27. Inspector of Taxes for Metropolitan District to have same Powers within the London District of Receipt as the Receiver Inspectors within their District, § 7.
28. Receiver General annually to render Accounts of Moneys received to the Commissioners for auditing Public Accounts, § 8.
29. Accountant and Comptroller General to pass an Account annually before the Commissioners for auditing the Public Accounts, § 9.
30. Receiving Inspectors or other Receivers of Taxes to render their Accounts to the Commissioners of Stamps and Taxes. So much of any Act as requires the Accounts of Receivers to be passed before the Auditors of the Land Revenue in England or the Auditor of the Exchequer in Scotland, or to be declared or sworn before a Baron of the Exchequer, or to be enrolled, repealed. Provision, § 10.
31. In Cases where any County, &c. or Person may be returned answer for Arrear of Land or Assessed Taxes, the Commissioners of Stamps and Taxes may issue a Certificate thereof to the King's Remembrancer, which shall be enrolled in his Office, and be the Ground for Process, § 11.
32. Bonds and Securities not to be invalidated or affected by the Act, § 12.
33. Purchase Schedules of Defaulters to be deposited with the Commissioners of Stamps and Taxes, § 13.
34. Purchase Duplicate of Assessments not to be transmitted to the King's Remembrancer, § 14.
35. Penalty on Persons unlawfully receiving Public Moneys from Collectors of Taxes, § 15.
36. Commissioners of the District to which any Person shall remove without paying the Duties assessed to commit such Person to Prison in default of sufficient Distress, § 16.
37. Defaulters committed to Prison to be liable to Payment of Expenses of their Commitment, § 17.
38. Commissioners of Taxes, by the Direction of the Treasury, or Commissioners of Stamps and Taxes, may release Prisoners committed for Nonpayment of Duties or Penalties, § 18.
39. Lamination of Articles for Matters done in pursuance of the Acts relating to the Land Tax. One Month's Notice of Action to be given to the Party by the Attorney for the Plaintiff. Defendant may tender Ample, which if

## Law (*Amendment of*).

- not accepted) may be pleaded in bar of Action. General Issue. Treble Costs. Actions brought against Collectors to be defended by the Commissioners of the District, and Costs and Charges thereof to be defrayed by an Assessment on the Parish, § 10.
- 1 & 2 W. 4. c. 32. vested. Indemnity to Persons prosecuting for Offences committed against the rected Emendments, § 20.
  - One Menny of Penalties recovered to be paid to the Informer, and the other to the Overseer or Parish Officer, § 21.
  - Duties on Hawkers and Pedlars in Scotland granted by 25 G. 3. c. 71. to be paid to Commissioners of Stamps and Taxes, § 22.
  - Powers of 55 G. 3. c. 71. shall be put in force by the Commissioners of Stamps and Taxes. Penalties, &c. how to be used for, § 25.
  - Powers, &c. of former Acts, in relation to Duties under Commissioners of Stamps and Taxes, shall be put in force with respect to the Duties put under their Management by this Act, § 26.
  - Act to commence on 1st August, and may be altered this Session, § 25.

See *Officers*.

## Law (*Amendment of*).

1. For the further Amendment of the Law, and the better Advancement of Justice, 3 A & W. 6. c. 42.
2. Judges to have Power to make Alterations in the Mode of pleading in the Superior Courts, &c.; not to deprive any Person of the Power of pleading the General Issue, § 1.
3. Executors may bring Actions for Injuries to the Real Estates of the Decedent, and Actions may be brought against Executors for an Injury to Property, Real or Personal, by their Testators, § 2.
4. Limitation of Action of Debt on Specialties, &c., § 5.
5. Remedy for Infants, Femer Covert, &c. Absence of Defendants beyond Seas provided for, § 4.
6. Process in case of Acknowledgment in Writing or by Part Payment, § 5.
7. The Limitation after Judgment or Oathsway reversed, § 6.
8. What shall not be deemed beyond the Seas within the Meaning of the Act, § 7.
9. Restrictions as to Plea in Abatement for Nonjoinder of a Co-defendant, § 8.
10. Reply of Plaintiff to said Plea, § 9.
11. Provision in case of subsequent Proceedings against the Persons named in a Plea in Abatement, § 10.
12. Misdemeanor not to be pleaded in Abatement, § 11.
13. Initials of Names may be used in some Cases, § 12.
14. Wager of Law, § 15.
15. Simple Contract Debts, § 14.
16. Power to the Judges to make Regulations as to Admission of written Documents, § 15.
17. Writs of Inquiry under 8 & 9 W. 3. c. 11. to be executed before the Sheriff, unless otherwise ordered, § 16.
18. Power to direct Issues joined in certain Actions to be tried before the Sheriff or any Judge, § 17.
19. Upon Return of a Writ of Inquiry, or a Trial of Issues, Judgment to be signed, unless, &c. Powers of Sheriff as to such Issues, § 18.
20. Provisions of 1 W. 4. c. 7. to extend to such Writs of Inquiry and Issues, § 19.
21. Sheriffs to name Deputies, to be resident in London, § 20.
22. Defendant to be allowed to pay Money into Court in certain Actions by Judge's Order, § 21.
23. Power to direct local Actions to be tried in any County, § 22.
24. Allowing Amendments to be made on the Record in certain Cases, § 23.
25. Power for the Court or Judge to direct the Facts to be found specially, § 24.
26. Power to state special Case without proceeding to Trial, § 25.
27. Witnesses interested solely on account of the Verdict to be admissible, § 26.
28. Directions to Indorse the Name of the Witness on the Record, § 27.
29. Jury empowered to allow Interest upon Debts, § 28.
30. In certain Actions Jury may give Damages in nature of Interest, § 29.
31. Interest on Writs of Error for Delay of Execution, § 30.
32. Executors suing in right of Testator to pay the Costs, § 31.
33. Defendants having a Nolle prosequi, or a Verdict in any Action, to have Costs, § 32.
34. Where Nolle prosequi entered upon any Count, &c., § 33.
35. Plaintiff in Scire facias, and Plaintiff or Defendant as Debtor, to have Costs, § 34.
36. Costs of Special Juries in case of a Nonsuit, § 35.
37. Power to make Regulations as to Officers of each Court or Wineshop taxing Costs, § 36.
38. Executors of Testator may distrain for Arrears in his Lifetime, § 37.
39. Arrears may be distrained for within Six Months after Determination of Term, § 38.
40. Submission to Arbitration by Rule of Court, &c. not to be reversible without Leave of the Court, § 39.
41. Power to compel Attendance of Witnesses, § 40.
42. Power for Arbitrators under a Rule of Court to administer an Oath, § 41.
43. Power of granting Commissions to take Affidavits to extend to Scotland and Ireland, § 42.
44. For the Abolition of certain Holidays, § 43.
45. Commencement of Act, § 44.
46. Not to extend to Scotland or Ireland, § 45.
47. For the Amendment of the Law of Inheritance, 3 & 4 W. 4. c. 105.
48. Meaning of Words in the Act, § 1.
49. Descent shall always be traced from the Purchaser, but the last Owner shall be considered to be the Purchaser, unless the contrary be proved, § 2.
50. Heir entitled under a Will shall take as Devisee, and a Limitation to the Grantor or his Heirs shall create an Estate by Purchase, § 3.
51. Where Heirs taken by Purchase under Limitations to the Heirs of their Ancestor, the Land shall descend as if the Ancestor had been the Purchaser, § 4.
52. Brothers, &c. to trace their Descent through their Parents, § 5.
53. Lineal Ancestry may be Heir in preference to collateral Persons choosing through him, § 6.
54. The Male Line to be preferred, § 7.
55. The Mother of more remote Male Ancestor to be preferred to the Mother of the less remote Male Ancestor, § 8.
56. Half Blood, § 9.
57. After the Death of a Person attainted his Descendants may inherit, § 10.

## Lectures.

58. Act not to extend to Descents before January 1834, § 11.  
 59. Limitations made before January 1834 to the Heirs of a Person then living to take effect as though the Act had not been made, § 12.  
 See *Dower*; *Fines and Recoveries*; *Process*; *Sheriffs*.

## Lectures.

1. For preventing the Publication of Lectures without Consent, 3 & 4 W. 4. c. 65.
2. Authors of Lectures or their Assigns to have the sole Right of publishing them; Penalty on other Persons publishing, &c. Lectures without Leave, § 1.
3. Penalty on Printers or Publishers of Newspapers publishing Lectures without Leave, § 2.
4. Persons having Leave to attend Lectures not on that Account licensed to publish them, § 5.
5. Act not to prohibit the publishing of Lectures after Expiration of the Copyright, § 4.
6. Act not to extend to Lectures delivered in unlicensed Places, &c., § 5.

*Legacies*, See Limitation of Actions.

*Letter-stealing*, See Capital Punishments.

*Letters*, See Post Office.

## Letters Patent.

1. To amend the Law touching Letters Patent for Invention, 5 & 6 W. 4. c. 85.
2. Any Person having obtained Letters Patent for any Invention may enter a Disclaimer of any Part of his Specification, or a Memorandum of any Alteration therein, which, when filed, is to be deemed Part of such Specification; Inventor may be entered as heretofore; Disclaimer not to affect Actions pending at the Time; Attorney General may require the Party to advertise his Disclaimer, § 1.
3. Mode of proceeding where Patentees is proved not to be the real Inventor, though he believed himself to be so, § 2.
4. If in any Action or Suit a Verdict or Decree shall pass for the Patentees, the Judge may grant a Certificate, which, being given in Evidence in any other Suit, shall entitle the Patentees, upon a Verdict in his Favour, to receive Treble Costs, § 3.
5. Mode of proceeding in case of Application for the Prolongation of the Term of a Patent, § 4.
6. In case of Action, &c. Notice of Objections to be given, § 5.
7. As to Costs of Actions for infringing Letters Patent, § 6.
8. Penalty for using unauthorized the Name of a Patentees, &c., § 7.

*Licences*, See Spirits.

## Lighting and Watching.

1. To repeal an Act (11 G. 4. c. 87.) for the Lighting and watching of Parishes in England and Wales, and to make other Provisions in lieu thereof, 3 & 4 W. 4. c. 90.
2. Recited Act repealed, § 1.
3. Such Repeat not to affect Proceedings under that Act previous to passing of this Act, § 2.

## Letters Patent.

4. Inspectors under former Act to continue to act until others appointed, § 5.
5. Act applicable to all Parishes, § 4.
6. On Application of Three rated Inhabitants, Churchwardens to convene a Meeting in Vestry to determine whether the Provisions of this Act shall be adopted, § 5.
7. Chairman to be elected, who shall determine any Controversies, § 6.
8. Chairman in read Requisition, and require Persons to determine if Act shall be adopted, § 7.
9. If Meeting determine to proceed, Provisions of the Act thereupon to take effect, § 8.
10. Inhabitants to fix Amount of Money to be raised; Poll may be demanded as to Adoption of Act, § 9.
11. Notice of Poll to be given by Churchwardens; Form of Notice, § 10.
12. Form of Declaration, § 11.
13. Churchwardens to examine the Votes, and declare whether Two Thirds of them are in favour of adopting the Act, § 12.
14. Rate-payers may inspect Votes, § 13.
15. No Person to vote unless he has been rated One Year, § 14.
16. Notice of Adoption of the Act; Act may be abandoned, § 15.
17. If Meeting determine against adopting the Act, not to meet again within a Year, § 16.
18. Mode of electing Inspectors, § 17.
18. At the End of Twelve Months Inspectors to give Notice that they are ready to produce their Accounts, and Churchwardens to call a Meeting; Meetings in future Years, § 18.
20. Inspectors at each Meeting to produce Accounts; One Third of them to go out of Office, and others elected, § 19.
21. Chairman to decide Questions as to Eligibility, &c., § 20.
22. How Vacancies in the Number of Inspectors to be filled up, § 21.
23. Inspectors to meet monthly, § 22.
24. Special Meetings of Inspectors; Quorum, § 23.
25. Inspectors to appoint Officers during Pleasure, and rent Office for Transaction of Business, § 24.
26. Security to be taken from Treasurer, § 25.
27. Treasurer and Officers to account; Proceedings against Officers neglecting to account, § 26.
28. Commitment of Offender not to discharge his Sureties, § 27.
29. Officers taking Fee or Reward besides Salary or Pen appointed to forfeit 50*l.*—§ 28.
30. Inspectors may sue and be sued in the Name of any one of them, § 29.
31. Proceedings at Meetings of Inspectors to be entered in Books, which shall be good Evidence, § 30.
32. Accounts to be kept, § 31.
33. Inspectors to issue an Order for Payment of Money for Purposes of the Act, § 32.
34. Power to collect Rates, § 33.
35. Land and Houses to be rated separately, § 34.
36. Power of succeeding Overseers to collect Rates, § 35.
37. Overseers to pay Amount to Treasurer; Receipt of Treasurer to be a Discharge to Overseers, § 36.
38. Where other Persons are authorized to collect Poor's Rates, such Persons to be deemed Overseers, § 37.
39. Overseers may be distrained upon for Nonpayment, § 38.
40. Watchmen, &c. to be appointed, and provided with Arms, Cloths, &c., § 39.

41. Watchmen, &c. to deliver up Clothing on Removal, &c.; Penalty, § 40.
42. Duty of Watchmen, § 41.
43. Watchmen, &c. to be sworn in, and to have the Power of Constables, § 42.
44. Certain Fees to be paid over to Inspectors, § 45.
45. Fire Engines to be provided, § 44.
46. Lamp Irons to be put up, § 45.
47. Gas Pipes not to be laid on private Premises without Consent, § 46.
48. Owners of private Grounds may alter Positions of Pipes, § 47.
49. For stopping the Escape of Gas; Penalty for Neglect, § 48.
50. Power to convey away Washings of Gas Works, § 49.
51. Penalty for conveying Washings into Rivers, &c., § 50.
52. Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner, § 51.
53. To prevent Escape of Gas and Contamination of Water, § 52.
54. For ascertaining if Water be contaminated, § 53.
55. Persons supplying Gas liable to be indicted for a Nuisance, § 54.
56. Penalty for wilfully destroying or injuring Lamps, § 55.
57. How Persons accidentally breaking Lamps are to be dealt with, § 55.
58. Power for Inspectors to contract for Works directed to be done by the Act, § 47.
59. Inspectors may see for Breach of Contract, or composed with Contractor, § 58.
60. Inspectors may purchase or rent Ground or Buildings for the Purposes of the Act, § 59.
61. Property of Lamps, &c. vested in Inspectors, § 60.
62. Inspectors of adjoining Parishes may unite, § 61.
63. Forms of Information and Convictions, § 62.
64. Recovery and Application of Penalties, § 63.
65. Inspectors exempted from personal Liability, § 64.
66. Inhabitants may be Witnesses, § 65.
67. Appeal to Quarter Sessions against Order of Inspectors, § 66.
68. Appeals against Rates to be subject to same Rules as Appeals against Poor Rates, § 67.
69. Plaintiff not to recover in any Action after Tender of sufficient Amends, § 68.
70. Limitation of Actions, § 69.
71. Proceedings not unlawful for Want of Form, § 70.
72. Parishes may adopt only Parts of the Act, § 71.
73. Limiting the Powers of the Act, § 72.
74. Parts of Parishes may adopt Provisions of the Act, but not to interfere with Local Acts, § 73.
75. Surveyor of Commissioners of Sewers may enter into Gas Works to see if there be any Escape of Gas, &c., § 74.
76. Not to prejudice the Rights of Commissioners of Sewers, § 75.
77. Not to affect the Universities, § 76.
78. Construction of Act, § 77.
79. Public Act, § 78.

Lime, See Manure.

### Limitation of Actions and Suits.

1. For the Limitation of Actions and Suits relating to Real Property, and for specifying the Remedies for trying the Right therein, 3 & 4 W. 4. c. 27.

2. Mowing of Woods in the Act: "Land;" Rent;" Person through whom another claims;" "Person;" Number and Gender, § 1.
3. No Land or Rent to be recovered but within Twenty Years after the Right of Action accrued, § 2.
4. When the Right shall be deemed to have accrued, in the Case of an Estate in Possession; an Disposition; on Abatement or Death; on Alienation; in case of future Estates; in case of Furniture or Breach of Condition, § 3.
5. If Advantage of Forfeiture is not taken by Remainder-man, he shall have new Right when Estate comes into Possession, § 4.
6. Reversioner to have a new Right, § 5.
7. An Administrator to claim as if he obtained the Estate without Interval, § 6.
8. In case of Tenant at Will, the Right to be deemed to have accrued at the End of One Year, § 7.
9. No Person after a Tenancy from Year to Year to have any Right but from the End of the first Year or last Payment, § 8.
10. Where Rent amounting to 20s. reserved by Lease in Writing shall have been wrongfully received, no Right to occur on Determination of Lease, § 9.
11. A new Entry not to be deemed Possession, § 10.
12. No Right to be preserved by continual Claim, § 11.
13. Possession of One Coparcener, &c. not to be the Possession of the others, § 12.
14. Possession of a younger Brother not Possession of the Heir, § 13.
15. Acknowledgment in Writing equivalent to Possession or Receipt of Rent, § 14.
16. Where Possession is not adverse at Time of passing the Act, Right not to be barred until after Five Years, § 15.
17. Persons under Disability to be allowed Ten Years, § 16.
18. But no Action to be brought beyond Forty Years after Right accrued, § 17.
19. No further Time to be allowed for Succession of Disabilities, § 18.
20. Scotland, Ireland, &c. not to be deemed beyond the Sea, § 19.
21. When Right to Estate in Possession is barred, the Right of same Person to future Estates to be also barred, § 20.
22. Where Tenant in Tail is barred, Remainder-man shall not recover, § 21.
23. Possession adverse to Tenant in Tail to run as against Remainder-man, § 22.
24. Where there is Possession under an Assurance, by a Tenant in Tail, which shall not bar the Remainders, they shall be barred at the End of Twenty Years after the Time when the Assurance would have barred them, § 23.
25. Limitation as to Suits in Equity, § 24.
26. In Cases of express Trust the Right not to accrue until Conveyance, § 25.
27. As to Cases of Fraud, § 26.
28. Saving Jurisdiction of Equity, § 27.
29. Mortgagor to be barred at End of Twenty Years from the Time when Mortgagee took possession, or from the last written Acknowledgment, § 28.
30. No Lands or Rents to be recovered by Ecclesiastical or Eleemosynary Corporations Sole, but within Two Incumbencies or Six Years, or Sixty Years, § 29.
31. No Admonsion to be recovered but within Three Incumbencies or Sixty Years, § 30.

## Liverpool (Borough of).

- Incumbencies after Lapse to be recovered within the Period, but not Incumbencies after Promotions to Bishopsricks, § 31.
- As to Persons claiming an Advowson in Remainder, &c. after an Estate Tail, § 32.
- No Advowson to be recovered after 100 Years, § 33.
- At End of Period of Limitation the Rights to be extinguished, § 34.
- Receipt of Rent deemed Receipt of Profits, § 35.
- Real and mixed Actions to be abolished after the 31st December 1834, except for Dower, Quare Impedit, and Ejectment, § 36.
- Real Actions may be brought until 1st June 1835, — § 37.
- Saving Rights of Persons entitled to real Actions only at Commencement of Act, &c., § 38.
- No Descent, &c. to bar Right of Entry, § 39.
- Money charged upon Land and Legacies to be deemed satisfied at End of Twenty Years, if no Interest paid or Acknowledgment in Writing in the meantime, § 40.
- No Arrears of Dower to be recovered for more than Six Years, § 41.
- No Arrears of Rent or Interest to be recovered for more than Six Years, § 42.
- Act to extend to Spiritual Courts, § 43.
- But not to Scotland, nor to Advowsons in Ireland, § 44.

See *Law (Amendment of)*.

## Liverpool (Borough of).

To indemnify Witnesses who may give Evidence before the Leeds Spiritual and Temporal on a Bill to exclude the Franchise of Liverpool from voting at the Election of Members of Parliament for that Borough, 4 & 5 W. 4. c. 18.

## Loan Societies.

- For the Establishment of Loan Societies in England and Wales; and to extend the Privileges of the Friendly Societies Acts to the Islands of Guernsey, Jersey, and Man, 5 & 6 W. 4. c. 25.
- Persons forming Societies for Loans, desirous of having the Benefit of this Act, to cause their Rules to be enrolled in manner hereinafter directed, § 1.
- Rules to be certified, deposited, and enrolled at Sessions, § 2.
- Rules and Regulations to be entered in a Book to be kept by the Officers of the Society, § 3.
- Property of Society vested in Trustees thereof, § 4.
- Treasurer, &c. to give Security, if required by Rules of Institution, § 5.
- Amount of Loan, § 6.
- No Note or Security liable to Stamp Duty, § 7.
- Recovery of Loans, &c. before Justices of Peace, § 8.
- As to Receipt of Interest by Trustees, &c., § 9.
- 10 G. 4. c. 56. as amended by 4 & 5 W. 4. c. 40. extended to Guernsey, &c., § 10.
- Public Act, § 11.

See *Ireland; Loans*.

*London (Corporation of)*, See *Package*.

*Lord's Day*, See *Election of Officers*.

## Lotteries.

- To prohibit any further Lotteries under an Act (1 & 2 W. 4. c. 54.) for the Improvement of Glasgow, 4 & 5 W. 4. c. 27.

## Lotteries.

- Any further Addition to the Lottery advertised to be drawn in July in the present Year, or any further Continuance of such Lotteries, declared illegal, § 1.
- Not to legalize any Act already done under colour of recited Act, § 2.

*Lunatics*, See *Commissions of Lunacy; Fines and Recoveries*, 33; *Insane Persons*.

## M.

*Made Wines*, See *Excise*, 38.

*Magistrates*, See *Justice (Administration of)*.

*Man*, See *Isle of Man*.

*Management of Customs*, See *Customs*, 8.

## Manure.

- To exempt Carriages carrying Manure from Toll, 3 & 6 W. 4. c. 18.
- After 1st January 1836 no Toll to be taken for Manure, save and except Lime, § 1.
- Not to exempt from Toll imposed by Local Acts, § 2.
- Power to vacate Leases, § 3.
- Not to extend to Scotland or Ireland, § 4.

## Marines.

- Annual Acts for regulating His Majesty's Royal Marine Forces while on Shore, 3 & 4 W. 4. c. 6. & 4 & 5 W. 4. c. 4. 5 & 6 W. 4. c. 7.

*Markets*, See *Hay*.

## Marriages.

- To declare valid Marriages solemnized at *Hamburgh* since the Abolition of the *British Factory* there, 5 & 6 W. 4. c. 43.
- Marriages legally solemnized at *Hamburgh* since the Abolition of the *Factory* there declared valid, § 1.
- To render certain Marriages valid, and to alter the Law with respect to certain voidable Marriages, 5 & 6 W. 4. c. 54.
- Marriages before the passing of this Act of Frauds within the prohibited Degrees not to be annulled, § 1.
- Marriages of Persons within prohibited Degrees hereafter to be absolutely void, § 2.
- Not to extend to Scotland, § 3.
- Act may be altered this Session, § 4.

*Married Women*, See *Fines and Recoveries*, 24, 40, 45.

*Master of the Rolls*, See *Chancery (Court of)*, 35.

*Masters in Chancery*, See *Chancery (Court of)*, 28.

*Mod.*, See Excise, 58.

*Meeting Houses*, See Churches.

*Meetings of Corporations*, See Election of Officers.

*Mensi and Causeway Bridges*, See Land Revenue.

*Merchant Seamen*, See Greenwich Hospital; Seamen; Seamen's Wages.

*Merchant Ships*, See Ships and Vessels.

*Metropolitan Criminal Court*, See Offences.

*Military Pensions*, See Army Pensions.

### Militia.

*Annual Acts for the Pay and Clothing of the Militia.*

- To defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland, and to grant Allowances in Certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia [To July 1, 1834], 3 & 4 W. 4. c. 92. [To July 1, 1835], 4 & 5 W. 4. c. 65. [To July 1, 1836], 5 & 6 W. 4. c. 68.
- Acts to suspend until the End of the next next Session of Parliament the making of Lists and the Ballots and Jerusalem for the Militia of the United Kingdom, 3 & 4 W. 4. c. 21. 4 & 5 W. 4. c. 66.
- For the further Reduction of the Militia Staff, and to suspend the Ballot for the Militia, 5 & 6 W. 4. c. 37.
- Reduction of Obsolete Staff of the Militia, § 1.
- Drum Majors and Drummers to be reduced, § 2.
- Disposal of the Arms and Stores, § 3.
- General and Subdivisions Meetings relating to the Militia suspended, § 4.
- Proceedings may be had during such Suspension by Order in Council, § 5.
- His Majesty may direct that Vacancies among Adjutants shall not be filled up, § 6.
- Act to extend to Wardens of Stanneries and to Corps of Miners, &c., § 7.

*Mills*, See Cotton Mills.

*Mineral Waters*, See Stamps, 28.

*Molasses*, See Apportionment of Rents, &c.; Tithes.

*Molasses*, See Customs, 5.

*Moravians*, See Quakers.

*Mortgages*, See Securities.

*Mortgagor and Mortgagee*, See Escheat; Limitation of Actions, 29.

### Municipal Corporations.

- To provide for the Regulation of Municipal Corporations in England and Wales, 5 & 6 W. 4. c. 75.
- Repeal of all Acts, Charters, and Customs inconsistent with this Act, § 1.
- Reservation of all Rights of Property, and beneficial Exemptions to Freeemen, their Wives and Children, § 2.
- No Freedom to be acquired by Gift or Purchase, § 3.
- Recites 2 W. 4. c. 45. Reservation of the Parliamentary Franchise to Freeemen, § 4.
- Freeemen's Roll to be made out and kept by the Town Clerk, § 5.
- Corporations to be styled Mayor, Aldermen, and Burgesses, § 6.
- Boundaries of certain Boroughs to be those settled by 2 & 3 W. 4. c. 64.; Boundaries of other Boroughs to remain until altered by Parliament, § 7.
- Every Place included within the Bounds of a Borough to be Part of such Borough; Parts cut off from the Borough to be declared Part of adjoining County, § 8.
- Occupiers of Houses and Shops rated for Three Years to the Relief of the Poor entitled to be Burgesses, if resident Householders within Seven Miles. Ales and Persons who have received Parochial Relief not to be entitled, § 9.
- Medical Assistance or Instruction in endowed Schools not to be a Cause of Disqualification, § 10.
- Occupiers may claim to be rated, § 11.
- In case of Title by Descent, &c. how the Occupation is to be reckoned, § 12.
- No new Burgesses to be admitted who are not qualified under this Act, § 13.
- Exclusive Rights of trading abolished, § 14.
- Overtures to make Lists of all Persons entitled to be Burgesses in their respective Parishes, § 15.
- As to Boroughs in which there is no Town Clerk; as to Precincts, &c. where there are no Overseers, § 16.
- Persons omitted from the Overseers Lists to give Notice to the Town Clerk. Notice as to Persons not entitled to be returned in the List. List of Omissions and of Persons objected to, to be published, &c., § 17.
- Mayor and Assessor to revise Lists, and upon due Proof to insert and expunge Names, § 18.
- Power to Mayor, &c. of adjourning, of administering Oaths, &c.; Mayor shall sign the Lists in open Court, § 19.
- Serjeants to be appointed to revise Lists in the first Year, § 20.
- Affirmation may be substituted for Oath, § 21.
- Revised Borough Lists to be kept by the Town Clerk, and copied into Books, with the Names numbered; such Book to be the Roll of Burgesses entitled to vote. No Stamp Duty on Enrolment, § 22.
- Copies of the Burgess Roll to be printed for Sale, § 23.
- Expenses of Overseers how to be defrayed, § 24.
- Mayor, Aldermen, and Councillors to be chosen in every Borough, who together shall constitute the Council of the Borough, § 25.
- Mayor and Aldermen to continue to be Members of the Council during their Offices, § 26.
- Future Vacancies in the Office of Aldermen how to be filled up, § 27.
- Who are not qualified to be chosen Mayor or Councillor, § 28.
- Who shall vote in the Election for Councillors, § 29.



*Municipal Corporations.*

51. Councillors to be chosen on the 1st November in every Year, § 30.
52. One Third Part of the Council to go out of Office annually, § 51.
53. Elections to be held before Mayor and Assessors; Mode of voting, § 52.
54. Polling Booths to be provided, § 55.
55. No Inquiry of the Voter, except as to his Merit, and whether he has voted before at the same Election; Form of Questions as to these Points, § 54.
56. Result of Election how to be declared, § 55.
57. An Alderman to be chosen to preside at Election in case of the Death or Inability of the Mayor, § 56.
58. Election of Auditors and Assessors, § 37.
59. Rotating Mayors and Councillors to go out of Office on Election of Councillors under this Act, § 53.
60. Where Boroughs are to be divided into Wards, the Bounds of the Wards to be determined by the Baristons appointed to revise the Lists, § 50.
61. Number of Councillors for each Ward to be assigned by the Baristors according to certain Rules, § 40.
62. Apportionment of Councillors for each Ward in which the ancient Division is adhered to, § 41.
63. Power to examine Rate Books, § 42.
64. Councillors and Assessors to be elected in Wards by the Burgesses of such Wards, § 43.
65. Burgesses to vote in the Ward in which their Property is situated, § 44.
66. List of the Burgesses in each Ward to be made out yearly, § 45.
67. Manner of proceeding if any Person is elected a Councillor in more than One Ward, § 46.
68. Occasional Vacancies of Councillor, Auditor, or Assessor to be filled up by fresh Election, § 47.
69. Penalties on Mayor, Overseers, &c. neglecting to comply with Provisions of this Act, § 48.
70. Council to elect the Mayor every Year from the Councillors, § 49.
71. Mayor, Aldermen, and Councillors, Auditors and Assessors, not to act until they have made a Declaration of Acceptance of Office; Aldermen, if required, to make a Declaration of Qualification once in Three Years. *Revised 2 G 4. c. 17.—§ 50.*
72. Every Burgess elected to the Office of Alderman, Councillor, Auditor, or Assessor, shall accept the Office, or pay a Fine to the Borough Fund; Exceptions, § 51.
73. Any Mayor, Alderman, or Councillor, if he shall be declared bankrupt or insolvent, or absent himself from the Borough, shall lose his Office, § 52.
74. Penalty on Persons not qualified, &c. acting as Mayor, Alderman, or Councillor; Proviso, § 53.
75. Persons convicted of Bribery disqualified from voting at any Election in the Borough, § 54.
76. Persons offending in any of the Cases aforesaid incurring others so offending to be discharged from all Penalties, § 55.
77. No Person liable to Incapacity, Penalty, &c. unless prosecuted within Two Years, § 56.
78. The Mayor to be a Justice of the Peace for the Borough, and Returning Officer at Election of Members to serve in Parliament, § 57.
79. Power to Council to appoint Town Clerk, Treasurer, and other Officers, and to take Security for due Discharge of their official Duties; Salaries, § 58.
80. Treasurer to pay no Money but by Order of Council, § 59.
81. Officers to account, &c. according to the Orders of the Council; summary Remedy against Officers for not accounting, &c.; Proviso; Remedy by Action, § 60.
82. Councils of Cities and Towns which are Counties to name a Sheriff, § 61.
83. In certain Boroughs Council to appoint a Coroner, § 62.
84. Coroners to make Returns to the Secretary of State, § 63.
85. County Coroners to act in other Boroughs, § 64.
86. Council empowered to remove certain Officers, such Officers to continue until removed, § 65.
87. Officers to receive Compensation on Removal; to deliver Statement of Claims, § 66.
88. Compensation to be secured by Bond under Common Seal, § 67.
89. Resurrection of certain Penalties and Allowances, § 68.
90. All Acts of the Council to be decided by a Majority of Councillors present; One Third Part of the whole Number to be a Quorum. Notice of Meetings of Council: Quarterly Meetings of Council, § 69.
91. Council may appoint Committees, § 70.
92. Charitable Trustees, § 71.
93. Council to act as Trustees where Corporators were, or *officio*, sole Trustees, § 72.
94. Council to appoint a limited Number of Councillors to be joint Trustees for certain Purposes, § 73.
95. Present Trustees of certain Acts continued for a definite Time; Trustees not to go out of Office by reason of ceasing to be of the Council until the Time prescribed by the Terms of the Trust, § 74.
96. Powers vested in Trustees may be transferred to Councillors, § 75.
97. A Watch Committee to be appointed, to consist of the Mayor and Councillors; such Committee to appoint Constables for the Borough; Constables to be for the County, &c. as well as Borough, § 76.
98. Watch Committee to make Regulations for the Management of the Constables, § 77.
99. Power to Constables to apprehend disorderly Persons, &c., § 78.
100. Constables attending at the Watch-houses in the Night may take Bail by Recognizance from Persons brought before them for petty Misdemeanors: such Recognizance to be conditioned for the Appearance of the Parties before a Magistrate. In default of Appearance, Recognizance to be forfeited. Time of Hearing may be postponed, § 79.
101. Penalties on Constables for Neglect of Duty, § 80.
102. Penalties for Assaults on Constables; Proviso, § 81.
103. Regulation and Payment of Expenses; Rewards for Activity, &c., § 82.
104. Magistrates to appoint annually a certain Number of Persons to act as Special Constables: 1 & 2 H. 4. c. 42. recited. Payment of Special Constables, § 83.
105. On Notice of Appointment of Constables, the present Provisions in Local Acts as to watching, &c. to cease; Watchhouses, Arms, &c. to be given up for the Use of the Constables appointed under this Act; Penalty for not giving them up, § 84.
106. Proviso as to Rates in arrears, and as to Debts, § 85.
107. Watch Committee to transmit a Report quarterly to the Secretary of State, and also a Copy of their Rules, &c., § 86.
108. Power for Council to order Parts of a Borough not within a Local Act as to lighting to be included in such Act; Proviso as to Amount of Rate for Lighting, § 87.

89. Council may assume the Powers of Inspectors under 5 G. 4. c. 50. for lighting any Part of the Borough not within a Local Act for lighting the same. § 88.
90. Act not to interfere with the Regulations for the Government, &c. of the Dockyards, Arsenals, &c. 2 G. 5. c. 4. c. 40. recited. § 89.
91. Council to have Power to make Bye Laws, § 90.
92. As to Breaches of the Laws, § 91.
93. All Corporate Property, and all Fees received, to be carried to the Account of the Borough Trust; Payment of Debts, &c., Salaries of Recorder, Town Clerk, Treasurer, and other Officers, and Election Expenses, to be paid out of such Fund; Application of Surplus: if the Fund be insufficient, the Council shall order a Rate to make up the Deficiency. 5 G. 4. c. 51. recited. § 92.
94. Accounts of Receipts and Disbursements to be kept, audited, and published, § 93.
95. Power of Sale and leasing restrained, § 94.
96. The Council of any Borough under this Act authorized to renew Leases, &c., § 95.
97. Leases of certain Buildings, and of Ground for building on or for making Gardens, &c., may be made for Seventy-five Years, § 96.
98. Collusive Pateases, Sales, and Demises of Corporate Property since the 5th June 1835 for undue Consideration may be set aside, 5 G. 4. c. 105.—§ 97.
99. His Majesty's Commission may be issued for certain Persons to act as Justices in any of such Boroughs, § 98.
100. Councils may make Bye Laws, on which the Crown may appoint salaried Justices, § 99.
101. Council to provide a Police Office, § 100.
102. Justices need not be qualified by Estate; such Justices not to sit in Courts of Goal Delivery, &c., § 101.
103. Justices to appoint a Clerk, who shall not be the Clerk of the Peace or an Alderman or Councillor, nor be concerned in the Prosecution of Offenders committed by the Borough Justices, § 102.
104. His Majesty may grant a separate Court of Quarter Sessions, and appoint a Recorder in certain Boroughs; Recorder to be a Justice of the Peace for the Borough, but not a Member of Parliament for the Borough, Alderman, Councillor, or Police Magistrate. 2 W. 4. c. 45. recited. § 103.
105. Recorder and Justices to make Declaration before sitting, § 104.
106. Sessions of the Peace to be held for the Borough, of which the Recorder to be the sole Judge; Recorder not to make or levy County Rate, &c., § 105.
107. Mayor, in the Absence of the Recorder and Deputy Recorder, may open and adjourn the Court, § 106.
108. Capital Jurisdiction and all other Criminal Jurisdiction in Boroughs, other than are specified in this Act, abolished, § 107.
109. Chartered Admiralty Jurisdictions abolished, § 108.
110. Certain Exceptions in 38 G. 3. c. 62. repealed. *Berwick-upon-Tweed* to be a County of a Town. As to Trial of Offences committed in Counties of Cities and Towns Corporate, § 109.
111. Offenders committed to Borough Sessions where Jurisdiction is taken away to be tried in the adjoining County, § 110.
112. County Justices to have Jurisdiction in all Boroughs which have not a separate Court of Quarter Sessions of the Peace under this Act. § 111.
113. Certain Boroughs not to be assessed to County Rates, § 112.
114. Boroughs to pay the Expenses of Prosecutions at the Assizes. 7 G. 4. c. 54. recited, § 113.
115. Treasurers of Counties to keep an Account of Expenses of Prosecution of Offenders sent by such Boroughs for Trial at the Assizes, and make Order on them for Payment thereof; in case of Difference respecting such Account, the same to be referred to Arbitrators, as provided in 5 G. 4. c. 95.—§ 114.
116. Council may contract for committing Prisoners to the Goal of another Borough, if sufficient, § 115.
117. Council of certain Boroughs to have the same Powers under the Acts 4 G. 4. c. 64. and 5 G. 4. c. 85. as Justices of the Peace have at their Sessions in Counties, § 116.
118. Boroughs to pay a Proportion of the other County Expenditure. 2 G. 5. c. 64. and 5 G. 4. c. 95. recited, § 117.
119. Borough Courts of Record to be held as heretofore, but in certain Cases with extended Jurisdiction; *Proviso*, § 118.
120. Council to appoint Registrar and other necessary Officers of the Court, § 119.
121. Enacting Statute not to abate by reason of the Change of Jurisdiction, § 120.
122. Who to be Jurors. 5 G. 4. c. 50. recited. Summoning of Jurors, &c.; Fine on Jurors for Nonattendance, § 121.
123. Members of the Council, &c. exempt from serving on Juries; Burgesses of Boroughs which have Quarter Sessions exempt from Juries of County Quarter Sessions, § 122.
124. All chartered Exemptions from serving on Juries abolished. 5 G. 4. c. 50. in part repealed, § 123.
125. Fees payable to the Clerk of the Peace, Clerk to the Magistrates, and Registrar, and Officers of the Courts of Record, § 124.
126. Table of Fees to be hung up, § 125.
127. Application of Penalties, § 126.
128. Limitation of Time for Prosecution of Offences punishable on summary Conviction, § 127.
129. Power to summon Witnesses; Penalty for Disobedience of Summons, &c. No Witnesses or Justice to be incompetent on the Ground of Estate, § 128.
130. Payment of Penalties; may be levied by Distress, or Offender imprisoned, § 129.
131. Form of Conviction, § 130.
132. Appeal against Convictions under this Act, § 131.
133. No Controversy, &c. as to Infamy in Warrants, &c., § 132.
134. Venue in Proceedings against Persons acting under this Act. Notice of Action. General Issue. Tender of Amends, &c., § 133.
135. Jurisdiction of the *Cinque Ports* preserved, § 134.
136. Jurisdiction of the *Cinque Ports* further preserved; 21 G. 3. c. 50. *Proviso* as to Juries in the *Cinque Ports* Liberties, § 135.
137. Act not to affect Letters Patent founding a Grammar School at *Leitch*, § 136.
138. Saving of the Rights of the Universities of *Oxford* and *Cambridge*, § 137.
139. Not to affect Jurisdiction over Precincts of Cathedrals, nor Right of University of *Durham*, § 138.
140. In Cases where Badges Corporate are used in their Corporate Capacity of *Admission*, &c., the same may be sold as Ecclesiastical Commissioners may Armes. Vacancy arising before Sale to be supplied by Bishop of the Diocese, § 139.

141. Periods connected with first Registration and Election may be deferred by Order in Council, § 140.  
 142. The King empowered to grant Charter of Incorporations, § 141.  
 143. Interpretation Clause, § 142.

## Mutiny.

1. *Armed Mutiny Acts*, 3 & 4 W. 4 c. 5. 4 & 5 W. 4 c. 6. 5 & 6 W. 4 c. 5.

## N.

## National Debt.

1. To amend an Act [10 G. 4 c. 27.] for regulating the Reduction of the National Debt, 3 & 4 W. 4 c. 26.  
 2. Commissioners empowered to apply the Monies of the Sinking Fund to the Purchase of the Reversions of perpetual redeemable Annuities, § 1.  
 3. Annuities for Terms of Years granted by virtue of this Act to be charged upon the Consolidated Fund, § 2.  
 4. Perpetual Annuities transferred to Commissioners to be annulled, § 3.  
 5. Annuities for Terms of Years created by this Act and by 10 G. 4 c. 26, may be transferred to and from England and Ireland, § 4.

## Navigation, See Ships and Vessels.

## Navy.

1. To alter and extend the Provisions of an Act passed in the Eleventh Year of the Reign of the late Majesty King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy, 4 & 5 W. 4 c. 25.  
 2. The Authority to draw Bills for Pay extended to certain inferior Classes in the Navy, but not to be allowed to Persons having made Allowments, or being in the Receipt of monthly Pay, § 1.  
 3. Certain Officers who formerly could draw for only Three Months authorized to draw for their whole Pay: Bills to be drawn for such Periods as shall be fixed by the Admiralty, § 2.  
 4. Certain Warrant and Petty Officers entitled to Two Months Advance of Pay on the being out of a Ship, § 3.  
 5. Allowments may be made in favour of Brothers and other Relations, § 4.  
 6. Amount of Allowment to be fixed by the Admiralty, § 5.  
 7. Allowments may be stopped when there is any Debt owed it is cleared, § 6.  
 8. Remittance of Wages extended, § 7.  
 9. Inspector's Duty as to Monies due to deceased Persons extended, § 8.

See *Seamen*

## Navy, See Paymaster General.

## Newspapers.

1. To regulate the Conveyance of printed Newspapers by Post between the United Kingdom, the British Colonies, and Foreign Parts, 1 & 2 W. 4 c. 44.

2. So much of 4 G. 5. c. 24, and 42 G. 5. c. 65, as authorizes Clerks in the Offices of the Secretaries of State, and Officers in the Post Office, to frank printed Newspapers, &c., repealed, § 1.  
 3. So much of 6 G. 4. c. 68, as relates to Conveyance of Newspapers by Packet Boats to and from the Colonies, repealed, § 2.  
 4. Newspapers to and from the Colonies, § 3.  
 5. Newspapers to and from Foreign Parts, § 4.  
 6. Regulation as to Duty on Conveyance of Newspapers to any Foreign Port, § 5.  
 7. Newspapers to be sent in Covers, open at the Sides, &c., § 6.  
 8. Newspapers to be posted within Seven Days after Publication, § 7.  
 9. Newspapers addressed to Persons who have removed may be re-directed, and sent to them free of extra Charge, § 8.  
 10. Postmaster General, with Consent of the Treasury, may contract with Editors, &c. of unassigned Publications for forwarding the same by Post, on Payment of a yearly Sum for each Publication, § 9.  
 11. Power to occasion and search printed Papers sent in Covers open at the Sides, § 10.  
 12. Papers to be delivered to Postmaster General at such Hours as he shall appoint, § 11.  
 13. Nothing herein to oblige Persons to send Newspapers through the Post Office, § 12.  
 14. Postmaster General, with Concurrence of the Treasury, may determine any Dispute or Question as to what shall be deemed a Newspaper, § 13.  
 15. Taxes to be carried to and form Part of the Consolidated Fund, § 14.  
 16. Actions to be commenced within Three Months after Right of Action accrues, § 15.  
 17. To amend an Act of the Thirty-eighth Year of King George the Third, for preventing the Mischiefs arising from the printing and publishing Newspapers, and Papers of a like Nature, by Persons not known, and for regulating the Printing and Publication of such Papers in other respects; and to discontinue certain Actions commenced under the Provisions of the said Act, 5 & 6 W. 4 c. 2.  
 18. Persons sued before the passing of this Act for Penalties incurred under the recited Act, may apply to the Court or to a Judge to stay Proceedings, upon certain Conditions, § 1.  
 19. Where any Action commenced before 4th March 1835 has been renewed, the Court or Judge may make Order for discontinuing it upon Payment of Costs, § 2.  
 20. Court may make Order for discontinuing Actions commenced since 4th March without Payment of Costs, § 3.  
 21. Not to extend to Actions in which Judgment obtained, nor to those by Attorney or Solicitor General, § 4.  
 22. Penalties incurred under said Act to go wholly to His Majesty, § 5.  
 23. No Actions for Penalties to be commenced except in the Name of the Attorney or Solicitor General in England, of the King's Advocate in Scotland, or of the Solicitor or Officer of Stamp, § 6.

See *Post Office*.

## Norfolk Island, See Justice (Administration of), 99.

## North America.

- To repeal, at the Period within mentioned, so much of an Act passed in the Fifth Year of the Reign of His late Majesty King George the Third, intitled an Act to alter certain Rates of Postage, and to amend, explain, and enlarge several Provisions in an Act made in the Ninth Year of the Reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office, as authorizes the taking of certain Rates of Island Postage within His Majesty's Dominions in North America, 4 & 5 W. 4. c. 7.
- 5 G. 3. c. 23. repealed. After His Majesty's Consent shall be signified to Acts of the Legislature of the Provinces of North America, authorizing certain Rates of Postage to be taken thereon, the Provisions of the recited Act as to the Collection of Postage within such Provinces shall be repealed, § 1.
- Appropriation of Island Rates of Postage in the North American Provinces, § 2.
- Act may be altered, &c. § 3.

## See Postages.

## Notaries.

- To alter and amend an Act [41 G. 3. c. 79.] for the better Regulation of Public Notaries in England, 5 & 4 W. 4. c. 70
- Recited Act limited to London and Ten Miles thereof, § 1.
- Attorneys may be admitted as Notaries out of those Limits, § 2.
- Not to authorize Notaries appointed thereby to act in London or within Ten Miles thereof, § 3.
- Notary admitted under this Act, practising out of his District, to be struck off the Roll of Faculties, § 4.

## O.

## Oaths and Affirmations.

- For the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits, 5 & 6 W. 4. c. 8. [Repealed by 2 & 3 W. 4. c. 62.]
- To repeal an Act of the present Session of Parliament, intitled An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits; and to make other Provisions for the Abolition of unnecessary Oaths, 5 & 6 W. 4. c. 53.
- 5 & 6 W. 4. c. 8. repealed. § 1.
- Lords of the Treasury empowered to substitute a Declaration in lieu of an Oath, &c. in certain Cases, § 2
- Declarations substituted to be published in the Gazette, and after Twenty-two Days from the Date thereof the Provisions of this Act to apply, § 3.
- And no Oath to be administered in lieu of which such Declaration has been detected, § 4.
- False Declarations in Matters relating to certain Revenues a Misdemeanor, § 5.
- Oath of Allegiance still to be required in all Cases, § 6.
- Oaths in Courts of Justice, &c. still to be taken, § 7.

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- Universities of Oxford and Cambridge and other Bodies may substitute a Declaration in lieu of an Oath, § 8.
- Churchwarden's and Squire's Oath abolished, and a Declaration to be made in lieu thereof, § 9.
- Declaration substituted for Oaths and Affidavits by Persons acting in Trust, § 10.
- Declarations substituted for Oaths and Affidavits heretofore required on taking out a Patent, § 11.
- And for Oaths and Affidavits required by Acts as to Pawnbrokers Penalties as to such Oaths, &c. to apply to Declarations, § 12.
- Justices not to administer Oaths, &c. teaching Masters whereof they have no Jurisdiction by Statute; Previous, § 13.
- Declaration substituted for Oaths and Affidavits required by Bank of England on the Transfer of Stock, § 14.
- Declaration substituted for Oaths and Affidavits required by 5 G. 3. c. 7. and 24 G. 3. c. 15.—§ 15.
- Declaration in Writing sufficient to prove Execution of any Will, Codicil, &c. § 16.
- Suits on behalf of His Majesty to be proved by Declaration, § 17.
- Voluntary Declaration in the Form of the Schedule may be taken, making false Declaration a Misdemeanor, § 18.
- Fees on Oaths payable on Declarations substituted in lieu thereof, § 19.
- Declarations to be in the Form prescribed by Schedule, § 20.
- Persons making false Declaration deemed guilty of a Misdemeanor, § 21.
- Act to take effect after 1st October 1835.—§ 22.
- Act may be amended this Session, § 23.
- Schedule.

See Office, 5; Quashes; Separatus.

## Offences.

- For establishing a new Court for the Trial of Offences committed in the Metropolis and Parts adjoining, 4 & 5 W. 4. c. 35.
- The Lord Mayor of London, the Lord Chancellor, the Judges, the Aldermen, Recorder, and Common Serjeant of London, and such others as His Majesty may appoint, to be Judges of a Court to be called the "Central Criminal Court," § 1.
- His Majesty may issue a Commission of Oyer and Terminer and Gaol Delivery for London and Middlesex, and certain Parts of Essex, Kent, and Surrey, § 2.
- New District to be considered as One County, and Venue to be "Central Criminal Court to wit, &c." § 3.
- Power to summon Juries from London or from the Counties, or from both indiscriminately, to try all Offences cognizable by the Act, § 4.
- As to Juries residing within the Limits of Act in Essex, Kent, and Surrey, § 4.
- His Majesty, by Order in Council, to appoint the Places of Confinement for Prisoners, § 5.
- Penitentiary at Millbank to be one of the Prisons under this Act, § 6.
- Persons sentenced to Imprisonment beyond the Limits of this Act may be removed to the Penitentiary at Millbank, § 7.
- Regulations in all Penitentiary Acts shall apply to Prisoners confined there by the Authority of this Act, § 8.
- Persons convicted may be imprisoned either in the County Gaol or in Newgate, § 9.
- Sheriffs of London may execute Judgments, § 9.
- Nottingham Library, Digitized by Google 13. Justice

15. Justices and Coroners in *Essex* and *Kent* to commit Offenders to *Newgate*, and Justices and Coroners in *Surrey* to commit Offenders to *Her Majesty's Prison*, and certify Examinaisons to the Court, § 10.
14. Justices and Coroners to specify that Persons are committed under this Act, and to take Examinaisons, &c. as required under 7 G. 4. c. 63. Power to receive Prisoners from County Gaol of *Surrey* to *Newgate*, § 11.
15. Payment of Expenses to Prosecutors and Witnesses, § 12.
16. No Bill of Indictment to be presented to the Grand Jury unless the Prosecutor has been bound by Recognizance, § 13.
17. Court of Lord Mayor and Aldermen of *London* may contract with the Justices of *Essex*, *Kent*, and *Surrey* for the Support of their Prisoners in *Newgate*; if they cannot agree, the Judges to settle the Amount, § 14.
18. Sessions to be holden in *London* or the Suburbs Twelve Times at least in every Year, § 15.
19. Indictments found at the Sessions of the Peace may be removed before Justices of Oyer and Terminer and Gaol Delivery, § 16.
20. Quarter Sessions restrained from trying certain Offences, § 17.
21. Recognizances for prosecuting, giving Evidence, &c. before Sessions of Peace, to be obligatory on Persons entering into same to prosecute, give Evidence, &c. before Justices of Oyer and Terminer and Gaol Delivery. Notice to be given to Parties entering into Recognizances at Change of Court, § 18.
22. Justices of Peace may deliver over indictments found at Sessions to the Justices of Oyer and Terminer and Gaol Delivery, § 19.
23. Justices to settle Officers Fees, or a Salary, and direct how the same shall be paid, § 20.
24. Sessions of the Peace not to be affected by the Sessions holden in pursuance of this Act, § 21.
25. Authorizing Court to try Offences committed on the High Seas, § 22.
26. Saving the Rights and Privileges of *London*, § 23.
27. Commencement of Act, § 24.
28. Act may be altered this Session, § 25.
29. Public Act, § 25.

Officers of the House of Commons, See House of Commons.

### Offices.

1. Annual Acts for continuing to His Majesty certain Duties on Offices in *England*, 5 G. 4. c. 3. 4 G. 5. W. 4. c. 11.
2. Annual Indemnity Acts to such Persons in the United Kingdom as have omitted to qualify themselves for certain Offices and Employments, 5 G. 4. W. 4. c. 7. 4 G. 5. W. 4. c. 9. 5 G. 4. W. 4. c. 11.
3. For removing Doubts as to the Declaration to be made and Oaths to be taken by Persons appointed to the Office of Sheriff of any City or Town being a County of itself, 5 G. 4. c. 35.
4. No Person chosen a Sheriff of a City or Town shall thereby be liable to make the Declaration in 2 G. 4. c. 17. Proviso, § 1.
5. To abolish certain Offices connected with Fees and Receivers and the Custodes in the Court of Chancery, and to make Provision for the Abolition of certain Offices in the Superior Courts of Common Law in *England*, 5 G. 4. W. 4. c. 92.
6. 5 G. 4. W. 4. c. 92. created certain Offices abolished, § 1.

7. Records, &c. transferred to the Registrar in *London* under 5 G. 4. W. 4. c. 74. subject to Orders of the Court of Common Pleas, § 2.
8. Business of abolished Offices transferred to the Registrar under 5 G. 4. W. 4. c. 74.—§ 5.
9. Searches may be made and Copies taken, which shall be as available as heretofore, § 4.
10. Fees heretofore paid in the Alienation Office to be paid to Registrar under 5 G. 4. W. 4. c. 74. and accounted for by him, § 5.
11. Same Fees as heretofore to be received and accounted for, and Treasury to affix Remuneration of Registrar for performing the Duties imposed upon him, § 6.
12. Compensation to Lords of Liberties and others for Loss of Fees, § 7.
13. The Sum of 20,000*l.* heretofore paid by Receiver of Alienation Fees to the Treasurer to be paid out of the Consolidated Fund, § 8.
14. Compensation for loss of Emoluments to acting Custodes of the Court of Chancery to be paid out of Consolidated Fund, § 9.
15. Custodes of the Court of Chancery abolished (see also after 31st December 1853, and Duties transferred to Petty Bag Office, § 10.
16. Records, &c. of the Custodes transferred to the Clerks of the Petty Bag Office, § 11.
17. Clerks of the Petty Bag Office to receive the same Fees as the Custodes for all Acts done by them, § 12.

See Sheriffs; Land Tax.

Officers of Chancery, See Chancery (Court of).

Ordinance (Treasurer of), See Paymaster General.

### P.

#### Package.

1. To authorize the Commissioners of His Majesty's Treasury to purchase the Duties of Package, Scavage, Ballage, and Portage belonging to the Corporation of *London*, 5 G. 4. W. 4. c. 66.
2. 5 H. 4. c. 25. created. Lords of Treasury authorized, out of the Consolidated Fund, to purchase the Offices or Employments of Package, Scavage, &c., § 1.
3. The Sum paid to be a full Compensation for the Offices, and an Payment thereof the Offices to cease, § 2.
4. Not to affect the Right of the Corporation of *London* to other Offices, § 3.
5. The Corporation may lay out the Money in the Purchase of Land, § 4.
6. And of Grossed Bruts, &c. under 4 G. 4. c. 63. 7 G. 4. c. xxx. 10 G. 4. c. cxxxii. 1 W. 4. c. iii. and 2 W. 4. c. xxi.—§ 5.

Pamphlets, See Stamps.

#### Parish Apprentices.

1. To render valid Indentures of Apprenticeship allowed only by Two Justices acting for the County in which the Parish from which such Apprentices shall be bound, and for the County to which the Parish into which such Apprentices shall be bound, shall be situated; and also for remedying defective Executions of Indentures by Corporations, 5 G. 4. W. 4. c. 95.

2. 26 G. 3. c. 139. repealed. Indentures allowed by Justices acting for Two Counties to be as valid as if granted by Justices acting for different Counties, § 1.
3. Indentures with Seal of Corporations deemed to be valid, § 2.
4. Indentures to be allowed by Two Justices. One of them residing for the County, and One for the City, &c., § 3.
5. Act not to act aside Decisions already come to, § 4.

*Passengers.*

1. To repeal an Act of the Ninth Year of His late Majesty, for regulating the Carriage of Passengers to Merchant Vessels from the United Kingdom to the British Possessions on the Continent and Islands of North America; and to make further Provision for regulating the Carriage of Passengers from the United Kingdom, 5 & 6 W. 4. c. 25.
2. 9 G. 4. c. 21. repealed, except as to Penalties reserved and to Right of Assize which may have occurred, § 1.
3. No Ship to sail with more than Three Persons on board for every Five Tons of Burthen. Ships carrying Passengers to have a Height of Five Feet and a Half between Decks. When only Two Tiers of Berths, the Floor of the lower Tier to be Six Inches above the Deck, § 2.
4. Regulating the Quantity of Water and Provisions to be carried by every Vessel with Passengers on board, § 3.
5. Computed Number of Weeks requisite for Voyage of Vessel, § 4.
6. Officers of Customs to examine Freshness and Water before Departure of Vessel, § 5.
7. A Table to be made of the Prices of Provisions to be sold on board, § 6.
8. Searchwarrants of the Ship may be ascertainment by Survey, § 7.
9. Copies or Abstracts of the Act to be kept on board for Perusal of Passengers, § 8.
10. With every Ship carrying One hundred Passengers a Medical Practitioner to sail; in every Ship carrying a smaller Number, Medicines of a sufficient Amount and Kind to be carried, § 9.
11. Ships carrying Passengers as aforesaid prohibited from exporting Spirits, &c. as Merchandise, § 10.
12. Master to deliver List of Passengers to Collector of Customs, who shall give to the Master a Counterpart, to be exhibited to the Chief Officer of Customs at the Port of loading, § 11.
13. Penalty on Master improperly landing Passengers at any Place not contracted for, § 12.
14. Sick Children are to be computed in the Enumeration of Passengers, § 13.
15. Fines in case of Detention, § 14.
16. Passengers to be maintained for Forty-eight Hours after their Arrival, § 15.
17. Penalties in case of Infringement of the preceding Enactments, § 16.
18. Right of Action of Passengers not to be taken away or abridged, § 17.
19. Prosecution and Recovery of Penalties, § 18.
20. Masters of Vessels to enter into Bond (without Stamp) for the due Performance of the Regulations prescribed by this Act. Limitation of Prosecutions, § 19.
21. Exceptions of particular Kinds of Ships, § 20.
22. Balaenas, &c. to be deemed in South America, § 21.
23. Act may be altered in this Session, § 22.

*Paving, Lighting, Watching, and Improving Towns and other Places.*

1. *Aberystwyth*. Improving and regulating the Town, and supplying with Water, 5 & 6 W. 4. c. xli.
2. *Ashton-under-Lyon*. Better supplying with Water the Town and Neighborhood within the Parish, 5 & 6 W. 4. c. lxi.
3. *Birkenhead Township*. Paving, lighting, &c., regulating the Police, and establishing a Market, 5 & 6 W. 4. c. lxviii.
4. *Blypore*. Paving, lighting, &c., and amending Acts relating to the Town, 5 & 6 W. 4. c. ci.
5. *Bridgewater*. Lighting the Borough and Suburbs with Gas, 4 & 5 W. 4. c. xxxiii.
6. *Brighton*. Supplying with Water the Town and Parish, and the Parishes of Hoer and Preston, 4 & 5 W. 4. c. lxi.
7. *Boston*. Raising Money to pay Compensation for Damages committed within the Hundred of Boston during the late War and Termits therein, 5 & 6 W. 4. c. i.
8. *Cambridge*. Incorporating Company for better supplying with Gas, 4 & 5 W. 4. c. xxiv.
9. *Canolf*. Removing Markets, and providing other Market Places in lieu thereof, 5 & 6 W. 4. c. 5.
10. *Cheltenham*. Better Sewage, cleaning, and draining, 5 & 6 W. 4. c. xxx.
11. *Chippingham*. Lighting, watching, &c., 4 & 5 W. 4. c. xlv.
12. *Compton and Disphornton*. Lighting with Gas, 5 & 6 W. 4. c. li.
13. *Cygar*. Providing in or near the Burgh of Cygar more extensive Accommodation for holding Courts and Meetings of the Sheriff, Justices of Peace, and Commissioners of Supply of the County of Fife, and for Custody of Records, 5 & 6 W. 4. c. lx.
14. *Decoyport*. Enlarging and regulating the Market new field, and establishing a Market for the Sale of Corn and other Articles, and regulating the Amount of Tolls to be paid, 5 & 6 W. 4. c. xxv.
15. *Dorchester*. Paving, cleaning, &c. Streets, &c. within the Borough and Tithing of Colston Elm, [repealing Act.] 4 & 5 W. 4. c. xxi.
16. *Donor*. Paving, cleaning, &c. [amending Act.] 5 & 6 W. 4. c. xlvii.
17. *Donnan Market*. Paving, lighting, &c. the Parish, 5 & 6 W. 4. c. lvi.
18. *Dunlop*. Better supplying the Borough and Neighborhood with Water, 4 & 5 W. 4. c. xlv.
19. *Dunelm*. Encroachment, &c. Goal, 4 & 5 W. 4. c. lxxx.
20. *Elstobury*. Amending Act for carrying into effect certain Improvements within the City, and adjacent to the same, 5 & 6 W. 4. c. cv.
21. ———. Continuing Acts for regulating the Police of the City, and the adjoining Districts, and other Purposes, 5 & 6 W. 4. c. lxxxv.
22. ———. Water Company enabled to borrow a further Sum of Money, 5 & 6 W. 4. c. xxxvii.

*Paving, Lighting, &c.*

|                                  |  |   |  |
|----------------------------------|--|---|--|
| 3. <i>Elgin.</i>                 | Erecting, &c. a new Gaol and Court-house and other Offices for the Borough of <i>Elgin</i> and the County of <i>Elgin</i> and <i>Ferries</i> ; and erecting, &c. a new Gaol and Court-house, and other Offices for the Borough of <i>Ferries</i> , 4 & 5 W. 4. c. lxxxv. | 44. <i>Liverpool.</i>                         | Amending Act for Regulation of Buildings in the Town, and granting additional Powers for its Improvement and Regulation, and the Preservation of Property therein from Fire, 5 & 6 W. 4. c. liv.   |
| 4. <i>Exeter.</i>                | Better supplying with Water the City and County of the City, and such Part of the Parish of <i>St. David</i> as is situate in the County of <i>Devon</i> , 5 & 6 W. 4. c. xxix.  | 45. <i>London.</i>                            | Lighting with Gas the Town and Neighbourhood, 5 & 6 W. 4. c. xvi.  |
| 5. ———                           | Supplying with Water the City and County of the City and Places adjacent, 5 & 6 W. 4. c. xxvii. [amended by 5 & 6 W. 4. c. xxviii.]  | 46. <i>LONDON, WESTMINSTER, AND ENVIRONS.</i> | By-nights.—Enabling Commissioners of Sewers for the City and Liberty of <i>Westminster</i> , and Part of the County of <i>Middlesex</i> , to make a new Sewer at <i>By-nights</i> , 4 & 5 W. 4. c. 95.   |
| 26. ———                          | Removing Markets held in the High and Fore Streets, and other Places within the City, and providing other Markets in lieu thereof, 4 & 5 W. 4. c. xvii.  | 47. ———                                       | Borough.—Better paving, cleansing, &c. the Waterside Division of the Parish of <i>St. Mary Magdalen</i> , 4 & 5 W. 4. c. xxv.  |
| 27. <i>Fairford.</i>             | Establishing a Market, 4 & 5 W. 4. c. lxxv.  | 48. ———                                       | Grosvener Place.—Amending Act for paving, lighting, &c. <i>Grosvener Place</i> , and several Streets, &c. in the Parishes of <i>St. George Hanover Square</i> and <i>St. Luke Chelsea</i> , 4 & 5 W. 4. c. lvi.  |
| 28. <i>Gloucester.</i>           | Uniting into one Parish the Parishes of <i>St. John the Baptist</i> and <i>St. Benedict</i> , 4 & 5 W. 4. c. xxxii.  | 49. ———                                       | Grosvener Square.—Paving, cleansing, lighting, &c., 5 & 6 W. 4. c. xli.  |
| 29. <i>Gloucester.</i>           | Lighting the Suburbs of the City with Gas, 4 & 5 W. 4. c. xlv.   | 50. ———                                       | Leeds Waterworks.—Amending Act for enabling the Company to supply the Inhabitants of the Parish and Parts adjacent with Water, 4 & 5 W. 4. c. vii.   |
| 30. ———                          | Lighting the City and Suburbs with Gas, and enlarging the Capital of the Gloucester Gas Light Company, 4 & 5 W. 4. c. li.  | 51. ———                                       | Hemel Hempstead.—Making the Hamlet of <i>Hemel Hempstead</i> in the Parish of <i>Fulham</i> a distinct and separate Parish; and converting the Parishes of the Church of <i>St. Paul Hemel Hempstead</i> into a Vicarage, and the Endowment thereof, 4 & 5 W. 4. c. lxxv.                      |
| 31. <i>Grays.</i>                | Amending Act for rebuilding, improving, regulating, and maintaining the Town Quay and Landing Place, and building a Pier or Jetty, 3 & 4 W. 4. c. ci.  | 52. ———                                       | Honey Lane Market.—Establishing a School on the Site of the Market, 4 & 5 W. 4. c. 35. (Pr.)   |
| 32. <i>Grosvener and Milton.</i> | Paving, cleansing, &c. and removing and preventing Nuisances and Annoyances therein, 5 & 6 W. 4. c. li.  | 53. ———                                       | London.—More effectually enforcing the due Execution of the Office of Coroner in the City of <i>London</i> and Liberties thereof, 4 & 5 W. 4. c. lxxvii.   |
| 33. <i>Hanston.</i>              | Erecting a Gaol, Court Houses, and Public Offices for the Borough of <i>Hanston</i> , and Middle Ward of the County, 5 & 6 W. 4. c. cxix.  | 54. ———                                       | Recovery of Small Debts in the City of <i>London</i> and Liberties thereof, and enabling the Goods of Debtors to be taken in Execution, (amending Act,) 5 & 6 W. 4. c. xxv.  |
| 34. <i>Haverfordwest.</i>        | Supplying with Water the Town and County and Liberties thereof, 5 & 6 W. 4. c. cxi.  | 55. ———                                       | <i>St. Mary Redoubt</i> .—Establishing a Market for the Sale of Cattle, 5 & 6 W. 4. c. cxl.  |
| 55. ———                          | Paving, lighting, &c., and the adjoining Townships of <i>Presderpost</i> and <i>Cartlett</i> , in the Parishes of <i>Presderpost</i> and <i>Ermasia</i> , 5 & 6 W. 4. c. lxxx.   | 56. ———                                       | <i>London Bridge</i> .—Amending Act for the Conveyance of Premises situate between <i>London Bridge</i> and the Tower of <i>London</i> , 5 & 6 W. 4. c. 5.   |
| 36. <i>Hove.</i>                 | Paving, cleansing, &c. a certain Part of the Parish, 5 & 6 W. 4. c. cv.  | 57. ———                                       | <i>St. Margaret's, St. John de Evangelist</i> , and <i>St. James, Westminster</i> , and the Precinct of the <i>Worms</i> , and also Part of the Liberty of <i>Saffron Hill, Holborn Garden</i> , and <i>Ely House</i> .—Paving, cleansing, &c. the several Parishes, &c., 5 & 6 W. 4. c. xxvi. |
| 37. <i>Hoxton.</i>               | Building new Parish Church, 5 & 6 W. 4. c. xvi.  | 58. ———                                       | <i>St. George's Hospital</i> .—Incorporating the Subscribers, and better enabling them to carry on their charitable Designs, 4 & 5 W. 4. c. xxxvii.  |
| 38. <i>Hyde.</i>                 | More easy and speedy Recovery of Small Debts within the Township of <i>Hyde</i> , and other Places in the County Palatine of <i>Cheshire</i> , 5 & 6 W. 4. c. cxx.   | 59. ———                                       | <i>South London Waterworks</i> .—Amending Act for enabling the Company to supply   |
| 39. <i>Leamth.</i>               | Erecting a Gaol, Court House, and Public Offices for the Borough of <i>Leamth</i> , and the Upper Ward of the County, and other Purposes, 5 & 6 W. 4. c. cxvii.  |   |  |
| 40. <i>Leeds.</i>                | For the Improvement of the High Street in the Borough of <i>Leeds</i> , 5 & 6 W. 4. c. i.  |   |  |
| 41. <i>Leeds.</i>                | Better lighting with Gas the Town and Neighbourhood, 5 & 6 W. 4. c. lxxxvi.  |   |  |
| 42. <i>Leeds.</i>                | Better supplying with Water the Town and Borough and Neighbourhood, 5 & 6 W. 4. c. cv.   |   |  |
| 43. <i>Liverpool.</i>            | Amending the Proceedings and Practice of the Court of Passage, 4 & 5 W. 4. c. lxxviii.   |   |  |

- ply the Parish of *St. Giles Cumberwell*, and Parts of the Parish of *St. Mary Leebeth*, and several other Parishes and Places therein named, in the County of *Surrey*, with Water, 4 & 5 W. 4. c. 18566.
60. *London, Westminster, and Endover*. { Southwark.—Erecting, &c. a Market in the Parish of *St. George the Martyr*, 4 & 5 W. 4. c. xiv.
61. ——— { Southwark.—Better supplying with Water the Borough, and Parishes and Places in the County of *Surrey* near thereto, 4 & 5 W. 4. c. lxix.
62. ——— For the Improvement of the Registrar's Office, and other Offices of the Court of Chancery, 5 & 6 W. 4. c. cxi.
63. *Northampton*. More easy and speedy Recovery of Small Debts within the Parish, and other Places therein mentioned, in the Counties of *Gloucester, Devon, and Devonshire* [repealing Act.] 4 & 5 W. 4. c. xl.
64. ——— Providing a Market Place and regulating Markets, 5 & 6 W. 4. c. lxxvii.
65. *Northampton*. Removing Markets, and providing other Market Places in lieu thereof, 4 & 5 W. 4. c. xlix.
66. *North*. Removing Markets and providing new Market Place in lieu thereof, 5 & 6 W. 4. c. liii.
67. *Northampton and Ardenham*. { Making separate Parishes from the Parish of *Protonotary*, and building a new Church, and providing Church Yard and Parsonage House at *Newbold*, 5 & 6 W. 4. c. xxx.
68. *Northampton*. { Better supplying with Water the Town and County of the Town and Neighborhood, 4 & 5 W. 4. c. xlvii.
69. *Oldbury*. Authorizing Sale of Lands settled for the perpetual Augmentation of the Curacy, 4 & 5 W. 4. c. 35. (Pr.)
70. *Oxford*. Amending certain Mileways leading to *Oxford*, and making Improvements in the University and City and Suburbs, and the Parish of *St. Clement*, and other Purposes, [amending Acts.] 5 & 6 W. 4. c. lxx.
71. *Parley*. Supplying with Water, 5 & 6 W. 4. c. lxxv.
72. *Stamford*. Better supplying with Water the Parish and Neighborhood, 5 & 6 W. 4. c. vi.
73. *Reading Waterworks*. { Enabling the Company to extend their Works, and explaining Act relating to such Company, 5 & 6 W. 4. c. xcii.
74. *Richmond*. Better supplying the Parish with Water, 5 & 6 W. 4. c. lxxxv.
75. *Sheffield*. Better lighting with Gas, 5 & 6 W. 4. c. xxi.
76. *Stretton-upon-Avon*. Taking down Parish Church and building a new one, 5 & 6 W. 4. c. xx.
77. *Stretton*. Regulating the Market, cleansing Streets, and preventing Nuisances, [amending Acts.] 5 & 6 W. 4. c. xliii.
78. *Stroudham*. Lighting, watching, and improving Parish, 5 & 6 W. 4. c. xli. [repealed by 5 & 6 W. 4. c. cvii.]
79. *Truro*. Better paving, lighting, &c. and forming a new Street within the Borough, 5 & 6 W. 4. c. c.
80. *Tusbridge Wells*. { Lighting, watching, &c., and regulating the Supply of Water, and establishing a Market, 5 & 6 W. 4. c. lxxli.
81. *Wincoburn*. Establishing a new Market, and erecting a Market House or Corn Exchange, 5 & 6 W. 4. c. l.
82. *York*. Improving and enlarging the Market-Places within the City, and rendering the Approaches thereto more commodious; regulating, &c. the several Markets and Fairs held within the City and Suburbs, and amending Act for paving, lighting, &c. the City, 5 & 6 W. 4. c. lxxv.

## Paymaster General.

- For consolidating the Offices of Paymaster General, Paymaster and Treasurer of *Chelsea Hospital*, Treasurer of the Navy, and Treasurer of the Ordnance, 5 & 6 W. 4. c. 35.
- Certain Offices abolished, and One Office constituted in place therein, § 1.
- Patent, &c. to cease, § 2.
- Establishment of the Office of Paymaster General, § 4.
- Appointment to Office, § 4.
- Office not to be deemed a new Office, § 5.
- Paymaster General, if holding an abolished Office, not to vacate his Seat, § 6.
- Duties transferred to new Office, § 7.
- Amendments to continue, § 8.
- Repeal to remain in force, § 9.
- Treasurer may make Regulations for new Office, § 10.
- Regulations to be laid before Parliament, § 11.
- Act may be altered, § 12.

Payments (Periodical), See Apportionment of Rents, &c.

Pearl or Potashes, See Customs, 398.

## Pensions.

- Annual Acts for continuing to His Majesty Duties as Pensioners in England, 5 & 6 W. 4. c. 5, 4 & 5 W. 4. c. 11.
- To alter, amend, and consolidate the Laws for regulating the Pensions, Commissions, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service, 4 & 5 W. 4. c. 24. [repealed by 4 & 5 W. 4. c. 35.]
- Provision to the First Lord of the Treasury, Secretaries of State, Chancellor of the Exchequer, First Lord of the Admiralty, President of the India Board, President of the Board of Trade, § 1.
- Chief Secretary of Ireland, Secretary at War, § 2.
- Joint Secretaries of the Treasury, First Secretary of Admiralty, Vice President of Board of Trade, § 3.
- Under Secretaries of State, Clerk of the Ordnance, Second Secretary of Admiralty, Secretaries of India Board, § 4.
- Regulation as to Period of Service, § 5.
- Declaration to be made by Pensioners claiming Pensions, § 6.
- Regulations with respect to Pensioners contained in recited Acts to apply to Pensioners under this Act, § 7.



10. Revised Acts repealed, § 8. [See Statute repealed, § VI.]
11. Superannuation Allowance to Persons who entered the Service before 8th August 1823,—§ 9.
12. Superannuation Allowance to Persons who shall have entered the Service subsequent to 4th August 1823,—§ 10.
13. Conditions on which Allowances are to be granted as to Age and Infirmary, § 11.
14. Superannuations not to be granted on advanced Amount of Salary received for less than Three Years, § 12.
15. Superannuations, &c. to be clear of Deductions on account of Taxes, § 13.
16. Act to extend to Officers enumerated in the Schedule; and others may be added by the Treasury, § 14.
17. Such Additions not to extend to Officers existing the Holders to Half Pay, or to Officers in Courts of Justice, &c., § 15.
18. Compensation to Military and Naval Officers for Civil Services not to exceed Two Thirds of Salary, except in special Cases, § 16.
19. Allowance may be made in special Cases, such Cases to be laid before Parliament, § 17.
20. No Compensation to be charged upon the Funds of the Department, nor without Concurrence of His Majesty in Council or of the Treasury, § 18.
21. All who have retired on the Abolition or Reduction of Office, made liable when called upon to take Office, § 19.
22. No Superannuation or Compensation to be enjoyed with Salary for efficient Services, § 20.
23. Not to extend to Half Pay, &c., § 21.
24. Account of Increase and Dismission of Public Salaries, Pensions, and Allowances to be annually laid before Parliament, § 22.
25. Civil Allowances, &c. to be laid before Parliament, § 23.
26. Orders of His Majesty in Council, and Minutes of Treasury making general Rules respecting Superannuation Allowances, to be laid before Parliament, § 24.
27. Half Pay and Military and Naval Pensions to be laid before Parliament in separate Estimates, § 25.
28. Commissions not provided for to be charged on Funds of Departments, § 26.
29. Abatement to be made from the Salaries of those who have taken Office since the 8th August 1823,—§ 27.
30. Arrangement of Emoluments to be made by Heads of Departments, § 28.
31. Vice Treasurer of Ireland to transmit Accounts of his Execution of the Act, § 29.
32. Act not to give an absolute Right to Allowances, or to prevent Dismissal of Persons for Misconduct, § 30.
33. Act may be amended this Session, § 31.
34. Schedule.
35. To amend an Act of the present Session [4 & 5 W. 4. c. 23.] for altering and consolidating the Laws for regulating the Pensions to Persons in respect of their having held Civil Offices in His Majesty's Service, 4 & 5 W. 4. c. 23.
36. Excepting Magistrates of Police Offices from the Operation of the noted Act, § 1.

See *Appointment of Bns. &c.*; *Army Pensions*; *Land Tax*

*Pervuits*, See *Spirits*, 13.

*Perry*, See *Beer*.

*Personal Actions*, See *Process*, University

*Personal Acts.*

1. *Achard* (See *John Palmer*, Bart. deceased). Executing Estates in the Counties of Somerset and Devon, comprised in his Marriage Settlement, from the Jointure or Rent-charge thereby limited to Dame Sarah Maria Palmer Achard his Widow, during her Life, and charging other Estates, devised and decreed to be purchased by his Will, with the Payment thereof, 4 & 5 W. 4. c. 26. (Pr.)
2. *Albrecht* (Monsr). Naturalizing, 5 & 6 W. 4. c. 35. (not printed.)
3. *Allen* (John). Dissolution of Marriage, 4 & 5 W. 4. c. 41. (not printed.)
4. *Alkman* (Christus). Naturalizing, 5 & 6 W. 4. c. 30. (not printed.)
5. *Alkman* Marine Assurance Company. Repealing Act for enabling them to sue and be sued in the Name of their Chairman or any other Member of the Company, and granting certain Powers in Statute thereof, 4 & 5 W. 4. c. xxviii.
6. *Amickin* (Jenny). Naturalizing, 5 & 4 W. 4. c. 31. (not printed.)
7. *Arndt* (Gasper Peter Elias Baron de). Naturalizing, 5 & 6 W. 4. c. 42. (not printed.)
8. *Argus* Life Assurance Company. Enabling the Proprietors to sue and be sued in the Name of One of the Directors or Chairman or Secretary of the Company, 5 & 6 W. 4. c. lxxvi.
9. *Arroyos* (Asencio de). Naturalizing, 5 & 4 W. 4. c. 20. (not printed.)
10. *Ashes* (Henry Charles Esq. deceased). Vesting certain Granted Estates devised by his Will in Trustees, upon Trust, to raise Money for the Purchase of an Estate called the *Dunton Estate*, in the County of Chester, and other Purposes incidental thereto, 4 & 5 W. 4. c. 27. (Pr.)
11. *Ashby* (See *John*, Bart. deceased). Granting further Powers of leasing Part of the Estates devised by and purchased pursuant to his Will, 4 & 5 W. 4. c. 24. (Pr.)
12. *Ashurst* (John George). Naturalizing, 5 & 4 W. 4. c. 34. (not printed.)
13. *Burgess* (Henry Christopher). Naturalizing, 5 & 6 W. 4. c. 46. (not printed.)
14. *Bishop* (See *Carl Augustus*, and others). Vesting certain Shares of Estates belonging to them in Trustees for Sale, and investing the Purchase Moneys in other Estates, 5 & 6 W. 4. c. 3. (Pr.)
15. *Bishop* (Rev. William Thomas). Dissolution of Marriage, 5 & 6 W. 4. c. 39. (not printed.)
16. *Boswell* (Jesse). Vesting in the Proffers acting under his Will certain Estates in the County of York, held for certain charitable Uses applicable within the Parish of *Erghly*; and confirming certain Leases, Covenants, and Contracts for Sale already made as to Parts of such Estates, and authorizing the granting of building Licenses, and the Sale of other Parts of such Estates, 4 & 5 W. 4. c. 6. (Pr.)
17. *Brendley* (John and Robert William). Enabling them to purchase and take Leases of Lands and Hereditaments for the Formation of a Railway from *Gateshead* to *South Shields* and *Monkwearmouth*, 5 & 6 W. 4. c. lxxxiii.
18. *Bryant* (John). Empowering the Judges of the Court of South of

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and after discharging the Debts affecting the same, to insert the surplus in the Purchase of other Lands to be stated, 5 & 6 W. 4. c. 15. (Pr.)

50. *British American Land Company*, granting certain Powers in, 4 & 5 W. 4. c. 85.

51. *Dut* (Marquis of). Amending Act for empowering him to make, Ac. a Ship Canal, commencing near the Mouth of the River *Tanf* and terminating near the Town of *Corduff*, with other Works to be mentioned, 4 & 5 W. 4. c. 208.

52. *Cambridge* (Corpus Christi College). Effecting an Exchange between the Mayor and Keeper and Fellows and Scholars, and the Master, &c. of *Fembroke Hall*, 5 & 6 W. 4. c. 3. (Pr.)

53. *Compell*, *Sir Damon*, deceased. Applying the Balance, now lying in Bank, of the Price of the Lands of *Ginsinglar* and others, contained in a Deed of Estate executed by the Deceased, which were sold in virtue of the Powers contained in an Act of the 49 G. 5. towards Payment of certain Sums lent out by General *Compell* in the Improvement of the said Estate, 5 & 6 W. 4. c. 3. (Pr.)

54. *Chichester* (Right Hon. *Henry Thomas* Earl of). Using the Parish Church of *Stomer* in the County of *Sussex* with the adjoining Vicarage and Parish Church of *Falmer*, and exchanging the Parsonage House and Glebe Lands of *Stomer* and the Vicarage House of *Falmer* for certain Portions of Land at *Falmer*, being Part of the settled Estates of the Earl of *Chichester*, on which a new Parsonage House has been built at his Expence, 5 & 6 W. 4. c. 21. (Pr.)

55. *Cheshamley* (*George James* late Marquis). Exchanging the *Bromwiches* and *Castle Bagnat* Estates in *Wexford*, devised by his Will to Lord *W. R. B. Cheshamley* for Life, with Remainders over, for Lands in *Netherbury* and *Marley* in the County of *Gloucester*, devised by the same Will to the said Lord *W. R. B. Cheshamley* in Fee Simple, 5 & 6 W. 4. c. 2. (Pr.)

56. *Chesham* (Vicarage and Parish Church). Effecting a Partition of the Advowson, and confirming the Sale of the next Term or Right of Presentation therein, 4 & 5 W. 4. c. 8. (Pr.)

57. *Cogson* (*Charles James*, Esq.). Dissolution of Marriage, 5 & 6 W. 4. c. 26. (not printed.)

58. *Conner* (*John*). Naturalizing 5 & 6 W. 4. c. 81. (not printed.)

59. *Crossley*. Vesting Part of the settled Estate of *Crossley* in Trustees in Fee Simple, for selling the same, and paying Debts which affect or may be made to affect the same Estate, 5 & 6 W. 4. c. 10. (Pr.)

60. *Crosland* (*James*, Esq.). Investing Parts of his settled Estate of *Langley Park* in the County of *Wiltshire* in Trustees in Fee Simple, for the Purpose of selling the Lands so vested, and applying the Price thereof, or the Lease to be raised on Securities to be granted thereon and on the created Estate, towards Extinction of Debts affecting or that may be made to affect the Fee of the said Estate, 5 & 6 W. 4. c. 20. (Pr.)

61. *De la Rive* (*Arthur Augustus*, and his Children). Naturalizing, 4 & 5 W. 4. c. 65. (not printed.)

62. *De la Tour* (*Jacques Louis Auguste Joseph des Champs*). Naturalizing, 4 & 5 W. 4. c. 65. (not printed.)

63. *Douglas* (*Archibald Lord*). Vesting in him, or the Heir of Estate in Possession for the Time, certain detached Parts of the settled Estates of *Douglas* in *Fee Simple*, upon creating other Lands equivalent in Value to the same, and to a Debt due by him to the said settled Estates, 5 & 6 W. 4. c. 20. (Pr.)

64. *Dunmore* (*George Earl of*). Settling and securing the Lands of *Potterhill*, and Parts of the Lands, Lordship, and Barony of *Elphinstone*, in the County of *Strathclyde*, to and in favour of the said Earl, and the Series of Heirs entitled to succeed under a Deed of Estate made by the Trustees of *John Earl of Dunmore* deceased, and under the Conditions and Limitations contained therein, and vesting in him thereof the Lands of *Corvick*, *Lawersell*, and others, in the County of *Argyll*, in the said *George Earl of Dunmore* and his Heirs and Assignees in Fee Simple, 4 & 5 W. 4. c. 92. (Pr.)

65. *Edinburgh* Life Assurance Society enabled to sue and be sued in the Name of any One of the Directors or Trustees, 5 & 6 W. 4. c. 181.

66. *Edinburgh* Life Assurance Company enabled to sue and be sued in the Name of their Manager, Secretary, or a named Number of their ordinary Directors, to hold Property, and for other Purposes, 5 & 6 W. 4. c. 181.

67. ——— To appoint Trustees for the Conduct of the City, 5 & 6 W. 4. c. 631.

68. ——— Water Company enabled to borrow a further Sum of Money, 5 & 6 W. 4. c. 222.

69. *Edwards* (*Rev. Vincent and Jane his Wife*). Vesting Malice of certain Estates of them and their Issue, and of the Devisees of *Abraham Edwards* deceased, in Trustees for Sale, and laying out the Money produced in Purchase of other Estates to be settled to the same Uses, 5 & 6 W. 4. c. 8. (Pr.)

70. *Eglington* (Earl of, deceased). Enabling his Trustees to sell Part of Trust Estates in order to extinguish the Debts left by him, which affect or may be made to affect the said Estates, 4 & 5 W. 4. c. 21. (Pr.)

71. *Ely* (Bishop of). Confirming and carrying into effect Agreements between him and the Society of Judges and Serjeants at Law, for vesting in the said Society the *Fee Simple of Stowton Inn*, *Clunbury Lane*, and between the Parish of *St Dunstons in the West* and the said Society, 5 & 6 W. 4. c. 2.

72. *Englyfield* (*Sir Henry Charles*, Bart. deceased). Enabling the Trustees of his Will to sell Mirety of Estate called *Wharves Ferry Estate*, in the County of *York*, 5 & 6 W. 4. c. 3. (Pr.)

73. *Fitzwilliam* (Right Hon. *Richard*, late Viscount, deceased). Granting further Powers to lease certain Parts of his devised Estates, situate in the City of *Dublin* and Neighbourhood thereof, 5 & 6 W. 4. c. 21. (Pr.)

74. *Frederic* (*Charles Fitzwilliam*). Naturalizing, 4 & 5 W. 4. c. 45. (not printed.)

75. *Gloucester*. Better establishing and securing a Fund for providing Allowances in the Widows and Children of the Members of the Faculty of Procurators of *Gloucester*, 5 & 6 W. 4. c. 181.

76. *Grubbe* (*Sir James*, Bart., deceased). Confirming certain *Southampton Estates*, belonging to and *Sir*



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- Boys*, equality before her Infancy, to grant Letters of Credit as the Executors devised by the Will of *James Boys* deceased, for building on and improving the same, 3 & 4 W. 4. c. 7. (Pr.)
66. *Messent* (Right Hon. Charles Henry Count, late Earl of). Facilitating the Proof of his Will in certain Actions in Ireland, 4 & 5 W. 4. c. 20. (Pr.)
67. *Mossley* (*John Peter Sepmash and Charles Edward Bagnall*). Naturalizing, 4 & 5 W. 4. c. 20. (not printed.)
68. *Mars* (*John Gwynn*). Naturalizing, 5 & 6 W. 4. c. 20. (not printed.)
69. *Martin* (W. Marm, deceased). Confirming Partition of Fees and Lands in the County of Kent, devised by his Will, 5 & 6 W. 4. c. 18. (Pr.)
70. *Nelson* (Right Hon. Thomas Earl). Raising on the Security of certain Estates in the County of Wilt, whereof the said Thomas Earl Nelson is Tenant in Tail, a Sum of Money for discharging 10,000*l.* capitally charged thereon by William Earl Nelson deceased, in favour of his Daughter Charlotte Mary Lady Brodport, 5 & 6 W. 4. c. 27. (Pr.)
71. *New Brunswick and New South Land Company*. Granting certain Powers to, 4 & 5 W. 4. c. 26.
72. *Ocean Assurance Company* enabled to sue and be sued in the Name of their Chairman or One of the Directors, 4 & 5 W. 4. c. 12.
73. *Oxford*—*Barons Earl of*, deceased). Empowering Trustees to sell certain Estates in the County of Norfolk settled under his Will, and laying out the Money arising thereon in the Purchase of Lands to be settled on the same Uses, 5 & 6 W. 4. c. 24. (Pr.)
74. *Pole* (*Edward*). Naturalizing, 5 & 6 W. 4. c. 25. (not printed.)
75. *Pope* (*Henry, Esq.*, deceased). Vesting Part of the settled Estates devised by his Will in Trustees, upon Trust to sell, and to apply the Monies arising therefrom, under the Direction of the Court of Chancery, in the Purchase of other Estates to be settled to same Uses, with Power to pay off Incumbrances, 4 & 5 W. 4. c. 25. (Pr.)
76. *Pelley* (*Charles Robert Carter, Esq.*, and others). Enabling them to grant Building and Repairing Leases of Lands and Premises in the Parishes of St. Dunstons Shoreditch otherwise Stoney and St. Matthew Bethnal Green, 5 & 6 W. 4. c. 25. (Pr.)
77. *Reynolds* (*Edward, Esq.*, deceased). Vesting certain Estates in the Parish of *Barnes* in the County of Kent, devised by his Will, in Trustees for Sale, and to purchase other Estates to be settled to the same Uses, 4 & 5 W. 4. c. 20. (Pr.)
78. *Rolls* (*Lord John*). Authorizing the Sale to and Purchase by him of the Rights of Persons claiming to have divers Rights on each Part of Great Paragon and Castle Hill Lodgings as now form Part of the *Rolls Court*, 5 & 6 W. 4. c. 16.
79. *Rosel* (*Matthew, Esq.*, deceased). Vesting Estates in the Counties of Surrey and Cornwall, devised by his Will, in Trustee to sell, and to lay out the Monies to arise from such Sale in discharging Incumbrances on other Estates settled to same Uses, or in the Purchase of other Estates to be settled to same Uses, 4 & 5 W. 4. c. 31. (Pr.)
80. *Saint George's Fire Society*. Declaration of the Society, otherwise called "The Toppers Fund, in the Royal Regiment of Horse Guards, and distributing the Fund, 5 & 6 W. 4. c. 22.
81. *Schuster* (*Leo*). Naturalizing, 5 & 6 W. 4. c. 20. (not printed.)
82. *Schweide* (*Shlo'*). Naturalizing, 5 & 6 W. 4. c. 20. (not printed.)
83. *Senior* (*William and Elizabeth*, and others). Confirming Partition of Estate in the County of Chester made under a Decree of the Court of Chancery, 5 & 6 W. 4. c. 6. (Pr.)
84. *Senior* (*Sir John*). Settling and preserving by Means a Library, and Works of Art in *Lincoln's Inn Fields* for the Benefit of the Public, and establishing a sufficient Endowment for due Maintenance of same, 5 & 6 W. 4. c. 2. (Pr.)
85. *Spencer* (*Charles Fow, an Infant*, Vesting in, settled and unsettled Messes and Estates in the Counties of Oxford and Devon in Trustees for Sale to pay Incumbrances, 5 & 6 W. 4. c. 25. (Pr.)
86. *Steele* (*Le Gendry Pierre, Esq.*, and *Luzette*). Enabling the Committee of his Estate to grant Leases of his settled Estates, 5 & 6 W. 4. c. 18. (Pr.)
87. *Steinhal* (*Leopold*). Naturalizing, 5 & 6 W. 4. c. 10. (not printed.)
88. *Stockton* (*Blue Coat Charity School*). Enabling the Trustees to sell and dispose of certain Lands and Hereditaments belonging to the Charity, and to purchase and acquire other Lands in law thereof, and also the Reversion of the Lands held by them for Lives, 5 & 6 W. 4. c. 25. (Pr.)
89. *Sturche* (*Chris*). Naturalizing, 5 & 6 W. 4. c. 27. (not printed.)
90. *Suffolk and General Chancery Associates* Incomplete Office enabled to sue and be sued in the Name of One of their Treasurers or Directors, and other Purposes, 4 & 5 W. 4. c. 22.
91. *Thelluson* (*Peter, Esq.*, deceased). Enabling and directing Trustees acting under his Will to grant certain Leases of the Estates, subject to the Trusts of the said Will, and other Purposes, 5 & 6 W. 4. c. 27. (Pr.)
92. *Thomas* (*James*). Enabling him and his Issue to take and use the Surname and Arms of *Lilly*, 4 & 5 W. 4. c. 27. (not printed.)
93. *Thompson* (*Ann, Spinster*). Vesting certain Estates of which she was Mortgagee in Fee in the Rev. Robert Clarke Clerk, the surviving Executor of her Will, subject to the subsisting Equities of Redemption, 5 & 6 W. 4. c. 24. (Pr.)
94. *Thomas* (*Agnes Hamilton de*). Naturalizing, 5 & 6 W. 4. c. 24. (not printed.)
95. *United Kingdom Life Assurance Company* enabled to sue and be sued in the Name of One of their Directors or Secretary, 4 & 5 W. 4. c. 22.
96. *Unwevery Life Assurance Society*. Enabling them and their Successors to purchase Annuities upon or for Lives, and also to lend Money or Stock upon Mortgage for the Purposes of Investiture, 5 & 6 W. 4. c. 16.
97. *Vere* (*Elizabeth, Widow*). Effecting Exchange of Estates in the County of Lincoln between her said *James Vere Esq.* and *William Robinson*, 5 & 6 W. 4. c. 13. (Pr.)

100. *West of England Fire and Life Insurance Company.* Amending Act for enabling the Company to sue and be sued in the Name of their Secretary, and giving further Powers to the Company, 4 & 5 W. 4. c. xxxvii.
110. *Wilder (Paul Ferdinand).* Naturalising, 5 & 6 W. 1. c. 32. (not printed)
111. *Wills (John Walsby, Esq.)* Dissolution of Marriage, 5 & 4 W. 1. c. 45. (not printed)
112. *Wise (Methuen, Esq.)* Authorizing Sales, Leases, &c. of an Estate at Lillingstone to the County of Warwick, devised by the Will, 5 & 6 W. 4. c. 14. (Pr.)
113. *Wolverhampton.* Authorizing the making of Grants or Leases of Mines within and under Parts of Lands belonging to the Perpetual Curacy of the Parish of Wolverhampton, 5 & 6 W. 4. c. 25. (Pr.)
114. *Worcester (City).* Enabling the Mayor, Aldermen, and Citizens to grant reasonable Leases of the Worcester Infirmary and of the Land held therewith to the Governors of the said Infirmary or their Trustees, 5 & 6 W. 4. c. 32. (Pr.)
115. *Zoller (John Professor).* Naturalising, 5 & 5 W. 4. c. 47. (not printed)

### Personal Estates.

1. To repeal the Duties on Personal Estates imposed by an Act of the present Session of Parliament, 5 & 4 W. 4. c. 12.
2. Revises Act of 5 W. 4. c. 5.; so much of revised Act as confuses the Duties on Personal Estates for One Year, from 25th March 1835, repealed; not to extend to any Act of former Years, § 1.

#### See Land Tax.

### Plays, See Copyright.

### Pleading, See Law (Amendment of).

### Police.

1. To authorize the issue of a Sum of Money out of the Consolidated Fund towards the Support of the Metropolitan Police, 5 & 6 W. 4. c. 20.
2. 10 G. 4. c. 44. recited. On Certificate from Secretary of State that Arrears and Rates required under the recited Act have been paid in any Parish, &c., the Treasury to direct such Sum as shall be necessary in addition thereto to be advanced from Consolidated Fund, § 1.
3. Sum advanced not to exceed 50,000*l.* in One Year, § 2.
4. Powers of recited Act, as to enforcing Payment, not to be altered, § 3.
5. Application of and accounting for the Money, § 4.

#### See Justice (Administration of).

### Police Magistrates, See Pensions, 35.

### Poll, See Elections.

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### Poor.

- I. Acts relating to the Poor in general.
- II. Acts for the Relief and Employment of the Poor in particular Places.

#### I. Acts relating to the Poor in general.

1. To repeal certain Acts relating to the Removal of poor Persons born in Scotland and Ireland, and chargeable to Parishes in England, and to make other Provisions in lieu thereof, and the 1st May 1830, and to the End of the three next Session of Parliament, 3 & 4 W. 4. c. 40.
2. So much of 17 G. 2. c. 5. 20 G. 3. c. 12. and 5 G. 4. c. 50. as relates to the Removal of poor Persons born in Scotland and Ireland, repealed, § 1.
3. Justices of Sessions may order Removal, by Sea or Land, of chargeable Poor born in Scotland or Ireland, &c. at Expence of complaining Parish; Expence to be repaid by County, &c. in which complaining Parish is situate, § 2.
4. Justices or Sessions to direct how Parties shall be removed, § 3.
5. Justices at Quarter Sessions to make Rules, &c. for carrying the Act into Execution, § 3.
6. Churchwardens, &c. to be repaid Expences out of County Rate, § 5.
7. How Expences to be defrayed of removing poor Persons within London, § 6.
8. How Expences to be defrayed when Parish is situate in any City, &c. not contributing to County Rate, § 7.
9. Term of Act, § 8.
10. Schedule; Form of Order of Removal; Form of Examination.
11. For the Amendment and better Administration of the Laws relating to the Poor in England and Wales, 4 & 5 W. 4. c. 75.
12. Appointment and Removal of Commissioners, § 1.
13. Style of Commissioners, who may sit as a Board with Power to summon and examine Witnesses, and call for Production of Papers, so Oath, or to substitute a Declaration for an Oath; but not to inquire into any Title, § 2.
14. To have a Common Seal. Rules, &c. preparing to be sealed with such Seal to be received as Evidence, § 3.
15. Commissioners to record their Proceedings, § 4.
16. Commissioners to make a general Report to the Secretary of State yearly, § 5.
17. And to report to Secretary of State when required, § 5.
18. Power to appoint Assistant Commissioners, and to remove same; not more than Nine to be appointed without Consent of Treasury, § 7.
19. Commissioners not to sit in Parliament, § 8.
20. Commissioners to appoint Secretary, Assistant Secretary or Secretaries, Clerks and other Officers, § 9.
21. Appointments of Commissioners, &c. limited to Five Years, § 10.
22. Commissioners and Assistant Commissioners to take Oath; Form of Oath. Notification of Appointment of Commissioners to be sent to Clerks of Peace, and published, § 11.
23. Commissioners may delegate Powers to Assistant Commissioners, and revoke them, § 12.
24. Persons giving false Evidence guilty of Perjury; refusing to attend, &c. guilty of Misdemeanor, § 15.
25. Reasonable Expences of Witnesses to be paid, and by whom, § 14.
26. Administration of Relief to the Poor to be under Control of the Commissioners; who are to make Rules and Regulations for the Relief and Employment of the Poor, and Administration

- assimilation of the Laws for their Relief, &c. Commissioners may suspend or alter Rules, &c., § 13.
27. General Rates to be submitted to Secretary of State Forty Days before coming into operation. If disallowed by King in Council during the Forty Days, not to come into operation; if disallowed afterwards, § 16.
28. General Rates to be laid before Parliament, § 17.
29. Rules, Orders, &c. to be sent to Overseers, &c. before they come into operation; Publicity to be given to Rules, &c. in manner directed by Commissioners. Penalty on Overseer, &c. neglecting to give Publicity, &c. Dissatisfaction of Rate to be notified in like Manner, § 18.
30. No Inmate of a Workhouse obliged to attend Religious Service contrary to his Religious Principles, &c., § 19.
31. Orders or Regulations of Assistant Commissioners to be approved and sealed by Commissioners, § 20.
32. Powers of 22 G. 3. c. 83. 29 G. 3. c. 12. and of all other Acts relating to Workhouses, and to borrowing Money, to be exercised under Control of Commissioners, and be subject to their Orders, § 21.
33. Commissioners, &c. to be entitled to attend local Boards and Vestry; but not in order the building or hiring of Workhouses, except under Limitations, § 21.
34. No Additions or Alterations to be made to the Rules contained in the Schedule to 22 G. 3. c. 83. or in any other Act, until confirmed by Commissioners, § 22.
35. Commissioners empowered to order Workhouses to be built, hired, altered, or enlarged, with Consent, &c., § 25.
36. Sums to be raised for Purposes of building Workhouses to be charged on Poor Rates not to exceed One Year's Arrears of Poor Rates, § 24.
37. Power to order Workhouses to be altered or enlarged without Consent, &c. Sums to be raised for such Purposes not to exceed One Tenth of One Year's Rates, or 50L.—§ 25.
38. Parishes may be united by Commissioners. Each Parish chargeable with its own Poor, § 26.
39. Justices may order out-door Relief to aged and infirm Persons wholly unable to work, § 27.
40. When a Union of Parishes shall be proposed, Commissioners to inquire the Expense of the Poor belonging to each Parish for Three Years preceding. Power for taking future Averages, § 28.
41. The like Provision in Unions effected under Local Acts of Incorporation. Power for taking future Averages, § 29.
42. Parliamentary Returns to be Evidence of actual Expense of Poor to each Parish, § 30.
43. So much of 22 G. 3. c. 83. and 25 G. 3. c. 1. B. as restrain Parishes from contributing to Workhouse at a greater Distance than Ten Miles, repealed; and so much of 22 G. 3. c. 83. as limits the Class of Persons to be sent to Workhouse, also repealed, § 31.
44. Power to dissolve, add to, or take from any Union, and thereupon to make such Rules as may be adopted to its altered State. Rights and Interests of Parishes, and Claims on them, to be ascertained and secured. Dissolution or Alteration not to affect Rights of Third Parties, nor take place without Consent of Guardians of Parish, § 32.
45. United Parishes may be One Parish for Purposes of Settlement, § 33.
46. Unions may be One Parish for Purpose of rating, with Consent of Guardians. Agreement or Counterpart for such rating to be deposited with Clerk of the Peace, § 34.
47. Guardians to ascertain and assess Value of Property. Rates grounded on such Assessment to be allowed as Poor Rates, § 35.
48. In such Cases all Expensures for the Poor to be in common. Expense of Valuation. Privilege for Consent of Parishes not represented by Guardians, § 36.
49. No Union to be so formed without Consent of Commissioners, § 37.
50. Constitution and Election of Board of Guardians for Unions. No Guardian to have Power, except in a local Board, unless otherwise directed by the Commissioners. Guardians may be re-elected, § 38.
51. The like for single Parishes, § 39.
52. At Elections of Guardians Votes to be taken in Writing and Owners as well as Occupiers to vote. Scale of voting. Votes may be given by Proxy. No Rate payer to vote unless rated One Year, § 40.
53. Elections of Guardians, Visitors, and other Officers under 22 G. 3. c. 83. or any Local Act, to be made according to the Provisions of this Act, § 41.
54. Commissioners may make Rules, &c. for present or future Workhouses, and vary Bye Laws already in force or to be made hereafter. Rules, &c. affecting more than One Union to be deemed General Rules, § 42.
55. Justices empowered to see Bye Laws enforced, and to visit Workhouses, pursuant to 20 G. 3. c. 49. The Power given to Justices, &c. to visit Workhouses reserved where Commissioners Rules, &c. are not in force, § 43.
56. Buildings taken for Workhouses to be within the Jurisdiction of the Place to which they belong, though situated without, § 44.
57. No Lunatic, Inebriate Person, or dangerous Mad to be detained in Workhouse more than Fourteen Days, § 45.
58. Commissioners may direct Overseers and Guardians to appoint paid Officers for Parishes or Unions, and fix their Duties, and the Mode of Appointment and Dismissal, and the Security, and regulate their Salaries, § 46.
59. Overseers, &c. to pass Accounts quarterly. Recovery of Balances. Surety not to be discharged, § 47.
60. Masters of Workhouses and Parish Officers to be under Order of Board, and removable by them, § 48.
61. Contracts not to be valid unless conformable to Rules of Commissioners, § 49.
62. Act 45 G. 3. c. 54. as to Contracts, repealed, § 50.
63. Penalty imposed by 35 G. 3. c. 137. on Persons having the Management of the Poor being concerned in any Contract, extended to Persons appointed under this Act, § 51.
64. Commissioners to regulate Relief to able-bodied Paupers and their Families out of the Workhouse: Relief contrary to those Regulations to be disallowed; but Overseers may delay the Operation of such Regulations under special Circumstances, and make Report thereof to Commissioners. If Commissioners disapprove of Delay they may fix a Day from which all such Relief shall be disallowed. Cases of Emergency, § 52.
65. 26 G. 3. c. 29. 35 G. 3. c. 137. § 3. and 4. and 20 G. 3. c. 12. § 2. & 5. repealed, § 53.
66. No Relief to be in future given, except by Board of Guardians, &c. Any Justice may give Order for Medical Relief in dangerous Illness, § 56.
67. Masters of Workhouse and Overseers to keep Registers, § 55.
68. Poor Persons liable for Relief to Wife or Children, § 56.
69. Husband liable to maintain Children of Wife born before Marriage, § 57.
70. Such Relief as Commissioners may direct to be considered as Loans, § 58.

61. Power to Justices to attach Wages in Hand, of Master or Employer; Mode of proceeding against Master for Recovery thereof, § 59.
62. No more of 45 G. 3. c. 47, as requires Relief to be given to Wives and Families of Substitutes, bred Men, or Volunteers of Militia, repealed, § 60.
63. Justices to certify that Rules of Commissioners have been complied with in binding poor-Children Apprentices; Justices Power reserved as between Master and Apprentices, § 61.
64. Power to Overseers and Rate-payers to raise Money on Security of Rates for Purposes of Emigration, § 62.
65. Overseers may apply to Commissioners of Exchange Bills under 27 G. 3. c. 24, for Advance of Money, § 63.
66. Settlement by Hiring and Service repealed, § 64.
67. No Settlement incomplete under Hiring and Service to be expunged, § 65.
68. No Settlement acquired without paying Poor Rate, § 66.
69. No by being apprenticed in the Sea Service, § 67.
70. No by Possession, longer than the Person shall inhabit within Ten Miles thereof, § 68.
71. Acts relating to Liability and Payment of putative Father and Possession of Mother of Illegitimate Children, repealed, § 69.
72. Secularities and Recognizances for Indemnity of Parishes against Children likely to be born Bastards to be null and void. Persons in Custody for not giving Indemnity to be discharged, § 70.
73. Mother of Illegitimate Children bound to maintain the same, § 71.
74. Court of Quarter Sessions, on Application of Overseers, &c. may make an Order on putative Father of Child for its Support. Monies paid not applicable to Support of Mother, § 72.
75. No Application to be heard without Fourteen Days previous Notice; if Application be heard, Costs may be calculated from Birth of Putative Child, if within Six Months, § 73.
76. In the event of Party charged not appearing, Court may nevertheless enter into the Case, § 74.
77. Party summoned, if suspected of intending to abscond, may be required to enter into a Recognizance for his Appearance, § 75.
78. When Provisions get into arrear putative Father may be proceeded against by Distress or Attachment of Wages, § 76.
79. No Person empowered, in Administration of Poor Laws, to transfer for his own Profit Goods or Promises given in Parochial Relief, § 77.
80. Sums payable under 45 Eliz. c. 2. § 7. by Relations of poor Persons, how recoverable, § 78.
81. No Person to be removed all after Notice of his being chargeable has been sent to the Parish to which Order of Removal is directed; such Person may be removed if Order submitted to, but not in case of Appeal, § 79.
82. In case of Appeal the Overseers to have Access to such poor Person touching his Settlement, § 80.
83. Grounds of Appeal to be stated in Notice, § 81.
84. Parish losing Appeal to pay such Costs as Court may direct, § 82.
85. Party making frivolous or vexatious Statement to pay Costs, § 83.
86. Costs of Relief to be paid by Parish to which poor Persons belong. Relief under suspended Order not to be recoverable unless Notice sent of such Order, § 84.
87. Power to call for and publish Accounts of Trust and Charity Estates, § 85.
88. Advertisements, &c. not liable to Stamp Duty, § 86.
89. Bonds and Securities made pursuant to 22 G. 3. c. 35, and Assignments thereof, exempted from Stamp Duty, § 87.
90. Letters to and from Board of Commissioners to be free of Postage if sent unforfeitable to Act; Letters sent under Cover, not relating solely to the Business of the Act, to be transmitted to Post Office, to be charged, § 88.
91. Payments contrary to the Act to be disallowed, § 89.
92. Service of Summons, § 90.
93. No more of 6 G. 4. c. 80, as relates to Prohibition of spirituous Liquors into Workhouses, repealed, § 91.
94. Penalty on Persons introducing spirituous Liquors into Workhouses, § 92.
95. Penalty on Master of Workhouses allowing Use of spirituous Liquors, or distresting poor Persons, or misconducting himself. Power for Justices to order Salaries, &c. to be stopped, and applied towards Payment of Penalties, § 93.
96. Masters to hang up Copies of Two preceding Classes in Workhouse, § 94.
97. Penalties on Overseers and other Officers disobeying Guardians, § 95.
98. No Overseer to be presented for not executing illegal Orders, § 96.
99. Penalty on Overseers, &c. permitting, &c. Goods, &c. 20L, and Treble Value of Goods pawned, § 97.
100. Penalty on Persons wilfully disobeying Rules, Orders, and Regulations, § 98.
101. Forfeitures, Costs, and Charges may be levied by Distress and Sale. In what Manner to be applied, § 99.
102. Overseers, Rate payers, &c. may be competent Witnesses, § 100.
103. Justices may proceed by Summons for the Recovery of Penalties, § 101.
104. Satisfaction recoverable for special Damage, but Distress not lawful for Want of Form in the Proceedings; Plaintiff not to recover for Irregularity, if Tender of Amends be made, § 102.
105. Appeal to the Quarter Sessions against Order of Justices within Four Calendar Months after Cause of Complaint, &c. Fourteen Days Notice in Writing to be given, &c. and Recognizance to be entered into, § 103.
106. Limitation of Actions. Defendant may plead the General Issue. Costs, § 104.
107. Rules, &c. to be removable by Certiorari to Court of King's Bench; Rules, &c. so removed to continue in force until declared illegal, § 105.
108. Notice to be given to Commissioners of Application for Writ of Certiorari, &c. Commissioners may show Cause, § 106.
109. Recognizances to be entered into. If Rule be declared legal, Commissioners to be entitled to Costs, § 107.
110. If Rules are quashed, the same to be notified to Parishes to which such Rules have been directed. Proviso for existing Contracts. No Person to be answerable until Receipt of Notice, § 108.
111. Intemperate Clause, § 109.
112. Act may be amended this Session, § 110.
113. To facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in England and Wales, § 6 H. 4. c. 69.
114. Powers for Corporations and Persons under Disability to convey Lands, &c. for the Purposes of this Act, § 1.
115. Investment of Purchase Money to the same Use as the Estates sold were subject to. Parties in Possession to be deemed entitled. Court of Exchequer may order Payment of Expenses, § 9.

126. Power to Overseers and Guardians of the Poor to sell, purchase, and dispose of Workhouses, &c. § 5.
127. Power to Overseers to take Waste or Forest Lands, extended to Guardians, &c. § 4.
128. Powers given to Justices to deliver Possession of Parish Houses, &c. to Churchwardens and Overseers, extended to Property of Unions, &c. § 5.
129. Mode of Conveyance. Approval of the Poor Law Commissioners, &c.
130. Guardians incorporated, § 7.
131. Previous Sales made with Consent of Commissioners to be valid, § 8.
132. Interpretation of Act, § 9.
133. Schedule.

Form of Conveyance.  
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See *Parish Apprentices; Public Works and Fisheries.*

*II. Acts for the Relief and Employment of the Poor in particular Places.*

1. *Burking.* Better assessing and collecting the Poor and other Rates, 5 & 6 W. 1. c. 5.
2. *Boswell and Clonfert.* Repealing Act for better Relief and Employment of the Poor, and granting more effectual Powers in aid thereof, 3 & 4 W. 4. c. 11.
3. *Conferred.* Better assessing, &c. the Poor and other Rates in the Parish of St. Giles, regulating the Affairs thereof, and other Purposes [amending Act], 3 & 4 W. 4. c. xxxiii.
4. *Forlow.* Better Relief and Employment of the Poor in the Hundred of Forlow in the County of Norfolk [amending several Acts], 3 & 4 W. 4. c. vii.
5. *Larwood.* Repealing Act for better assessing and recovering Poor and other Rates upon small Townships, 4 & 5 W. 4. c. vi.
6. *Musford and Lambingland.* Better Relief and Employment of the Poor [amending Act], 3 & 4 W. 4. c. xlii.
7. *Seabrook.* Better assessing the Poor and other Rates on small Townships, 4 & 5 W. 4. c. v.
8. *Woolford.* Better Relief and Employment of the Poor [enlarging Powers of former Acts], 3 & 4 W. 4. c. xliiii.

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*Possessions Abroad.*

1. To regulate the Trade of the British Possessions Abroad, 1 A. 1 W. 4. c. 22.
2. 6 G. 4. c. 114. revised. Commencement of Act, § 1.
3. Importation and Exportation of Goods confined to Free Ports. Table of Free Ports, § 2.
4. His Majesty may appoint other Ports to be Free Ports, § 3.
5. And may appoint Ports for limited Purposes, § 4.
6. Privileges granted to Foreign Ships limited to Ships of those Countries which, having Colonial Possessions, shall grant the like Privileges to British Ships, § 5.
7. Not to affect 4 G. 5. c. 77. and 5 G. 4. c. 1. for regulating the Trade of Foreign Ships, § 6.
8. Goods prohibited or restricted to be imported into Colonies, Goods imported contrary thereto, forfeited, § 7.
9. Coffee, &c. though British, deemed Foreign in certain Cases, § 8.
10. Duties of Importation in America; Table of Duties; Abatement of Duty in certain Cases, § 9.
11. Not to repeal Act of Declaration, 18 G. 3. c. 12, nor to repeal Duties granted prior to that Act, nor to repeal

12. Duties imposed by Acts prior to 18 G. 3. c. 12 to be applied to Purposes of those Acts, § 11.
13. Currency, Weights and Measures, § 12.
14. Duties paid by Collector to Treasurer of Colony in which landed, § 13.
15. All British Vessels to be subject to equal Duties in the Colonies, except Coasting Vessels, § 14.
16. Drawback on Rees, &c. of British Possessions exported from Newfoundland to Canada, &c.; Limitation as to Drawback, § 15.
17. Ship and Cargo to be reported on Arrival; Particulars of Report; Penalty for false Report, § 16.
18. Entry Onwards of Ship for Cargo; Particulars of Entry; Penalty, &c. Content of the Cargo to be delivered before Departure. Clearance of Ship for the Voyage; Penalty of 100*l.* for not clearing, § 17.
19. Goods not stated in Certificate to be Produce of British Possessions to be deemed of Foreign Production, § 18.
20. Newfoundland Fishing Certificates in lieu of Clearance during the Fishing Season, as End of Season Certificates to be delivered up. Ships trading to fulfil their Certificate, § 19.
21. Entry of Goods to be laden or unladen. Regulations Inwards and Outwards. Regulations Customs. Enforcement, § 20.
22. Particulars of Entry of Goods Inwards and Outwards, § 21.
23. Entry Inwards by Bill of Sight. Within Three Days after landing of Goods, perfect Entry to be made, and Duties paid, § 22.
24. Goods subject to ad valorem Duty. Value to be declared on Entry. Mode of proceeding if Goods be undervalued. Proof of Invoice Price. If necessary, Two Persons may be nominated to fix Prices, § 23.
25. If Importer refuse to pay such Duty, Goods may be sold, § 24.
26. Respecting the Entry of Goods and Payment of Duties, § 25.
27. Goods imported from United Kingdom or British Possessions must appear in Cocket, &c., § 25.
28. Goods imported from, to be deemed of the Growth of the United Kingdom, § 27.
29. Entry not to be valid, if Goods be not properly described as to, § 28.
30. Certificate of Production for Sugar, Coffee, Cocoa, or Spices. Oath of the Grower; Declaration of Exporter; Declaration of the Master, § 29.
31. Certificate of Production on Re-exportation from another Colony, § 30.
32. Goods brought over Land or by Inland Navigation, § 31.
33. What Vessels to be deemed British on the Lakes to America, § 32.
34. Goods must be brought to a Place where there is a Custom House. Governor may appoint Custom Houses, § 33.
35. Duties to be collected in same Manner as on Goods imported by Sea, § 34.
36. Duties in Canada on American Boats as in America on British Boats, § 35.
37. Ports mentioned in the Act to be Free Warehousing Ports, § 36.
38. Goods may be warehoused without Payment of Duty, § 37.
39. Regulation as to warehousing of Goods on Arrival in Canada, § 38.
40. Storage of Goods in Warehouse; locking Warehouse.



41. Bond upon Entry of Goods to be warehoused; Purchaser of Goods may give Bond in lieu of original Bond, § 40.
42. Goods not duly warehoused, &c. to be forfeited, § 41.
43. Account of Goods to be taken on landing; no Goods to be taken out without Entry. Deficiencies to be ascertained; Duties to be paid upon Deficiencies, § 42.
44. Samples may be taken, § 43.
45. Goods may be sorted and re-packed; Duty on first Quality; Packages may be abandoned for Duty, § 44.
46. Goods warehoused may be delivered for Removal without Payment of Duty, § 45.
47. All Goods to be cleared within Two Years or sold; further Time, § 46.
48. Bond on Entry for Exportation, § 47.
49. Power to appoint other Ports, § 48.
50. Goods from *Mauritius* liable to same Duties and Regulations as *West India* Goods, § 49.
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52. *Dutch* Proprietors in *Dominica*, *Essequibo*, and *Berbice* may apply their Estates from *Holland*, § 51.
53. *Dutch* Proprietors not to export to United Kingdom or Colonies, § 52.
54. What Persons to be deemed *Dutch* Proprietors; Proprietors of Estates; Holders of *Montegago*, § 53.
55. Persons not wishing to be considered *Dutch* Proprietors to sign Declaration to that Effect, § 54.
56. No Ship to sail from *Jamaica* to *St. Domingo*, or from *St. Domingo* to *Jamaica*, § 55.
57. Colonial Laws repugnant to any Act of Parliament to be null and void, § 56.
58. As to Exemption from Duties, § 57.
59. Officers may board Ships hovering on the Coasts, § 58.
60. Forfeitures of Vessels, Carriages, &c. removing Goods liable to forfeiture, § 59.
61. Goods, Vessels, &c. liable to Forfeiture may be seized by Officers, § 60.
62. Writ of Assistance to search for and seize Goods liable to forfeiture, § 61.
63. Obstruction of Officers by Force, § 62.
64. Goods seized to be stored at the next Custom House, and sold by Auction, § 63.
65. Jurisdiction for Prosecution of Seizures and Penalties, § 64.
66. Bail may be given for Goods or Ships seized, § 65.
67. Suits to be commenced in Name of Officer of Customs, &c., § 66.
68. *Quare probandi* to lie on Party, § 67.
69. Claim to Thing seized to be entered in Name of Owner, § 68.
70. No Person admitted to enter Claim for Thing seized unless Security first given, § 69.
71. A Month's Notice of Action to be given to Officers, § 70.
72. Actions to be brought within Three Months of the Cause of them, § 71.
73. Judge may certify probable Cause of Seizure, § 72.
74. Officer may tender Amends, § 73.
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76. Recovery and Application of Penalties, § 75.
77. Limitation of Suits, § 76.
78. Limitation of Appeals, § 77.
79. Security to shroud an Appeal from Decree of Vice Admiralty Court, § 78.
80. Persons authorized to make Seizures under § G 4. c. 112 to have the Benefit of this Act, § 79.
81. Application of Penalties under revised Act, § 80.
82. The King may regulate Trade of certain Colonies, § 81.
83. *East India* Company may carry Goods from India to Colonies; private Colonies may trade to China, or in Tea for Supply of Colonies, § 82.
84. Certificate of Production of *East India* Sugar, § 83.
85. Ships built prior to 1st January 1816 deemed *British* Ships within certain Limits, § 84.
86. Certificate of Production of Goods in *Guernsey*, &c., § 85.
87. Certificates of Production of Goods in *Guernsey*, &c., § 86.
88. Tea may not be imported into *Guernsey*, &c. except from United Kingdom, § 87.
89. *Guernsey*, &c. Tonnage of Ships and Size of Packages for Spirits and Tobacco, § 88.
90. Not to extend to Vessels of Ten Tons supplying Island of Sark, having License as to do, § 89.
91. Penalty of 100*l.* on Persons Board on board Vessels liable to Forfeiture within One League of *Guernsey*, &c., § 90.
92. *British* Coals not to be re-exported from *British* Possessions without Duty, § 91.
93. Penalty of 200*l.* for using Documents counterfeited or falsified, § 92.
94. Act may be altered, &c. this Session, § 93.

## Postage, See North America.

## Post Office.

- To extend the Accommodation by the Post to and from Foreign Ports and for other Purposes relating to the Post Office, 54 G 3F. 4. c. 25.
- Postage on Letters to and from Foreign Ports to be taken in One entire Sum, § 1.
- Optional Payment of Postage on Letters to Foreign Ports, § 2.
- Rates of Postage marked on Foreign Letters to be deemed the Amount of Postage payable, § 3.
- No Letters liable to any Foreign Rates of Postage to be received free, § 4.
- Registering certain Letters, § 5.
- Packet Postage, § 6.
- Postmaster General empowered to reduce Postage on Letters to and from Foreign Ports, § 7.
- Reduction of Postage on Ship Letters, § 8.
- Allowance to Masters of Vessels conveying Letters, § 9.
- Letters may be sent by other Vessels than Packet, § 10.
- Assessing Rate of Postage on Ship Letters in *Ireland* to Rates on Ship Letters in *Great Britain*, § 11.
- Letters from *China* liable to same Rates of Sea Postage as other Letters, § 12.
- Sea Postage on Letters from certain Places in *India*, § 13.
- Sea Postage from *Belindia* to the *East Indies*, § 14.
- Repeal of Postage on Newspapers by private Ships from the Colonies, § 15.
- Sea Postage on Newspapers by private Ships from the Colonies, § 16.
- Postage on Newspapers sent by private Ships to the Colonies, § 17.
- Reduction of Postage on Newspapers by private Ships to and from Foreign Ports. *France*, § 18.
- Postage on Newspapers to and from Foreign Ports may be again increased, § 19.
- Allowance to Masters and Commanders for Newspapers delivered to or by them from or to the Post Office, § 20.

22. Not to alter Rules under 29 G. 3. c. 111.—*§ 21.*  
 23. Newspapers to be sent without a Cover, or in a Cover open at the Sides, *§ 22.*  
 24. Newspapers sent out of the Kingdom to be put into the Post within Seven Days from the Time when published, *§ 23.*  
 25. Postmaster General may examine Newspapers sent by the Post to discover whether any Writings or Marks are upon them, or any Papers enclosed with them, *§ 24.*  
 26. Delivery of Papers to be conveyed by Post, *§ 25.*  
 27. *6 Ann. c. 10. is part repealed, § 26.*  
 28. Rates to be paid into the Hands of the Receiver General, *§ 27.*  
 29. Recovery of Arrears of Postage by Distress of Goods, *§ 28.*  
 30. Proceedings to be in the Form specified in the Schedule, *§ 29.*  
 31. Limitation of Actions, *§ 30.*  
 32. Act may be altered, &c., *§ 31.*  
 33. Schedule.

See *North America.*

*Prebends*, See *Ecclesiastical Dignities.*

*Pre-fines and Post-fines*, See *Sheriffs, 16.*

### Prisons.

1. For effecting greater Uniformity of Practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons in Great Britain, 5 & 6 W. 4. c. 38.
2. Rules for Government of Prisons to be approved only to hereinafter provided, *§ 1.*
3. Manner in which such Rules are to be made and approved, *§ 2.*
4. Justices of Peace empowered to commit Offenders to any House of Correction near the Place where the Assizes are to be holden at which they are to be tried, *§ 5.*
5. How Persons convicted of Offences for which they are liable to Death, &c. shall be disposed of, *§ 4.*
6. Clerks of Peace, &c. to transmit Copies of Prison Rules to Secretary of State, who may add to or alter the same. Clerks of Peace, &c. to lay Copies of Prison Rules before the Court of Quarter Sessions, *§ 3.*
7. In case Clerks of Peace, &c. neglect to transmit such Rules to the Secretary of State he may certify what Rules he may deem necessary for the Government of such Prisons, *§ 6.*
8. Power to appoint Inspectors of Prisons, *§ 7.*
9. Penalty on obstructing Inspectors, *§ 8.*
10. A Justice may surrender Offenders, &c., *§ 9.*
11. Secretary of State may visit Prisons, &c., *§ 10.*
12. His Majesty may order Prisoners to be removed from one Prison to another, *§ 11.*
13. Where Term of Imprisonment expires on a Sunday, Prisoner to be discharged on the preceding Saturday, *§ 12.*
14. Power given by 4 & 5 W. 4. c. 86. to His Majesty to direct Prisoners sentenced to Imprisonment for Offences committed beyond Limits of that Act to be removed to Penitentiary, extended to Offences committed within the Limits, *§ 13.*
15. Powers contained in Penitentiary Acts extended to all Prisoners confined therein, *§ 14.*
16. Eight hundred Male Convicts may be confined in Penitentiary, instead of 200 hundred, as limited by 39 G. 3. c. 100.—*§ 15.*

*Privy Council*, See *Justice*, 61—62.

### Process.

1. To amend an Act [2 W. 4. c. 39.] for the University of Process in Personal Actions in His Majesty's Courts of Law at Westminster, 5 & 4 W. 4. c. 67.
2. Part of recited Act repealed. Writs of Subpoena, Distress, &c. issued into Middlesex to be signed, and Fees accounted for in like Manner as Writs under recited Act, *§ 1.*
3. Teste and Return of certain Writs, *§ 2.*  
 See *Chancery (Court of)*, 60.

*Provisionary Notes*, See *Banks*, *Bank of England*, *Securities.*

*Public Notaries*, See *Notaries.*

### Public Works.

1. To amend the several Acts authorizing Advances for carrying on Public Works, 5 & 4 W. 4. c. 32.
2. Loans made under Local Acts subject to same Powers as Loans made under 37 G. 3. c. 34., &c., *§ 1.*

### Public Works and Fisheries.

1. To amend several Acts for authorizing the issue of Exchequer Bills for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize a further issue of Exchequer Bills for the Purpose of the said Acts, 4 & 5 W. 4. c. 72.
2. Acts recited. His Majesty may authorize the Commissioners of the Treasury to issue Exchequer Bills to the Amount of One Million, *§ 1.*
3. Powers of 48 G. 3. c. 1. Act to extend to this Act, *§ 2.*
4. Bills to bear an Interest of 3d. per Cent. per Annum, *§ 3.*
5. Bills when payable to pass current but not to be received in Payment of Taxes before the Day appointed for their Payment, *§ 4.*
6. Exchequer Bills to be payable within One Year from Date with Interest, *§ 5.*
7. Officers of Exchequer not to receive Fees other than allowed by Treasury, *§ 6.*
8. Commissioners appointed under recited Acts to be Commissioners under this Act, *§ 7.*
9. Commissioners to take Oath. Form of Oath, *§ 8.*
10. Manner of advancing Bills by Commissioners Bills issued not to exceed Amount directed by this and recited Acts, *§ 9.*
11. Lists of Exchequer Bills issued to be delivered to Commissioners, *§ 10.*
12. Classes, Powers, &c. respecting Advances and Accounts made under recited Acts to extend to Advances made by Commissioners under this Act, *§ 11.*
13. Further Advances may be made on unfinished Works, on Mortgage of such Works or other Security, *§ 12.*

*Punishment of Death*, See *Crimes and Misdemeanors.*

## Q.

## Quakers.

1. To allow Quakers and Moravians to make Affirmation in all Cases where an Oath is or shall be required, 5 § 4 W. 4. c. 40.
2. Quakers and Moravians permitted to make a solemn Affirmation or Declaration instead of an Oath. Penalty on affirming or declaring falsely. Form of Declaration, § 2.
3. Form of Affirmation in Lieu of Oath of Abjuration, § 2.

## Quare impedit.

1. To give Costs in Actions of Quare impedit, 4 § 5 W. 4. c. 50.
2. Costs may be recovered in such Actions. If Plaintiff is nonsuited, &c. Defendant to have Judgment. Exception, § 1.

*Quarter Sessions*, See Justice (Administration of), 97.

*Quit Rents*, See Sheriffs.

## R.

*Rates and Assessments*, See Inclosures.

*Real Estates*, See Freehold Estates; Law (Amendment of), 47.

*Real Property*, See Limitation of Actions.

*Receipts*, See Stamps.

*Recognizances*, See Sheriffs, 25.

*Recoveries*, See Fines and Recoveries.

*Registering Ships and Vessels*, See Ships and Vessels, 26.

*Registrars of the Court of Chancery*, See Chancery (Court of), 18—18.

*Regulation of the Customs*, See Customs, 56.

*Representation*, See Elections.

## Revenue.

1. Sums borrowed by Annuities, Exchequer Bills, &c.
- II. Appropriation Acts.

1. Sums borrowed by Annuities, Exchequer Bills, &c.

1. Money coming into the Exchequer by 5 § 4 W. 4. c. 1. 2.
2. 12,000,000*l.* by Exchequer Bills, 5 § 4 W. 4. c. 2.
3. 5,000,000*l.* out of the Consolidated Fund, 5 § 4 W. 4. c. 13.
4. 15,732,500*l.* by Exchequer Bills, 5 § 4 W. 4. c. 28.
5. Money coming into the Exchequer by 4 § 5 W. 4. c. 2. 5. 72.

6. 14,000,000*l.* by Exchequer Bills, 4 § 5 W. 4. c. 5.
7. 7,000,000*l.* out of the Consolidated Fund, 4 § 5 W. 4. c. 12.
8. 14,394,700*l.* by Exchequer Bills, 4 § 5 W. 4. c. 28.
9. Money coming into the Exchequer by 5 § 6 W. 4. c. 5. 12.
10. 16,000,000*l.* by Exchequer Bills, 5 § 6 W. 4. c. 5.
11. 6,000,000*l.* out of the Consolidated Fund, 5 § 6 W. 4. c. 5.
12. 15,521,500*l.* by Exchequer Bills, 5 § 6 W. 4. c. 44.

## II. Appropriation Acts.

1. Annual Acts for appropriating the Supplies, 5 § 4 W. 4. c. 95. 4 § 5 W. 4. c. 84. 5 § 6 W. 4. c. 193.
2. Naval Services, 5 § 4 W. 4. c. 95. § 10. 4 § 5 W. 4. c. 84. § 11. 5 § 6 W. 4. c. 80. § 11.
3. Land Forces, 5 § 4 W. 4. c. 95. § 11. 4 § 5 W. 4. c. 84. § 12. 5 § 6 W. 4. c. 80. § 12.
4. Ordnance Services, 5 § 4 W. 4. c. 95. § 12. 4 § 5 W. 4. c. 84. § 13. 5 § 6 W. 4. c. 80. § 13.
5. Ecclesiastical Bills, 5 § 4 W. 4. c. 10. § 13—15. 4 § 5 W. 4. c. 84. § 14, 15. 5 § 6 W. 4. c. 80. § 14, 15.
6. Miscellaneous, 5 § 4 W. 4. c. 95. § 16, 17. 4 § 5 W. 4. c. 84. § 16, 17. 5 § 6 W. 4. c. 80. § 16, 17.
7. Civil Services, 5 § 4 W. 4. c. 95. § 18, 19. 4 § 5 W. 4. c. 84. § 18, 19. 5 § 6 W. 4. c. 80. § 18, 19.
8. Supplies to be applied only for the Purposes aforesaid, 5 § 4 W. 4. c. 95. § 20. 4 § 5 W. 4. c. 84. § 20. 5 § 6 W. 4. c. 80. § 20.
9. Rules for Application of Half Pay, 5 § 4 W. 4. c. 95. § 21—23. 4 § 5 W. 4. c. 84. § 21—23. 5 § 6 W. 4. c. 80. § 21—23.
10. Application of overplus Sums, 5 § 4 W. 4. c. 95. § 27. 4 § 5 W. 4. c. 84. § 27. 5 § 6 W. 4. c. 80. § 27.
11. Widows and Penions claiming Penions to take the required Oath, 5 § 4 W. 4. c. 95. § 28. 4 § 5 W. 4. c. 84. § 28. 5 § 6 W. 4. c. 80. § 28.

*Rice*, See Customs, 398.

*Roads*, See Turnpike Roads.

## S.

*Sacrilege*, See Capital Punishments.

*Salaries*, See Civil List.

## Savings Banks.

1. To enable Depositors in Savings Banks and others to purchase Government Annuities through the Medium of Savings Banks, and to amend an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks, 5 § 4 W. 4. c. 14.
2. *2 G. 4. c. 95.* recited. Trustees of Savings Banks may receive Money from Depositors, &c. for Purchase of Annuities; how Annuities to be contracted for. Money paid to Trustees on account of Purchase of Annuity to be kept distinct, and paid to Account of Commissioners, § 1.
3. Annuities not to be granted on the Life of any Person under Fifteen Years of Age, nor to exceed 30*l.* per Annum; Commissioners, &c. may decline to contract for Annuity, § 2.

1. Fees to be taken on Application for Annuity limited to 2s. 6d. and 1s. yearly to be applied in defraying the necessary Expenses of Trustees, § 3.
2. Making Payments and receiving Annuities not confined to One Savings Bank, § 4.
3. Treasury shall direct Use of Tables of the Value of Annuities as approved by them, § 5.
4. Purchasers of Annuities for Lives or for Years shall be entitled to such Amount of Annuity as shall be specified in the Tables, § 6.
5. Prevailing Practices, § 7.
6. Certain Annuities to be carried to a separate Account, § 8.
7. Life Annuities may make further Purchases on Lives of original Nominees without fresh Certificates, § 9.
8. Amount of Annuities from Time to Time payable shall be certified to the Treasury who shall issue their Warrant to the Bank for Payment thereof out of the Consolidated Fund, § 10.
9. Terms of Payment of Annuities granted under this Act; quarterly Payment on Death of Nominees of Life Annuities; Proviso as to deferred Annuities, § 11.
10. Burghs for Annuities not to be made for Fourteen Days after the quarterly Day of Payment, § 12.
11. Contracts for Annuities to be sanctioned by Commissioners for Reduction of National Debt before they are entered into, § 13.
12. On Production of Proof of Existence, &c. Certificate shall be granted for Payment of Annuity for Life, § 14.
13. Annuities for Terms of Years to be paid without Proof, § 15.
14. Annuities granted under this Act not transferrable, except in case of Bankruptcy or Insolvency, § 16.
15. As to Liability of Annuities to Taxes: Annuities shall be Personal Estate, § 17.
16. If annual Payments are not kept up, or if Party die before Annuity commences, all Payments to be returned, § 18.
17. Registers, Receipts, &c. exempt from Stamp Duty, § 19.
18. Appointment of Clerks and Officers, § 20.
19. For defraying Expenses attending the Execution of this Act, 2 G. 4. c. 192. and 10 G. 3. c. 95. revised, § 21.
20. Quorum of Commissioners, § 22.
21. Account to be annually laid before Parliament of Annuities granted, and of Moneys paid for Annuities, § 23.
22. How Moneys paid to Commissioners on account of this Act to be applied; Commissioners may reserve a Part of such Moneys to repay Money claimed in case of Death, &c. of Party purchasing Annuity, § 24.
23. Commissioners may sell and dispose of Bank Annuities, &c. now standing in their Names, &c., § 25.
24. Trustees may make Rules for carrying the Provisions of this Act into execution, § 26.
25. Where no Savings Bank is legally established, other Trustees may establish a Society for the Purpose of granting Annuities, § 27.
26. Executors, &c. of Officers of Savings Bank to pay Money due to Savings Bank before any other Debts, § 28.
27. Certain Part of 9 G. 4. c. 92. repealed; no Money exceeding 50*l.* to be deposited in any One Year, § 29.
28. If annual Returns are not made pursuant to 9 G. 4. c. 92. § 26. Name of Savings Bank to be published in Gazette, § 30.
29. Statement of Expenses may be required from Trustees or Managers, § 31.
30. Certificate of Treasurer as to Money in his Hands, § 32.
31. Re-enrolment of Rules not necessary, § 33.
32. 9 G. 4. c. 92. as amended by this Act, extended to Guernsey, &c., § 34.

Scalesboard, See Excise, 58.

Scavage, See Package.

### Scilly (Islands of).

1. To authorize Persons, duly appointed, to act as Justices of the Peace in the Islands of Scilly, although not qualified according to Law, 4 & 5 W. 3. c. 43.
2. 5 G. 2. c. 18. and 16 G. 2. c. 95. repealed. Persons duly appointed may act as Justices although not qualified, § 1.
3. All Acts done by them to be valid, § 2.

## SCOTLAND.

Assessed Taxes, See Exchequer (Barons of).

Bail, See Capital Officers.

### Burghs and Towns.

1. To provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament and are not Royal Burghs, 3 & 4 W. 4. c. 77.
2. 2 & 3 W. 3. c. 65. repealed. Number of Councillors and Magistrates in each Burgh, § 1.
3. Councillors by whom to be elected, § 2.
4. Certain Burghs to be divided into Wards and Districts by Commissioners, § 3.
5. Councils to be chosen for Paisley, Greenock, Leith, and Ayr, § 4.
6. If there is no Chief or Senior Magistrate, Sheriff to preside at Election, § 5.
7. Poll not to be open more than One Day, § 6.
8. Provost or Chief Magistrate to appoint additional Polling Places, Assessors, &c. if necessary, § 7.
9. Poll Books to be summed up by Provost, who shall declare the Result, § 8.
10. Councillors to be chosen for Falkirk, &c., § 9.
11. Persons elected not attending held to decline accepting, § 10.
12. Recurring annual Election of Council, § 11.
13. One Third Part of Council to go out of Office annually, § 12.
14. Election of Provost and Magistrates for Paisley, &c., § 13.
15. Election of Provost and Magistrates for Falkirk, &c., § 14.
16. Election of Provost and Magistrates for Port Glasgow, &c., § 15.
17. Election of Bailiffs for Glasgow, § 16.
18. Election of Managers of Churches, § 17.
19. Existing Councils and Magistrates to go out on Completion of next Election, § 18.
20. Election of Trustees and Managers, § 19.
21. Councillors to be Burgesses before Induction, § 20.
22. Rights of Crafts, Trades, and Guildries to elect their own Officers, § 21.
23. Vacancies of Magistrates going out of Office how supplied, § 22.

24. Vacancies occurring within the Year how to be supplied, § 25.
25. Councillors, &c. may resign, § 24.
26. Burghs having no legal Councils, § 25.
27. Town Clerk to be appointed, § 28.
28. Town Clerk to give Notice, § 27.
29. Notices may be given at Place of Worship, § 28.
30. Fees of Substitutes and Assessors, and Election Expenses, how to be paid, § 30.
31. Magistrates and Town Council to have same Powers as Magistrates and Council now existing, but not to have Power of trying for Felonies, &c., § 30.
32. Magistrates, &c. to publish a State of their Affairs yearly, § 31.
33. Penalty for wilful Malversation, § 32.
34. Irregularity in Election of Councillors only to affect themselves, § 33.
35. Act may be altered, § 34.
36. Schedules (A.) and (B.)
37. To explain certain Provisions in an Act of the Third and Fourth Years of His present Majesty, to provide for the Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament and are not Royal Burghs, 4 & 5 W. 4. c. 65.
38. 3 & 4 W. 4. c. 77. recited. Regulation as to Councillors going out of Office at the Second and Third Elections of Councillors, § 1.

See Police.

#### Burghs Royal.

1. To alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in Scotland, 3 & 4 W. 4. c. 76.
2. Electors of Council, how to be qualified, § 1.
3. Elections in Burghs having no Parliamentary Registers, § 2.
4. Assessors to be appointed, § 3.
5. List of Electors to be kept, § 4.
6. Lists to be completed annually; Extracts may be obtained, § 5.
7. Appeal to the Court of Review under 2 & 3 W. 4. c. 65. § 6.
8. Certain Burghs to be divided into Wards and Divisions by Commissioners, § 7.
9. Councils to be chosen, § 8.
10. Poll not to be open more than One Day, § 9.
11. Poll Books to be examined up by Proctor, who shall declare the Result, § 10.
12. Elections in Burghs not contained in Schedule (C.) or (F.), § 11.
13. Elections in Burghs contained in Schedule (F.), § 12.
14. Persons elected, failing to attend, held to decline acceptance, § 13.
15. Councillors to be Burghesses before Induction, § 14.
16. Succeeding annual Election of Council, § 15.
17. One Third Part of the Council to go out of Office annually, § 16.
18. Proctor and Magistrates to be chosen, § 17.
19. Existing Councils and Magistrates to go out on Completion of next Election, § 18.
20. Official Titles and Functions in Councils to be abolished, § 19.
21. Election of Treasurers and Managers, § 20.
22. Rights of Crafts, Trades, and Guildries to elect their own Officers, § 21.

23. Certain Deans of Guild and Deacons Convents to be Members of Councils or officers, § 22.
24. Trusts and Management to be continued in Persons elected by Crafts, Trades, and Guildries, § 23.
25. Vacancies of Magistrates going out of Office how supplied, § 24.
26. Vacancies occurring within the Year how to be supplied, § 25.
27. Councillors, &c. may resign, § 26.
28. Burghs having no legal Councils, § 27.
29. No Councillor to hold the Office of Town Clerk, § 28.
30. Town Clerk to give Notice, § 29.
31. Fees of Substitutes and Assessors, and Election Expenses, how to be paid, § 30.
32. New Magistrates to administer the Affairs of the Burgh, § 31.
33. Magistrates and Council to make up a State of their Affairs, § 32.
34. Magistrates not responsible for the Debts of the Burgh, § 33.
35. Penalty for wilful Malversation, § 34.
36. Ministers not to visitate Proceedings, § 35.
37. All Statutes or remedies with the Act repealed. Burghs Oath not to be taken, § 36.
38. As to Irregularity in Election of Councillors, § 37.
39. Act may be altered this Session, § 38.
40. Schedules to which the Act refers.
41. To explain certain Provisions of an Act of the Third and Fourth Years of the Reign of His present Majesty, to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in Scotland, 4 & 5 W. 4. c. 67.
42. 3 & 4 W. 4. c. 76. recited. Regulations as to Councillors going out of Office at the Second and Third Elections of Councillors, § 1.

#### Capital Offences.

1. To provide that Persons accused of Forgery in Scotland shall not be entitled to Bail, unless in certain Cases, 3 & 4 W. 4. c. 73.
2. 2 & 3 W. 4. c. 125. recited. No Person committed for Trial for a Capital Offence entitled to insist on Liberation on Bail, § 1.
3. High Court or Circuit Court of Judiciary empowered to grant Privilege of Bail when consistent with the Ends of Justice, § 2.

#### Churches and Chapels.

1. To regulate the Appointment of Ministers to Churches in Scotland erected by voluntary Contributions, 4 & 5 W. 4. c. 41.
2. Ministers to Places of Worship in Scotland built by voluntary Contribution, and apportioned into Parochial Churches, to be appointed according to the Mode prescribed by the Church Courts. Saving the Rights of Patrons. Proviso for Parishes in which are Churches erected by voluntary Contribution. Act not to affect Powers of Commissioners of Teinds under 6. Ann. c. 2. (S.), § 1.
3. One Fifth of Stings to be or Rents fixed by Church Courts, § 2.
4. Act not to extend to Churches built in any Parish by the Patron, § 3.
5. Providing for Churches built by Patron and Heritors only, § 4.

Civil Debt, See Imprisonment for Debt.

Clerk of the Pipe, See Exchequer.

Councillors, See Burghs and Towns.

Councils, See Burghs Royal.

#### Creditors.

To receive until the Fifth Day of March One thousand eight hundred and thirty-five, and from thence to the End of the then next Session of Parliament, an Act of the Fifty-fourth Year of His Majesty King George the Third, for providing the Payment of Creditors more equal and expeditious in Scotland, & 3 W. 4 c. 74.

Debt, See Imprisonment for Debt.

#### Exchequer.

1. To abolish the Office of Recorder of the Great Roll or Clerk of the Pipe in the Exchequer in Scotland, & 3 W. 4 c. 16.
2. 6 Ann. c. 26, and 2 & 3 W. 4. c. 103, 112, repealed. Office of Recorder of the Great Roll or Clerk of the Pipe abolished, § 1. Powers of Recorder of the Great Roll vested in Lord Treasurer's Remembrancer, § 2. Custody of Records, &c. belonging to Great Roll, § 3.

#### Exchequer (Barons of).

1. To provide for the Execution of the Duties performed by the Barons of Exchequer in Scotland in relation to the Public Revenue, and to place the Management of the Assessed Taxes and Land Tax in Scotland under the Commissioners for the Affairs of Taxes, & 4 W. 4. c. 15.
2. 6 Ann. c. 26. 45 G. 3 c. 160. 45 G. 3 c. 161. 45 G. 3 c. 95. 52 G. 3 c. 105. 55 G. 3 c. 161. 1 & 2 G. 4 c. 118. 28 G. 3 c. 85. 42 G. 3 c. 118. 50 G. 3 c. 84. 5 G. 4. c. 72. 3 G. 4 c. 90. 4 G. 4 c. 25. 7 & 8 W. 4. c. 25. 2 W. 4 c. 24. 2 & 3 W. 4. c. 105, and 2 & 3 W. 4. c. 112, repealed. The Powers and Duties of the Barons of the Exchequer in Scotland as at present exercised to cease, and be vested in the Commissioners of the Treasury, § 1.
3. Commissioners of the Treasury authorized to regulate the Powers and Duties of the Officers of King's Remembrancer, &c., § 2.
4. Commissioners of the Treasury may call upon the Barons to execute Conveyance of Property vested in them by any of the recited Acts; Barons authorized to grant such Conveyance, § 3.
5. Collection and Management of Assessed Taxes and Land Tax transferred to the Commissioners for the Affairs of Taxes, § 4.
6. Commissioners for Affairs of Taxes may order Process to issue for Arrests of Taxes, § 5.
7. Commissioners for Affairs of Taxes to be subject to the Control of the Commissioners of His Majesty's Treasury, § 8.
8. Existing Appointments to be good till recalled, § 7.
9. All the recited Acts to remain in force excepting in so far as they are hereby altered or repealed; Judicial Powers of the Barons of the Exchequer specially saved, § 8.

#### Exchequer (Court of).

1. To amend, until the End of the next Session of Parliament, an Act of the Second Year of His present Majesty, for making Provisions for the Discharge of the Barons now done by the Court of Exchequer in Scotland, & 3 W. 4. c. 46.
2. 2 W. 4. c. 56, repealed. In case of Indisposition of remaining Baron of Court of Exchequer, Judge of Court of Session to try Suits in the Exchequer Court. Duration of Act, § 1.

#### Excise Incorporation.

1. For abolishing the Excise Incorporation in Scotland, and for transferring the Funds of the said Incorporation to the Consolidated Fund, and providing for the Payment of the Arrears to the Widows and Orphans of late and present Members of the Incorporation Fund, & 3 W. 4. c. 72.
2. Royal Charter or Letters Patent of 14th July 1746, establishing the Excise Incorporation in Scotland. So much of 35 G. 3. c. 31, as directs the Appointment of Managers, and of a Clerk and Cashier, and the raising a Fund, repealed; and the Incorporation to cease, § 1.
3. Funds of the Incorporation vested in the Commissioners of Excise for the Purpose of this Act, and all their Stock to be realized for the same Purpose, § 2.
4. Persons appointed to give Security, and to have such Recognition as shall be directed by the Lords of the Treasury, § 3.
5. Persons appointed to collect in the Property of the Incorporation to have full Power to do so, and to give valid Receipts, and to raise and carry on Auctions, § 4.
6. Commissioners to pay over the Moneys in the same Manner as Duties of Excise, § 5.
7. Books, Accounts, and Papers to be delivered to the Commissioners of Excise, § 6.
8. Present Contributors to continue their Contributions, § 7.
9. Amount of Contributions to be deducted from the Salaries of Contributors, § 8.
10. Contributors desirous of withdrawing from further Contributions may do so on giving Notice; such Notice to be given six Weeks before salary becomes due, § 9.
11. Arrears now and hereafter to become due to be paid at the augmented Rates and for the lengthened Period, § 10.
12. Arrears to be paid by the Receiver General or Collectors of Excise where the Widows and Children are resident, § 11.
13. Commissioners to appoint Tutors and Guardians to Children, and to carry the recited Act and this Act into effect, § 12.
14. So much of the recited Act as is not hereby repealed to remain in force, § 13.

See General Index, Excise.

Forgery, See Capital Offences.

Glasgow, See General Index, Lotteries.

Hackney Coaches, See Police, 114.

#### Imprisonment for Debt.

1. For abolishing in Scotland Imprisonment for Civil Debt of small Amount, & 3 W. 4. c. 70.

2. No Person to be imprisoned for a Debt not exceeding *N. 6s. 8d.*—*§ 1.*
3. After the *January 1856* Gaslers not to receive into their Custody any Person for a Debt not above *5*l.* 6*s.* 8*d.**—*§ 2.*
4. Sheriff or Magistrates may direct the Discharge of any Person imprisoned for a less Amount, *§ 3.*
5. Persons not to acquire Debts under Sum before specified, except by Marriage or Inheritance, *§ 4.*
6. Not to affect Recovery of Fines or Forfeitures, *§ 5.*

Incorporation, See *Excise Incorporation.*

Land Tax, See *Exchequer (Barons of).*

#### Land Revenue.

1. To extend and enlarge the Powers of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in relation to the Management and Disposition of the Land Revenue of the Crown in *Scotland, 1 & 2 W. 4 c. 66.*
2. So much of *2 & 3 W. 4 c. 112.* as gives the Commissioners the Control of Penalties, &c. under several Statutes repealed, *§ 1.*
3. Commissioners to have same Powers with regard to Land Revenue in *Scotland* as with respect to Land Revenue in *England*, *§ 2.*
4. Provisions of *10 G. 4 c. 50.* relating to selling, leasing, &c. the Land Revenues, and all the Powers, &c. thereby given to the Commissioners, to extend to this Act, *§ 3.*
5. Purchase Money how to be paid: if amounting to 100*l.*: where the Sum is under 100*l.* Upon Production of Receipt Commissioners to execute Conveyance of Property sold. Conveyance when recorded in the Register of Sasines to be held to allocate the Property from His Majesty, *§ 4.*
6. On Sale of Tenes, &c. to the Vassal, Receipt for Purchase to contain a declaratory Provision that on the next Renewal of Inheritance the Charter shall contain a Bench Holding in lieu of the Fea, &c. *§ 5.*
7. Proprietors, &c. of entitled Estates may purchase the Tenes, &c. affecting same, *§ 6.*
8. Commissioners to cause Duplicate of all Conveyances, Deeds, &c. to be registered and preserved in the Chancery of *Scotland*, and a Minute or Decket of every Conveyance, &c. to be entered and preserved in their Office, *§ 7.*
9. Original Conveyance, Deed, or Duplicate thereof, or Copy or Extract of same duly attested, to be in all Courts Evidence of Right and Title, *§ 8.*
10. Every Deed enrolled in Chancery in *Scotland* to be of the Force as if registered in Books of Council and Session or Register of Sasines, *§ 9.*
11. Memorandum of every Conveyance setting forth the Particulars, to be entered in the Minute Book of the Register of Sasines within 14 Days after Execution thereof, *§ 10.*
12. Application of Purchase Money, *§ 11.*
13. Sums not immediately wanted to be invested in the public Funds, *§ 12.*
14. Dividends of Stocks and Annuities to be by Bank of *England* placed to the Credit of the Commissioners, *§ 13.*
15. Commissioners of Treasury authorized to sell out all or any such Stocks or Annuities when expedient, *§ 14.*
16. Transfer of Stock, *§ 15.*
17. Application of annual Income to which the Act relates. Annual Income, subject as aforesaid, to be carried to and made Part of the Consolidated Fund, *§ 16.*

18. Commissioners may keep Accounts with any of the chartered Burghs of *Scotland.* Irrregularity of Commissioners, *§ 17.*
19. Not to create Appointment of Chamberlain or Collector of Revenue to which the Act relates, or to render void any Security given by or for him, *§ 18.*
20. Return Duties, &c. no longer to be received by Officers of Courts of Justice or by Sheriffs, but by Collectors especially appointed. Fees as heretofore, *§ 19.*
21. Act to extend to Lands, &c. of the Prince and Steward of *Scotland.* Income to be applied as at present, *§ 20.*
22. Saving of Rights, *§ 21.*
23. Commissioners may sue and be sued in the Name of the Lord Advocate. Service of Process, *§ 22.*
24. Schedule: (1) Form of Conveyance. (2) Form of Receipt and Declaration.
25. To amend the Acts relating to the Hereditary Land Revenue of the Crown in *Scotland*, *5 & 6 W. 4 c. 53.*
26. Various Acts recited. Powers to be vested in the Lord High Treasurer or the Commissioners of the Treasury, *§ 1.*
27. All former Acts of Commissioners of the Treasury to be void, *§ 2.*
28. His Majesty may grant Sites for Churches, &c. out of Land Revenue in *Scotland.* Limitation of Grants, *§ 3.*
29. Minutes to be preserved, *§ 4.*
30. Commissioners of Woods, in their Reports, to certify all Grants made under this Act, *§ 5.*

Lotteries, See *General Index, Lotteries.*

Magistrates, See *Burghs Royal; Burghs and Towns.*

#### Marriages.

1. To amend the Laws relative to Marriages celebrated by Roman Catholic Priests and Ministers not of the Established Church in *Scotland*, *5 & 6 W. 4 c. 28.*
2. So much of *1 Part Act 2 Geo 1 c. 24. An. 1661. 1 Part. W. 6 Geo 7 c. 6. An. 1698.* as prohibits Marriages by Roman Catholic Priests in *Scotland* repealed, *§ 1.*
3. Persons in *Scotland* may be married by Priests not of Established Church, *§ 2.*
4. Recited Acts to remain in force, *§ 3.*

Ministers, See *Churches and Chapels.*

#### Police.

1. To enable Burghs in *Scotland* to establish a general System of Police, *5 & 6 W. 4 c. 66.*
2. Authorizing Regulations for Meetings, to determine whether the Provisions of this Act shall be adopted in Burghs, *§ 1.*
3. As to Boundaries of Parliamentary and other Burghs, *§ 2.*
4. In Absence of Chief Magistrate, the next in Seniority may act, *§ 3.*
5. Lists of Population to be made out, *§ 4.*
6. In case of Dispute touching Returns, &c., *§ 5.*
7. Expenses attending calling such Meetings, &c. how to be borne, *§ 6.*
8. Mode of calling such Meetings, *§ 7.*
9. Meetings to be summoned, *§ 8.*
10. Qualification of Voters, *§ 9.*
11. Power of Meeting to adopt the Act, or to decline to adopt it, *§ 10.*

12. Press

52. *Procs.* to declare the Determination of the Meeting, § 11.
53. *Procs.* to direct a Poll, § 12.
54. Poll not to begin on a Saturday, or be open more than Two Days, § 13.
55. Poll Books to be provided, § 14.
56. Poll may close earlier, § 15.
57. State of Poll to be ascertained and declared, § 16.
58. Majority necessary to adopt the Act, § 17.
59. If Part adopted to be set forth, § 18.
60. If not adopted Proposal may be re-considered after Two Years, § 19.
61. Further Proceedings after Act adapted, § 20.
62. Number of Commissioners, § 21.
63. If Burgh divided into Wards, § 22.
64. Regulations as to Alteration of Wards, § 23.
65. Contiguous Burghs may unite and adopt the Act as One Burgh, § 24.
66. Proceedings to be reported to the Sheriff, § 25.
67. Meeting for Election of Commissioners to be convened, § 26.
68. Election of Commissioners, § 27.
69. Magistrates and Council to elect Commissioners to be appointed by them, § 28.
70. First Meeting of Commissioners, § 29.
71. Commissioners to be elected annually, § 30.
72. Notice for said Proceedings at Interval Meetings, § 31.
73. Procedure at subsequent Meetings as to Assessment, § 32.
74. Outgoing Commissioners may be re-elected, § 33.
75. Vacancies how to be supplied; Electors refusing or neglecting to elect, § 34.
76. Magistrates and Town Council may be elected Commissioners, § 35.
77. Commissioners not to hold Places of Profit, § 36.
78. Commissioners to be summoned to attend Meetings; Quorum, § 37.
79. Sundry Meetings of Commissioners, § 38.
80. Special Meetings may be called on Requisition, § 39.
81. Special Meetings not to attend Rules, § 40.
82. Meetings may be adjourned, § 41.
83. Expenses of Commissioners, § 42.
84. Power to appoint Constables, § 43.
85. Powers and Duties of Commissioners, § 44.
86. Commissioners may contract for Execution of Works, § 45.
87. Property vested in Commissioners, § 46.
88. Clerk to be appointed, § 47.
89. Clerk not to be concerned in Prosecutions, § 48.
90. Clerk and Treasurer not to be same Person, § 49.
91. Incarcerated Persons authorized to sell, § 50.
92. Application of Compensation Money amounting to 200*l.*—§ 51.
93. When less than 200*l.* and not less than 20*l.*—§ 52.
94. When less than 20*l.*—§ 53.
95. In case of not making out Titles the Court may order Payments and Expenses, § 54.
96. Where Questions arise touching the Title to Money, § 55.
97. Court may order Payment of Expenses in certain Cases, § 56.
98. Rights of Heritable Property, how to be taken; Fees of Conveyance, § 57.
99. How Commissioners may sue and be sued, § 58.
100. Treasurer and Collector to be appointed, § 59.
101. Allowance to Collectors, § 60.
102. Collector to lodge all Monies received by him in Bank, § 61.
103. On Insolvency of Treasurers or Collectors, Deficiency may be assessed, § 62.
104. Names of Occupiers to be furnished by House Tax Assessors, § 63.
105. Commissioners to make Assessments, § 64.
106. Exemptions from Assessments, § 65.
107. Common Good to contribute, § 66.
108. Contribution how to be recovered, § 67.
109. Possessors and Tenants to pay Assessments, § 68.
110. Rental Books to be delivered to Collector, § 69.
111. Recovery of Rates, § 70.
112. Relief in case of Poverty, § 71.
113. Books to be kept, § 72.
114. Account of Application of Monies to be made out and distributed among Commissioners, § 73.
115. Watchmen, &c. to become Constables, § 74.
116. Penalty for neglecting Watchmen off their Duty, § 75.
117. Penalty for obstructing Officers, § 76.
118. Penalty on Officers taking other Employment than their Salary, § 77.
119. Magistrates empowered to suspend Watchmen, § 78.
120. Persons in Custody to be taken before a Magistrate, § 79.
121. Vagrants, &c. to be apprehended, § 80.
122. Keepers of Tippling Houses to find Security, § 81.
123. Brokers and other Dealers in Second-hand Goods to register their Names, § 82.
124. No Cattle to be driven on *Sheddy* for Slaughter, § 83.
125. Officers may liberate upon Bail, § 84.
126. Rules and Regulations to be printed and hung up, § 85.
127. Penalty on Persons defacing Boards, § 86.
128. Regulations as to Gunpowder, § 87.
129. Houses and Streets to be named and numbered, § 88.
130. Repaving Foot Pavements and Streets, § 89.
131. Stairs and other Encroachments in the Streets, &c. to be removed, § 90.
132. If convenient Access cannot be obtained, except by such Stairs, &c., then to be partially removed, § 91.
133. Compensation for Injury, § 92.
134. Ransoms Houses to be secured or taken down, § 93.
135. Expenses to be paid by the Commissioners, § 94.
136. Powers given to Proprietors of Flats or Floors to erect fuel or Waste Water Pipes, § 95.
137. Power to Commissioners to construct Sewers and Drains, § 96.
138. Commissioners to provide Fire Engines, § 97.
139. If Chimneys, &c. take fire a Penalty to be paid, and also a Reward to Firemen, &c., § 98.
140. Commissioners may erect Street-cords, § 99.
141. Stairs, Lanes, &c. on Streets to be enclosed and lighted, § 100.
142. Houses under Repair to be fenced, § 101.
143. Sunk Steps to be covered in, § 102.
144. Chimney Pots, &c. to be secured or removed, § 103.
145. Pavements going into disrepair, § 104.
146. Foot Pavements, § 105.
147. Property may be purchased for Police Office, § 106.
148. Weigh house may be erected, § 107.
149. Lamps to be erected, § 108.
150. Penalty for breaking Lamps, § 109.
151. Power to open Streets, § 110.
152. Commissioners to appoint Scavengers, § 111.
153. If Magistrates provide Stables, Cattle not to be slaughtered elsewhere, § 112.
154. Hackney Carriages, &c. to be regulated, § 113.
155. Water from Roofs, &c. to be conveyed by Pipes, § 114.



116. Power to Commissioners to bring Water into the Burgh, § 115.
117. For the Protection of Water Pipes, § 116.
118. To prevent Contamination of Water by Gas, § 117.
119. For ascertaining if Water is contaminated, § 118.
120. Persons making Gas not protected from Indemnity for Nuisance, § 119.
121. Management of Waterworks where established vested in Commissioners, § 120.
122. Water not to be extracted from Reservoirs, § 121.
123. Penalty on Persons maliciously injuring Works, § 122.
124. Supplying Persons with Water or Gas, § 123.
125. Ballcocks to be provided in Cisterns, § 124.
126. Power to borrow Money, § 125.
127. Commissioners to establish a Sinking Fund, § 125.
128. Commissioners not to be personally liable, § 127.
129. As to Bonds to be granted, § 128.
130. Bonds may be transferred by Indorsement, § 129.
131. Bonds to be recorded, and Assignations to be registered, § 130.
132. Provisions in regard to Burghs possessed of Local Acts, § 131.
133. Where Two or more Burghs are locally situated under 1 & 2 W. 4. they are not to come under this Act, § 132.
134. Contracts under former Acts saved. Officers under former Acts, § 133.
135. Trial of Offences. Application of Penalties, § 134.
136. Jurisdiction of Magistrates of Burghs, § 135.
137. Jurisdiction conferred on Magistrates, § 136.
138. Provisions of this Act to apply to all Police Acts, § 137.

See Burghs and Towns.

Recorder of Great Seal, See Exchequer.

Reform, See Representation.

Registration, See Representation.

Representation.

- For the more effectual Registration of Persons entitled to vote in the Election of Members to serve in Parliament in Scotland, 5 & 6 W. 4. c. 85.
- Sheriff's Courts for Appeals as to Registrations to be held without reference to Duration of Circuit Court of Justiciary, § 1.
- Recited Act to remain in force, except as hereby repealed, § 2.
- Act may be altered this Session, § 3.
- To explain and amend an Act passed in the Second and Third Year of the Reign of King William the Fourth, for amending the Representation of the People in Scotland; and to diminish the Expenses there, 5 & 6 W. 4. c. 78.
- Sheriff to endorse on the Writ the Day on which he received it, and within Two Days assignance Time for the Election within Ten Days, § 1.
- Proviso as to Shires and Districts of Burghs herein specified, § 2.
- Sheriff may alter Polling Districts and Polling Places, § 3.
- On Regulation, Sheriff to arrange Booths so as not more than One hundred Electors shall poll in each, the Candidate paying the Expenses, § 4.
- Polls only to be kept open One Day, § 5.
- Sheriff Substitutes to transmit their Poll Books to the Sheriff, § 6.

- Return may be delayed when Poll Books have not been received, § 7.
- Sheriff to make Proclamation on the Day after the Receipt of Poll Books, § 8.
- Sheriff, on Application of any Freeholder, to remove such Freeholder's Name from District to County Town List, § 9.
- Vote of Fear of a Freeholder not to be reckoned by Sheriff where Life Renter has voted on same Qualification, § 10.
- Sheriff, in case of necessary Absence, may appoint a special Substitute, § 11.
- Assembly of the Sheriff's Court of Appeal, § 12.
- 2 & 3 W. 4. c. 65. repealed so far as is inconsistent with this Act, § 13.

Revenue, See Exchequer (Barons of).

Roads and Bridges.

- To amend Three Acts passed for maintaining and keeping in repair the Military and Parliamentary Roads and Bridges in the Highlands of Scotland; and to improve certain Lines of Communication in the Counties of Forres and Ross, 3 & 4 W. 4. c. 55.
- 50 G. 3. c. 151. & G. 4. c. 26. 5 G. 4. c. 58. recited. Provision for Insufficiency of Tolls, § 1.
- Certain District Roads placed under the Management of the Commissioners, § 2.
- New Lines of Road to be made, § 3.
- Power to widen Roads, § 4.
- Ferryways near Towns or Villages, § 5.
- Power to advance Funds on Credit of Tolls, § 6.
- General Power of placing Roads under Management of Commissioners, § 7.
- Power to define Limits of particular Lines, § 8.
- Provision as to Ferry Piers and Shipping Quays, § 9.
- Protection of Bridges, § 10.
- No new Inclosure to be made within Twenty five Feet of Centre of Roads, § 11.
- Extension of certain Parts of the General Turnpike Act to this Act, § 12.
- Expense of Act, § 13.
- Certain Powers of 45 G. 3. c. 80. and 4 G. 4. c. 49. extended to this Act, &c., § 14.
- Public Act, § 15.

Savings Banks.

- To extend to Scotland certain Provisions of an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks; and to consolidate and amend the Laws relating to Savings Banks in Scotland, 5 & 6 W. 4. c. 57.
- Provisions of 9 G. 4. c. 92. and 5 W. 4. c. 14. extended to Scotland, § 1.
- 50 G. 3. c. 65. in part repealed, except as to Banks already established, § 2.
- Existing Banks may confirm to the last-mentioned Acts in preparing and depositing their Rules, § 3.
- Application of the Law of Scotland in peculiar Cases, § 4.
- Act to extend to Scotland, and to be deemed a Public Act, § 5.

## Seaman's Hospital.

1. For incorporating the Members of a Society, commonly called the Seaman's Hospital, and their Successors as therein is intended and provided, and for the better enabling and empowering them to carry on the charitable and useful Objects of the same Society, 3 & 4 W. 4. c. 5.
2. Society incorporated; Name of the Society; to have perpetual Succession and Common Seal, &c., may use and be sued; enabled to purchase Property and receive Bequests. Power to purchase Lands to the Value of 10,000*l.* per Annum, § 1.
3. Persons may sell, give, devise, or bequeath Property to the Society, § 2.
4. Society to have One President, Two or more Vice Presidents, and One Treasurer, § 3.
5. President; Vice Presidents; Treasurer; Committees; Auditors. The said President, Vice Presidents, &c. to continue their Duties till either of them Fifteen or more Governors to compose a General Court a General Court to be held quarterly. Annual General Courts for Choice of Presidents, Vice Presidents, &c., Power given to Courts, § 4.
6. Power to order and dispense of the Use of the Common Seal to make Bye Laws, and to revoke and change them. No Bye Laws to be binding unless confirmed by a succeeding General Court, § 5.
7. Provision for calling Special General Courts, § 6.
8. Who shall preside at General and other Courts, § 7.
9. Certain Members may vote by Proxy at Elections, § 8.
10. As to Committee quitting Office, § 9.
11. Committee to meet as hereinafter till others be ordered, § 10.
12. General Committee may appoint Sub-Committee, § 11.
13. Members of the Committee or Agents, § 12.
14. Committee to appoint Officers. Removal of Officers, § 13.
15. No Officer of the Corporation to vote whilst he continues in Office, § 14.
16. Treasurer, with Consent of the Committee, to invest in the Public Funds or other Securities any Money given for the Purposes in this Act mentioned, except as much as the Exigencies of the Corporation shall require, § 15.
17. Money arising thereby, and the Dividends, &c., to be applied for the Purposes of this Act, § 16.
18. Touching the Election of Members, § 17.
19. Questions to be decided by Vote. President to have casting Vote. Ballot, § 18.
20. General Court empowered to fill up Vacancies in Committee, and to appoint such Officers, &c., as the Committee shall have neglected to appoint, and to remove or suspend any Officer. Committee may remove or suspend Officers upon sufficient Cause, § 19.
21. Officers, if required, to swear to Accounts before any Two of the Committee, § 20.
22. Treasurer to account with Auditors, § 21.
23. Duties of Auditors, § 22.
24. Accounts, when audited and confessed, not to be questioned, § 23.
25. Auditors of the Year preceding may be re-elected; their Number to be always kept up to Four, § 24.
26. Offences triable in the City of London, § 25.
27. Committee may act as Justices of the Peace in case of Breach of the Peace, § 26.
28. Warrants for the Apprehension and Commitment of the Offenders, how to be directed, and by whom to be executed, § 27.

29. Notice to be given before commencing an Action for any Thing to be done in pursuance of this Act, § 28.
30. Limitation of Actions. General Issue. Double Costs, § 29.

## Seamen.

1. To amend an Act of the Twentieth Year of His Majesty King George the Second, for the Relief and Support of sick, maimed, and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service; and for other Purposes, 4 & 5 W. 4. c. 32.
2. Repealed Acts 30 G. 2. c. 35, and 37 G. 3. c. 73. in part repealed. Proviso as to Officers committed or Possibles incurred, § 1. President and Governors empowered to relieve disabled Seamen and their Widows and Children. Seamen to produce Certificate of the Hurt they have received. Parties signing Certificate to make Oath of Truth thereof. Certificates to be produced by Seamen disabled by Sickness, and by Widows and Children of Seamen.
3. Deceased Seamen not entitled to the Benefit of this Act unless they have served Five Years, and distributed monthly, § 2.
4. Persons forging, &c. Certificates to be punished, § 3.
5. President and Five Assistants to make a Court, who are to meet weekly. The Court may apply the Monies of the Corporation, and appoint Officers and their Salaries: Exception; and do all other Matters and Things necessary, § 4.
6. All Masters and Owners of Merchant Ships or Vessels, &c. to pay 5*l.* per Month, § 5.
7. All Seamen or other Persons serving on board such Ships or Vessels to pay 1*l.* per Month, § 6.
8. Masters of Ships to keep in their Hands 1*l.* per Month out of Seamen's Pay, and pay over the same to the Receiver of the Duties, § 7.
9. Receivers to be appointed for the Port of London and the Out-ports, who are to collect and pay over the Duties according to Instructions, § 8.
10. Masters to keep Master Roll and deliver Duplicate thereof to Collectors. Receivers to transmit Duplicates of Vessels not belonging to their Port. Penalty for Neglect by Masters, &c., § 9.
11. Masters of Vessels to deduct Penalties from Wages of Seamen, and deliver a verified Account thereof to Officers of President and Governors, under Penalty of 50*l.*—10*l.*
12. Collectors may summon Masters of Vessels, and examine them upon Oath as to the Truth of the Master Rolls. Masters refusing to appear or to answer to forfeit 10*l.*—5*l.*
13. Secretaries, &c. of Public Offices to give in a List of Ships employed in their Service. Treasurers, &c. of such Offices to pay to Wages or Freight to any Seaman, &c. until he produce an Acquittance signed by Receiver of Duties, § 12.
14. Duties to be paid at the Port where any Ship or Vessel shall unload her Cargo. Master or Owner may enter into Agreement with Trustees and Collectors for half-yearly Payments. Certificate of such Agreement. Payment under such Agreement to be intarred, § 13.
15. If Masters fail to produce proper Certificates, Tide Wages to be continued on board at their Expense, § 14.
16. Penalties by this Act recoverable before a Magistrate. Service of Notice of Application, § 15.

17. Owners and Masters of Ships of any of the Out-ports empowered to meet and appoint Trustees for the said Duties, who are to continue 'till 20th December in each Year. New Trustees to be chosen yearly, and Instrument of Election to be confirmed by President, &c. Five Trustees to be a Quorum, with Power to make Bye Laws and appoint Officers. Instrument of Trust to be forwarded to President and Governors within Sixty Days after every 20th December, § 16.
18. Appointments on default not revocable within Five Years, § 17.
19. Trustees heretofore appointed at the several Out-ports to be subject to the Provisions of this Act, § 18.
20. The Corporation of the Merchants Vessels of Bristol appointed Trustees for the Duties, &c. received there; and empowered to hold Lands for the Purposes of this Act, § 19.
21. The Guild of the Trinity House of Kingston-upon-Hull appointed Trustees for the Duties, &c. received there, § 20.
22. The Ports of Glasgow, Greenock, and Port Glasgow, &c. to be deemed Out-ports, and Masters of Ships belonging thereto to elect Trustees for collecting Duties, &c., § 21.
23. Trustees of Out-ports to transmit Accounts of the yearly Receipts and Expensiture to President and Governors, § 22.
24. Collectors appointed by Trustees or Corporations aforesaid not obliged to send Duplicate of Master Rolls to the President and Assistants, § 23.
25. No Seaman to have the Benefit of this Act unless he pays the Duty, § 24.
26. Those who have served longest to be first provided for, § 25.
27. Maimed Seamen to be provided for at the Port where the Accident happens, § 26.
28. Disabled Seamen, having served and paid Five Years, to be provided for where they have contributed most, § 27.
29. Seamen who have been shipwrecked, or made Prisoners by the Enemy, may be relieved, § 28.
30. Where regular Certificates cannot be obtained others may be admitted, § 29.
31. Wages of deceased Seamen to be paid to the Trustees of the Port on Ship's Arrival, to the Use of the Executors, &c., § 30.
32. If not demanded in Three Years by Representatives, then to the Use of the President and Governors, or the Trustees of the respective Ports, § 31.
33. President and Governors to pay 5 per Cent. out of the Duties received by them from Seamen in the Port of London to the Seaman's Hospital Society in that Port, § 32.
34. 5 per Cent. to be deducted from gross Amount in Lieu of Expence, &c., § 33.
35. Application of Penalties, § 34.
36. Limitation of Actions, § 35.
37. Public Act, § 36.
38. Schedules.
39. To amend and consolidate the Laws relating to the Merchant Seamen of the United Kingdom, and for forming and maintaining a Register of all the Men engaged in that Service, 5 & 6 W. 4. c. 19.
40. Recited Acts repealed after 31st July 1853, § 1. [See Statute repealed, § XI.]
41. No Seaman to be taken to Sea without a written Agreement, § 2.
42. Regulations respecting Forms of Agreements, § 3.
43. Penalty for Default, § 4.
44. Seamen not to be deprived of legal Remedies. No Agreement contrary to the Act to be valid. Seamen not bound to produce Agreement, § 5.
45. Seamen refusing to join or to proceed in the Ship, or absenting themselves therefrom, may be committed to Goal, § 6.
46. Particulars for temporary Absence from Duty, § 7.
47. How Amount of Forfeiture to be ascertained when Seamen contract for the Voyage, § 8.
48. Forfeiture for Desertion. Increased Wages paid in consequence of Desertion recoverable from the Deserter, § 9.
49. Penalty for harboring Deserters. No Debt exceeding 5*l.* recoverable from a Seaman 'till Voyage is ended. Seaman's Efforts not to be deemed by Keepers of Lodging Houses under Pretence of Debt, § 10.
50. The Period within which Wages are to be paid, § 11.
51. Such Payment of Wages to be deemed valid, notwithstanding Bill of Sale, &c., § 12.
52. Masters to give Seamen their Certificates on their Discharge. Penalty for Default, § 13.
53. For obtaining immediate Payment of Wages of Seamen in certain Cases, § 14.
54. Necessary Mode of recovering Wages not exceeding 25*l.*—§ 15. In what Case Costs of Suit for Recovery of Wages not to be allowed, § 16.
55. When Ship is sold or a Foreign Port, the Crew to be sent Home at the Expence of the Master or Owners, § 17.
56. A Supply of Medicines to be kept on board, and Seamen hurt in the Service of the Ship to be provided with Advice, &c. gratis, § 18.
57. Establishment of Register Office for Seamen, § 19.
58. Letters to and from Registrar to be free from Postage, § 20.
59. Masters of Ships trading Abroad to deliver Lists of their Crews on their Return, § 21.
60. Masters of Ships in the Home Trade to return similar Lists, § 22.
61. Return to be made in case of Ship lost or sold Abroad, § 23.
62. Lists to be certified, and transmitted to the Registrar. Penalty on the Master for Neglect, § 24.
63. As to the Disposal of the Effects of Seamen dying Abroad, § 25.
64. Parish Boys may be put out Apprentices to the Sea Service, § 26.
65. Parish Apprentices may be turned over to the Sea Service, § 27.
66. Indentures may be assigned on Death of the Master, § 28.
67. Parish Officers to prepare Indentures. Custodian to receive the Apprentices, § 29.
68. How Counterparts of Indentures to be attested, § 30.
69. Every Ship to have Apprentices according to her Tonnage. Penalty for Deficiency of Apprentices, § 31.
70. Apprentices exempt from Contributions for Hospitals, § 32.
71. Indentures and Assignments to be registered, § 33.
72. Indentures of Apprentices to be registered. Assignments to be registered, § 34.
73. Agreement and Indentures of Apprentices exempt from Stamp Duty, § 35.
74. Penalty on Masters neglecting to register Indentures, and for offering Apprentices to quit their Service, § 36.

75. Justices to determine Complaints, § 37.  
 76. Common Assaults may be summarily punished by Two Justices, § 38.  
 77. Masters entitled to receive Wages of Apprentices entering into the Navy, § 39.  
 78. Forcing on shore or leaving behind any Person belonging to the Crew deemed a Misdemeanor. Jurisdiction of Courts for trying such Misdemeanors, § 40.  
 79. Seamen not to be discharged Abroad without Sanction of One of certain Functionaries, § 41.  
 80. Not to be left Abroad on Plea of Incapacity to proceed, Desertion, or Disappearance, without a similar Authority, § 42.  
 81. If any of the Crew are left behind, the Proof of Sanction or Authority shall be upon the Master, § 43.  
 82. Seamen who allowed to be left behind to be paid their Wages, § 44.  
 83. Act not to extend to prevent Seamen from entering into the Navy, § 45.  
 84. Upon Entry of Seamen into the Navy from Merchant Ships they shall be entitled to the immediate Delivery up of their Clothes and Payment of any Wages that may be due, § 46.  
 85. Power to His Majesty to sue for Amends advanced for Relief of Seamen left Abroad, § 47.  
 86. Ship's Agreement on Arrival at a Foreign Port to be deposited with the Consul. Penalty for Neglect, § 48.  
 87. No Seaman to be stopped at a Foreign Port without the Privy of the Consul, § 49.  
 88. Masters to produce Agreements to Officers of King's Ships, § 50.  
 89. Registrar and Officers of Customs empowered to require Production of the Agreement and Muster Roll, § 51.  
 90. Definition of the Terms Master, Seaman, Ship, and Owner, § 52.  
 91. Recovery of Penalties, § 53.  
 92. As to Ships of Colonies having a Legislature, § 54.  
 93. Act may be altered, &c., § 55.  
 94. Schedule.  
 95. For the Encouragement of the voluntary Enlistment of Seamen, and to make Regulations for more effectually manning His Majesty's Navy, 3 & 4 W. 4. c. 24.  
 96. Naval Service limited to One Year. If the Ship be Abroad, Seamen, on the Expiration of their Service, to be sent Home by the earliest Opportunity. Admiral, in case of Emergency, may detain them Six Months longer, with One Fourth Increase of Pay. Seamen under Arrest for Trial not to be discharged until after Trial, &c. To perform their Duties, and be amenable to Naval Discipline until discharged, § 1.  
 97. Discharged Seamen to receive Certificates, on which Projections are to be issued to them, § 2.  
 98. Punishment for forging Certificates, &c., § 3.  
 99. Bounties to Volunteers, § 4.  
 100. Success in the Service at the Time of the issuing a Proclamation calling for the Services of Suffering Men to continue and be paid the usual Bounty, § 5.  
 101. Seamen, after Five Years Service, agreeing to continue, to be entitled to a fresh Bounty, § 6.  
 102. Persons volunteering to receive their Pensions in addition to their Pay, § 7.  
 103. Provisions in favour of Volunteers extended to Colonial Seamen, &c., § 8.  
 104. Act not to diminish the Authority of the Admiralty. Seamen may obtain their Discharge on providing Substitutes, § 9.

See Greenwich Hospital.

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## Seamen's Wages.

1. To continue for Seven Years, and from thence to the End of the then next Session of Parliament, an Act of the Fifty-ninth Year of King George the Third, for facilitating the Recovery of the Wages of Seamen in the Merchant Service, 3 & 4 W. 4. c. 25.
2. The Act 59 G 3. c. 58. for facilitating the Recovery of Wages of Seamen in the Merchant Service continued for Seven Years, § 1.

## Securities.

1. To amend the Laws relating to Securities given for Considerations arising out of gaming, usurious, and certain other illegal Transactions, 3 & 4 W. 4. c. 41.
2. Securities given for Considerations arising out of illegal Transactions not to be void, but to be deemed to have been given for an illegal Consideration, § 1.
3. Money paid to the Holder of such Securities shall be deemed to be paid on account of the Person to whom the same was originally given, § 2.
4. Repealing so much of recited Acts of 9 & 11 Ann. as enacts that Securities shall ensure for the Benefit of Parties in Possession, § 5.

## Separatists.

1. To allow the People called Separatists to make a solemn Affirmation and Declaration instead of an Oath, 3 & 4 W. 4. c. 12.
2. Separatists, instead of an Oath, may make the Affirmation mentioned in the Act; such Affirmation to have the Effect of an Oath, § 1.
3. Persons making a false Affirmation to be subject to the same Punishment as for Perjury, § 2.

Sergeant of Arms, See House of Commons.

## Sewers.

1. To amend the Laws relating to Sewers, 3 & 4 W. 4. c. 28.
2. 2 Ed. 3. c. 5. 5 & 6 Ed. 6. c. 8. and 15 Ed. 2. 5. Qualification of Commissioners, § 1.
3. Quakers may act as Commissioners upon making an Affirmation, § 2.
4. Oath to be taken by other Commissioners before acting, § 3.
5. Penalty of 100*l.* on Persons acting not qualified; Proceedings not to be impeached on account of Disqualification, § 4.
6. All official Commissioners not required to qualify, § 5.
7. Commission to continue for Two Years, unless renewed, or repealed by Writ of Superseces, § 6.
8. Laws, Decrees, and Ordinances to continue in force notwithstanding Expiration of Commission, and although not ingrossed on Parliament, or not certified into the Court of Chancery, § 7.
9. Regulations as to Meetings of Commissioners, § 8.
10. Special Meetings on Emergencies may be called on Ten Days Notice: on certain Occasions Special Meetings may be called by Order of Two Commissioners on a shorter Notice, § 9.
11. Description of Sewers and other Works under Jurisdiction of Commissioners of Sewers, § 10.
12. Inquiry and Proceedings by Jury, § 11.

15. In certain Cases of Differences a Jury to be impanelled, which shall be composed Half from the County at large and Half from minor Jurisdiction, § 32.
16. Presentment of a Jury not to be necessary upon each Occasion to repair, § 33.
17. Rates to be made for every distinct Level or District, § 34.
18. Not to discharge Persons from Liability by Tenure, &c., § 35.
19. Certain Persons to be paid for Expenses and Loss of Time in executing Commissions of Sewers, § 36.
20. Not to preclude Courts of Sewers from causing Inquiry and Presentment by Jury at before, § 37.
21. Rates to be apportioned between outgoing and incoming Tenants, § 38.
22. Commissioners authorized to make and maintain new Works, § 39.
23. Not to interfere with Provisions of 16 G. 3. c. 65. for providing for Propriety to Sanchoff Haven in Kent, § 40.
24. No new Works to be made without Consent of Owners and Occupiers of Three Fourth Parts in Value of the Lands to be charged, § 41.
25. Occupiers of Land adjoining Sewers may take away Soil and Woods from Banks for their own Use, § 42.
26. Upon Neglect of Occupiers to remove Soil, Surveyors may remove it, § 43.
27. Commissioners authorized to contract for Purchase of Lands, &c., § 44.
28. Terms of Conveyance to Commissioners, § 45.
29. Where Persons neglect or refuse to treat, &c., Commissioners to issue Warrants to the Sheriff to impanel a Jury; Jury may be challenged; Witnesses to be summoned and examined upon Oath; Jury to assess Damages; Verdict of Jury to be binding, § 46.
30. Commissioners may impose Fine on Sheriff, Witnesses, &c. making Default, § 47.
31. Agreements to be filed with Clerks of Sewers, § 48.
32. By whom Costs of Jury and Witnesses to be paid, § 49.
33. From what Fund Parohase and Compensation Monies are to be paid, § 50.
34. Application of Compensation Money exceeding 200*l.*—§ 51.
35. When less than 200*l.* and not less than 20*l.*—§ 52.
36. When less than 20*l.*—§ 53.
37. Persons in Possession to be deemed lawfully entitled to Proceed until contrary be shown to Court of Exchequer, § 54.
38. If Compensation Money is refused, or Titles not made, or if Persons to whom Money assessed cannot be found, Money to be paid into the Bank, subject to Order of Court of Exchequer, § 55.
39. Court of Exchequer may direct Payment of Expenses in Cases where Purchases of other Lands are made, § 56.
40. Hedges, Buildings, &c. not to be taken without Consent, § 57.
41. Vesting Land in Commissioners of Sewers on Payment of Purchase Money, § 58.
42. Enabling Commissioners to sell Lands, &c. not wanted; first Offer to be made to Owners of adjoining Ground, § 59.
43. Form of Conveyance from Commissioners, § 60.
44. Power to borrow and take up Money at Interest for making and maintaining Works, § 61.
45. Courts of Sewers may grant Securities to Persons advancing Money; Form of Security, § 62.

46. Securities may be transferred; Form of Transfer; Transfers to be produced to Clerk of Commissioners, and to be registered by him, § 63.
47. Courts of Sewers may be held out of the Limits of the Commission, § 64.
48. All Acts of Commissioners done without the District of the Commission, but within Five Miles thereof, to be valid, § 65.
49. Several Defaults may be included in One Presentment, and separately traversed, § 66.
50. Property in Lands, Buildings, Goods, &c. vested in Commissioners, § 67.
51. Officers to account when required, § 68.
52. Removing Officer from Possession of Property of Courts of Sewers, § 69.
53. Courts of Sewers may take Security from Officers, and sue for Forfeitures, § 70.
54. Treasurer and Clerk not to be same Person, § 71.
55. Constables to obey Orders of Commissioners, § 72.
56. Fines, &c. may be levied by Warrant of Commissioners of Sewers, § 73.
57. Form of Warrant for levying Fines, &c., § 74.
58. Commissioners may decree and assess Costs, and in default of Debtor may raise issue upon Lands of Defaulters, § 75.
59. Appropriation of Costs when levied, § 76.
60. Commissioners may sue and be sued in Name of their Clerk, § 77.
61. Clerks and Commissioners to be reimbursed, § 78.
62. Clerk, being Plaintiff, may be a Witness, § 79.
63. Rules for Interpretation of certain Words and Terms of the Act, § 80.
64. Not to prejudice any Local Act, § 81.
65. Saving Rights of the City of London, § 82.

### Sheriffs.

1. For facilitating the Appointments of Sheriffs, and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Issues, forfeited Recognizances, Penalties, and Defaults; and to abolish certain Offices in the Court of Exchequer, 24 & 25. c. 10.
2. 3 G. 1. c. 15, 16. in part repealed, § 1.
3. Sheriffs not to sue out Patent or pass Accounts in Exchequer, § 2.
4. Appointment of Sheriff, § 3.
5. Clerk of Peace to send Duplicate, § 4.
6. Sheriff to appoint an Under Sheriff, and transmit a Duplicate thereof to the Clerk of the Peace for the County, § 5.
7. Oath of Sheriff and Under Sheriff, § 6.
8. Privileges and Writs to be turned over by Sheriffs on Expiration of their Office to the incoming Sheriff, § 7.
9. Sheriffs Accounts to be audited by Commissioners for auditing Public Accounts, § 8.
10. Sheriffs going out of Office (except those of Chester, Lancaster, and Durham,) to transmit Accounts to Commissioners; Sheriff of Westmoreland to transmit like Accounts yearly, § 9.
11. Oath or Affidavit of Sheriff may be taken before a Judge, Commissioner, or Magistrate, § 10.
12. Bill of Exchange to be settled by the Treasury, § 11.
13. Quit Rents, &c. to be received by Commissioners of Woods, Forests, and Land Revenues, § 12.
14. Power to Treasury to release certain Rents, § 13.
15. Certain Parts of 22 G. 2. c. 14. repealed, § 14.

16. Sheriffs not to be chargeable with Pro-fines or Post-fines, § 15.
17. Not to extend to the County Palace of Lancaster, § 16.
18. Receiver General to keep Books, with Liberty of Inspection to Persons entitled to Fines, § 17.
19. Treasury may order Payment to Parties entitled, § 18.
20. On Refusal of Treasury, Appeal may be made to the Court of Exchequer by Petition, § 19.
21. Accounts of Receiver General to be audited by Commissioners for auditing Public Accounts, § 20.
22. Accounts when audited to be transmitted to Lords of Treasury, § 21.
23. Part of 22 & 23 C. 2. c. 21, requiring Plans, &c. to be certified and entered into the Exchequer Twice a Year, repealed, § 22.
24. Clerk of Parliament to return to Treasury or Commissioners an Account of Fines set in the House of Lords, § 23.
25. And pay Fines received as Treasury shall direct, § 24.
26. Clerk of House of Commons to make Returns of all Recognizances, § 25.
27. Account of Fines in King's Bench, Common Pleas, and Exchequer to be transmitted to Treasury and to Commissioners of Audit, § 26.
28. Unpaid Fines to be extracted, § 27.
29. Fines, &c. received to be paid as Treasury shall direct, § 28.
30. Account of Fines by Clerks of Assize, Commissioners of Sewers, Clerks of the Market, and of Deadlands, to be transmitted to Treasury and to Commissioners of Audit, § 29.
31. Where Fines, &c. are now extorted upon Oath, such Oath may be taken before a Judge, &c. § 30.
32. Accounts of Returns to be transmitted to Treasury and to Commissioners of Audit, § 31.
33. Process to be issued every Term, or oftener, to levy Estates, § 32.
34. Power to Treasury to stay Process, and discharge Fines, &c. § 33.
35. Power to Persons entitled to Fines, &c. to inspect Accounts, § 34.
36. Treasurer may order Payment of Fines, &c. § 35.
37. If Treasury reject Claims the Party may appeal to Court of Exchequer, § 36.
38. Act not to prejudice Rights of Corporate Bodies, &c. § 37.
39. Not to affect the Jurisdiction of the Court of Exchequer, § 38.
40. Or the Rights of County Palatines or of the City of London, § 39.
41. Rights of the City of Chester saved, § 40.
42. Lord Treasurer's Remembrancer's and other Offices in Exchequer abolished, § 41.
43. Composition of Officers, § 42.
44. Power to Treasury to refer to Commissioners for Compensation, § 43.
45. Clerks not to be liable to Provisions of 1 W. 4. c. 88. and 1 & 2 W. 4. c. 55.—§ 44.
46. Records, &c. to be transferred to the King's Remembrancer, subject to Order, § 45.
47. Process and Issue Proceedings by King's Remembrancer, § 46.
48. Searches may be made and Copies taken, which are to be as available as heretofore, § 47.
49. Schedule.

See *Office*, 3.

## Ships and Vessels.

1. For the Encouragement of British Shipping and Navigation, 5 & 4 W. 4. c. 56.
2. 6 G. 4. c. 100. recited. Commencement of Act, § 1.
3. Ships in which only enumerated Goods of Europe may be imported, § 2.
4. Places from which only Goods of Asia, Africa, or America may be imported, § 3.
5. Ships in which only Goods of Asia, Africa, or America may be imported, § 4.
6. Manufacture deemed Produce, § 5.
7. From Guernsey, &c. § 6.
8. Exports to Asia, &c. and to Guernsey, &c. § 7.
9. Contravene, § 8.
10. Between Guernsey, Jersey, &c. § 9.
11. Between British Possessions in Asia, &c. § 10.
12. Imports from British Possessions, § 11.
13. No Ship British unless registered and navigated as such, § 12.
14. But Vessels under Fifteen Tons admitted in Rivers, &c. although not registered. Vessels under Thirty Tons for Newfoundland Fishery, &c. need not be registered, § 13.
15. Merchant Ships to be as British in Trade with United Kingdom and Colonies in America, § 14.
16. Ships of Foreign Country to be of the Bulk of or Tonnage to such Country, or British-built, and owned and navigated by Subjects of the Country, § 15.
17. Master and Seaman not British unless natural-born or naturalized, or Descendants or Subjects by Conquest or Capture, or having served in His Majesty's Ships of War. Natives of India not to be British Seamen. One British Seaman to Twenty Tons sufficient, § 16.
18. Foreigners having served Two Years on board of His Majesty's Ships during War, § 17.
19. British Ship not to depart British Port unless duly navigated, § 18.
20. If Excess of Foreign Seamen, Penalty 10*l.* for each, except British Seaman cannot be procured, or Proportion destroyed unavoidably, and Proof thereof made, § 19.
21. Proportion of Seamen may be altered by Proclamation, § 20.
22. Goods prohibited only by Navigation Law may be imported for Exportation, § 21.
23. Forfeitures how incurred, § 22.
24. Recovery of Forfeitures, § 23.
25. Act may be altered, &c. § 24.
26. For the registering of British Vessels, 3 & 4 W. 4. c. 55.
27. 6 G. 4. c. 110. recited. Commencement of Act, § 1.
28. No Vessel to enjoy Privileges until registered, § 2.
29. Form of Certificate of Registry, § 3.
30. Persons authorized to make Registry: in United Kingdom and Isle of Man; in Guernsey, &c.; in Colonies in Asia, Africa, and America; in Territories of East India Company; in other Places within the Limits of the Charter; in Malta, Gibraltar, &c. Limitation as to Vessels registered at Malta, Gibraltar, or Holywood. Certain Powers of Collectors and Comptrollers, by whom to be exercised. Powers of Commissioners of Customs in United Kingdom given to Governors, &c. Abroad, § 5.
31. Ships exercising Privileges before Registry to be forfeited; but not to affect Vessels registered under previous Act, § 4.
32. What Ships are entitled to be registered, § 5.
33. Merchantmen Pass may be issued at Malta or Gibraltar for certain Ships only, § 6.

54. Foreign Repairs not to exceed 20s. per Ton; Master on Arrival to report such Repairs; Necessity of such Repairs to be proved to Commissioners of Customs, § 7.
55. Ships declared unseaworthy to be deemed ships lost or broken up, § 8.
56. British Ships captured not again to be entitled to Registry; but Ships condemned may be registered, § 9.
57. Ships to be registered at Ports to which they belong. Commissioners of Customs may permit Registry at other Ports. Book of Registers to be kept, and Accounts to be transmitted to Commissioners, § 10.
58. Ports to which Vessels shall be deemed to belong. Change of subscribing Owners to require Registry *de novo*, § 11.
59. If Registry *de novo* cannot be made, Ship may go Out Voyage, with Permission indorsed on Certificate of Registry, § 11.
60. Ships built in Foreign Possessions for Owners resident in United Kingdom may have Certificate from Collector, &c. to trade for Two Years, or until Arrival in United Kingdom, § 11.
61. Persons residing in Foreign Countries may not be Owners unless Members of British Factories, or Agents for or Partners in British Houses, or Member of Company trading to Levant Seas, § 12.
62. Declaration to be made by subscribing Owners previous to Registry; Proprietors of Owners who shall subscribe and take the Declaration, Form of Declaration, § 13.
63. Additional Declaration in case the required Number of Owners do not attend, § 14.
64. Vessels to be surveyed previous to Registry; Certificate of Survey to be given, Owner or Master concerning therein, § 15.
65. Mode of Assessment to ascertain Tonnage, § 16.
66. Mode of ascertaining Tonnage when Vessels are afloat, § 17.
67. Engine Room in Steam Vessels to be deducted, § 18.
68. Tonnage, when so ascertained, to be ever after deemed the Tonnage, § 19.
69. Bond to be given at Time of Registry. Conditions that Certificate shall only be made use of for the Service of the Vessel, and given up to be cancelled in certain Cases, § 20.
70. If Ship at Time of Registry be at any other Port than that of Registry, the Master may there give Bond, § 20.
71. When Master is changed new Master to give similar Bond and his Name to be indorsed on Certificate of Registry, § 21.
72. As to Stamps on Bonds, § 22.
73. Certificate of Registry to be given up, § 23.
74. Name of Vessel which had been registered never afterwards to be changed, and to be painted on the Stern; Penalty for Omission 100*l.*—§ 24.
75. Builders Certificate of Particulars of Ship; Declaration to be made therein, § 25.
76. Certificate of Registry lost or mislaid, Commissioners may permit Registry *de novo*, or grant a Licence. Bond respecting lost Certificate of Registry; Condition. Declaration to be made before Licence be granted; before Licence granted Ship to be surveyed as if for Registry, and Registry may be made after Departure of Ship, and Certificate transmitted, to be exchanged for Licence, § 26.
77. Persons detaining Certificates of Registry to forfeit 100*l.* Justice to commit Detainer, and Ship to be registered *de novo*. If Person detaining Certificate have absconded, Ship may be registered as in case of lost Certificate, § 27.
78. Ship altered in certain Manner to be registered *de novo*, § 28.
79. Vessels condemned as Prize, or for Breach of Laws against Slave Trade, Certificate of Condemnation to be produced, § 29.
80. Prize Vessels not to be registered as *Guarney, Jersey, or Mon*, § 30.
81. Transfers of Interest to be made by Bill of Sale; Bill of Sale not void by unimportant Error of Recital, &c., § 31.
82. Property in Ships to be divided into Sixty-four Parts or Shares. Declaration upon First Registry. Smaller Portions may be conveyed without Stamp. Partners may hold Ships or Shares without distinguishing proportionate Interest of each Owner, § 32.
83. Only Thirty-two Persons to be Owners at one Time. Not to affect the equitable Title of Heirs, &c. Joint Stock Companies Trusts may apply to have Registry made, § 33.
84. Bills of Sale not effectual until produced to Officers of Customs and entered in the Book of Registry or amended Registry; Form of Indorsement; Notice to Commissioners, § 34.
85. Entry of Bill of Sale to be valid, except in certain Cases, § 35.
86. When Bill of Sale has been entered for Shares, Thirty Days to be allowed for indorsing Certificate of Registry before any other Bill of Sale for same shall be recorded. Nature of the Priority intended in the Act. Provision in case Certificate be mislaid, § 36.
87. Bills of Sale may be produced after Entry at other Ports than those to which Vessels belong, and Transfers indorsed on Certificate of Registry; previous Notice to be given to Officers at the Port of Registry, § 37.
88. If upon Registry *de novo* any Bill of Sale shall not have been recorded it shall then be produced, § 38.
89. Upon Change of Property Registry *de novo* may be granted, if desired, § 39.
90. Copies of Declarations, &c., and of Extracts from Books of Registry, admitted in Evidence, § 40.
91. Vessels or Shares sold in Absence of Owners without formal Powers; Commissioners may permit Record of such Sales, or Registry *de novo*, in the Case may require, and in other Cases where Bills of Sale cannot be produced, Security being given to produce legal Powers or valid future Claims, § 41.
92. Transfer by way of Mortgage; Mortgages not to be deemed Owers, § 42.
93. Transfers of Ships for Security of Debts being registered, Rights of Mortgagees not affected by Act of Bankruptcy of Mortgagee, &c., § 43.
94. Governors of Colonies, &c. may cause Proceedings in Suits to be stayed, § 44.
95. Penalty of 500*l.* on Persons making false Declaration or falsifying Document, § 45.
96. How Fractions are to be recovered. Officers Shares, § 46.
97. To regulate the Assessment of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom, 2 & 3 W. 4. c. 56.
98. Rules established by 3 & 4 W. 4. c. 55. for ascertaining Tonnage repealed; the Rule by which Tonnage of Vessels is to be ascertained, § 1, 2.
99. Tonnage, when ascertained, to be entered on Register, § 3.
100. Mode of ascertaining Tonnage of Steam Vessels, § 4.
101. Length and Cubical Contents of Engine Room to be set forth in Description of Steam Vessel, § 5.
102. For ascertaining Tonnage of Vessels when laden, § 6.

58. Amount of Register Tonnage to be carried on Main Beam, § 7.
59. Not to alter Tonnage of Vessels already registered, § 8.
- Silk Goods, See Customs, 358—360, 372.**
- Slaves.**
1. For the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves; and for compensating the Persons *liberto* entitled to the Services of such Slaves, 5 & 6 W 4. c. 73.
  2. All Persons who, on the 1st August 1834, shall have been registered as Slaves, and shall appear on the Registry to be Six Years old or upwards, shall from that Day become apprenticed Labourers, § 1.
  3. Who entitled to Services of the Slave as an apprenticed Labourer, § 2.
  4. All Slaves brought into the United Kingdom with Consent of Possessors, free, § 3.
  5. Apprenticed Labourers to be divided into Three Classes; viz. *prædial* attached, *prædial* unattached, and *non-prædial*. *Provisio*, § 4.
  6. Apprenticeship of *prædial* Labourers not to continue beyond 1st August 1840.—§ 5.
  7. Of the non *prædial* not beyond 1st August 1838.—§ 6.
  8. Before Apprenticeship is expired Labourer may be discharged by his Employer, § 7.
  9. In case of Discharge of aged or infirm Labourers, Employer to be liable for their Support, § 7.
  10. Apprenticed Labourer may purchase his Discharge against the Will of his Employer, as an Apprenticeship, § 8.
  11. Apprenticed Labourers not removable from the Colony; *prædial* apprenticed Labourers not removable from Plantation, except by Consent of Justices; Justices to ascertain that the Removal will not separate Members of Families, § 9.
  12. Right to the Services to be transferable Property. Labourer not to be separated from Wife, &c., § 10.
  13. Employer to supply Labourer with Food, &c.; where *prædial* Labourer shall be maintained by Cultivation of *Prædial* Grounds, a proper Quantity of Ground, with leisure Time, to be set apart by Employer; how to be regulated, § 11.
  14. Subject to Obligations imposed hereby, all Slaves in British Colonies emancipated from 1st August 1834.—§ 12.
  15. Children below the Age of Six on 1st August 1834, or born after that Time to any Female Apprentice, if destitute, may be bound out by special Magistrate as Apprentice to the Person entitled to Services of the Mother, § 13.
  16. Indentures to continue in force until Child has completed Twenty first Year, § 13.
  17. His Majesty, or any Governor by His Authority, may appoint Justices of the Peace by Special Commission to give effect to the Act; such Justices may also be included in the general Commission of the Peace, § 14.
  18. His Majesty may grant Salaries to Special Justices; Lists of such Persons to be laid before Parliament, § 15.
  19. Recital of various Regulations necessary for giving Effect to the Act; Act not to prevent Enactment, by His Majesty, of Laws necessary for establishing such Regulations; Provisions respecting to the Act contained in any such Colonial Law void, § 16.
  20. Such Colonial Acts may not authorize whipping or other Punishment of the Labourer by Employer's Authority, § 17.
  21. Colonial Acts or Orders in Council not to authorize Justices, except those having Special Commissions, to act in executing thereof, § 18.
  22. Justices having exclusive Jurisdiction of Special Commissions, Jurisdiction of Supreme Courts preserved, § 19.
  23. Apprenticed Labourers not to be subjected to a Prolongation or Renewal of Apprenticeship, nor to more than Fifteen Hours extra Labour a Week for their Employer's Benefit, § 20.
  24. Not to work on Sundays, or be prevented from attending Religious Worship on Sundays, § 21.
  25. Not to interfere with Colonial Laws by which apprenticed Labourers may be exempted from or disqualified for certain Military or Civil Services and Franchises, § 22.
  26. Acts passed by local Legislatures, with similar but improved Enactments to this Act, to supersede this Act, as being confirmed by His Majesty in Council, § 23.
  27. Treasury may raise Loans not exceeding Twenty Millions, § 24.
  28. Treasury to give Notice of Intention to raise same; no Contract for raising same to be entered into but during Sitting of Parliament, § 25.
  29. Annuities to be granted for such Loans to be of some Description as same now existing, § 26.
  30. Annuities created by this Act to form Part of and be subject to same Regulations as like Annuities now existing, § 27.
  31. Commissioners for Reduction of National Debt may subscribe towards Sum wanted for this Act, § 28.
  32. Money raised to be paid to an Account at the Bank, called the *First India* Compensation Account, § 29.
  33. Cashiers of the Bank to give Receipts for Subscriptions, which may be assigned; Subscriptions paid in part and not completed forfeited, § 30.
  34. Interest and Charges of the 20,000,000, charged upon Consolidated Fund, § 31.
  35. Money for paying Annuities to be issued by Exchequer to Cashier of the Bank, § 32.
  36. Commissioners to be appointed for distributing Compensation provided by the Act, § 33.
  37. Commissioners to be sworn; Form of Oath, § 34.
  38. Meeting of Commissioners and Appointment of subordinate Officers; Officers to be sworn, § 35.
  39. Three Commissioners to be a Quorum, § 36.
  40. Hencertainment of Commissioners, § 37.
  41. Appointment of auxiliary Commissioners in Colonies; Colonial Commissioners to be sworn, § 38.
  42. Issue of Money for Payment of Expenses of Commissions, § 39.
  43. Commissioners may compel Attendance and Examination of Witnesses, § 40.
  44. Commissioners authorized to take Examination on Oath, § 41.
  45. Penalty for swearing falsely before Commissioners, § 42.
  46. Exemption from Postage of Letters on Business of Commission, § 43.
  47. No Part of Compensation to be applicable to any Colony, unless His Majesty, by Order in Council, shall have declared that adequate Provision has been made by the Legislature thereof, § 44.
  48. Such Orders to be published and laid before Parliament; Commissioners to apportion Compensation Fund into Nineteen Shares, being One Share for each Colony; in making such Apportionment regard to be had to Number of registered Slaves, &c. § 45.
  49. No Compensation to be allowed for Persons illegally held in Slavery, § 46.
  50. Commissioners to institute Inquiries to ascertain Facts taken into account in effecting Apportionment of Compensation Fund between the Proprietors in each Colony, § 47.



24. Having made *Interims*, Commissioners to frame general Rules for equitable Distribution of Fund assigned to each Colony; Rules to be laid before King in Council, § 67.
25. Rules to be published in *Zion's Gazette*, with Notice that Appeals against them will be received, § 48.
26. His Majesty in Council may hear such Appeals, and confirm or disallow any general Rule so appealed against, § 49.
27. In Absence of Appeal, certain Powers given to the King, § 50.
28. Rules, when confirmed by His Majesty, to be recited in an Order in Council, to be enrolled in Chancery, § 51.
29. Rules may be revoked or amended, § 52.
30. Validity of Rules when enrolled, § 53.
31. Rules to be observed by Commissioners in making their Awards, § 54.
32. Persons interested in Slaves transmitted by the Act may prefer Claims before Commissioners, who are to make Rules for Conduct of Proceedings under the Commission, § 55.
33. Commissioners to adjudicate on all Claims preferred to them; Appeal may be made against Adjudications; His Majesty in Council may make Rules for Regulation of such Appeals. Defence of adverse Claims, § 56.
34. His Majesty in Council may confirm or alter Adjudications appealed against, § 57.
35. Failing Appeal, Award of Commissioners final, § 58.
36. Treasury may order Issues of Money for Payment of Salaries, &c. § 59.
37. Manner in which Sums awarded by Commissioners are to be paid, § 60.
38. 13 G. 2 c. 2. s. 1. 17 C. 2 c. 2. 22 C. 2 s. 1. 1 G. 2 W. 3 c. 118. and 10 Ann. s. 2. recited. 52 G. 3. c. 155. extended to Colonies in which any of recited Acts are in Force, § 61.
39. Special Justices to have same Power in Colonies as Justices under 22 G. 5. c. 125.—§ 61.
40. His Majesty in Council may make all necessary Laws for giving effect to this Act for the Settlement of *Abolition*, § 62.
41. The Word Governor defined, § 63.
42. Act not to extend to *East Indies*, &c. § 64.
43. When Act to come into operation at the Cape, &c. § 65.
44. Islands dependent upon Colonies deemed Part of such, § 66.
45. To carry into further Execution the Provisions of an Act passed in the Third and Fourth Years of His present Majesty, for compensating Owners of Slaves upon the Abolition of Slavery, 5 G. 3 W. 4. c. 45.
46. 5 G. 3 W. 4. c. 75. recited. Certificates may be issued by Commissioners for Reduction of the National Debt, carrying Interest chargeable on the Installments of the Loan, § 3.
47. Interest of the Certificates chargeable on the Consolidated Fund, § 2.
48. Certificates to be made out for the whole Amount, and signed by the Comptroller General or Assistant Comptroller, § 5.
49. Comptroller General or Assistant Comptroller, and Officer of the Commissioners of the National Debt, may draw for Payment of Claim, or issue Certificates, § 9.
50. Certificates may be received towards Payment of Installments on the Loan, § 5.
51. The Interest of the Compensation of 30,000,000*l.* to be chargeable on the Consolidated Fund, from 1st August 1834, § 6.
52. Expenses of the Execution of the Act of 5 G. 3 W. 4. to be deducted out of the Interest, § 7.
53. Provision has not been made by *Parliaments* as required by recited Act. Creation of a Fund to provide Compensation for *Barbadoes* when the Provisions of the Act have been complied with, § 8.
54. Stock may be transferred for Payment of Claims in *Barbadoes*, § 9.
55. Indemnity to Commissioners, &c., 10.
56. Exemptions from Stamp Duties, § 11.
57. Persons counterfeiting Receipts for Contributions, &c. guilty of Felony, § 12.
58. No Fee to be taken for receiving Contributions, or paying or transferring Annuities, on Penalty of 10*l.*—§ 13.
59. For investing the Compensation Funds of *Highgate* Claims, § 14.
60. Indemnification to Accountants General of Chancery and Exchequer, § 15.
61. Accountants General may appoint a Deputy, whose Acta shall be valid, § 16.
62. Persons cited may plead the General Issue. *Traffic* Costs, § 17.

## Slave Trade.

- For carrying into effect Two Conventions with the King of the *French* for suppressing the Slave Trade. 5 G. 3 W. 4. c. 73.
- Commissioners of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion and suspected of being engaged in the Slave Trade, § 1.
- In case of French Officers detaining British Vessels Proceedings to be conducted in Name of His Majesty, § 2.
- Vessels detained in pursuance of the Two Conventions to be held as engaged in the Slave Trade, § 3.
- Where a British Vessel is accompanied by a French Officer, Proceedings may be apportioned according to 5th Article of Convention, § 4.
- A Bounty of 2*l.* for every Slave found on board of Vessels seized and condemned, § 5.
- Mode of obtaining such Bounty, § 6.
- Where Slaves taken shall not have been condemned, or shall not have been delivered over, Treasury may allow One Moiety of Bounty, § 7.
- Parties claiming Benefit under the Act may resort to Court of Admiralty, § 8.
- Regulations to which Prize Agents are liable extended to *Demerits*, &c. under the Act, § 9.
- Where illegal Detentions made Lords of Treasury may award Compensation, § 10.
- Where Judgment shall be given against the Seizer, or the Seizure shall be relinquished, Treasury may direct Payment of the Seizer's Costs, § 11.
- In all Actions commenced under the Act Defendants may plead the General Issue, § 12.
- For carrying into effect a Treaty with the King of the *French* and the King of *Sardinia* for suppressing the Slave Trade, 5 G. 3 W. 4. c. 65.
- An Officer commanding a Ship of War of His Majesty or of the King of *Sardinia* may search Merchant Vessels of either Nation suspected of being engaged in Slave Trade, § 1.
- Any Proceedings instituted against Crew, &c. of captured Merchant Vessel to be conducted in Name of the King of *Great Britain* and *Ireland*, § 2.
- If any of the Particulars specified in Sixth Article are found on board a captured Vessel, she shall be deemed to have been engaged in the Slave Trade, § 5.

18. A Portion of the Proceeds arising from Sale of Slave Vessel captured by a Revenue Officer to be paid to the King of Denmark, § 4.
19. Bounty of £1 to be paid to Commanders and Crews for every Slave found on board a condemned Vessel of either Nation, § 5.
20. Bounty to be paid on Production of Certificate of Officers appointed to receive Slaves, § 6.
21. Where Slaves are seized but not condemned, Lords of the Treasury empowered to grant a Moiety of the Bounty, § 7.
22. Persons claiming Benefit of Bounty may resort to High Court of Admiralty for Judgment thereon, § 8.
23. Regulations pertaining to the Distribution of Prize Money, § 9.
24. Where Damages are sustained by the illegal Detention of a Vessel the Treasury may make Compensation, § 10.
25. Where Judgment is given against the Seizer the Treasury to defray Expenses by him incurred, § 11.
26. Defendant may plead the General Issue and give the Act in Evidence, § 12.
27. For carrying into effect the Treaty with the King of the French and the King of Denmark for suppressing the Slave Trade, § 5-6 W. 4. c. 61.
28. Any Officer commanding a Ship of War of His Majesty or of the King of Denmark may search Merchant Vessels of either Nation suspected of being engaged in the Slave Trade, § 1.
29. Any Proceedings instituted against Crew, &c. of captured Vessels to be conducted in Name of the King of Great Britain and Ireland, § 2.
30. If any of the Particulars specified in 6th Article are found on board a captured Vessel she shall be deemed engaged in Slave Trade, § 3.
31. A Portion of the Proceeds arising from Sale of Slave Vessel captured by a Danish Officer to be paid to the King of Denmark, § 4.
32. Bounty of Five Pounds to be paid to Commanders and Crews for every Slave found on board a condemned Vessel of either Nation, § 5.
33. Bounty to be paid on Production of Certificate of Officers appointed to receive Slaves, § 6.
34. Where Slaves are seized, but not condemned, Lords of the Treasury empowered to grant a Moiety of the Bounty, § 7.
35. Persons claiming Benefit of Bounty may resort to High Court of Admiralty for Judgment thereon, § 8.
36. Regulations pertaining to the Distribution of Prize Money, § 9.
37. Where Damages are sustained by illegal Detention of Vessels the Treasury to make Compensation, § 10.
38. Where Judgment is given against the Seizer the Treasury to defray Expenses by him incurred, § 11.
39. Defendant may plead the General Issue and give the Act in Evidence, § 12.

## Smuggling.

1. To repeal so much of an Act of the last Session of Parliament, for the Prevention of Smuggling, as authorizes Magistrates to sentence Persons convicted of certain Offences to serve His Majesty in His Naval Service; and to alter and amend the said Act, 4 & 5 W. 4. c. 12.
2. 5 & 6 W. 4. c. 23. recited. Power of ordering certain Offenders to be sent into the Naval Service for Five Years, and of granting certain Penalties, repealed, § 1.

3. Persons found on board Vessels within prohibited Distances, and during prohibited Lading, or assembled to the Number of Three or more to run Spirits, Tea, Tobacco, or Silk, or procuring others to assemble to run Goods, or obstructing Officers in the Execution of their Duty, to be sent to House of Correction to hard Labour for not less than Six Months for the First Offence, Nine for Second, and Twelve for Third, § 2.
4. Justices of limited Jurisdiction not having Houses of Correction to commit to some neighbouring House of Correction, § 3.
5. Justices may order Imprisonment in lieu of Penalty; for First Offence Six or Nine Months, and for a Second Offence Six or Twelve Months, with hard Labour, § 4.
6. Justices may commute the Sentence of hard Labour for Imprisonment where the Offender is a Female, or is incapable of hard Labour from Age or Sickness, § 5.
7. Where a Person is liable to be committed to hard Labour, and it appears that he has before been convicted of a similar Offence, the Justices may extend the Period of Imprisonment, § 6.
8. As to the warranted Warrant, § 7.
9. Limitation of Power to mitigate Penalties, § 8.
10. Treasury or Commissioners of Customs may release Persons committed, § 9.
11. As to Form of Informations and Convictions, § 10.
12. None of His Majesty's Subjects to hoist in their Vessels the Union Jack or any Pendant, &c. usually worn in His Majesty's Ships, and prohibited to be worn by Proclamation of 1st January 1804, under a Penalty of 50*l.*—§ 11.
13. Schedules.

Form of Information.

Form of Conviction.

Form of Warrant of Commitment.

See Customs, 305.

*Sorp*, See Excise, 5—18, 71.

## Soldiers.

*Acts relating to the Army and Marines in general.*

1. Temporary or annual Acts for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, 5 & 6 W. 4. c. 5. 4 & 5 W. 4. c. 6. 5 & 6 W. 4. c. 5.
2. Temporary or annual Acts for regulating His Majesty's Royal Marine Forces while on Shore, 5 & 6 W. 4. c. 6. 4 & 5 W. 4. c. 6. 5 & 6 W. 4. c. 7.

*Speaker of the House of Commons*, See House of Commons.

*Special Constables*, See Constables (Special).

## Spirits.

1. To repeal the Duties on Spirits made in Ireland, and to impose other Duties in lieu thereof; and to impose additional Duties on Licences to Retailers of Spirits in the United Kingdom, 4 & 5 W. 4. c. 75.
2. After 1st September 1836 Duties on Spirits made in or warehoused in Ireland, repealed, § 1.
3. New Duties in lieu of Duties repealed, § 2.
4. Duties now granted to be raised and levied in the same Manner as former Duties, § 3.

3. Spirits may be removed from Warehouses in Scotland to Ireland, and when taken out for Consumption to be charged with a Duty of 2s. 6d. per Gallon, § 4.
6. Removal of Spirits from Ireland to Scotland to be made under same Regulations as Spirits are removed from Ireland or Scotland to England, 6 G. 4. c. 80.—§ 5.
7. Repayment of Malt Allowance not required on Spirits removed, § 6.
8. Additional Duty on Licences for retailing Spirits, § 7.
9. Spirit Licences of Grocers in Ireland not to be altered, § 8.
10. All Houses licensed at passing of the Act to continue to be deemed of more Value so long as the present Persons hold them, and the Premises remain unaltered; afterwards the actual Value to be ascertained by means prescribed by 6 G. 4. c. 81.—§ 9.
11. Licences under 6 G. 4. c. 57. for the Sale of excisable Commodities on board Passage Vessels may be granted by Commissioners of Excise or their authorized Officer, § 10.
12. Act may be altered, &c., § 11.
13. To exempt certain Retailers of Spirits to a small Amount from the additional Duties on Licences, and to discontinue the Excise Survey on Wine, and the Use of Permits for the Removal thereof, 3 & 6 W. 4. c. 20.
14. Retailers of Spirits not consuming more than Fifty Gallons to the Year not to be required to pay the additional Duties on Licences, § 1.
15. For ascertaining the Quantity of Spirits received and consumed, § 2.
16. So much of any Acts as requires Entries by Dealers in Wine, and as authorizes Survey by Officers, repealed, § 3.
17. Retailers of Wine, who also deal in or retail Spirits, to continue to make Entry, and Officers of Excise may enter and examine the Places used for keeping Wine, § 4.
18. Permits not required for Removal of Wine, § 5.
19. Act not to affect Licences for dealing in Wine, § 6.
20. Licences may be granted to sell Beer, Spew, and Wine in Taverns, &c. with Production of a Certificate, § 7.

Stafford (Borough of), See Witnesses.

### Stage Carriages.

1. To amend an Act of the Second and Third Years of His present Majesty, relating to Stage Carriages in Great Britain; and also to explain and amend an Act of the First and Second Years of His present Majesty, relating to Hackney Carriages used in the Metropolis, 5 & 4 W. 4. c. 45.
2. So much of 2 & 5 W. 4. c. 120. as relates to the Number or Distribution of Outside Passengers, or as requires a separate Division for Luggage on the Roof of a Stage Carriage, repealed, § 1.
3. Number of Outside Passengers allowed to be carried by Stage Carriages; Penalty for carrying more Outside Passengers than are allowed, 56.—§ 2.
4. Driver, Guard, and Children in Lap, not to be counted as Passengers; Two Children under Seven Years reckoned as One Passenger, § 3.
5. No Person to sit on Luggage on the Roof, nor more than One Person besides the Driver on the Box; Penalty, 56.—§ 4.
6. Mode of recovering Penalties, § 5.
7. Application of Penalties, § 6.
8. 1 & 2 W. 4. c. 25. act is cited to Steam Carriages, § 7.

### Stamps

1. To reduce the Stamp Duties on Advertisements and on certain Sea Insurances; to repeal the Stamp Duties on Pamphlets, and on Receipts for Bares under 51.; and to exempt Insurances on Farming Stock from Stamp Duties, 3 & 4 W. 4. c. 23.
2. The Duties granted in Great Britain by 85 G. 5. c. 184. on certain Sea Insurances, and on Receipts for Bares under 51., and on Pamphlets and Advertisements; the Duties granted in Ireland, by 56 G. 5. c. 55., on Sea Insurances, Pamphlets, Advertisements, and on Receipts for Bares under 51.; the Duties granted in Great Britain by 85 G. 5. c. 185. on Pamphlets and Advertisements; and the Duties granted in Ireland by 56 G. 5. c. 56. on certain Sea Insurances, Pamphlets, Advertisements, and on Receipts for Bares under 51., repealed, except as to Ancest, § 1.
3. Grant of new Duties on Advertisements and Sea Insurances mentioned in Schedule of the Act, § 2.
4. Copies of all Pamphlets, &c. containing Advertisements to be sent to the Head Office for Stamps within Six Days after Publication, § 3.
5. Powers and Provisions of former Acts to be in force and put in execution with regard to the Duties hereby granted, § 4.
6. Insurances on Agricultural Produce, Farming Stock, and Implements of Husbandry exempted from Stamp Duties, § 5.
7. Separate Accounts of Insurances on Agricultural Produce, &c. to be rendered quarterly to the Commissioners of Stamps, § 6.
8. Act may be altered, &c. § 7.
9. Schedule.
10. To prevent the selling and uttering of forged Stamps, and to exempt from Stamp Duty artificial Mineral Waters, in Great Britain, and to allow a Drawback on the Exportation of Gold and Silver Plate manufactured in Ireland, 5 & 4 W. 4. c. 97.
11. Commissioners of Stamps may license Persons to deal in Stamps. Persons licensed to give Bond; Conditions thereof, Bond not liable to Stamp Duty; License may be revoked, § 1.
12. Particulars to be specified in Licences, § 2.
13. No Person to deal in Stamps without such License; Penalty; nothing hereto to exempt Persons from Consequences of uttering forged Stamps, § 3.
14. As to Persons employed to write or engrave Instruments liable to Stamp Duty, § 4.
15. Licensed Dealers in Stamps to paint their Names, &c. in front of their Houses or Shops; Penalty; Provision as to Partners, § 5.
16. Penalty on unlicensed Persons painting on their Shops any Words importing that they are Dealers in Stamps, § 6.
17. Allowance to be made for Stamps in the Possession of Vendors at the Time of the passing of this Act; Provision, § 7.
18. Allowance to be made for Stamps in the Possession of licensed Vendors dying, or becoming bankrupt or insolvent, or whose Licences are revoked, § 8.
19. Commissioners of Stamps empowered to grant Warrants to search and inspect the Stock of Stamps of Distributors and licensed Dealers, Power of Entry; Penalty for refusing to aid in the Execution of such Warrants, or assisting Persons employed in the Execution thereof, 56.—§ 9.

16. Acknowledgment to be given for Stamps seized; licensed Vendor entitled to be paid the Amount of gross Stamps seized, or to have them returned to him, § 10.
17. Licensed Vendors having counterfeit Stamps in their Possession liable to the Penalties of vending forged Stamps, unless it be proved that they were procured from some Distributor or licensed Vendor, § 11.
18. Persons knowingly having forged Dies or Stamps in their Possession, or fraudulently affixing Stamps, &c., or erasing Names, Dates, &c. with Intent to use the Stamps again, or knowingly using any stamped Vellum, &c. from which any Name, Date, &c. shall have been fraudulently erased, guilty of Felony, § 12.
19. Houses of Persons suspected of being concerned in the forging of Dies or Stamps, or in the Commission of other felonious Acts, may be searched, § 13.
20. Penalty on Persons having Stamps, &c.; Hawkers of Stamps may be apprehended and taken before a Justice of the Peace, § 14.
21. Justices may issue Warrants for seizing Stamps suspected to be stolen or fraudulently obtained, § 15.
22. Commissioners may discontinue Dies, and provide new ones in lieu thereof, § 16.
23. After a Day fixed by Notice in the Gazette the new Dies to be the only true and lawful Dies; Dies, &c. stamped with any other Dies after the Day so fixed to be deemed not duly stamped, § 17.
24. Stamps rendered useless by the Discontinuance of old Dies and the providing new Dies to be allowed and exchanged, § 18.
25. Commissioners authorized to refund in Money the Amount of Stamps spoiled or rendered useless, § 19.
26. Recites 32 G. 3. c. 150. So much of the Schedule thereto assessed as relates to artificial Mineral Waters repealed, § 20.
27. Recites 47 G. 3. c. 18. Drawback of the whole Duty to be allowed on the Exportation from Ireland of Gold or Silver Plate; recites 25 G. 3. c. 64. no Drawback on Gold Rings or Articles not exceeding Two Guineas, § 21.
28. Commissioners may appoint Officers to take Affidavits, § 22.
29. Penalties recoverable in the superior Courts; Commissioners may mitigate Penalties, &c. § 23.
30. Any Justice of the Peace may determine Offences subject to Penalties, upon Information by Solicitor or Officer of Stamp Duties; Mode of proceeding; Appeal. Proceedings not to be quashed for Want of Form or removed, § 24.
31. Justices may mitigate Penalties, § 25.
32. Limitation of Actions; Venue; Notice of Action; General Issue; Tender of Amends, § 26.
33. Construction of the Terms used in this Act, § 27.
34. Commencement of Act, § 28.
35. To repeal the Stamp Duties on Almanacs and Directories, and to give other Relief with relation to the Stamp Duties in Great Britain and Ireland respectively, 4 & 5 W. 4. c. 57.
36. Stamp Duties on Almanacs or Calendars, and on Dublin Directories, repealed, except as to Arrears, § 1.
37. Stamps intended for Almanacs or Directories, and rendered useless by the Operations of this Act, to be cancelled, and the Value thereof allowed, § 2.
38. Affidavits made on registering Votes in Ireland under 2 & 3 W. 4. c. 88. exempted from Stamp Duties, § 3.

41. 5 & 6 W. 4. c. 97. § 15. repealed. Relief granted to Persons who have neglected to send Vellum, Parchment, &c. to be restamped, § 4.

See Land Tax; Tithes.

Stannaries (Court of), See Affidavits and Affirmations.

Starch, See Excise, 20—64.

### Statutes Repealed.

I. Statutes relating to the Temporalities of the Church in Ireland, wholly or in part repealed by 5 & 6 W. 4. c. 27. § 1. (except as to Repeal of former Acts, the Recovery of Penalties or Money now or hereafter due, and Bonds and Securities for the same.)

#### HENRY VIII.

|                 |                  |
|-----------------|------------------|
| 28 H. 8. c. 8.  | Greenock III.    |
| 28 H. 8. c. 14. | 29 G. 3. c. 25.  |
| 2 Ed. 6. c. 3.  | 43 G. 3. c. 105. |
|                 | 46 G. 3. c. 80.  |
|                 | 48 G. 3. c. 65.  |
|                 | 49 G. 3. c. 103. |

#### GEORGE I.

|                     |              |
|---------------------|--------------|
| 2 G. 1. c. 15.      |              |
| 8 G. 1. c. 15. § 6. |              |
| 10 G. 1. c. 7.      | Greenock IV. |

#### GEORGE II.

|                 |                |
|-----------------|----------------|
| 29 G. 2. c. 18. | 4 G. 4. c. 85. |
|-----------------|----------------|

II. Statutes relating to the Customs repealed by 5 & 6 W. 4. c. 50. § 2. (except as to Repeal of former Acts, and to Drawbacks, &c. *non duo*.)

#### GEORGE IV.

|                 |                          |
|-----------------|--------------------------|
| 6 G. 4. c. 106. | 9 G. 4. c. 76. (in part) |
| 6 G. 4. c. 107. | 10 G. 4. c. 23.          |
| 6 G. 4. c. 108. | 10 G. 4. c. 45.          |
| 6 G. 4. c. 109. |                          |

#### WILLIAM IV.

|                          |                             |
|--------------------------|-----------------------------|
| 6 G. 4. c. 110.          | 1 W. 4. c. 24.              |
| 6 G. 4. c. 111.          | 1 W. 4. c. 48.              |
| 6 G. 4. c. 112.          | 1 & 2 W. 4. c. 4. (in part) |
| 6 G. 4. c. 113.          | 1 & 2 W. 4. c. 10.          |
| 6 G. 4. c. 114.          | 1 & 2 W. 4. c. 20.          |
| 6 G. 4. c. 115.          | 1 & 2 W. 4. c. 40.          |
| 7 G. 4. c. 48. (in part) | 2 & 3 W. 4. c. 84.          |
| 7 & 8 G. 4. c. 95.       |                             |

III. Statutes relating to the Administration of the Office of a Justice of the Peace in and near the Metropolis, repealed by 5 & 6 W. 4. c. 13. § 54.

#### GEORGE IV.

|                |                 |
|----------------|-----------------|
| 5 G. 4. c. 55. | 6 G. 4. c. 91.  |
|                | 10 G. 4. c. 45. |

IV. Ancient Statutes extending to Ireland relating to Juries and Jurors, repealed by 5 & 6 W. 4. c. 91. § 30.

#### HENRY III.

|                      |                      |
|----------------------|----------------------|
| 45 H. 3.             | EDWARD III.          |
| 32 H. 3. c. 34 & 36. | 5 Ed. 3. c. 10.      |
|                      | 30 Ed. 3. c. 6.      |
|                      | 27 Ed. 3. § 2. c. 8. |

#### EDWARD I.

|                        |                          |
|------------------------|--------------------------|
| 15 Ed. 1. c. 30 & 33.  | 28 Ed. 3. c. 15.         |
| 21 Ed. 1. st. 1.       | 34 Ed. 3. c. 4, 5, & 15. |
| 23 Ed. 1. st. 2. c. 9. | 36 Ed. 3. c. 12.         |
| 25 Ed. 1. st. 4.       | 42 Ed. 3. c. 11.         |
| 24 Ed. 1. st. 5. c. 8. |                          |

*Statutes repealed.*

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|---|--|---|---|
| RICHARD II.<br>7 R. 2. c. 7.  | HENRY VI.<br>6 H. 6. c. 9.<br>8 H. 6. c. 29.<br>23 H. 6. c. 9.   | GEORGE II.<br>2 G. 2. c. 7.<br>8 G. 2. c. 29. § 10.<br>18 G. 2. c. 31.  | GEORGE III.<br>1 G. 3. c. 81. § 3.<br>WILLIAM IV.<br>2 & 3 W. 4. c. 40. § 25.   |
| HENRY IV.<br>11 H. 4. c. 9.   | RICHARD III.<br>1 R. 3. c. 4.  | X. Statute relating to the Tolls of the Mersey and Conway Bridges, in part repealed by 4 & 5 W. 4. c. 66.                                   |   |
| HENRY V.<br>2 H. 5. st. c. 5.   |  | GEORGE III.<br>29 G. 3. c. 48.  | WILLIAM IV.<br>3 & 4 W. 4. c. 45.   |
| <i>Acts made in the Parliament of Ireland repealed by some Act.</i>   | GEORGE I.<br>6 G. 1. c. 5. § 11.<br>19 G. 1. c. 4. § 16.   | GEORGE IV.<br>1 & 2 G. 4. c. 55.<br>4 G. 4. c. 74.  |   |
| HENRY VI.<br>7 H. 6. c. 1.  | GEORGE II.<br>29 G. 2. c. 5.   | XI. Statute relating to Seamen, repealed by 5 & 6 W. 4. c. 19.  |   |
| HENRY VIII.<br>15 H. 8. c. 5.   | GEORGE III.<br>13 & 14 G. 3. c. 44. § 1.<br>17 & 18 G. 3. c. 45. § 3-10.<br>25 & 26 G. 3. c. 17. § 35.<br>28 G. 3. c. 54.<br>29 G. 3. c. 14 § 71.<br>34 G. 3. c. 25. § 4.<br>35 G. 3. c. 28. § 35. | ANNA.<br>2 & 3 Ann. c. 8.   | 57 G. 3. c. 75.<br>45 G. 3. c. 81.<br>28 G. 3. c. 38.<br>29 G. 3. c. 28.  |
| CHARLES I.<br>10 C. 1. st. 2. c. 15.<br>10 & 11 C. 1. c. 2.   | ANNA.<br>6 Ann. c. 10. § 6, 7, 8.  | GEORGE II.<br>8 G. 2. c. 36.  | GEORGE IV.<br>4 G. 4. c. 25.  |
|   |  | GEORGE III.<br>2 G. 3. c. 51.<br>31 G. 3. c. 30.  | WILLIAM IV.<br>3 & 4 W. 4. c. 58.   |
|   | <i>United Parliament.</i>  | XII. Statute and Parts of Statute relating to Public Highways, repealed by 5 & 6 W. 4. c. 50.   |   |
| GEORGE IV.<br>6 G. 4. c. 51. § 1.   | V. Statute and Parts of Statute relating to His Majesty's Exchequer, repealed by 4 & 5 W. 4. c. 15. § 26.  | GEORGE I.<br>6 G. 1. c. 6. in part, except as to London.  | GEORGE III.<br>13 G. 3. c. 78.<br>24 G. 3. c. 64.<br>24 G. 3. c. 74.<br>40 G. 3. c. 90. in part<br>44 G. 3. c. 62.<br>24 G. 3. c. 109.<br>35 G. 3. c. 65.   |
| WILLIAM III.<br>8 & 9 W. 3. c. 28.  | GEORGE III.<br>29 G. 3. c. 82. (in part)<br>39 & 40 G. 3. c. 55. (in part)<br>46 G. 3. c. 1.   | GEORGE II.<br>18 G. 2. c. 35, except as to London.<br>24 G. 2. c. 45. in part, except as to London.<br>30 G. 2. c. 25, except as to London. |   |
| GEORGE II.<br>6 G. 2. c. 6.   | GEORGE IV.<br>1 & 2 G. 4. c. 251. (in part)  | XIII. Statute relating to Miscellaneous Subjects, repealed by various Acts.   |   |
| VI. Statute relating to Government Pensions and Allowances, repealed by 4 & 5 W. 4. c. 26. § 5.   | GEORGE III.<br>50 G. 3. c. 117.<br>51 G. 3. c. 21.   | GEORGE IV.<br>5 G. 4. c. 115.<br>5 G. 4. c. 104.<br>6 G. 4. c. 87. § 8.   | Relating to<br>ANNA.<br>2 Ann. c. 10. (in part)   |
| GEORGE III.<br>50 G. 3. c. 117.<br>51 G. 3. c. 21.  | GEORGE IV.<br>5 G. 4. c. 115.<br>5 G. 4. c. 104.<br>6 G. 4. c. 87. § 8.  | Repealed by<br>5 & 4 W. 4. c. 71.<br>5 & 4 W. 4. c. 71.   |   |
| VII. Statute relating to the Practice of hanging the Bodies of Criminals in Chains, repealed in part by 4 & 5 W. 4. c. 21.  | GEORGE IV.<br>9 G. 4. c. 51<br>10 G. 4. c. 54.   | WILLIAM IV.<br>2 & 3 W. 4. c. 73.   | 5 & 4 W. 4. c. 50.<br>§ 22.<br>5 & 6 W. 4. c. 25<br>§ 23.<br>5 & 6 W. 4. c. 41.<br>§ 3.<br>5 & 6 W. 4. c. 17.<br>5 & 6 W. 4. c. 41.<br>§ 5.   |
| VIII. Statute relating to the Taxation Rates payable in the Part of London, in part repealed by 4 & 5 W. 4. c. 52.  | GEORGE III.<br>39 G. 3. c. 60.<br>42 G. 3. c. 49.<br>45 G. 3. c. 124.  | WILLIAM IV.<br>47 G. 3. st. 2. c. 51.<br>GEORGE IV.<br>10 G. 4. c. cxxx.  | 5 & 4 W. 4. c. 50.<br>§ 22.<br>5 & 6 W. 4. c. 41.<br>§ 3.<br>5 & 6 W. 4. c. 17.<br>5 & 6 W. 4. c. 41.<br>§ 5.   |
| IX. Statute relating to the Contribution out of Merchant Seamen's Wages towards the Support of Greenwich Hospital, wholly or in part repealed by 4 & 5 W. 4. c. 54. | WILLIAM III.<br>7 & 8 W. 3. c. 21.<br>8 & 9 W. 3. c. 25.   | ANNA.<br>10 Ann. c. 17.<br>GEORGE I.<br>5 G. 1. c. 26. § 5.   | 5 & 4 W. 4. c. 50.<br>§ 22.<br>5 & 4 W. 4. c. 41.<br>§ 3.<br>5 & 4 W. 4. c. 50.<br>§ 22.<br>5 & 4 W. 4. c. 40.<br>Land Tax.<br>4 & 5 W. 4. c. 60.<br>§ 5.<br>4 & 5 W. 4. c. 53.<br>4 & 5 W. 4. c. 44.<br>§ 4. |

*Statutes repealed.*

| GEORGE III.                  | Relating to                | Repealed by                                | GEORGE IV.   | Relating to                             | Repealed by  |
|------------------------------|----------------------------|--|--|---|--|
| 5 G. 3. c. 45. (in part)     | Duties on Soap.            | 5 & 6 W. 4. c. 16. § 5                     | 7 & 8 G. 4. c. 35. § 6 G. 4. c. 21.  | Excise. Passengers in Merchant Vessels. | 4 & 5 W. 4. c. 51. 5 & 6 W. 4. c. 33.                          |
| 6 G. 3. c. 32. (in part)     | Duties on Tea. Customs.    | 4 & 5 W. 4. c. 33. 5 & 6 W. 4. c. 30. § 4. | 9 G. 4. c. 35. (in part) 9 G. 4. c. 26. (in part) 10 G. 4. c. 56. (in part)  | Felony. Savings Banks.                  | 5 & 6 W. 4. c. 44. 5 & 6 W. 4. c. 31. 5 & 6 W. 4. c. 18. § 29. |
| 20 G. 3. c. 17. (in part)    | Land Tax.                  | 4 & 5 W. 4. c. 60. § 5.                    | 11 G. 4. c. 27.  | Friendly Societies.                     | 4 & 5 W. 4. c. 10.   |
| 20 G. 3. c. 36. (in part)    | Seamen.                    | 4 & 5 W. 4. c. 32.                         |  | Lighting and Watch-<br>ing.             | 5 & 6 W. 4. c. 60.   |
| 20 G. 3. c. 51.              | Steer Hags.                | 5 & 6 W. 4. c. 17.                         | WILLIAM IV.  | Cotton Mills.                           | 5 & 6 W. 4. c. 103. § 46.                                      |
| 23 G. 3. c. 48.              | Chimney Sweepers.          | 4 & 5 W. 4. c. 35.                         | 1 & 2 W. 4. c. 30.   | Cruelty to Animals.                     | 5 & 6 W. 4. c. 50.   |
| 32 G. 3. c. 14. (in part)    | Sheep.                     | 5 & 6 W. 4. c. 98. § 14.                   | 2 & 3 W. 4. c. 18. (in part) 2 & 3 W. 4. c. 45. § 22.  | Land Tax.                               | 4 & 5 W. 4. c. 60. § 5.  |
| 35 G. 3. c. 33.              | Duties on Tea.             | 4 & 5 W. 4. c. 33.                         | 2 & 3 W. 4. c. 45. § 22.   | Poll at Elections.                      | 5 & 6 W. 4. c. 30.   |
| 34 G. 3. (1.)                | Fires on board Ships.      | 5 & 6 W. 4. c. 35.                         | 2 & 3 W. 4. c. 112. (in part) 2 & 3 W. 4. c. 120. (in part) 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40. | Land Revenue.                           | 5 & 6 W. 4. c. 62.   |
| 35 G. 3. c. 18.              | Administration of Justice. | 4 & 5 W. 4. c. 65.                         | 2 & 3 W. 4. c. 112. (in part) 2 & 3 W. 4. c. 120. (in part) 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40. | Stage Carriages.                        | 5 & 6 W. 4. c. 18.   |
| 36 G. 3. (1.) (in part)      | Letter-stealing.           | 5 & 6 W. 4. c. 81.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   | Tonnage of Ships.                       | 5 & 6 W. 4. c. 35.   |
| 36 G. 3. c. 83. (in part)    | Markets.                   | 4 & 5 W. 4. c. 21.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   | Court of Chancery.                      | 5 & 6 W. 4. c. 67.   |
| 37 G. 3. c. 75. (in part)    | Seamen.                    | 4 & 5 W. 4. c. 32.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   | Weights and Measures.                   | 5 & 6 W. 4. c. 63.   |
| 38 G. 3. (1.) (in part)      | Newspapers in Ireland.     | 4 & 5 W. 4. c. 71.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   | Outs and Allowances.                    | 5 & 6 W. 4. c. 62.   |
| 41 G. 3. c. 79. (in part)    | Public Notaries.           | 5 & 6 W. 4. c. 70.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 42 G. 3. c. 63. § 11.        | Conveyance of Newspapers.  | 4 & 5 W. 4. c. 44.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 42 G. 3. c. 145. (in part)   | Letter-stealing.           | 5 & 6 W. 4. c. 81.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 45 G. 3. c. 123. (in part)   | Land Tax.                  | 4 & 5 W. 4. c. 60. § 4.                    | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 55 G. 3. c. 80. (in part)    | Newspapers in Ireland.     | 4 & 5 W. 4. c. 71.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 55 G. 3. c. 154, 155, & 156  | The Revenue.               | 5 & 6 W. 4. c. 25                          | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 59 G. 3. c. 12. (in part)    | Removal of Poor Persons.   | 5 & 6 W. 4. c. 40.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 59 G. 3. c. 50. (in part)    | Turnpike Roads.            | 5 & 6 W. 4. c. 21.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 59 G. 3. c. 46. (in part)    | Turnpike Roads.            | 5 & 6 W. 4. c. 21.                         | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| 59 G. 3. c. 62. (in part)    | Savings Banks.             | 5 & 6 W. 4. c. 37. § 2.                    | 5 & 6 W. 4. c. 35. (in part) 5 & 6 W. 4. c. 64. (in part) 4 & 5 W. 4. c. 40.   |   |  |
| GEORGE IV.                   |                            |  |  |   |  |
| 5 G. 4. c. 71.               | Cruelty to Animals.        | 5 & 6 W. 4. c. 50.                         |  |   |  |
| 4 G. 4. c. 30.               | East India Company.        | 5 & 6 W. 4. c. 35.                         |  |   |  |
| 3 G. 4. c. 74. (in part)     | Weights and Measures.      | 5 & 6 W. 4. c. 63. § 3.                    |  |   |  |
| 5 G. 4. c. 83.               | Removal of Poor Persons.   | 5 & 6 W. 4. c. 40.                         |  |   |  |
| 5 G. 4. c. 84.               | Capital Punishment.        | 4 & 5 W. 4. c. 67.                         |  |   |  |
| 6 G. 4. c. 12. (in part)     | Weights and Measures.      | 5 & 6 W. 4. c. 63. § 3.                    |  |   |  |
| 6 G. 4. c. 36. § 68.         | Bankrupt Laws.             | 5 & 6 W. 4. c. 76. § 35.                   |  |   |  |
| 6 G. 4. c. 36. (in part)     | Bankrupt Laws.             | 5 & 6 W. 4. c. 28. § 3.                    |  |   |  |
| 6 G. 4. c. 68.               | Conveyance of Newspapers.  | 4 & 5 W. 4. c. 44.                         |  |   |  |
| 6 G. 4. c. 107.              | East India Company.        | 5 & 6 W. 4. c. 35.                         |  |   |  |
| 6 G. 4. c. 114.              | Trading.                   | 5 & 6 W. 4. c. 65.                         |  |   |  |
| 7 & 8 G. 4. c. 20. (in part) | Felony.                    | 5 & 6 W. 4. c. 44.                         |  |   |  |

- Straw Carriages*, See Stage Carriages.
- Stone Blue*, See Excise, 21—23, 64, 65.
- Stone Bottles*, See Excise, 58.
- Straw*, See Hay.
- Sobpara*, See Chancery, Court of, 68.
- Sugar*.
1. Annual Acts for continuing Duties on Sugar, 5 & 6 W. 4. c. 5. 4 & 5 W. 4. c. 5. 5 & 6 W. 4. c. 12.
  2. To admit Sugar without Payment of Duty to be refined for Exports, 5 & 6 W. 4. c. 61.
  3. Commissioners of His Majesty's Customs may approve of Premises for Bonded Sugar Houses, § 1.
  4. On Approval thereof, Officers of Customs empowered to deliver Sugars Duty-free, to be there refined for Exports only. Order of Approval may be revoked, § 2.
  5. Refiner to give Bond that Sugar received be submitted to Process of Refinement, and afterwards exported, or delivered into Bonded Warehouses, § 5.
- See Customs, 351—357.
- Suits (Limitation of)*, See Limitation of Actions.
- Sunday (Observance of)*, See Election of Officers.
- Sweets*, See Excise, 58.
- Synon*, See Customs, 5.

## T.

## TAXES.

1. To alter certain Duties of Stamps and Assessed Taxes, and to regulate the Collection thereof, 5 & 6 W. 4. c. 54.
2. Agreements to submit to Arbitration and Awards made in *Evangel* exempted from Stamp Duty, § 1.
3. Stamp Duty is *Great Britain and Ireland* on Policies of Insurance on Lives not exceeding 1000. repealed, § 2.
4. Reduced Duties upon Policies of Insurance on Lives not exceeding 1000—§ 5.
5. Commissioners of the Treasury authorized to compound with the *East India Company* for the Stamp Duties on *India Bonds*, § 4.
6. Transfers in *England* of the Territorial Debt of the *East India Company* to be chargeable with a Stamp Duty of 5s. only, § 5.
7. Letters of Attorney for voting at the Election of *East India Directors* exempted from Stamp Duty, § 6.
8. Members of any one of the Four Inns of Court may be admitted in any other of the said Inns free of Duty, § 7.
9. The Time for giving Notice of Intention to compound for Assessed Taxes enlarged until the 1st Grade-1853, § 8.
10. Composition on Four-wheeled Carriages drawn by One Horse only declared valid, § 9.
11. Commissioners of Treasury authorized to appoint Distributors and Sub-Distributors of Stamps to be Collectors of Land and Assessed Taxes in *Scotland*. Proviso, § 10.
12. Such Collectors, &c. to give Security, § 11.
13. Heads, Commissions, &c. under this Act to be free from Stamp Duty and Fees, § 12.
14. Land Tax in *Scotland* to be collected and paid under the same Rules as the Assessed Taxes, § 13.
15. Duties granted on Race Horses by 44 G. 3. c. 28. 46 G. 3. c. 55. and 52 G. 3. c. 95. Sched. (E.) No. 3. repealed, § 14.
16. Duty of 3s. 10s. per Assize to be charged on Race Horses in lieu of former Duties, § 15.
17. Exemption granted to Farmers from the Duty on One Riding Horse by 4 & 5 W. 4. c. 75. explained and amended, § 16.
18. Exemption granted to certain Officers by 52 G. 3. c. 95. Sched. (C.) for One Male Servant, being a Soldier, extended to such Number of Servants, being Soldiers, as may be allowed to each Officer by the Regulations of the Service, § 17.

See Land Tax.

## Tea.

1. To provide for the Collection and Management of the Duties on Tea, 5 & 6 W. 4. c. 101.
2. Tea imported into the United Kingdom from the Cape of Good Hope and Places Eastward thereof, § 1.
3. Tea imported into British Possessions, &c. from Cape of Good Hope, &c., § 2.
4. Duties not to affect Tea sold before 23d April 1854. Allowance of Draft, § 3.
5. Allowance for Sea Damage not to be allowed, § 4.
6. Mixed Tea liable to highest Duty. Two Sorts in same Package, not mixed, to be forfeited, § 5.
7. Importation of Tea to be under Management of Commissioners of Customs, but Acts done by Excise to be legal, § 6.
8. Licences to sell Tea, and Permits, not to be affected, § 6.
9. Treasury may discontinue Permits for Tea and other Goods, and *Prohibitions* under *Regulations* for *Union* of *Great*

10. To repeal so much of several Acts as requires Deposits to be made upon Tea sold at the Sales of the *East India Company*, 4 & 5 W. 4. c. 35.
11. 18 G. 3. c. 95. 18 G. 3. c. 48. and 33 G. 3. c. 35. in part repealed, § 1.
12. To impose certain Duties on Tea, 5 & 6 W. 4. c. 52.
13. After 1st July 1856 the present Duties on Tea to cease, and a Duty of 2s. 1d. per Pound to be charged in lieu thereof, § 1.

Tenants for Life, See Apportionment of Rents, &c.

Tenants in Tail, See Fines and Recoveries; Limitation of Actions.

Thames Police, See Justice (Administration of.)

Tithes, See Excise, 1—3.

Timber, See Customs, 361—364.

## Tithes.

- I. Acts relating to Tithes in general.
- II. Acts for making Compensation or Allotments, and for extinguishing Tithes, in various Parishes and Places.

## I. Acts relating to Tithes in general.

1. Act to amend an Act passed in the Third Year of His present Majesty, intitled An Act for shortening the Time required in Claims of Modus decimand, or Exemption from or Discharge of Tithes, 4 & 5 W. 4. c. 35.
2. 2 & 3 W. 4. c. 100. recited. Proceedings stayed on Defendant's paying Costs into Court, § 1.
3. Defendant to give Notice to Plaintiff of his Intention to proceed, § 2.
4. If Plaintiff accepts the Costs, all Proceedings to be abandoned, § 3.
5. Executors, Heirs, &c. may not in case of Death, § 4.
6. Judges may, upon sufficient Cause shown, permit Actions to be proceeded with, § 5.
7. As to previous Claims, § 6.
8. For the more easy Recovery of Tithes, 5 & 6 W. 4. c. 74.
9. 7 & 8 W. 4. c. 6. and 33 G. 3. c. 127. recited. Proceedings for the Recovery of Tithes under 10s. (except in the Case of Quakers) shall be had only under the Powers of the Two first recited Acts; Proviso, § 1.
10. Manner of recovering Tithes due from Quakers, § 2.
11. For the Amendment of the Law as to the tithing of Turneps in certain Cases, 5 & 6 W. 4. c. 75.
12. Turneps sown from the Land in consumed on the same subject to Tithes as if not so sown, § 1.

See Exemption of Actions.

- II. Acts for making Compensation or Allotments, and for extinguishing Tithes, in various Parishes and Places.

1. *Elmstone* Parish, 5 & 6 W. 4. c. 19. § 23, 30. (Pr.)
2. *Great Gressendale* Township, 5 & 6 W. 4. c. 14. § 25, 32. (Pr.)
3. *Kirkby Knowel* Parish. To commute for a Corn Rent Tithes payable to the Rectors and Vicars, 4 & 5 W. 4. c. 74. § 1.

4. *Kirkby Lonsdale Parish.* To commute for a Corn Rent certain Tithes, 4 § 5 W. 4. c. 2. (*Pr.*)
5. *Lakenhead Parish.* 5 § 4 W. 4. c. 16. § 22. 23. 40. (*Pr.*)
6. *Little St. Helms Manor in the Parish of Ashington.* 5 § 4 W. 4. c. 20. § 26. 30. (*Pr.*)
7. *Chilington Parish.* 5 § 4 W. 4. c. 15. § 22—24. 41—44. (*Pr.*)
8. *Sowerby Parish.* 4 § 6 W. 4. c. 28. § 25. 28. 30. 35. 55. (*Pr.*)
9. *Stouton Parish, Isle of Ely.* 5 § 6 W. 4. c. 15. (*Pr.*)
10. *Wickham Saint Mary's Parish in the Isle of Ely.* 5 § 4 W. 4. c. 9. § 55. (*Pr.*)
11. *Yonkley Parish.* 5 § 4 W. 4. c. 17. § 36—44. 46. 55. (*Pr.*)

*Tithes.* See Inclosures, 8.

*Tobacco.* See Customs, 155—157. 210. 235. 373. 388.

*Toll.* See Manure.

*Tonnage.* See London (Port of).

*Trade.* See Possessions Abroad.

*Train Oil.* See Customs, 101—103.

*Transportation.* See Capital Punishments.

*Trust Property.* See Escheat.

*Trustee and Cestuique Trust.* See Limitation of Actions.

*Trustees.* See Escheat.

*Turnips.* See Tithes, I. 11.

*Trustees of Roads.* See Turnpike Roads.

### Turnpike Roads.

1. Public Acts relating to Turnpike Roads in general.
- II. Acts relating to Turnpike Roads in particular Places.

#### I. Public Acts relating to Turnpike Roads in general.

1. Requiring the annual Statements of Trustees or Commissioners of Turnpike Roads to be transmitted to the Secretary of State, and afterwards laid before Parliament, 5 § 4 W. 4. c. 30.
2. 5G. 4. c. 126. and 1 G. 4. c. 25. recited. Clerks of Trustees to transmit Copies of all past annual Statements of Debts, &c. under 5 G. 4. c. 126. to the Secretary of State within Thirty Days from the passing hereof, and in future transmit them within Thirty Days after they have been signed, § 1.
3. General Annual Meeting to be held on or before the 25th of March, § 2.
4. Regulating Time for making out annual Statements of Debts, &c., § 5.
5. Clerks to prepare Estimates for Annual Meetings, § 4.
6. Secretary of State to cause Abstracts of annual Statements to be laid before Parliament, § 5.
7. And for that Purpose to success any Clerks, Surveyors, &c. before him, and inquire into the State of the Roads and the Method of managing them, § 6.
8. Clerks to Trustees to send Copies of Resolutions of Trustees as to Continuation or Abolition of Turnpike Acts, &c. to Secretary of State, § 7.
9. Penalties how to be recovered, § 8.
10. Act may be altered, &c., § 9.

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11. For continuing until 1st June 1856 the several Acts for regulating the Turnpike Roads in Great Britain which will expire with the present or the next Session of Parliament, 4 § 5 W. 4. c. 16.
12. Continuation of Acts, § 1.
13. Not to extend to Acts, 5G. 4. c. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.
12. Sect. 13. of recited Act not to extend to Waggon, Wains, &c. having Felles of Wheels of not less than 4½ Inches in Breadth, § 1.
13. To amend and alter an Act of the Fifty-sixth Year of His late Majesty King George the Third, for vesting in Commissioners the Line of Road from Stretebury in the County of Salop to Banger Ferry in the County of Carmarthen, and for discharging the Trustees under several Acts of the 17th, 28th, 36th, 41st, 42d, 47th, and 50th Years of His then present Majesty from the future Repair and Maintenance thereof; and for repealing so much of the said Acts as affects the said Line of Road, 5 § 6 W. 4. c. 21.
14. For continuing until 1st June 1857 the several Acts for regulating the Turnpike Roads in Great Britain which will expire on 1st June 1856, or with the next Session of Parliament, 5 § 6 W. 4. c. 40.

See Manure.

#### II. Acts relating to Turnpike Roads in particular Places.

1. BRICK and } From Fyfield to St John's Bridge, and  
GLOUCESTER. } from Kingston Bagnore to Newbridge  
(repealing Acts), 5 § 4 W. 4. c. 205.
2. From Great Ferrington to Bayford (repealing Acts), 5 § 4 W. 4. c. 204.
3. From Woadon to the End of Oak Lane, and from the River Colne for Half a Mile towards Broomfield (repealing Acts), 5 § 4 W. 4. c. 203.
4. BURKS and } From Appleby to Thome, and the Roads  
OXFORD. } leading from Thome to Shalldford, Pox-  
moor, and Borear (repealing Acts), 5 § 4 W. 4. c. 202.
5. CARBODD. Maintaining, &c. several Roads in the County (repealing Acts), 5 § 4 W. 4. c. 201.
6. From New Quay to Aberryst, 5 § 6 W. 4. c. 200.
7. CARMARTHEN. Repairing the Road from Carmarthen to Newcastle Bridge, and several other Roads, and making new Lines of Road in the County (repealing Acts), 5 § 6 W. 4. c. 199.
8. CARMARTHEN and } Repairing, &c. the Main Turnpike Roads,  
PERRERA. } and making a new Piece of Road to communicate therewith from the Confines of the County to King's Moor (repealing Acts), 5 § 4 W. 4. c. 198.
9. CHESTER. Improving, &c. the Close, Neston, and Woodside Ferry District of Roads (repealing Acts), 5 § 4 W. 4. c. 197.
10. Making Turnpike certain Highways between Newnisk and Cogshill, 5 § 5 W. 4. c. 196.
11. From Southwell to Congham, and a Branch to communicate, 5 § 5 W. 4. c. 195.
12. CHESTER and } From the Canal Bridge in Burdfield to  
DENBY. } the Turnpike Road of Bardsley Carr Lane Road to Farnley, leading to Chapel-in-the-Prick (repealing Acts), 5 § 5 W. 4. c. 194. (Statute rectified by 7 § 4 W. 4. c. 200.)



33. **CORNWALL.** Making, &c. certain Roads leading to and from *Bodinn* (repealing Act), 5 § 4 W. 4. c. xiv.
34. Making, &c. certain Roads leading to and from *Bodinn*, and other Roads in the County, and making a new Road communicating therewith, (repealing Act), 5 § 4 W. 4. c. lxxvii.
35. Repairing the *Lanaton* Turnpike Roads, and making certain additional Roads (repealing Act), 5 § 6 W. 4. c. lxx.
36. Repairing, &c. Roads leading to and from *Bodinn*, and other Roads therein mentioned, and making new Roads communicating therewith (repealing Act), 5 § 6 W. 4. c. cv.
37. **CORNWALL** and } Repairing, &c. the several Roads  
**DEVON.** } leading to *Safford*, and making new Branch to communicate therewith (repealing Act), 5 § 4 W. 4. c. v.
38. **DESSING** and } From *Debigh* to the *Nordup* and *Doly-*  
**FLINT.** } well Roads, and from *Afya Wm to Mold*, and a Branch Road leading from *Nordup* to *Mold*, near *Black Brook*, and extending over *Rijyphel* *Deby*, by *Bfild*, to *Pentemrjald* (repealing Act), 5 § 4 W. 4. c. xxvii.
39. **DEBY.** From the *Guid* Post below *Baldin* out of the *Baldin* Turnpike Road into the *Bevly* and *Abburn* Turnpike Road (repealing Act), 5 § 4 W. 4. c. lxxvi.
40. From *Wrelington* and *Cherterfield* to the *High Moor* in the Parish of *Wassington* (repealing Act), 5 § 4 W. 4. c. lxxxviii.
41. From *Duffield*, through *Elper* to *Hayes*, and new Line to communicate (repealing Act), 5 § 5 W. 4. c. xli.
42. **DEBY** and } From *Throset* to *Farnes Colliery* within  
**CHESHIRE.** } *Dialy*, and several Additions therein (repealing Act), 5 § 4 W. 4. c. xii.
43. **DEBY** and } From *Scoulington* in the Parish of *Fab-*  
**LEICESTER.** } well to the *Burns-Open-Treat* and *Aldy* Road, and making new Branches (repealing Act), 4 § 5 W. 4. c. ix.
44. **DEBY** and } From *Darby Moor* to *Elliston*, and thence  
**STAFFORD.** } to the Turnpike Road between *Leak* and *Aldone* (repealing Act), 5 § 4 W. 4. c. vii.
45. **DEVON.** From *Roody Gate* in the Parish of *Dowfild* through *Mountshapton* to *Cherry Brook* in the Forest of *Dartmoor* (repealing Act), 5 § 4 W. 4. c. vi.
46. From *Kingsbridge* to *Dartmoor*, and new Branches to and from the same (repealing Act), 4 § 5 W. 4. c. lxxii.
47. From the *Emor* Turnpike Road to *Baldyford*, and certain Roads leading from *Bridgetown Poweray* and *Toton*, and other Roads communicating therewith, and repairing *Toton Bridge*, and erecting Bridges over the *Senor Canal*, the *Byers Tjgs* and *Lenon*, and the *MS Lost* (repealing Act), 5 § 5 W. 4. c. xxvi. [Repealed by 5 § 6 W. 4. c. cv.]
48. Making, &c. certain Roads near *Adderton* and *Torner* (repealing Act), 5 § 6 W. 4. c. xxv.
49. **DURHAM** and } More effectually making, &c. cer-  
**STREING.** } tain Roads and Bridges (repealing Act), 4 § 5 W. 4. c. lxi.
50. **DURHAM.** From the *Gathead* and *Beobon* Turnpike Road at or near to *Acroft Ford Gate*, on the *River Derwent*, in the Parish of *Ryton*, to *Shorty Beby*, 5 § 5 W. 4. c. lxxv.
51. **DURHAM.** Repairing the *Darlington* and *Wier Aushford* and the *Colburn Bridge* and *Stanshop* Roads, and consolidating the Tracts thereof (repealing Act), 5 § 6 W. 4. c. xxv.
52. **DURHAM** and } From the North End of the Road  
**NORTHUMBRIA.** } called "The Coal Road," near *Wier Aushford*, to the *Elbow Road* near *Elilshew* (repealing Act), 5 § 4 W. 4. c. lvi.
53. **EDMONTON.** Making, &c. Turnpike Roads in the County (repealing Act), 5 § 6 W. 4. c. lxx.
54. Regulating the *Stonite Labour*, and repairing Highways and Bridges in the County (repealing Act), 5 § 6 W. 4. c. lxxii.
55. **FLINT.** Repairing, &c. the several Roads comprising the *Flint, Holpenil*, and *Morby* Districts, and making new Deviations, &c. to communicate therewith (repealing Act as to those Districts), 5 § 4 W. 4. c. xxx.
56. **FLINT** and } Improving, &c. certain Roads, and better  
**CHESHIRE.** } maintaining the *Lower King's Ferry* over the *River Dee*, 5 § 6 W. 4. c. lxxxviii.
57. **FLINT, DESSING,** } From *Post Lees Brook* to *Aberley*,  
and **CANNANON.** } and thence to *Conny Ferry House* (repealing Act), 5 § 4 W. 4. c. xxvii.
58. **GLAUCON.** From *Livagat* by *Slade* to the City of *Glaucou*, and certain Roads connected therewith (repealing Act), 4 § 5 W. 4. c. xxxv.
59. Altering Line of Road from the *Milford* of *Glaucou* to the City of *Glaucou*, and improving Roads leading therefrom into the said City, 5 § 5 W. 4. c. lxxxvii.
60. **GLoucESTER.** From *Soel Wald* to the Turnpike Road leading from *Treshbery* to *Stow*, and from *Chirburn* to *Solbyrosh*, and from *Walscomb* to the said Road from *Treshbery* to *Stow*, and making new Branch from *Walscomb* to the Road leading from *Chirburn* to *London* at *As-dewerby* in the Parish of *Dawtonell* (repealing Act), 5 § 4 W. 4. c. xli.
61. Amending so much of Two Acts for repairing the Roads leading from *Chelmslow* towards *Glouceter*, and for making a new Branch to communicate, as relates to the Priority of certain Meetings granted on the Tolls thereof, 5 § 4 W. 4. c. x.
62. **GLoucESTER** and } Through *Hentley* from *Glouceter*  
**HARFORD.** } towards *Ron*, and to and from *Milchelden*, and through *Winfary-spou-Senon* to *Norshon* and *Lilshon* (repealing Act in part), 5 § 4 W. 4. c. lxxxv.
63. **GLoucESTER, HARFORD,** } Repairing, &c. the Roads  
and **WORCESTER.** } leading from the City of *Glouceter* towards the City of *Harford*, and towards *Newest, Norshon, Lofbery*, and *Upton-spou-Senon* (repealing Act in part), 5 § 4 W. 4. c. lv.
64. **HARFORD.** Repairing, &c. the Turnpike Roads in the County, and erecting Turnpike certain *Stonite Labour* and Parish Roads, and collecting and applying *Stonite Labour* in the said County (repealing Act), 5 § 4 W. 4. c. xii.
65. **HARFORD.** Improving certain Roads within the County communicating with the City of *Harford* (repealing Act), 5 § 6 W. 4. c. xxii.
66. **HARFORD, GLoucESTER,** } Repairing the several Roads  
and **WORCESTER.** } leading from *Lofbery*, and the Road from the Parish of *Bromsbery* to

- the Road from *Glebeville* to *Worcester*, and making several Roads to communicate (repealing Act), 5  $\frac{1}{2}$  4 W. 4. c. lxxii.
47. HERTFORD and } Repairing, &c. the Road between the  
MAMMOTTS, } Towns of *Ross* and *Abington* by  
*Broad Oak* and *Slingsby*, and certain Roads  
connected therewith, leading to *Grantm* and  
other Places, and making certain Branches to  
communicate (repealing Act), 5  $\frac{1}{2}$  4 W. 4.  
c. lxxi.
48. HERTFORD. Repairing, &c. the several Roads leading  
from *North* and *Wim* and other Places in the  
County (repealing Act), 5  $\frac{1}{2}$  4 W. 4. c. xlii.
49. HERTFORD and } From *Buckin*, through *Stagford*, to the  
BEDFORDS, } Turnpike Road from *St. Albans* to  
*Stagford*, and from the Turning east of the said  
Road to *Beesh* and *Griford Bridge* and other  
Roads therein mentioned (repealing Act), 5  $\frac{1}{2}$  6  
W. 4. c. xxix.
50. HERTFORD } From the Turnpike Road in *Bedford*  
CAMBRIDGE, } to the Turnpike Road at or near  
*Burns Bridge* (repealing Act in part), 5  $\frac{1}{2}$  4  
W. 4. c. lx.
51. KENT. To rectify a Mistake in an Act [5 W. 4. c. lxxv.]  
for repairing, &c. certain Roads leading to and  
through the Town of *Goodhurst*, 5  $\frac{1}{2}$  4 W. 4.  
c. xxiii.
52. From the Turnpike Road at *Godford Green* in the  
Parish of *Crookstone* to the Turnpike Road in the  
Parish of *Sandbarat*, and from the Village of  
*Broomby* to the *Bull Inn* at *Stokenham Cross*  
(repealing Act), 5  $\frac{1}{2}$  4 W. 4. c. lxxvii.
53. Repairing the Road from *Foreborough* to *Riverhill*  
in the Parish of *Strensall* and making several  
Divisions in the said Road (repealing Act),  
5  $\frac{1}{2}$  6 W. 4. c. xx.
54. From *Strensall Common* to *Woodgate*, *Therbridge*  
*Wells*, and *Appony's Cross* and from *Therbridge*  
*Wells* to *Woodgate* (repealing Act), 5  $\frac{1}{2}$  6 W. 4.  
c. lxxv.
55. LANARK. Making, &c. certain Roads in the County,  
and building a Bridge over the River *Clife* at  
*Crookford* (repealing Act), 4  $\frac{1}{2}$  5 W. 4. c. lxxii.
56. Improving, &c. the *Port Dundee* Road, and  
making another Road in the County, 5  $\frac{1}{2}$  6 W. 4.  
c. cii.
57. LANCASTER. From the Guide Post near *Skelton Bridge*  
in the Parish of *Boothdale* to *Bury*, and a  
Branch therefrom (repealing Act), 5  $\frac{1}{2}$  4 W. 4.  
c. viii.
58. Repairing, &c. the Road from *Rahon* to *Korrip*,  
called the *Moss Gate District*, and a Branch  
thereof from *Stone Clough* to *Pillington* (repealing  
Act), 5  $\frac{1}{2}$  4 W. 4. c. xxii.
59. Amending Act [7 G. 4. c. xvi.] for repairing Roads  
from *Worcester* to *Salter's Brook*, and for making  
several Roads to communicate, and for making  
a new Extension or Division of the said Road  
instead of that authorized by recited Act,  
5  $\frac{1}{2}$  4 W. 4. c. lvi.
60. From *Warrington* to *Hypson* (repealing Act),  
5  $\frac{1}{2}$  4 W. 4. c. lxxvi.
61. From *Bowdley* to *Eldersfield* in the Parish of *Bury*  
(repealing Act), 5  $\frac{1}{2}$  4 W. 4. c. lxxvii.
62. LANCASTER and } From the End of *Arbuck Green*,  
CHESHIRE, } near *Macclesfield*, to *Melton* in *Leop-*  
*oldale* (repealing Act), 5  $\frac{1}{2}$  4 W. 4. c. xvi.
63. LANCASTER. From the Side Gate on the *Blackley* and  
*Latterwood Road* in the Parish of *Barlborough* to  
the Turnpike Road in or near the Village of  
*Northwood* (repealing Act), 5  $\frac{1}{2}$  6 W. 4.  
c. lxxviii.
64. MANCHESTER. Containing certain Powers to the Trustees  
of the *New North Road*, leading from  
the South End of *Highgate Place*, *Irington*, to  
*Belvedere Walk* in the Parish of *St. Paul*  
*Levenshield* (repealing Act), 5  $\frac{1}{2}$  4 W. 4.  
c. lxxv.
65. Containing certain Powers to the Trustees of the  
Road from *Kendal Town* to *Upper Malton*  
(repealing Act), 5  $\frac{1}{2}$  4 W. 4. c. c.
66. Incorporating the *Arden Road* in the Parish  
of *St. Mary Magdalen*, with the *Magdalen*  
and *Lowley* Turnpike Roads, 5  $\frac{1}{2}$  6 W. 4.  
c. xliii.
67. MIDDLESEX } Containing, &c. Act for more effectually  
and Essex, } repairing, &c. the *Middlesex* and *Essex*  
Turnpike Roads, and other Purposes, 4  $\frac{1}{2}$  5 W. 4.  
c. lxxviii.
68. MONMOUTH. Impoving the Communication between  
*Clapton* and *Abington*, 5  $\frac{1}{2}$  4 W. 4. c. xxiv.
69. MONTGOMERY, MERRIONETH, } Impoving, &c. certain  
SALOP, and DENBIGH, } Roads in those Counties,  
(repealing Act), 5  $\frac{1}{2}$  5 W. 4. c. xxvii.
70. NORFOLK. Repairing the Road from *Norwich* to the  
*Windmill* in the Town of *Walsor*, and making  
new Branch to communicate (repealing Act),  
5  $\frac{1}{2}$  4 W. 4. c. xx.
71. From *St. Swithin's Gate* in the City of *Norwich* to  
*New Barchinon* (repealing Act), 5  $\frac{1}{2}$  4 W. 4.  
c. xxviii.
72. From *St. Benedict's Gate* in the County of the  
City of *Norwich* to *Stroffham*, and from *Half-*  
*penney Bridge* in *Huntingdon* to the *Beacote* of  
*Tadlow*, and *Hampson's Lane* near the Gates  
of the said City (repealing Act), 5  $\frac{1}{2}$  6 W. 4.  
c. xl.
73. NORTHAMPTON. From *Little Bowdley* to *Redington*  
(repealing Act), 5  $\frac{1}{2}$  6 W. 4. c. xliii.
74. NORTHUMBERLAND } Repairing, &c. the *Fool* and  
and DURHAM, } *Levens* Turnpike Roads, and  
making new Branches of Road (repealing Act),  
5  $\frac{1}{2}$  6 W. 4. c. xxvii.
75. ORMSBY. Regulating and converting the Statute  
Labour in the *Sherriffdom* of *Ormsby*, and making,  
&c. High Roads and Bridges within the same,  
4  $\frac{1}{2}$  5 W. 4. c. xci.
76. OXFORD. From the Roads leading from *Barrington* to  
*Crookfield* and *Banker Bridge* (repealing Act),  
4  $\frac{1}{2}$  5 W. 4. c. xlv.
77. OXFORD and } From *Oxford*, over *Bodley Chauceary*,  
BESSA, } to *Fyfield* and *Witney*, 5  $\frac{1}{2}$  6 W. 4.  
c. cxi.
78. OXFORD and } From *Bicester* to *Aylesbury* (repealing  
BUCCA, } Act), 5  $\frac{1}{2}$  4 W. 4. c. xxv.
79. RANFERN. Renewing and extending Terms of Act  
relating to *Greenock* and *Argyle* and *Greenock*  
and *Kelly Bridge* Roads, 5  $\frac{1}{2}$  5 W. 4. c. xxvii.
80. SALOP. Impoving the *Shrewsbury District* and the  
*Walsley District* of the *Wooler Street Road*  
(repealing Act), 5  $\frac{1}{2}$  4 W. 4. c. xxix.
81. SALOP and } From *Maestrey* to the Turnpike  
MONTGOMERY, } Road leading from *Bishop's Castle*  
to *Cherwell*, 4  $\frac{1}{2}$  5 W. 4. c. xl.

92. **BAKING.** Amending Act for repairing several Roads leading through the County, and better making, &c. the said and other Roads in the County and Vicinity thereof, 4 § 5 W. 4. c. xxxix.
93. **SOUTHAMPTON.** From *Bishop's Walkham* to join the *Bosley and Winchester Road* at or near *Fisher's Bosley* in the Parish of *Goodbury*, 5 § 4 W. 4. c. xvii.
94. **SOUTHAMPTON** } From *Waltham* to the Extremity of  
and **BERKS.** } the Parish of *Aldershot* (repealing  
Act), 5 § 4 W. 4. c. lxxix.
95. **SOUTHAMPTON** } From *Milton's Pond* through *Asensbury*  
and **WILTS.** } to the Eighteen Mile Stone from *New*  
*Sarum* near *Wiltsbury Hedge*, and several  
other Roads leading out of the said Road  
(repealing Act), 5 § 5 W. 4. c. xxxviii.
96. **STAFFORD.** Repairing, &c. the Second District of the Road from *Calverley*, through the City of *Lichfield* and Town of *Steeve*, to the End of the County of *Stafford* in the Road leading towards *Chatter*, and making new Branch thereof, and annexing to and consolidating therewith the Turnpike Road from *Rugby* through *Arvington* to *Alcester* (repealing Act), 4 § 5 W. 4. c. xxxvii.
97. **STAFFORD** and } From *Tunstall* to *Bosley*, and from  
**LEICESTER.** } Great Cliff to *Shibden*, and new Line  
and Division of Road to communicate (repealing Act), 5 § 4 W. 4. c. liii.
98. **STAFFORD** and } From *Battersea* Near End to the Road  
**DERBY.** } leading from *Burton* to *Ashbourne*, and  
other Roads therein mentioned, and making  
several Divisions or new Lines of Road to  
communicate therewith (repealing Act), 5 § 4  
W. 4. c. lxxvii.
99. **STAFFORD** and } From *Stafford* to *Church Bridge*, and  
**SALOP.** } from *Stafford* to *Uxeter*, and from  
*Stafford* to *Neopord* (repealing Act), 4 § 5 W. 4.  
c. liii.
100. **SUFFOLK.** From *Ipwich* to *Helmington* and to *Debenham*, and from *Hemington* to *Osley Bottom* (repealing Act), 5 § 4 W. 4. c. 2.
101. From *Tarwath Bridge* through the Hamlet of *Southton* otherwise *Little Vermont* to *Gerbush* (repealing Act), 4 § 5 W. 4. c. xxix.
102. **SUFFOLK** and } From *Bury St. Edmunds* to *Newmarket*  
**CAMBRIDGE.** } (repealing Act), 5 § 4 W. 4. c. xxviii.
103. **SURREY.** From the Twenty Mile Stone on *Egham Hill* to a Place called *Eastington*, near *Boyle* in the Parish of *Windlesham* (repealing Act), 5 § 4 W. 4. c. xxxvii.
104. **SURREY** and } From *Stone Street Hatch* at *Ockley* to  
**SURREY.** } *Worsham* (repealing Act), 5 § 4 W. 4. c. liii.
105. **SURREY.** From *Leaves* to *Doughdown* (repealing Act), 5 § 4 W. 4. c. xlii.
106. From *Badger* to *Beaulieu Hill* and *Chickfield*, and from *Beaulieu Hill* to *Lindfield* (repealing Act), 5 § 4 W. 4. c. xlii.
107. From *Sturington* to *Bell's End* in *Wiltshire* (repealing Act), 5 § 4 W. 4. c. lxxxi.
108. From *Offham* to *Ditchling* (repealing Act), 5 § 4 W. 4. c. lxxxi.
109. From *Crouch Hill* in the Parish of *Heyfield* to *Elby's Corner* in the Parish of *Albourne*, and from the *King's Head* inn in *Albourne*, through *Horsperpoint*, to the Cross Roads in *Ditchling*, and a Branch from *Horsperpoint* to *Poyning's Cross*, 4 § 5 W. 4. c. 2.
100. From *Horsperpoint* to the *Brighton* and *Chickfield* Turnpike Road at or near *Anty Cross* in the Parish of *Chickfield*, 5 § 6 W. 4. c. xxix.
101. **WARWICK.** From *Widdowes* Manse to *Stratford-upon-Avon* (repealing Act), 5 § 4 W. 4. c. vi.
102. From *Upton* in *Rutley* to *Great Kington*, and *Widdowes* *Hastings* (repealing Act), 5 § 4 W. 4. c. vi.
103. **WARWICK** and } From *Rugby* Bridge to *Hinckley* (re-  
**LEICESTER.** } pealing Act), 5 § 4 W. 4. c. lxxviii.
104. **WESTMORLAND** and } From the East End of *Lord's*  
**CUMBERLAND.** } *Char* in the Parish of *Brough*  
*Aun*, by way of *Brough Bridge*, into the Town of *Festrel* (repealing Act), 5 § 4 W. 4. c. lxxx.
105. **WILTS.** Repairing the Roads leading from *Swindon* to the Centre of *Christian Mayford Bridge*, from *Cable* to *Lynnhall Green*, and from the Direction Post in *Long Leaze Lane* near *Lythard Marsh* to *Oriskole* (repealing Act), 5 § 4 W. 4. c. xxi.
106. **WILTS.** and } From the Junction of the *Osbert Road*  
**DORSET.** } with the *Dunston Road* near *Harsham Hill*, through *Bladford* and *Dorchester*, to *Ashwell Hill* (repealing Act), 5 § 6 W. 4. c. lvi.
107. **WILTS.** and } From *Warminster* and *Frome* to the *Buck*  
**SOMERSET.** } *Somerset*, } Road, and from *Wootton* to the *Tree-*  
*bridge Road*, and making certain new Lines of Road branching out towards *Bath*, 5 § 4 W. 4. c. lxxviii.
108. **WORCESTER.** Improving, &c. several Roads leading into and from the City (repealing Act), 5 § 6 W. 4. c. lxxii.
109. **YORK.** From near *Moat Bridge* near *York* to *New Malpas*, and thence to *Scarborough*, and from *Nythe House* to *Scarborough* (repealing Act), 5 § 4 W. 4. c. 22.
110. From *Burray* to *Cudworth Bridge*, and thence into the Road leading from *Widley* to *Down*, and other Roads connected therewith, (repealing Act), 5 § 4 W. 4. c. xxi.
111. From *Tudmore Bridge* to *Hob New Lane End* (repealing Act), 5 § 4 W. 4. c. lxxviii.
112. From *Kington-upon-Hull* to *Beverly*, and from *Newland Bridge* to the West End of the Town of *Cottingham* (repealing Act), 5 § 4 W. 4. c. xxi.
113. From *Quebec* in the Parish of *Leds* to *Bowfield Lane End* in same Parish, with a Bridge or Bridges on the Line of such Road, and certain Branch Roads to communicate (repealing Act), 4 § 5 W. 4. c. xxxix.
114. From the *Widowes* Bridge Road in the Parish of *Leds* to *Tony Lane End* in the Parish of *Bristol*, and other Roads branching therefrom, and from the aforesaid Road at *Scudlow Hill* in the Township of *Worley* to *Pudsey* (repealing Act), 5 § 6 W. 4. c. xxxxi.

## U.

Usury, See Bank of England, 8; Securities.

## V.

Vestries, See Election of Officers.

## W.

*Wages of Seamen, See Seamen's Wages.*

*Warehousing of Goods, See Importation and Exportation; Possessions Abroad.*

## Warwick (Borough of).

1. To indemnify Witnesses who may give Evidence before the Lords Spiritual and Temporal as a B.J. for preventing Bribery and Corruption and illegal Practices in the Election of Members to serve in Parliament for the Borough of Warwick, 4 & 5 W. 4. c. 17.

*Watching, See Lighting and Watching.*

## Weights and Measures.

1. To amend and render more effectual the Acts [3 G. 4 c. 74 and 5 G. 4. c. 12.] relating to Weights and Measures, 4 & 5 W. 4. c. 40. [repealed by 5 & 6 W. 1. c. 65.]
2. Provisions in recited Acts as to Models and Copies of Standard Weights and Measures repealed, § 1.
3. Weights and Measures stamped at the Exchequer declared legal, although not similar in Shape to those required by recited Acts, § 2.
4. Superintending Officer of Exchequer may verify and stamp Weights and Measures of other Form than those prescribed by the Act 5 G. 4. c. 74.—§ 3.
5. Heaped Measure abolished after 1st Jan. 1835.—§ 4.
6. Copies of the Imperial Standards to be provided by Order of Magistrates in Quarter Sessions for Counties in England and Wales, and by Meetings of Justices in Scotland, § 5.
7. Copies to be provided by Grand Jurors in Ireland, § 6.
8. Judges may order Copies in Counties in Ireland when it has not been done by Grand Jurors, § 7.
9. Power of providing additional Copies when requisite, § 8.
10. Returns to be made by Clerks of the Peace on 1st March 1835.—§ 9.
11. Powers to Magistrates of Towns, &c. to provide Copies of the Imperial Standards, § 10.
12. Weighmasters in Ireland to be supplied with Bessas and Scales and accurate Copies, § 11.
13. The Stone Weight, Hundred Weight, and Ton, § 12.
14. All Articles to be sold by Avoirdupois, except as herein stated, § 13.
15. All Weights and Measures to be stamped by Inspectors; Penalty for using any unstamped, light, or defective Weights and Measures, § 14.
16. Regulation as to fair Prices of Commodities in Scotland, § 15.
17. Inspectors to enter into Recognizance, § 16.
18. Power to Magistrates to inspect Weights and Measures, § 17.
19. Penalty for counterfeiting Stamps on Weights and Measures, § 18.
20. Copies of the Standard Weights and Measures which shall have been worn and intended to be sent to the Exchequer to be re-verified, § 19.
21. Officer at Exchequer to keep a Register of Copies verified, § 20.
22. As to Penalties in England and Ireland, § 21.

23. Form of Conviction, § 22.
24. Appeal to next General Quarter Sessions of the Peace, § 23.
25. As to Penalties in Scotland, § 24.
26. Appeal in Scotland to Commissioners of Justiciary at Circuit Court, § 25.
27. 4 Avois (L) and 5 G. 4. c. 116, except as far as relate to Ounces, &c. of Weighmasters, repealed, § 26.
28. Powers of Ward Justices, &c. not to be interfered with, § 27.
29. Rights of Founders Company reserved, § 28.
30. In Actions Magistrates may plead the General Issue, § 29.
31. Act may be amended, &c. this Session, § 30.
32. Schedule of Fees.
33. To repeal an Act of the Fourth and Fifth of His present Majesty relating to Weights and Measures, and to make other Provisions instead thereof, 5 & 6 W. 4. c. 63.
34. 4 & 5 W. 4. c. 40. repealed, § 1.
35. Not to interfere with any thing done or to prevent the Recovery of Penalties under repealed Act, § 2.
36. Provisions in 5 G. 4. c. 74. and 6 G. 4. c. 12. as to Models and Copies of Standard Weights and Measures repealed, § 3.
37. Weights and Measures stamped at the Exchequer declared legal, although not similar in Shape to those required by recited Acts. Superintending Officer may verify and stamp Weights and Measures of other Form than those prescribed by 5 G. 4. c. 74.—§ 4.
38. Copies of the Standard Weights and Measures which shall have been worn and intended to be sent to the Exchequer to be re-verified; Officer to keep a Register thereof, § 5.
39. Local and Customary Measures abolished; not to prevent Sale of Articles in certain Vessels, § 6.
40. Heaped Measure abolished, § 7.
41. Articles heretofore sold by Heaped Measure how to be sold, § 8.
42. Coals to be sold by Weight and not by Measure, § 9.
43. All Articles to be sold by Avoirdupois except as in the Act mentioned, § 10.
44. The Stone Weight, Hundred Weight, and Ton, § 11.
45. Contents of Weights and Measures to be stamped on them, § 12.
46. Weights made of Lead or Pewter not to be stamped, § 13.
47. For ascertaining certain Rent and Tolls, &c. payable in England and Ireland, § 14.
48. The same in Scotland, § 15.
49. Regulations as to fair Prices of Commodities in Scotland, § 16.
50. Copies of the Imperial Standards to be provided by Order of General or Quarter Sessions in England, and by Meetings of Justices in Scotland. Appointment of Inspectors, § 17.
51. Extending Time for Operation of Act in Galloway and Zetland, § 18.
52. Copies of Standards to be provided by Grand Jurors in Ireland, and Inspectors appointed, § 19.
53. Judges to order Copies of Standards in Counties in Ireland when it has not been done by Grand Jurors, § 20.
54. Magistrates in England and Scotland and Grand Jurors in Ireland to prepare Stamps for Inspectors, for stamping all Weights, &c. under this Act; Penalty on using Weights or Measures not authorized by Act, &c., no Weight above Fifty-six Pounds to be inspected or stamped, § 21.

55. Expense of providing Copies of Standard Weights, and the Remuneration to Inspectors, to be defrayed out of County Rate, &c. § 22.
56. No Maker or Seller of Weights or Measures to be appointed Inspector. Inspectors to enter into Recognizance, § 58.
57. Inspectors to attend at Market Towns, when ordered by Justices, &c. Inspector to pay Fees to Treasurer of County, &c., § 24.
58. Power to Magistrates of Towns, &c. to appoint Inspectors; Powers of such Inspectors; Penalty on Inspector knowingly stamping Weights, &c. of any Person residing out of the District, § 55.
59. Weigh measures in Ireland to be supplied with Bourns and Scales and accurate Copies, § 26.
60. Weights and Measures every stamped need not be re-stamped, § 27.
61. Power to Justices and Inspectors to enter Shops, and inspect Weights and Measures, § 28.
62. Penalty on Inspector for Neglect of Duty or for Misconduct, § 29.
63. Penalty for counterfeiting Stamps on Weights and Measures, § 30.
64. Penalty on Price Lists, &c. denoting greater or less Weight or Measure than the same Denomination of Imperial Weight or Measure, § 51.
65. As to Penalties in Scotland and Ireland, § 32.
66. Sale for Penalties; Form of Conviction, § 53.
67. Recovery of Penalties by Distress, &c.; if not sufficient Distress, Offenders to be committed to Common Gaol, &c., § 54.
68. Persons aggrieved may appeal to Quarter Sessions, § 55.
69. Proceedings not to be quashed for Want of Form, or reversed, § 56.
70. As to Penalties in Scotland, § 37.
71. Appeal to Scotland to Commissioners of Justiciary at Circuit Court, § 38.
72. Liberation of Actions, &c., § 50.
73. Plaintiff not to recover after Tender of Assents, § 40.
74. *4 Anne* (L) and *5 G. 1. c. 110.* repealed, except so far as relate to Duties, &c. of Weighmasters, § 41.
75. Powers of Ward Inquests in London, &c. not to be interfered with, § 42.
76. Rights of the Founders Company reserved, § 43.
77. Saving the Rights of the University of Oxford and Cambridge, § 44.
78. Not to abridge the Power of the Lest Jury, &c., § 45.
79. Act may be altered, &c., § 46.
80. Schedule of Fees.

*West Indies*, See Slaves.

*Widows*, See Dower.

*Wine*, See Customs, 152—154, 386;  
*Spirits*, 13.

### Witnesses.

1. To identify Witnesses who may give Evidence before either House of Parliament touching the Charge of Bribery in the Election of Burgesses to serve in Parliament for the Borough of *Steyning*, 3 *§ 4 W. 4. c. 20.*

### Wood.

1. To provide for the better Collection of the Duties on Wood the Produce of *Beverge* although imported from some British Possession in America, 3 *§ 4 W. 4. c. 20.*

2. 3 *§ 4 W. 4. c. 28.* *revised.* Duty to be payable upon Wood the Produce of *Beverge* although imported from some British Possession in America, § 1.

*Woods and Forests*, See Commissioners of Woods, &c.; Land Revenue.

### Woolen Trade.

- To repeal an Act [*13 G. 1. c. 25.*] for the better Regulation of the Woolen Trade, 3 *§ 4 W. 4. c. 28.*

### Woolwich Docks.

1. To enable the Commissioners for executing the Office of Lord High Admiral of the United Kingdom to acquire certain Lands at *Woolwich* in the County of *Kent*, for better securing His Majesty's Docks there, and for the Improvement of the same, 3 *§ 4 W. 4. c. 25.*
2. Appointment of Commissioners; Quorum, § 1.
3. Trinity Wharf and Part of Long's Wharf at *Woolwich* vested in the Commissioners, upon Trust, as to Trinity Wharf or the Owners, &c., and Payment of the Purchase Money, and afterwards, as to such Part as lies South of a certain straight Line, to be held in Trust for His Majesty for the Public Service, and as to the projecting Part, to be held in like Manner, until demolished, and when demolished the Site to be laid into and form Part of the River *Thames*; and as to Long's Wharf, for the Owners, &c., until Possession taken, and Payment of Purchase Money and Interest, and afterwards, until demolished, to be held in Trust for His Majesty, and when demolished to same Use as the Site therein-before described, § 2.
4. Compensation to be made, § 3.
5. Power to take Possession of so much of the Lands vested as is not in Possession of the Commissioners, and to demolish certain Parts of same, § 4.
6. Commissioners to build a new Greeting Wall, &c. along the Remainder of Long's Wharf, and so much as may not be purchased of Trinity Wharf, in a straight Line with the River Wall of the Dockyard, § 4.
7. Power to build a Wall in some Line in the Space between Trinity Wharf and Long's Wharf; Power to deviate from such straight Line, with Consent of Owners, &c., § 4.
8. In case Commissioners shall form new Landing Place, and make a Passage thereto, the Site of the present Landing Place at Western Extremity of the Dock, and shall be discharged from all Right of mining same, § 5.
9. Power to enter adjoining Lands, and to deposit Materials, &c., for the Purpose of the Act, making Compensation for Damages, § 6.
10. Commissioners empowered to buy Lands hereby vested, and Corporations, &c. may contract for Sale thereof, and also for Compensation or Satisfaction to be made for Damages, § 7.
11. Manner of proceeding in case Parties cannot agree, or by Absence, &c. shall be prevented from treating, § 8.
12. In default of Juries, Sheriff to adjourn Inquiry until a sufficient Number appear, § 9.
13. No Person to be heard upon Inquiry without giving previous Notice of his Claim, § 10.
14. Jury to distinguish Value of certain Parts of the Premises, and to settle the Proportions to be allowed to and out of particular Estates, &c. in satisfaction of the same, § 11.

1. After 1/2 possession of Rent, Land, not purchased  
 subject only to the Remainder and Accrues, § 12.  
 2. Rights of Action and Re-entry reserved to Persons  
 entitled to Reversion expectant on the Lease, § 13.  
 3. In case no Person appears pursuant to Notice, Inquest  
 to be taken upon the best Information, § 14.  
 4. Penalties imposed on Sheriff, Jurors, and Witnesses for  
 Neglect of Duties: how to be recovered; Justice may  
 proceed by Summons without written Information, § 15.  
 5. Witnesses giving false Evidence may be prosecuted:  
 Punishment, § 16.  
 6. Inquisitions to be preserved as Records, and to be good  
 Evidence, § 17.  
 7. Allowances to Sheriffs and Jurors: how to be settled  
 and paid, § 18.  
 8. Payment of Purchase Money, § 19.  
 9. Differences between Commissioners and Owners as to  
 Damages to be settled by Two Justices, § 20.  
 10. Application of Compensation Money when exceeding  
 200—§ 21.  
 11. When not exceeding 200—§ 22.  
 12. In case of Disputed Titles Money to be paid into the  
 Bank, § 23.  
 13. Persons in Possession presumptively entitled, § 24.  
 14. Court may order Costs of Petition to be paid by Com-  
 missioners, § 25.  
 15. Lands given in exchange to be settled to same Uses as  
 those for which they are given, § 26.  
 16. Power to remove and prevent Obstructions along the  
 Southern Shore of the River within 320 Yards West of  
 Long's Quay, § 27.  
 17. Powers hereby granted not to prejudice other Remedies,  
 § 27.  
 18. Limitation of Actions, § 28.  
 19. In Action for any thing done, if the Court or Judge  
 shall certify reasonable Cause, Plaintiff not entitled to  
 Costs, § 29.  
 20. If Lands vested are not required within Five Years,  
 they are to be exempted from the Operation of the Act,  
 § 30.  
 21. Saving the Rights of the Corporation of London, § 31.  
 22. Public Act, § 32.

Warehouses, See Poor, 223.

Writs, See Process.

Writs of Inquiry, See Law (Amendment  
 of), 17—20.

END OF THE THIRTEENTH VOLUME.